



*Rules and Organization
of the
City Council
of the
City of Evanston*

July 26, 2021

GLOSSARY

“Acting Mayor” is a member of the City Council elected by the Council to fill a vacancy in the office of the Mayor until filled by a regular or special election. The Acting Mayor shall possess all the rights and powers of the Mayor.

“City Council” and **“Corporate Authorities”** shall mean the nine Councilmembers and the Mayor and may be used interchangeably.

“Journal” is the official record of the City Council, wherein are recorded the yeas and nays taken on the passage of designated ordinances, resolutions, motions, and other actions of the Council.

“Mayor pro tem” is a member of the City Council, who is elected by the Council to perform the duties and possesses all the rights and powers of the Mayor if a temporary absence or disability of the Mayor prevents the performance of Mayoral duties, but does not create a vacancy in the office. (Exception: See Rule 14.4)

“Quorum” is six members of the Corporate Authorities for a City Council meeting and the majority of the members appointed to any City Council Standing Committee.

“Temporary Chair” is a member of the Council, who in the absence of the Mayor, acting Mayor, or Mayor *pro tem* for a portion of a meeting, is elected by the Council to act as a temporary chair. The temporary chair shall have only the powers of a presiding officer and has a right to vote as Councilmember. (Exception: See Rule 14.4)

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1. ADJOURNMENT

1.1 A motion to adjourn the Council shall always be in order except while a vote is being taken.

1.2 A motion to adjourn cannot be amended or debated, but a motion to adjourn to a specific date or time may be amended and debated.

2. AGENDA: ORDER AT COUNCIL MEETINGS

2.1 The first order of business at each meeting of the City Council shall be the calling of the roll of Councilmembers by the City Clerk, who shall mark the absentees and announce whether a quorum is present; the Council shall then be called to order by the Mayor. Thereupon, the Council shall proceed to the business before it, which shall normally be conducted in the following order. The Mayor or the Council may vary the order of business:

- A. Mayor Public Announcements and Report of the City Manager.
- B. Communications of the City Clerk.
- C. Citizen Comment.
- D. Special Order of Business.
- E. Consent Agenda and approval of the minutes of the preceding meeting.
- F. Report of Standing and Special Committees.
- G. Call of the Wards, at which time each Councilmember shall be called upon by the Mayor to announce or provide information about any Ward or City matter.
- H. Executive Session.

2.2 All matters relating to priority of business shall be decided by the Mayor without debate.

2.3 The Mayor shall preserve order and decorum and shall decide all questions of order.

2.4 During the meetings of the City Council only city officers and staff, former Councilmembers, former Mayors and persons connected with the accredited media shall be admitted to the Council floor except upon invitation of the Mayor.

2.5 In the case of disturbance or disorderly conduct the Mayor shall have the power: (1) to remove the offenders; (2) to clear the Council Chamber of all spectators; or (3) to suspend or adjourn the meeting.

2.6 Committees or individual Councilmembers who intend to ask for official Council action shall ask the City Manager to put such matters on the printed agenda prior to the Council meeting.

2.7 The Mayor must approve the agenda before it is published.

3. AMENDMENT, REPEAL, OR SUSPENSION OF RULES

Any rule may be temporarily suspended for the matter under consideration at any time by a two-thirds vote of the Councilmembers present, except as provided in Rule 20.1.

4. APPEALS

The rulings of the Mayor may be appealed to the City Council and shall be decided by a majority vote without debate.

5. APPOINTMENTS – EXCEPT AS DESIGNATED BELOW

5.1 The Mayor shall have the sole right and power, with the advice and consent of the City Council, to make all appointments to the commissions, boards, and advisory bodies of the Council unless otherwise provided by ordinance or resolution. All appointments shall be introduced at least two weeks in advance of their consideration by the City Council. The Mayor shall precede introduction by transmitting to each Councilmember in confidence a written

biography of the prospective appointee no later than the Friday prior to introduction.

