

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 17,635
PERTAINING TO COUNCIL RULES

WHEREAS, the City of Peoria is a home rule unit pursuant to Article VII of the Illinois Constitution of 1970 and, as such, may exercise any power and perform any function pertaining to its government and affairs including, but not limited to, the power to establish rules and the order of business of the City Council; and

WHEREAS, the City Council as constituted May 2, 2023, desires to establish its own rules which rules are set forth below;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Peoria, Illinois, as follows:

Section 1. Ordinance No. 17,635 is hereby amended by adding the following underlined words and deleting the following words marked with a strikethrough:

HOME RULE

The City of Peoria is a **HOME RULE** Unit Pursuant to Article VII of the Constitution of Illinois and, as such, may exercise any power and perform any function pertaining to its government and affairs including, but not limited to, the power to establish rules and the order of business of the City Council.

1. **MEETINGS**. The regular meetings of the Council shall be held as provided in Chapter 2, Section 11, of the Municipal Code of Peoria.
2. **SPECIAL MEETINGS**. Special meetings may be called as provided in Chapter 2, Section 12 of the Municipal Code of Peoria.

All meetings shall be open to the public as required by State Statute. Place of meetings other than City Hall shall be announced forty-eight (48) hours prior to the date of the meeting.

3. **PRESIDING OFFICERS**. The Mayor shall preside at all meetings of the Council, and ~~he~~ shall have the right of debate and vote on all issues.

In the absence of the Mayor, a temporary chairman shall be appointed by the Mayor as communicated to the City Clerk. In the absence of ~~an~~~~his~~ appointment, a member of the Council shall be appointed by a majority vote of the Council Members.

The temporary chair~~man~~, when acting as presiding officer, shall vote on all questions on which the vote is taken by "yeas" and "nays" and ~~he~~ shall not be deprived of ~~the~~~~his~~ right of debate.

4. **QUORUM**. A quorum for the transaction of business shall consist of a majority of all voting members authorized by law to be elected.

All questions relating to the priority of business shall be decided by the Chair without debate, subject to appeal; except for special orders.

5. **DUTIES OF THE PRESIDING OFFICER.** The presiding officer shall preserve order and decorum and may speak to points of order in preference to other members and shall decide all questions of order subject to appeal.

In case of any disturbances or disorderly conduct, the presiding officer shall have the power to require the chamber be cleared.

6. **DUTIES OF MEMBERS.** While the presiding officer is putting the questions, no member shall walk across or out of the Council Chamber.

Every member, previous to ~~his~~ speaking, making a motion or seconding the same, shall address himself to the presiding officer and say: "~~Mayor or Chair~~~~Mr. Chairman,~~" and shall not proceed with ~~his~~ remarks until recognized and named by the Chair. ~~Members~~~~He~~ shall confine ~~remarks himself~~ to the question under debate, avoiding personalities and refraining from impugning the motives of any other member's argument or vote.

When two or more members address the Chair at the same time, the presiding officer shall name the member who is first to speak.

7. **VISITORS.** No person other than a member of the Council ~~or the City Manager~~ shall address the body, except with the consent of a majority of the members present.

The statutory powers and duties of the City Manager include: To attend all meetings of the council with the right to take part in the discussions, but not vote. 65 ILCS 5/5-3-7(6).~~shall have the right to take part in the discussions of the Council.~~

8. **PRESENTATION OF NEW BUSINESS.** When a member wishes to present an Ordinance, Resolution, communication, petition or report, ~~the member~~~~he~~ shall address the Chair~~man~~ in the usual form and having briefly stated the subject of such communication or report, ask leave to present the communication or report.
9. **DEBATE.** The proponent of the matter under consideration shall have the right to open and close debate. The Chair~~man~~ may limit debate to five minutes per member at any one time or may require a motion providing for additional debate. The Chairman may also limit debate to five minutes per member of the public permitted to participate in debate or may require a motion providing for additional debate.
10. **CALL OF MEMBER TO ORDER.** A member, when called to order by the Chair, shall thereupon discontinue speaking and the order of ruling of the Chair shall be binding and conclusive, subject only to the right of appeal.
11. **APPEALS FROM DECISIONS OF THE CHAIR.** Any member may appeal to the Council from a ruling of the Chair, and, if the appeal is seconded, the member making the appeal may briefly state ~~the~~~~his~~ reason for the same, and the Chair may briefly explain ~~the~~~~his~~ ruling, but there shall be no debate on the appeal and no other member shall participate in the discussion. The Chair shall then put the question, "Shall the

decision of the Chair be sustained?" If a majority of the members present vote "No," the decision of the Chair shall be overruled; otherwise, it shall be sustained.

