

CITY OF COLUMBIA, ILLINOIS

ORDINANCE NO. 2925

**AN ORDINANCE DEFINING MEETING AND ADOPTING
PROCEDURES FOR ELECTRONIC ATTENDANCE AT MEETINGS**

**Adopted by the
City Council
of the
City of Columbia, Illinois
this 17th day of January, 2012**

**Published in pamphlet form by
authority of the City Council
of the City of Columbia,
Illinois, this 17th day
of January, 2012**

JAN 17 2012


City Clerk

ORDINANCE NO. 2925

**AN ORDINANCE DEFINING MEETING AND ADOPTING
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WHEREAS, on January 1, 2007, Public Act 94-1058, amending the State of Illinois' Open Meetings Act (5 ILCS 120/) ("Open Meetings Act"), took effect and amends the definition of a "meeting" to mean "Any gathering, whether in person or by video or audio conference, telephone call, electronic means (such as, without limitation, electronic mail, electronic chat and instant messaging), or other means of contemporaneous interactive communication, of a majority of a quorum of the members of a public body held for the purpose of discussing public business," and it permits attendance of members of the public body at public meetings by a means other than physical presence;

WHEREAS, to permit attendance by a means other than physical presence, the City Council of the City of Columbia, Illinois ("City Council") must adopt rules that conform to the requirements and restrictions of Section 7 of the Open Meetings Act (5 ILCS 120/7);

WHEREAS, the City Council desires to permit attendance of its members by means other than physical presence in compliance with the Open Meetings Act;

WHEREAS, the City Council finds that it is necessary that any existing ordinances, resolutions or policies be amended to conform with the term "meeting" as defined in Section 1.02 of the Open Meetings Act (5 ILCS 120/1.02).

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

Section 1. Recitals. The recitals contained above in the preamble of this Ordinance are hereby incorporated herein by reference, the same as if set forth in this Section of this Ordinance verbatim, as findings of the City Council of the City of Columbia, Illinois.

Section 2. Electronic Attendance at Meetings Rules. The City Council of the City of Columbia, Illinois, hereby adopts the Electronic Attendance at Meetings Rules, attached hereto and incorporated herein as Exhibit "A", that permits its members to attend any meeting of the City Council (including Committee Meetings), as defined in the Open Meetings Act, via electronic means.

Section 3. Effective Date. This ordinance shall be in full force and effect following its passage and publication in pamphlet form, as provided by law.

Section 4. Severability. In the event that any section, clause, provision, or part of this Ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect.

Alderman Agne moved the adoption of the above and foregoing Ordinance; the motion was seconded by Alderman Reis, and the roll call vote was as follows:

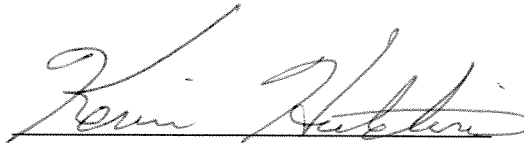
YEAS: Aldermen Ebersohl, Agne, Niemietz, Roessler, Huch, Piazza and Reis.

NAYS: None.

ABSENT: Alderman Mathews.

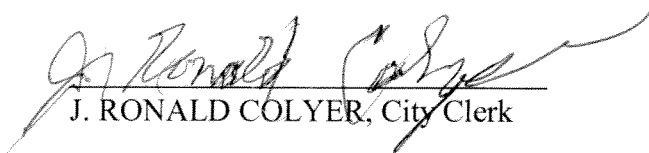
ABSTENTIONS: None.

PASSED by the City Council and APPROVED by the Mayor this 17th day of January, 2012.



KEVIN B. HUTCHINSON, Mayor

ATTEST:



J. RONALD COLYER, City Clerk

(SEAL)

Exhibit "A"

**CITY OF COLUMBIA, ILLINOIS
ELECTRONIC ATTENDANCE AT MEETINGS RULES**

Section 1. Rules Statement. It is the decision of the City Council of the City of Columbia, Illinois ("City Council"), that any member of the City Council, including the Mayor, may attend any open or closed meeting of the City Council (including Committee Meetings) 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.