5.2 A board or commission appointee may be reappointed only once. When a vacancy is created by the resignation of the member prior to expiration of that member's term, the member appointed to fill this vacancy shall be appointed to a full term, unless otherwise provided by the City Code or State law. All vacancies shall be listed on the City's website, published in any City newsletter, and included in Ward Communications of Councilmembers.

5.3 The term for board or commission membership shall be three years, except where otherwise provided by statute or ordinance.

5.4 No board or commission member shall be appointed to serve on more than one board or commission concurrently, except where required by official position.

5.5 The City Council shall be given notice of the reappointment of any board or commission appointee in the same manner as established for original appointments.

5.6 Committee Chairs

5.6.1 Committees consisting of all Councilmembers, except the Referrals Committee, shall have their initial chair appointed by the Rules Committee.

5.6.2 Committees consisting of Councilmembers and citizens, which report directly to the Council, shall have a Councilmember as Chair appointed by the Rules Committee for a term determined by the Rules Committee.

5.6.3 Committees consisting of Councilmembers and citizens, which report to Standing Committees, shall have a citizen chair elected by the members of the committee.

5.6.4 Boards, Committees and Commissions composed entirely of citizens shall elect their chairs, except the Zoning Board of Appeals, which is required by the City Code to have a chair appointed by the Mayor with the advice and consent of the City Council.

5.6.5 Special Committees (*Ad Hoc*) shall have a chair appointed by the Mayor with the advice and consent of the City Council.

5.7 The Mayor can replace a member of a standing committee for a single meeting with another Councilmember. This can be done by written communication and only without the objection of either Councilmember.

6. CITIZEN PARTICIPATION

6.1 Any citizen may address a committee at the invitation of the chair of the committee. Official Public Hearings for citizens shall allow for comments by the City Council and citizens.

6.2 The Council shall provide a period for Public Comment. Interested persons shall sign their name, address and the agenda item or other topic to be addressed on a designated citizen participation sheet or online form. Individuals may participate by electronic means as designated by the Council, including the person may submit written public comment in advance of the meeting and it will be read during Public Comment within the time parameters set forth herein. In the event there is not adequate time to read the entire statement, the balance of the statement will be included in the record. A speaker may address the Council for no more than three minutes, and only once per Council meeting. The maximum time limit for each speaker is a single three minute time limit applied to any and all topics the speaker addresses. The maximum time period for citizen participation is forty-five minutes. If there are more than 15 speakers, the Mayor will allocate time among the speakers to ensure that citizen comment does not exceed forty-five (45) minutes. Speakers will not be permitted to cede time to another speaker. The business of the City Council shall commence no later than forty-five (45) minutes after the beginning of Public Comment.

City Council standing committees shall provide opportunities for citizen comment at the beginning of each meeting. For all of the standing committees of the City Council, except Planning and Development, a period of twenty minutes shall be provided for all public comment, and no individual may speak longer than two (2) minutes and cannot cede time to another speaker. For Planning and Development Committee, a period of forty-five minutes (45) shall be provided for all public comment and no individual may speaker longer than two (2) minutes and cannot cede time to another speaker. The committee chair of the standing committees will allocate time among the speakers to ensure that Public

Comment does not exceed the allotted time provided above. The business of the committee shall commence after the specified time above expires.

6.3 Persons who sign up to speak on an agenda item marked for decision at this meeting may be given priority and should indicate an agenda item or subject to be addressed.

6.4 A person invited to address the Council as specified herein, when accorded the floor, shall limit comments to include items within the jurisdiction of the Evanston City Council as determined by the Mayor and be governed by these rules to the extent applicable. Any person who requests to use audio/visual equipment during their comments at City Council committee meetings shall first receive permission from the Committee Chair prior to such use. For matters before the Planning & Development Committee, the petitioner may provide a brief presentation, no more than 10 minutes, to the Committee of its project and application, with advance notice to the City Manager's Officer by 12:00 p.m. the day of the meeting. If there are objectors to the application, they may collectively address the Committee with a 10 minute presentation, also with advance notice to the City Manager's Officer by 12:00 p.m. the day of the meeting. Any presentation cannot constitute a hearing or an opportunity for testimony or cross examination of witnesses and other evidence.

