

ORDINANCE 2024-06

AN ORDINANCE OF THE VILLAGE OF POPLAR GROVE, ILLINOIS AMENDING TITLE 1, CHAPTER 5, SECTION 1-5-2 OF THE VILLAGE'S CODE OF ORDINANCES

WHEREAS, the Village of Poplar Grove, Illinois ("Village") has adopted a Code of Ordinances ("Village Code"); and

WHEREAS, the Village Code Title 1 "Administration," Chapter 5 "Village Board of Trustees," Section 1-5-2 provides for Electronic Attendance at Meetings; and

WHEREAS, the Village now desires to amend Section 1-5-2 B. to add unexpected childcare obligations as a permissible reason to attend electronically in adherence to 5 ILCS 120/7(a); and

WHEREAS, the Village now desires to amend Section 1-5-2 C. to reflect a more detailed procedure the Board must follow when a member has requested to attend electronically; and

WHEREAS, the Village has determined that such amendments are in the best interest of the Village and its citizens.

NOW THEREFORE, be it ordained by the President and Board of Trustees for the Village of Poplar Grove, Illinois, as follows.

1. The above-recitals are incorporated herein and made a part hereof.
2. That Title 1, Chapter 5, Section 2 of the Village Code, is hereby amended which shall read as follows: (deletions identified by strikethroughs and additions by bold and underline):

"1-5-2. - ELECTRONIC ATTENDANCE AT MEETINGS.

A member of the corporate authorities of the Village of Poplar Grove (hereinafter "member") may attend any open meeting of the corporate authorities via electronic means (such as by telephone, video or internet connection) provided that such attendance is in compliance with this section and with any applicable laws.

- A. A member wishing to attend a meeting electronically should notify the Village Clerk at least 24 hours prior to the meeting, unless impractical, so that necessary communications equipment can be arranged. Inability to make the necessary technical arrangements will result in denial of a request for electronic attendance. Upon receiving the electronic attendance request, the Village Clerk shall inform the Village President of the request.
- B. A member may only attend an open meeting electronically if that member is unable to physically attend because of: (1) personal illness or disability; (2) employment purposes or Village business; ~~or~~ (3) a family or other emergency; **or**

(4) unexpected childcare obligations. A member who is appearing at an open meeting electronically may not attend any portion of that meeting that is closed pursuant to the Illinois Open Meetings Act.

B. Acceptance or rejection of a request by a member to electronically attend a meeting of the village board shall be determined in accordance with the following procedures:

- 1. After establishing that a quorum is physically present at the meeting which the member of the village board desires to electronically attend and establishing that the communications equipment necessary to permit participation in the manner prescribed by this section is functioning properly, the presiding officer shall state that:**
 - a. A member of the village board has requested permission to electronically attend the meeting; and**
 - b. The member will be authorized to electronically attend the meeting unless a motion objecting to the member's electronic attendance is made, seconded, and approved by majority of the members of the village board physically present at the meeting.**
- 2. If a motion objecting to the member's participation is made and approved by a majority of the members of the village board physically present at the meeting, the member making the request may not electronically attend the meeting. If no such motion is made and seconded or if any such motion is made and seconded but not approved by a majority of the members of the village board physically present at the meeting, then the request by the member to electronically attend the meeting shall be deemed approved by the village board and the presiding officer shall declare the requesting member present. After such declaration by the presiding officer, the authority of a member to electronically participate may not be withdrawn by the village board for that meeting.**

~~In order for a member to attend a meeting electronically a quorum of the Board must be physically present throughout the meeting and a motion authorizing the member's electronic presence is made, seconded, and approved by two-thirds of the members physically present at the meeting. If said motion achieves the required vote by the members physically present at the meeting, then the request by the member to attend the meeting electronically shall be approved, and the Village Clerk shall announce the member present electronically at the time the result of the vote is announced by the presiding Officer. If said motion fails to achieve the required vote by the members physically present at the meeting, then the request by the member to attend the meeting electronically shall be denied, and the Village Clerk shall declare the requesting member absent. After the results~~

~~of the vote on said motion is announced by the presiding Officer, the question of a member's electronic attendance may not be reconsidered.~~

- D. The member participating electronically must be able to communicate effectively with all other participants in the meeting, and members of the audience must be able to hear all communications at the meeting site.
 - E. Any member attending electronically shall be considered an off-site attendee and counted as present electronically for that meeting. The meeting minutes shall also reflect and state specifically whether each member is physically present or present by electronic means.
 - F. Reserved.
 - G. A member permitted to attend electronically will be able to express his or her comments during the meeting and participate in the same capacity as those members physically present, subject to all general meeting guidelines and procedures previously adopted and adhered to. The member attending electronically shall be heard, considered, and counted as to any vote taken. Accordingly, the name of any member attending electronically shall be called during any vote taken, and his or her vote counted and recorded by the Village Clerk and placed in the minutes for the corresponding meeting. A member attending electronically may leave a meeting and return as in the case of any member, provided the member attending electronically shall announce his or her leaving and returning.”
3. Except as amended in this Ordinance, all other provisions and terms of Village Code of Ordinances shall remain in full force and effect as previously enacted except that those ordinances, or parts thereof, in conflict herewith are hereby repealed to the extent of such conflict.
4. This Ordinance shall be in full force and effect from after its passage, approval, and publication in pamphlet form as provided by law.

PASSED UPON MOTION BY _____

SECONDED BY _____

BY ROLL CALL VOTE THIS _____ DAY OF _____, 2024

AS FOLLOWS:

VOTING "AYE": _____

VOTING "NAY": _____

ABSENT, ABSTAIN, OTHER _____

APPROVED _____, 2024

ATTEST:

CLERK

PRESIDENT