12. **QUESTION OF PERSONAL PRIVILEGE.** The right of a member to address the Council on a question of personal privilege shall be within the discretion of the Chair.
13. **VOTING.** Every member, who shall be present when a question is stated from the Chair, shall vote thereon unless excused by Council or unless the member ~~he~~ has a conflict of interest as to the question, in which case, the member ~~he~~ shall not vote. A member abstaining shall disclose the nature and extent of the interest before or during deliberations concerning the matter and shall not participate in the deliberations. Conflict of interest includes but is not limited to activity or interests prohibited by the Public Officer Prohibited Activities Act (50 ILCS 105) and the Illinois Municipal Code (65 ILCS 5/3.1-55-10), as may be amended from time to time. (Ordinance No. 16,142 as amended by Ordinance No. 17,635.)
14. **SECONDING OF MOTIONS REQUIRED: WRITTEN MOTIONS.** Every motion in the Council, except motions of procedure, shall be reduced to writing, if requested by a member and the proposer of the motion shall be entitled to the floor. When a motion is seconded, it shall be stated by the presiding officer.
15. **WITHDRAWAL OF MOTIONS.** After a motion or resolution is stated by the presiding officer, it shall be deemed to be in possession of the Council, but it may be withdrawn at any time before decision, by consent of the Council.
16. **PARTITION OF QUESTIONS.** If any question under consideration contains several distinct propositions, the Council, by a majority vote of the members present, may divide such question.
17. **RECORD OF MOTIONS.** In all cases where a Resolution or motion is entered in the journal, the name of the member moving the same shall be entered also.
18. **"YEA" AND "NAY" VOTE; PLURALITIES REQUIRED.** The yeas and nays shall be taken upon the passage of all Ordinances and on all propositions to create any liability against the City, or for the expenditure or appropriation of its money, and such vote shall be entered on the Journal of the Proceedings, as is provided by State Statute. A roll call vote shall be taken upon other questions and entered in the Journal of Proceedings, if any member requests it prior to taking the vote on the question. Notwithstanding this rule, a division of the House can be called by any member.

When the Chair has instructed the members to cast their ballots for the taking of a vote by "yeas" and "nays," all debate on the question before the Council shall be deemed concluded, and during the taking of the vote, no member shall be permitted to explain the member's ~~his~~ vote, but shall cast a vote ~~his ballot~~ using the electronic method as located at the member's ~~his~~ desk.

The passage of all Ordinances for whatever purpose, and of any Resolution or motion (1) to create any liability against the City or (2) for the expenditures or appropriation of its money shall require the affirmative vote of a majority of the Council Members holding office. (Council Member includes the Mayor.)

Majority Vote. Included among actions which shall require the affirmative vote of a majority of the Council Members holding office are the following:

- The sale or transfer or lease for any term in excess of 20 years of City-owned real property.
- Ordinances vacating any street or alley.

Affirmative 2/3 Vote. Included among actions which shall require the affirmative vote of a majority of the Council Members actually voting, but not less than the affirmative vote of a majority of Council Member holding office.

- Ordinance granting a zoning amendment where a valid written protest under Section 2.8.c of the Zoning Ordinance is filed.
- Passage of a budget amendment.
- Authorization to enter into a contract without advertising for bids (under Section 10-100(b) of the Code)
- ~~Authorization to provide City funds to the Workforce Development Board to JTPA Service Delivery Area No. 15~~

2/3 Votes

Number Voting	7	8	9	10	11
# Votes Needed	6	6	6	7	8

Sale, transfer or lease of any term in excess of twenty (20) years of City-owned real property may be made by Ordinance, Resolution or motion.