6.5 During periods of citizen participation, comments from Councilmembers shall be limited to requests for information, referrals to the appropriate committee, or referrals to the City Manager for response.

6.6 These guidelines are in accordance with 5 ILCS 120/2.06(g). All citizen comment at all meetings will be guided by these guidelines. There is a significant governmental interest in conducting orderly, efficient meetings of the Council. Citizen comment time limits are a reasonable time, place and manner restriction narrowly tailored to serve a significant interest. Any speaker who exceeds 3 minutes may be ruled out of order. *I.A. Rana Enterprises Inc. v. City of Aurora*, 630 F.Supp.2d 912 (N.D.Ill. 2009).

6.7 Persons may submit written comments to the City Council through the City Clerk at any time. Copies of written comments will be distributed to the Mayor and Members of the City Council by the City Clerk. If a person wishes their written comments to be included in the record of testimony on an agenda item or during Citizen Comment, these comments must be submitted to the City Clerk prior to the City Council meeting. The City Clerk will acknowledge receipt

of the written comments during the meeting and briefly state the subject of the communication. The full text of the written comments will not be read, but will be included in its entirety in the record of the meeting.

6.8 Any person who makes such remarks, or who utters loud, threatening, personal or abusive language, or engages in any other disorderly conduct which disrupts, disturbs or otherwise impedes the orderly conduct of a meeting shall, at the discretion of the mayor or presiding officer, be barred from further participation during that meeting.

The mayor or presiding officer may interrupt any speaker who is violating these rules or disrupting a meeting.

The mayor or presiding officer shall attempt to provide a verbal warning to any attendee or particular speaker that may be violating these rules, but such verbal warning shall not be required as a condition for speaker to have podium microphone turned off or speaker removed from meeting.

6.9 Procedures for conduct under Section 6.8 shall apply to meetings held by the City Council, including standing committees, ward meetings and virtual platform meetings. The Chair of the virtual meeting may direct the virtual administrator to mute or eject any person found to be out of order by the Chair.

6.10 Persons attending the meeting may hold a sign that is no greater than 8½ X 11" in size. Signs that are larger than the stated size will not be permitted. The sign may not block the view of other members of the public and cannot be affixed to anything within the Council Chambers, including but not limited to the walls, windows, podium, or other glass.

7. CITY MANAGER

7.1 The City Manager shall be appointed by a two-thirds vote of the Council (seven (7) votes).

7.2 The Manager may at any time be removed from office by a two-thirds vote of the Council (seven (7) votes).

7.3 The Manager shall attend all meetings of the City Council with the right to take part in discussion but with no right to vote.

7.4. No committee or its individual members shall in any way assume or attempt to assume any executive or administrative function delegated to the City Manager or appointees thereof.

7.5. In the case of absence or disability of the Manager for a period exceeding thirty (30) days, the Council may designate a qualified administrative officer of the City to perform the duties of the Manager during such absence or disability.

8. CLOSED SESSIONS

8.1 At any Council meeting for which proper notice under the Open Meetings Act, 5 ILCS 120 *et. seq.* has been given, the Council may decide to hold a closed session for any purpose authorized by Section 120/2 of the Act. Such closed session must be approved in open meeting by a majority vote of a quorum present, and each vote and the purpose of the closed session shall be recorded in the minutes of the open meeting.

8.2 Only topics specified in the vote to close may be considered during the closed session. No final action shall be taken in closed session. Minutes of the same quality and detail as regular meetings shall be kept of all closed sessions and shall remain confidential unless the Council determines otherwise. The Rules Committee shall be responsible for compliance with the Open Meetings Act.

8.3 All proceedings of a closed session shall be kept in strict confidence by all those in attendance.

8.4 Consideration of confidential information shall be consistent with the Open Meetings Act. A Councilmember who has a question about the confidentiality of an item should exercise a good faith effort in contacting the Law Department first to discuss the confidentiality of the item before requesting that the City Council consider its confidentiality.

