

CHAPTER 2

CITY COUNCIL

.01 GOVERNMENT OF CITY.

The City of Fairbury shall be governed by a City Council which shall be elected by wards and shall consist of a Mayor and eight aldermen. The boundaries of the wards in the City of Fairbury shall be as follows:

Ward No. 1: All that part of the City of Fairbury lying south of Locust St. and east of Third St.

Ward No. 2: All that part of the City of Fairbury lying south of Locust St. and west of Third St.

Ward No. 3: All that part of the City of Fairbury lying north of Locust St. and west of Third St.

Ward No. 4: All that part of the City of Fairbury lying north of Locust St. and east of Third St.
(1986-15)

.02 ELECTION, TERM AND POWERS.

The City Council shall be elected and serve for a four year term, and until their successors are elected and qualified, as provided by law. The terms of the Aldermen shall commence at the first regular or special meeting of the corporate authorities during the month of May following the proclamation of the results of the regular municipal election at which such Aldermen were elected. The City Council shall be the legislative department of the municipal government, and shall perform such duties and have such powers as provided by law and by ordinance. (1989-3)

.03 REGULAR MEETING.

All regular meetings of the Mayor and City Council shall be held on the first and third Wednesday of each and every month in the City of Fairbury at 6:30 P.M., except whenever the regular meeting date shall fall on a legal holiday, such regular meeting shall be held on the next succeeding secular day at the same hour and place. Said meetings may be held in any public building within the City of Fairbury as the City Council may from time to time designate by resolution. If the City Council fails to designate a location, the meeting shall be held in the City Hall in Fairbury. (2010-1)

.04 SPECIAL MEETINGS.

Special meetings of the City Council may be called by the Mayor or any three members of the City Council, provided that written notice of such meetings shall be given to each member of the City Council no less than 24 hours before the time set for such meetings. Whenever all of the members of the City Council are present at any special meeting, the requirement of notice of such special meeting shall be deemed waived.

.05 PRESIDING OFFICER.

The Mayor shall be presiding officer of the regular and special meetings of the City Council, and of other meetings when the City Council convenes as committee of the whole. In the absence of the Mayor, the council, by quorum, shall elect a mayor pro-tem from among its members to serve during such absence.

.06 QUORUM.

A majority of the elected members of the City Council shall constitute a quorum thereof, but no ordinance shall be passed except upon the affirmative vote of a majority of the elected members of the City Council or according to law.

.07 RULES OF ORDER.

(a) Order of Business. The order of business at all meetings of the City Council shall be as follows (2014-7):

1. Roll call of members.
2. Pledge of Allegiance.
3. Review/Action of minutes from previous City Council meeting.
4. Review/Action of bills.
5. Review/Action of Check Register.
6. Review/Action of Cash Report.
7. Public Comment on agenda item(s) from the last City Council meeting.
8. Reports of Departments.
9. Reports of Aldermen.
10. Old business.
11. New Business.
12. Public Comment on agenda item(s) for the City Council meeting.
13. Executive Session, if necessary.
14. Adjournment.

(b) Motions, resolution and ordinances. All motions, resolutions and ordinances submitted to the City Council shall be reduced to writing before being voted upon. Where such are adopted and entered upon the minutes of the proceedings of the City Council, the name of the member moving the adoption, and the name of the member seconding same shall be entered in the minutes. On each matter submitted to the City Council upon which a vote is taken, the vote of each member voting, as well as the vote of the Mayor when he is required by law or by ordinance to vote, shall also be entered in the minutes.

(c) Conduct at Public Meetings. No person who is not a member of the public body shall be permitted to speak at any public meeting of the City Council, any committee thereof, or any other committee, board, commission, agency or other public body of the City except in accordance with the following rules and procedures or such rules and procedures as may be adopted by majority vote of such committee, board, commission or agency. For purposes of this ordinance, such non-members of the public body shall be referred to as "interested parties." Nothing herein shall be construed to apply to an evidentiary hearing before an administrative officer or body of the City.

1. No interested party may speak at any public meeting except when recognized and permitted to speak by the presiding officer.

