

CITY OF VILLA GROVE
DOUGLAS COUNTY, ILLINOIS

ORDINANCE NO. 2020-MC05

**AN ORDINANCE IMPLEMENTING EMERGENCY MEETING
PROCEDURES TO ALLOW FOR ELECTRONIC MEETINGS**

PASSED BY THE CITY COUNCIL AND
APPROVED BY THE MAYOR OF THE
CITY OF VILLA GROVE, ILLINOIS
THIS TWENTIETH DAY OF MARCH, 2020

PUBLISHED IN PAMPHLET FORM BY AUTHORITY OF THE MAYOR AND CITY COUNCIL OF THE CITY OF
VILLA GROVE, DOUGLAS COUNTY, ILLINOIS, THIS TWENTY-FIRST DAY OF MARCH A.D. 2020.

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DOUGLAS COUNTY, ILLINOIS

ORDINANCE NO. 2020-MC05

March 20, 2020

**AN ORDINANCE IMPLEMENTING EMERGENCY MEETING
PROCEDURES TO ALLOW FOR ELECTRONIC MEETINGS**

WHEREAS, the City of Villa Grove, Douglas County, State of Illinois, hereinafter "City" is a body politic and corporate, organized and existing pursuant to the Illinois Municipal Code, 65 ILCS 5/1-1-1, et seq.; and

WHEREAS, on January 30, 2020, the World Health Organization declared the outbreak of COVID-19 to be a public health emergency of international concern and on March 11, 2020 declared a worldwide pandemic; and

WHEREAS, on January 31, 2020, the U.S. Health and Human Services Secretary declared a public health emergency for the United States; and

WHEREAS, the Governor of the State of Illinois issued a disaster proclamation on March 9, 2020 due to the impact of the COVID-19 virus and has activated the State Emergency Operations Center; and

WHEREAS, the State Emergency Management Agency has declared a public health emergency due to the impact of the COVID-19 virus; and

WHEREAS, on March 16, 2020 the Governor of the State of Illinois issued Executive order 2020-07 whereby beginning March 18, 2020 all public gatherings of 50 or more people would be prohibited and whereby provisions of the Illinois Open Meetings Act 5 ILCS 120 requiring physical presence at municipal meetings is suspended; and

WHEREAS, the City of Villa Grove ("City") recognizes that meetings in person increases the risk of the spread of COVID-19 and that there are electronic alternatives that allow for meetings via audio and/or video conferences; and

WHEREAS, the Villa Grove City Council has considered the existence of a public health emergency in acting upon this ordinance and actions required to promote the health, safety and welfare of its citizens; and

WHEREAS, 20 ILCS 3305/10(j) of the Emergency Management Agency Act and 65 ILCS 5/8-10-5 of the Illinois Municipal Code and Section 12.5-32 (d)(5) provides the City with certain emergency contractual authority; and

WHEREAS, the Mayor and the City Council specifically find that the passage of this Ordinance will promote the health, safety, and welfare of the City.

NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL, CITY OF VILLA GROVE, DOUGLAS COUNTY, ILLINOIS, as follows:

SECTION 1: City Council Meetings. That any regular or special meetings of the City Council may be conducted at the call of the Mayor or two City Council members via electronic means including audio or video conference. Such meetings may be held, providing such notice to the public and media as is reasonable under the circumstances, and if possible, providing access to the public and including means for public participation. Notice by email to Council members shall be effective when emailed to each Council member and the Clerk shall utilize such email addresses as are on record for each Council member by the City or such new address as may be provided by such Council member. Personal service, calls, and calls leaving voicemails shall also be effective service and effective as of when service is made or calls are made all as may apply. Any such calls shall be made to phone numbers on file with the City as updated by each Council member or to the last ascertainable phone number for each Trustee. All such meetings shall be considered "emergency meetings" under the law.

During this period of emergency with the suspension of the Illinois Open Meeting Act, any actions which require an affirmative vote of a majority of a quorum present, electronically or physically at the meeting for the passage of any ordinance, resolution or other action shall be subject to the following provisions:

- A. All Council members shall be allowed to attend and participate in City Council meetings by such telephonic, video conferencing, or other electronic means as are made available by the City which allow for real-time participation. Council members may, if permitted by the Mayor, participate in such meeting from the regular meeting location.

- B. Electronic Means shall include telephone, video, or web-based conferencing means made available by the City that:
 - 1. Allows all Council members to hear and communicate with each other and the City Clerk.

 - 2. Where possible, practicable, and feasible, allows the public to hear and view, the meeting, public statements by Council members and voting through commonly available technological means. Failure to provide for same shall not preclude the City Council from continuing the meeting or void any action taken at such meetings.

 - 3. Where possible, allows for the public comment when possible and practicable by email and/or other electronic messaging if feasible. Failure to allow for such comment shall not preclude the City Council from continuing the meeting or voiding any action taken at such meeting.

- C. During a meeting held pursuant to this ordinance, members of the public shall not be entitled or permitted to be present in the physical location where the meeting occurs.

- D. All votes shall be conducted by a roll call vote that discloses the identity of the person voting and that person's vote.

- E. All electronic meetings conducted pursuant to this ordinance shall be recorded.
- F. Minutes of the meeting shall be taken and promptly prepared for review and approval by the City Council at the next regular or special meeting.
- G. A quorum may be established by the attendance of City Council members through Electronic Means.
- H. If a Council member's ability to participate by Electronic Means is disconnected or delayed, the City Council may elect to proceed with the meeting provided a quorum remains present.

SECTION 2: Duration. This ordinance shall continue until repealed or amended by the City Council or an order by the Governor ending the suspension of the Open Meeting Act is entered.

SECTION 3: Priority. To the extent that this ordinance conflicts with the provisions of other City ordinances, such other provisions shall be deemed suspended and the terms and authority of this ordinance shall have priority and shall apply.

SECTION 4: Severability. If any provision of this ordinance or the application of it to any person or circumstance is held invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provisions or applications. The provisions of this ordinance are expressly declared to be severable.

SECTION 5: Effective Date. This ordinance shall be in full force and effect upon passage and approval, as provided by the Illinois Municipal Code, as amended.

PRESENTED, PASSED, APPROVED AND ADOPTED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF VILLA GROVE, ILLINOIS, at its emergency meeting on this twentieth day of March, A.D., 2020, by a roll call vote as follows:

Blaney, Thelma I. yea

Hooker, Anthony L. yea

Eversole-Gunter, Cassandra A. N/A

Johnson, Derek S. yea

Garrett, Ryan P. yea

Pangburn, Matthew M. yea

Griffith, Darrel M. yea

APPROVED:


CASSANDRA A. EVERSOLE-GUNTER
Mayor

ATTEST:


MICHELLE L. OSBORNE
City Clerk

SEAL