9. COMMITTEES

9.1 Open Meetings. All regular and special meetings of committees, boards and commissions shall be open to the public and to the press, except closed

sessions as authorized by the statutes of the State of Illinois.

9.2 Standing Committees. There shall be five standing committees of the City Council: (1) Rules Committee; (2) Administration and Public Works; (3) Human Services; (4) Planning and Development; and (5) Referrals. The Planning and Development Committee and Administration and Public Works Committee shall meet before the regular Council meetings. The Rules Committee shall meet and convene as needed, concurrent with regularly scheduled City Council meetings. The Human Services Committee shall meet in accordance with a published schedule, but in no event less than once per month, contingent upon enough matters being scheduled on the agenda. The Referrals Committee shall establish a regular bimonthly meeting schedule and may meet and convene additionally as needed. Standing Committees may establish subcommittees as needed to assist them in more efficiently conducting their business.

9.3 Rules Committee (nine (9) Councilmembers and the Mayor). The jurisdiction of this committee shall be as follows:

- A. Assignment of Councilmembers to standing committees, Economic Development Committee, and the Housing and Community Development Act Committee, which recommends to the Council expenditure of Federal funds.
- B. Determination of jurisdictional disputes between committees;
- C. Revision of Council Rules;
- D. Preparation and maintenance of the list of mayor *pro tem*;
- E. Ensure compliance with the Illinois Open Meetings Act;
- F. Appointment of chairs to standing committees other than the Referrals Committee;
- G. Coordination of the City Manager evaluation; and
- H. Such other matters as are referred to it by the References Committee.

9.4 Administration and Public Works Committee (five (5) Councilmembers). The duties of this committee shall include matters relating to bills and purchases; fire; legal; licensing; personnel; and public works (including streets and alleys, lighting, refuse disposal, water and sewers, traffic control, and parking); public buildings; public transportation; public utilities; safety (including civil defense); and capital improvements. This committee shall convene at 6:00 p.m. on the 2nd and 4th Mondays of the month on the night of scheduled City Council meetings.

9.5 Human Services Committee (five (5) Councilmembers). The duties of this committee shall include matters relating to the Department of Health and Human Services (including public health, mental health, youth, aging, emergency assistance and community purchased human services); liaison with human service-related boards and commissions, private and public organizations funding or providing human services within the City, and matters relating to the arts, recreation, library, environment, unemployment, unified budgeting, the Farmers' Market, and Police services; and Americans with Disabilities Act ("ADA") Grievance Appeals relating to Title II of the ADA (Accessibility). The Human Services Committee may convene at 6:00 p.m. on the first Monday of each month upon the call of the Chair.

9.6 Planning and Development Committee (seven (7) Councilmembers). The duties of this committee will include matters relating to planning; physical development, zoning, building conservation, preservation, housing, and relocation. The Committee shall review and advise the City Council on the use and planning of all City park land. This Committee shall convene at 6:45 p.m. on the 2nd and 4th Mondays of the month on the night of scheduled City Council meetings.

9.7 Referrals Committee (Mayor, who serves as chair, and two (2) Councilmembers). The sole duty of this committee shall be to consider Referrals made by the Mayor, a Councilmember, or the City Manager and shall, based on a transparent and established set of criteria, refer them to a board, committee, commission, or the City Council, with instructions as to whether they shall appear on the relevant agenda for discussion, introduction, action, or with a request by a particular Councilmember for introduction and action pursuant to Rule 20.1. The first Councilmembers to serve on the Referrals Committee shall serve for two years. The Rules Committee shall appoint councilmembers thereafter on an annual basis pursuant to Rule 9.3(A).

9.8 Committee Chair. The Rules Committee will establish a schedule for the Standing Committee Chairs, with no Councilmember Chairing two Standing Committees at the same time.

9.9 Committee of the Whole. By majority vote, the Council may resolve itself into a Committee of the Whole for the purpose of informally discussing any matter. The presiding official shall be the Mayor or the appropriate Committee Chair.