2. Any interested person wishing to speak at any public meeting shall register, in writing, prior to the beginning of the meeting, on a form provided by the City Clerk, giving his or her name, home or business address and the previous agenda topic on which the person wishes to speak. The registration form shall be submitted in person to the Clerk, or his/her designee. The presiding officer shall recognize speakers in the order in which their notice was received. A person who has not so registered shall not be permitted to address the public meeting, except upon motion approved by a majority vote of the public body. An interested party may submit notice of intent to speak only on behalf of himself or herself, and not on behalf of any other person. A representative of a group of interested parties who intends to speak on behalf of the group shall identify the individual members of the group by name and address.

3. Public comment shall be permitted by the presiding officer only during the designated public participation portion of the meeting. An interested party may speak for no longer than five (5) minutes. Comments shall be limited to the topics listed on the agenda as consent agenda, old business or new business. All public comment shall be directed to the presiding officer. No comments shall be directed to individual members of the public body.

4. Defamatory or obscene comments and derogatory remarks directed at any person shall not be permitted. Other comments which are prohibited include:

- Personal attacks
- Racial, sexist, homophobic, religious, political, ethnic, national, sexual, or other epithets
- Profanity, insulting, rude, vulgar, obnoxious, or foul language
- Threats, including, but not limited to:
 - Threats of violence
 - Threats of vandalism

These examples are not exhaustive. Insulting or disparaging an individual person is a personal attack regardless of the manner in which it is done, and is prohibited.

5. When an interested party is recognized by the presiding officer for the purpose of speaking publicly, the party shall speak only from the location designated by the presiding officer and shall use the microphone if one is provided. No comments shall be permitted from the floor of the chambers or meeting room. The speaker shall first state his or her name.

6. Shouting, clapping, stamping by any individual or group of individuals or making any other disruptive noise from the floor is prohibited while a person is speaking. Standing, waving, holding any sign, making any obscene gesture or other disruptive activity is prohibited. Disruptive noise or activity is anything which interrupts or prevents the orderly conduct of the business of the meeting. The audience shall remain silent throughout the meeting.

7. No person shall block any doorway. All persons in attendance at the meeting shall be seated during the meeting, except in cases of medical necessity, cases of practical necessity (e.g., while making a presentation), cases where standing is appropriate to show respect (e.g., the Pledge of Allegiance, etc.), or cases of insufficient seating.

8. All cell phones shall be silenced except when used as audio/video device during a meeting. No person shall conduct a cell phone conversation or text during a meeting. No person shall talk to another person during a meeting in a manner which makes it difficult for nearby persons to hear the proceedings of the meeting.

9. A person may photograph or make an audio or video recording of a meeting subject to the following limitations.

(A) A video camera or video recording device mounted on a tripod may be located only in an area designated therefore at the rear of the audience, and so as not to interfere with the ability of anyone to observe the meeting. Due to limited space, only one such camera shall be allowed per person. No person shall stand or move around the meeting room for the purpose of taking photographs or video recordings.

(B) No camera shall be directed at members of the public attending the meeting; cameras may be used only to photograph or record the proceedings of the public body and those people who are speaking from the designated location.

(C) No camera lighting may be used except for periods lasting no more than one minute in any fifteen (15) minute period, and shall not interfere with the ability of any person to observe the proceedings. The presiding officer may grant exceptions to this time limit in the case of video recording intended for commercial use which must meet commercial broadcast quality standards.

(D) Under no circumstances shall an audio or video recording process be permitted to interfere with the conduct of the meeting. The presiding officer may issue such orders as may be appropriate to terminate any disruption of the meeting caused by recording activity.

10. Any person who violates any provision of this Section shall be warned by the presiding officer to immediately discontinue the action and not repeat the violation. Any continuation or repetition of the violation after one warning shall constitute grounds for removal of the person from the meeting and shall constitute the offense of disorderly conduct. Upon conviction of a violation of this Section, the penalty shall be a fine of not less than \$250.00 for the first violation, not less than \$500.00 for the second violation, and not less than \$750.00 for each subsequent violation. One or more police officers shall be present at any public meeting if requested by the presiding officer and may remove any person violating this Section. (2014-7)

(d) Suspension of rules. The rules of order, other than those provided by law, may be suspended at any time by the affirmation vote of a majority of the members present at any meeting of the City Council.

(e) Robert's Rules of Order. Robert's Rules of Order, 75th Anniversary Edition, shall govern the deliberations of the City Council, except as otherwise provided by law or ordinance.