Any Ordinance, Resolution or motion which obligates the Council to adopt in the future another Ordinance, Resolution or motion shall require the same affirmative vote as required to adopt said future Ordinance, Resolution or motion.

19. **VOTING PROCEDURES.** All members of the Council, including the Mayor, shall cast either a “yea” or “nay” vote or abstain on all matters duly calling for a vote. A “present” or “pass” vote shall be considered an abstention. An abstention shall not be considered as a vote on a question. A member abstaining shall disclose the nature and extent of the interest before or during deliberations concerning the matter and shall not participate in the deliberations. In no event, however, shall any Ordinance, Resolution or motion requiring a super-majority vote be adopted without the affirmative votes of a majority of the Council Members then holding office, including the Mayor.

20. **ANNOUNCEMENT AND CHANGES OF VOTE.** The result of all votes by yeas and nays shall be announced by the Chair~~man~~ and no vote shall be changed after the vote has been announced by the Chair~~man~~.

21. **MOTION TO ADJOURN.** A motion to adjourn the Council shall always be in order except for the following:

- When a member is in possession of the floor;
- While the yeas and nays are being called;

- c. When the members are voting;
- d. When adjournment was the last preceding motion; and
- e. When it has been decided that the previous question shall be taken.

A motion to adjourn shall not be subject to amendment or debate, but a motion to adjourn to a time certain shall be.

The Council may at any time adjourn over one or more regular meetings, on an affirmative vote of a majority of Council Members then holding office.

- 22. **PREVIOUS QUESTION.** When the previous question is moved on the main question, and seconded, it shall be put in this form: "Shall the main question now be put?" If such motion be carried all further amendments and all further motions and debate shall be excluded, and the question put without delay, upon the pending amendments in proper order, and then upon the main question.
- 23. **INDEFINITE POSTPONEMENT: MOTION TO DEFER OR POSTPONE WITHOUT ANY REFERENCE TO TIME.** When consideration of a motion or other proposition is postponed indefinitely, it shall not be again taken up at the same meeting.
- 24. **FILLING BLANKS.** When a blank is to be filled, and different sums or times proposed, the question shall be taken on the least sum or the longest time.
- 25. **MOTION TO SUBSTITUTE.** A substitute for any original motion or amendment shall be subject to the same provisions as a motion to amend.
- 26. **RECONSIDERATION.** A vote or question may be reconsidered at any time during the same meeting, or at the next regular meeting held thereafter. A motion to reconsider must be made and seconded by members who voted on the prevailing side of the question to be reconsidered, unless otherwise provided by law; provided, however, that where a motion has received a majority vote in the affirmative, but is declared lost solely on the ground that a greater number of affirmative votes is required by statute for the passage or adoption of such motion, then in such case a motion to reconsider may be made and seconded only by those who voted in the affirmative on such question to be reconsidered. A member desiring to have a matter reconsidered at the next regular meeting shall advise the Clerk prior to 10:00 A.M. on the Friday before the meeting. The Clerk shall then place the proposed motion to reconsider on the Council Agenda (Ordinance No. 16,142 as amended by Ordinance No. 16,458.)
- 27. **ADOPTION OF "ROBERT'S RULES OR ORDER REVISED."** The rules of parliamentary practice comprised in the latest published edition of "Robert's Rules of Order Revised" shall govern the Council in all cases in which they are applicable and in which they are not inconsistent with the special rules of this Council.
- 28. **TEMPORARY SUSPENSION OF RULES: AMENDMENT OF RULES.** These rules may be temporarily suspended by a vote of two-thirds of all the Council members then holding office and shall not be repealed, altered or amended, unless by the affirmative

vote of two-thirds of all Council members then holding office. Provided, however, that it is the intention of this Council that future Councils may pass their own rules Ordinance within ninety(90) days of the commencement of terms of newly elected At-large or District Council Members. This ninety (90)-day term may be extended by any newly seated Council.