9.10 Standing Committees' Priorities and Procedures

9.10.1 The chair shall confer on a regular basis with staff to review the committee agenda.

9.10.2 Each committee shall adopt guidelines for the conduct of its meeting and for public participation. The chair shall report committee deliberations and actions to the Council and may appoint, as necessary, a speaker to present majority or minority committee reports to the Council. A committee may transmit any matter to the Council with a neutral recommendation.

9.10.3 Referrals – Committees, Boards, and Commissions composed entirely of Councilmembers shall consider matters referred to them by the Referrals Committee. Referrals by Councilmembers, the Mayor, or the City Manager must be made in writing and transmitted to the Clerk who shall maintain a list of Referrals which must be made public as quickly as practicable. Staff Referrals shall be forwarded to the City Manager who may transmit them to the Clerk for publication and consideration by the Referrals Committee. Only time-sensitive or emergency items may be placed directly on an agenda by the City Manager. Items that have been referred to a standing committee shall only appear on a City Council agenda after passage by that standing committee or reassignment by the Referrals Committee.

9.10.4 The Chair of the Standing Committees may appoint subcommittees with the approval of the committee for better operational efficiency and/or greater community involvement to consider particular issues or problems. The subcommittee shall report to the Standing Committee which created it.

9.11 Special Committees (*Ad Hoc*)

9.11.1 Special committees may be appointed to consider particular problems. At the time of creating of any special committees, the appointing body shall also designate to whom the special committee will report and the time frame within which its work should be completed. There shall be three types of special committees.

9.11.2 Special Committees of the Councilmembers shall be composed of Councilmembers appointed by the Council, or the Rules Committee, or by the Mayor.

9.11.3 Special Committees of Councilmembers and citizens of the City shall be appointed by Councilmembers, by the Council, the Rules Committee, or by the Mayor.

9.11.3.1 Finance & Budget Committee. The Finance & Budget Committee shall be a Special Committee of Councilmembers and residents appointed by the Rules Committee and the Mayor in accordance with Rule 5.1. The Finance & Budget Committee shall consider matters relating to, budgets, financial reporting and management, investments, rating agencies, police and fire pension boards, and the funding of capital improvements and other long term obligations.

9.11.3.2 The Finance & Budget Committee shall report directly to City Council.

9.11.3.3 Members. The Finance & Budget Committee shall consist of no more than eight (8) members with a maximum of five (5) Councilmembers at a time. Councilmembers shall serve staggered two-year terms, with members changing in May with the option to extend as needed. Three (3) residents of Evanston with financial expertise shall serve two (2) years with the option to extend as needed.

“Financial expertise” shall mean individuals who have held finance positions for at least two (2) years.

9.11.3.4 Jurisdiction. The Finance & Budget Committee shall perform the following functions:

- A. Perform a monthly in-depth review of the financial performance of the City and its departments, including City revenue projections and actuals;

- B. Propose goals for the annual and long-range budget process (internal and community based);
- C. Provide a forum to develop more transparent reporting and budgeting processes (i.e. having a public meeting for community participation outside of council);
- D. Review/monitor the finances/budget and continuous improvement goals of City operations and policies;
- E. Review funding for capital projects (including debt issuance) and the Capital Plan; and
- F. Propose financial and budgeting policies for adoption by the City Council.

9.11.4 Special Committees appointed by the Mayor, with the advice and consent of the City Council, which may be composed entirely of citizens.

9.11.5 Except as provided in Rule 5.7, the chairs of these special committees shall be appointed by the Mayor with the advice and consent of the City Council.

9.11.6 All appointments of the above committees shall be with the advice and consent of the Council.

9.12 Special Meetings. Three or more members of a Committee, Board or Commission may call a meeting of that body when the Chair has cancelled the meeting. Such call for a meeting shall be in writing, duly signed by the callers and shall be presented to the Chair.