Section 2. Prerequisites. A member of the City Council, including the Mayor, may attend a meeting electronically if a quorum is physically present throughout the meeting. In addition, the member should do the following:

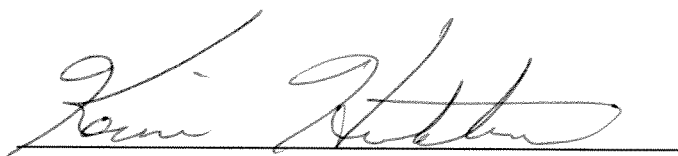
- (a) The member should notify the City Clerk, the City Clerk's designee or the City Administrator at least 24-hours before the meeting, unless impractical, so that necessary communications equipment can be arranged. Inability to make the necessary technical arrangements will result in denial of a request for electronic attendance.
- (b) The member must assert one of the following three reasons why he or she is unable to physically attend the meeting:
 - (1) The member cannot attend because of personal illness or disability; or
 - (2) The member cannot attend because of employment purposes or the business of the City of Columbia, Illinois; or
 - (3) The member cannot attend because of a family or other emergency.
- (c) The City Clerk, the City Clerk's designee or the City Administrator, after receiving the electronic attendance request, shall inform the City Council of the request for electronic attendance.

Section 3. Voting Procedures. After a roll call establishing that a quorum is physically present, the presiding officer shall advise the City Council that a member is going to attend the meeting electronically after specifying the reason entitling the absent member to attend electronically.

Exhibit "A"

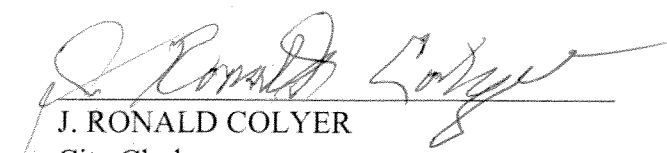
- Section 4.** **Adequate Equipment Required.** The member participating electronically and other members of the City Council must be able to communicate effectively, and members of the audience must be able to hear all communications at the meeting site. Before allowing electronic attendance at any meeting, the City of Columbia shall provide equipment adequate to accomplish this objective at the meeting site.
- Section 5.** **Minutes.** Any member attending electronically shall be considered an off-site attendee and counted as present electronically for that meeting. Said meeting minutes shall reflect and state specifically whether each member is physically present or present by electronic means.
- Section 6.** **Rights of Remote Member.** 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 City Clerk, or the meeting's recording secretary, 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.

These rules are effective this 17th day of January, 2012.



KEVIN B. HUTCHINSON
Mayor, City of Columbia, Illinois

ATTEST:



J. RONALD COLYER
City Clerk

(Seal)

STATE OF ILLINOIS)
) SS
COUNTY OF MONROE)

CERTIFICATE OF PUBLICATION

I, J. Ronald Colyer, certify that I am the duly elected and acting City Clerk of the City of Columbia, Illinois.


I further certify that on the 17th day of January, 2012, the Corporate Authorities of the City of Columbia, Illinois, passed and approved Ordinance No. 2925 entitled:

“AN ORDINANCE DEFINING MEETING AND ADOPTING PROCEDURES FOR ELECTRONIC ATTENDANCE AT MEETINGS”

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2925, including the ordinance and a cover sheet thereof, was prepared, and a copy of such ordinance was posted in the Columbia City Hall, commencing on January 18, 2012 and continuing for at least ten (10) days thereafter. Copies of such ordinance were also made available for public inspection upon request in the office of the City Clerk.

DATED at Columbia, Illinois this 17 day of January, 2012.



J. RONALD COLYER, City Clerk

(SEAL)

STATE OF ILLINOIS)
) SS
COUNTY OF MONROE)

CERTIFICATE OF TRUE COPY

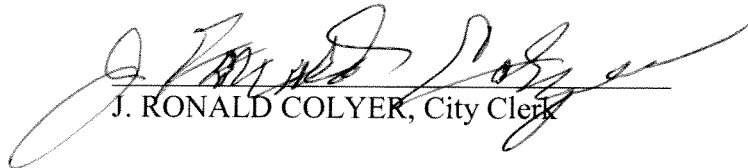
I, J. Ronald Colyer, hereby certify that I am the duly elected and acting City Clerk of the City of Columbia, Illinois, and as such I am the keeper of the books, records, files and corporate seal of said City.

I do further certify that Ordinance No. 2925, entitled:

“AN ORDINANCE DEFINING MEETING AND ADOPTING PROCEDURES FOR ELECTRONIC ATTENDANCE AT MEETINGS”

to which this certificate is attached, is a true, perfect, complete and correct copy of said ordinance as adopted at a regular meeting of the Columbia, Illinois, City Council held on the 17th day of January, 2012.

IN WITNESS WHEREOF, I have made and delivered this certificate for the uses and purposes hereinabove set forth this 17th day of January, 2012.


J. RONALD COLYER, City Clerk

(SEAL)