Any Ordinance, Resolution or motion purporting to create a required number of votes for passage of an Ordinance, Resolution or motion shall be considered an amendment to these rules and may only be passed as set forth herein. Any Ordinance, Resolution or motion adopting, altering or superseding Robert's Rules of Order Revised shall be considered an amendment to these rules and shall be passed only in accordance with the procedures set forth herein.

29. **CENSURE OF MEMBERS.** The Mayor or any Council Member persisting in a violation of any of the foregoing rules shall be subject to a fine of not less than One Dollar (\$1.00) nor more than Twenty-Five Dollars (\$25.00) for Council Members unless ~~he be~~ excused by a vote of the Council and fine remitted. Any fines so collected shall be paid to the City Treasurer and shall be equally divided between the Firemen's and Police Pension Funds.

All charges against the Mayor or Council Members of improper conduct shall be made by a member of the Council and shall be reduced to writing, setting forth specifically the nature of the charge, and no remarks or debate shall be permitted upon said charge until the question comes up for investigation and decision.

30. **CODE OF CONDUCT.** The Code of Conduct of the Peoria City Council is predicated on *The Golden Rule* which states, "Do unto others as you would have them do unto you." City Council meetings are forums for conducting the people's business in an orderly and dignified way. Therefore, there are certain standards of conduct which are required as follows:

- a. City Council Member must not engage in verbal abuse of fellow Council members, Staff or members of the public. If any member engages in such abuse, the member will be ruled out of order by the Chair and reprimanded by the Council if such commentary continues.
- b. Citizens who are given the privilege of the floor to address the Council will not be permitted to verbally abuse Council Members or City employees. If there is a violation, the Chair will interrupt the party, rule the party out of order, and if such commentary continues, the violating party will forfeit the privilege of addressing the City Council. Complaints regarding specific City employees can be submitted in writing to the Office of the City Manager and/or City Council Member(s), and/or other relevant parties.

Under no circumstances will any portion of this Code be used to limit strong public debate on vital community issues or stifle the complete consideration of divergent ideas, no matter how unpopular these ideas may be. Rather, the purpose of this code is to ensure civility in the conduct of the people's business.

31. **POLICY SESSIONS.** Policy Session of the City Council shall be conducted in the manner to encourage the discussions of issues by and between Members of the City Council and the Administration. Ordinances, Resolutions and Motions of the Council shall not be voted upon at Policy Sessions, except for a motion to allow a member of the public to address the Council and except for a Motion to give direction to the Staff. Members of the public shall be permitted to address the Council at a Policy Session upon motion made and seconded by a Council Member and approved by a 2/3 vote of the Council Members present. When there is a Policy Session, a Council Member shall note that there may be a Motion to allow members of the public to speak and there may be Motions giving direction to the Staff on the issue. (Ordinance No. 16,142 as amended by Ordinance No. 16,458.)
32. **CANCELLATION OF MEETINGS.** The City Council may cancel any regular meeting or special meeting. Any such meeting may be cancelled by the affirmative vote of a majority of Council members holding office. In addition to the above-described method of canceling a meeting, the City Manager or the Mayor may cancel any regular meeting or special meeting due to anticipated lack of a quorum, lack of agenda items, [severe weather](#) or national disasters. A meeting may not be cancelled by the City Manager or Mayor for lack of agenda if a Council Member has placed an agenda item with the Clerk by 10:00 A.M. on the Friday preceding the regular meeting. Neither the City Manager nor the Mayor shall have the authority to cancel a second consecutive meeting. A meeting may also be cancelled by a Notice of Cancellation signed by a majority of Council Members holding office.
33. **REPORTS BACK.** A REQUEST FOR INFORMATION FROM ONE Council Member shall not require that a Report Back be placed on a subsequent Council agenda. When a request for a Report Back is on the Council Agenda, by motion and vote of a majority, the Council may request a formal Report Back, which would then be placed on a subsequent City Council Agenda. (Ordinance No. 16,142 as amended by Ordinance No. 16,458.)
34. **ELECTRONIC ATTENDANCE AT MEETINGS.**
- a. **Rules Statement.** Any member of the City Council may attend any open or closed meeting of the City Council via electronic means (such as by telephone, video or internet connection) provided that such attendance is in compliance with these rules and any applicable laws.
 - b. **Prerequisites.** A member of the City Council may attend a meeting electronically if the member meets the following conditions:
 1. The member should notify the Clerk at least **48 hours** before 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 remote attendance.
 2. The member must assert one of the following three reasons why [the member he/she](#) is unable to physically attend the meeting:
 - a) The member cannot attend because of personal illness or disability;
 - b) The member cannot attend because of employment purposes or the business of the City; or
 - c) The member cannot attend because of a family or other emergency.