10. CONDUCT OF MEMBERS

10.1 During Council meetings, no member of the Council shall speak until recognized by the Mayor.

10.2 A Councilmember called to order by the Mayor shall immediately cease speaking.

10.3 Any Councilmember who acts in a disorderly manner at a Council or standing committee meeting or who does not obey the order of the Mayor or the Committee Chair, may be censured by a majority vote of the members present or expelled for the remainder of the meeting by a two-thirds vote of the Councilmember present.

10.4 Any Councilmember who does not comply with the Evanston City Code of Ethics may be censured by majority vote of members present at a Council meeting.

10.5 A Councilmember may stand when speaking.

10.6 The right of a Council member to address the Council on a question of personal privilege shall be limited to cases in which the members' integrity, character or motives are assailed, questioned or impugned.

11. CONFLICT OF INTEREST AND ABSTENTIONS

11.1 A Councilmember is expected to vote yea or nay on all matters when present except on any matter which involves a direct personal pecuniary interest or conflict of interest.

11.2 A Councilmember serving on the Board of Directors of an Evanston not-for-profit agency shall disclose their membership and refrain from participating in Council discussion or voting on matters pertaining to the not-for-profit agency.

11.3 An Councilmember may give testimony before the Zoning Board of Appeals or the Plan Commission in the following circumstances a) when presenting the official recommendations of a Council committee or subcommittee on a matter within its jurisdiction and upon which a formal vote by that committee or subcommittee has been taken; b) may testify before the Plan Commission when the Plan Commission is considering amendments to the zoning ordinance which are not site-specific; c) may testify when the Councilmember is the petitioner; d) may give such testimony only when the Councilmember is the appellant before the Zoning Board of Appeals or Plan Commission.

11.4 Nothing herein shall be construed to prohibit a Councilmember from attending Zoning Board of Appeals or Plan Commission meetings or from giving testimony on those items for which the Zoning Board of Appeals is the final authority.

12. DEBATE

12.1 No Councilmember shall speak for longer than five (5) minutes on the same subject except by consent of a majority of the Council. Council consent shall be assumed in the absence of objections by any Councilmember or the Mayor.

12.2 No Councilmember shall speak twice on the same subject until all Councilmember who wish to speak have had an opportunity to be heard at least once.

13. GENERAL PROVISIONS

13.1 The powers of the City Council shall be purely legislative.

13.2 The City Council shall approve for payment all expenses and liabilities of the municipality.

13.3 An Councilmember, at all times, may examine and inspect the books, records and papers of any agent, employee or officer of the city when such examination and inspection is reasonably necessary for the exercise of the Councilmember's legislative function, and such books, records and papers are kept in the ordinary course of the duties of the agent, employee or officer.

14. MAYOR

14.1 The Mayor is the presiding officer at all meetings of the City Council and is an *ex officio* member of all City Council committees and can attend any meeting.

14.2 The Mayor shall be an *ex officio* member of all committees, boards and commissions.

14.3 All ordinances and resolutions passed by the Council shall be deposited with the City Clerk. The Mayor shall indicate approval of these by signing them. Those disapproved shall be returned to the Council accompanied by written objections at the next regular meeting occurring not less than seven (7) days after passage. The Mayor may disapprove of any one or more sums appropriated in any ordinance or resolution making an appropriation, and, if so, the remainder shall be considered approved. However, the Mayor may disapprove entirely of an ordinance or resolution making an appropriation. If the Mayor fails to return any ordinance or resolution with written objections within the designated time, it shall be considered approved even though it lacks the Mayor's signature.

14.4 When the Mayor votes:

14.4.1 The Mayor shall vote on Ordinances, Resolutions and motions in the following instances:

- A. When the vote of the Councilmembers has resulted in a tie.
- B. When a vote greater than a majority of the Corporate Authorities (Councilmember and Mayor) is required by statute to adopt an ordinance, resolution or motion.
- C. On the appointment of a City Manager.