.08 RECORDS.

The City Clerk shall keep the minutes and records of the proceedings of the City Council.

.09 COMMITTEES.

- (a) Standing Committees. There shall be the following standing committees of the City Council: Committee on Streets and Alleys; Committee on Water and Sewer; Committee on Public Building; Committee on Police and Fire Protection; Committee on Parks and Lights; Committee on Finance; Committee on Ordinances, Permits and Insurance; Committee on Alcohol/Tobacco; and Committee on Administration and Technology. (2001-4)
- (b) Membership. The Mayor shall appoint the members of all standing committees and shall designate the chairmen and vice chairmen thereof. Each standing committee shall consist of three members of the City Council, except as the City Council shall otherwise provide.
- (c) Special committees. The Mayor shall appoint such special committees as shall be deemed necessary, or as the City Council shall direct.

.10 DUTIES OF STANDING COMMITTEES.

The Duties of the standing committees shall be as follows:

- (a) Committee on Streets and Alleys. The Committee on Streets and Alleys shall have charge of all grading, graveling, paving, digging, trenching, cleaning, clearing, vacating or opening of all streets, alleys, curbing and sidewalks in the City, and shall recommend to the City Council any purchase, change, or disposition of machinery of equipments, and shall perform such other duties as may be provided for by law or by ordinance.
- (b) Committee on Water and Sewer. The Committee on Water and sewer shall investigate, examine, inspect and report to the City Council on all installations, proposed installations, and all matters pertaining to water and sewer within the City, and to obtain, preserve and maintain all records, plats, sketches, drawings and all other papers relating to such installations, proposed installations, and all other matters pertaining to water and sewer within the City.
- (c) Committee on Public Buildings. The Committee on Public Buildings shall recommend to the City Council all matters concerning the use and maintenance of City power, lights and City owned building including addition thereto.
- (d) Committee on Police and Fire Protection. The Committee on Police and Fire Protection shall recommend to the city Council all procedures, regulation, restriction and conditions proper for the police and fire protection of the inhabitants of the City, for maintenance of law and order in the City, for the enforcement of the ordinances of the City, and for the performance of other such duties and functions usually performed by police departments.
- (e) Committee on Parks and Lights. The committee on Parks and Lights shall have charge of all park areas owned by or controlled by the City and shall recommend to the City Council all regulations

proper for the care and management of such areas, and shall perform such other duties as may be provided for by law or by ordinance.

- (f) Committee on Finance. The Committee on Finance shall audit all bills and accounts, approve the treasurer's monthly report, approve the reports of and City Collectors, manage and protect the various funds of the City; recommend to the City Council the annual appropriation and tax levy ordinance, report to the City Council when requested to do so concerning the finances of the City, and to perform such other duties as may be provided for by law or by ordinance.
- (g) Committee on Ordinances, Permits, and Insurance. The committee on Ordinances, Permits and Insurance shall recommend to the City Council all procedures proper for the licensing of all activities, subject to mandates of Illinois law, carried on within the City limits. Said Committee shall recommend to the City Council and amount deemed proper as a fee for licensure subject to regulation by the United States or the State of Illinois. Said Committee shall also recommend to the City Council all additions or modifications to City ordinances as well as suggesting the procedure for modifying same. Said Committee shall also recommend proper insurance coverages and carriers to the Council.
- (h) Committee on Alcohol/Tobacco. The Alcohol/Tobacco Committee shall review the alcohol ordinances of the City of Fairbury, violations of said ordinances, applications for liquor licenses, recommend to the City Council the disposition of the monies from the drug/alcohol/tobacco education line item, perform such other matters as the Liquor Control Commissioner may request of the Alcohol/Tobacco Committee shall make appropriate recommendations to the Liquor Control Commissioner in regards to all such matters. Said Committee will participate in public hearings at which applications for alcoholic beverage permits will be considered and subsequently voted upon the by City Council. (2018-5)
- (i) Committee on Administration and Technology. The Committee on Administration and Technology shall have charge of human resources including: salaries, benefits, disciplinary procedures, and mediation between supervisors and employees and is responsible for ensuring that all FSLA regulations are followed. Said Committee also shall recommend to the City Council the purchase and use of technology in all City departments including computers, cameras, audio/visual equipment, radios, software, software subscriptions, and internet access. (2018-5)