c. Authorization to Participate.

1. The Clerk, after receiving the electronic attendance request, shall inform the City Council of the request for electronic attendance.
2. After establishing that there is a quorum physically present at the meeting where a member of the City Council desires to attend electronically, the presiding officer shall state that (i) a notice was received by a member of the City Council in accordance with these Rules, and (ii) the member will be deemed authorized to attend the meeting electronically unless a motion objecting to the member's electronic attendance is made, seconded, and approved by two-thirds of the members of the City Council physically present at the meeting. If no such motion is made and seconded or if any motion fails to achieve the required vote by the members of the City Council physically present at the meeting, then the request by the member to attend the meeting electronically shall be deemed approved by the City Council and the presiding officer shall declare the requesting member present. After such declaration by the presiding officer, the question of a member's electronic attendance may not be reconsidered.
3. Adequate Equipment Required. The member participating electronically, and other members of the City Council must be able to communicate effectively, and members of the audience must be able to hear all communications at the meeting site. Before allowing electronic attendance at any meeting, the City Council shall provide equipment adequate to accomplish this objective at the meeting site.
4. Minutes. Any member attending electronically shall be considered an off-site attendee and counted as present electronically for that meeting if the member is allowed to attend. The meeting minutes shall also reflect and state specifically whether each member is physically present or present by electronic means.
5. Rights of Remote Member. A member permitted to attend electronically will be able to express ~~his/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 ~~the~~~~his/her~~ vote counted and recorded by the 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 ~~the~~ ~~member's~~~~his/her~~ leaving and returning.
6. A member attending electronically shall cast ~~a~~~~his/her~~ vote after the members physically present have voted electronically, but before the Chair announces the vote.

35. **REMOVAL FROM TABLE.** A Council Member may ask that an item be placed on the next Council Agenda for removal of an item from the table. The request from the Council Member may also include a proposal to take action on the item at the same meeting that is removed from the table. Unless the item to be removed is on the

Agenda, a Motion to remove an item from the table shall be voted on at the next regular meeting after the Motion is made. Items left on the Table shall automatically be removed from the table with no further action upon the commencement of the next Council term. (Added by Ordinance No. 16,458.)

36. **NEW BUSINESS.** All motions made and seconded during New Business shall be placed on the Agenda of the next regular meeting and shall not be voted on until that next regular meeting. (Added by Ordinance No. 16,458.)

37. **MOTION TO DEFER TO A SPECIFIC DATE.** Consistent with Roberts Rules of Order, debate on a Motion to Defer or Postpone to a specific date shall be limited to the issue of the effect of the deferral or postponement; provided, however, that Council Members may advise staff during the debate on the deferral or postponement of any questions they may want answered when the item is back before the Council. (Added by Ordinance No. 16,458.)

~~37.~~38. **BUDGET PROCESS.** The annual budget shall be prepared as a proposed version and introduced at a special or regular meeting of the City Council and shall be received and filed for consideration. At that meeting or subsequent meetings of the City Council, amendments to the budget may be proposed, considered, and approved by the City Council. The Council may approve amendments to the budget and the amended budget may be deferred to subsequent meetings for additional amendments or approval of the amended budget.

Section 2. This Ordinance shall take effect upon passage and publication as provided by law.

PASSED BY THE CITY COUNCIL OF THE CITY OF PEORIA, ILLINOIS this _____ day of _____, 2023.

APPROVED

Mayor

ATTEST:

City Clerk

EXAMINED AND APPROVED:

Corporation Counsel