14.4.2 The Mayor shall not vote in the following instances:

- A. To break a tie vote on an incidental motion. (Incidental motions consider procedural issues and are used to enforce correct rules of procedure.) A tie vote on an incidental motion sustains the decision of the Mayor.
- B. On any ordinance, resolution or motion when there is no tie.

14.4.3 An Acting Mayor or Mayor *pro tem* shall not be accorded the voting privilege of Mayor; however nothing in this section may deprive an Acting Mayor or Mayor *pro tem* of the voting privilege of Councilmember.

14.5 The Mayor shall have authority to refer any matter to the agenda of any committee of the City Council, or to any committee, board, commission, or advisory body of the City Council.

14.6 The Mayor shall at all times have access to any and all records, documents, and information relative to any and all functions of the City government as allowed by law.

14.7 MAYOR PRO TEM

14.7.1 If a temporary absence or temporary disability of the Mayor prevents the performance of Mayoral duties, but does not create a vacancy in the office, the City Council shall elect one of its members to act as Mayor *pro tem*. The Mayor *pro tem* during such absence or disability shall perform the duties and shall possess all the rights and powers of the Mayor.

14.7.2 The City Clerk shall maintain at all times the list of Councilmembers by seniority to serve as either Mayor *pro tem* or Temporary Chair (as defined in glossary) as prepared by the Rules Committee. The chair of the Rules Committee shall nominate as Mayor *pro tem* in the order of succession from said list.

14.8 ACTING MAYOR

14.8.1 A vacancy occurs in the office of Mayor by reason of resignation, failure to elect or qualify death, permanent physical or mental disability, conviction of a disqualifying crime, abandonment of office, removal from office, or by removal of residence from the City.

14.8.2 In accordance with the State Election Code, if a vacancy occurs in the office of the Mayor and there remains an unexpired portion of the term, the office shall be filled for the unexpired portion of the term by special election at the non-mayoral consolidated election provided that the vacancy occurs more than one hundred thirty (130) days before that election. If the vacancy occurs less than one hundred thirty (130) days before the non-mayoral consolidated election, the vacancy shall be filled at the next consolidated election when the office of Mayor is normally on the ballot. The City Council shall elect one of its members Acting Mayor who shall perform the duties and possess all the rights and powers of the

Mayor until a successor to fill the vacancy has been elected and has qualified.
(Exception: See Rule 14.4)

15. MEDIA

All official meetings of the City Council and its committees shall be open to the media, and recorded by any available technology at any time, provided that such arrangements do not interfere with the orderly conduct of the meeting.

16. MEETINGS OF THE COUNCIL

16.1 All meetings of the City Council shall be open to the public and the press, with the exception of closed sessions as specified in the Open Meetings Act, 5 ILCS 120/2.

16.2 A quorum of the City Council shall be six (6) members of the City Council (Corporate Authorities) including the Mayor, acting Mayor or Mayor *pro tem*, currently holding office. Except as required by State law, the City Code, or these rules, action may be taken by a majority vote of a quorum.

16.3 Special meetings may be held at any time upon proper public notice as specified in the Open Meetings Act¹ on call of the Mayor, or by the call of three (3) or more Councilmembers. Such call for special meetings shall be in writing, duly signed by the callers, and shall be presented to the City Clerk, who shall prepare and issue notices of the same to the Mayor and all members of the Council at least forty-eight (48) hours before the meeting. Such notices shall describe in brief the nature or object of the special meeting. At every special meeting the call for said meeting shall be read and afterwards filed by the Clerk and no business other than that proposed by the call shall be in order at such meeting.

¹ Public notice under the Open Meetings Act requires that the notice of a special, rescheduled regular or a reconvened meeting must be given at least forty-eight (48) hours beforehand, and must also include the agenda for the meeting. The notice must be posted in the Civic Center or at the building in which the meeting is to be held. Copies of the notice must be supplied to all media who have filed an annual request for such service.

16.4 Emergency meetings. Notice of an emergency meeting shall be given as soon as possible, but in any event, prior to the holding of such meeting, to any news medium which has filed an annual request for notice.

16.5 The City Council shall convene three times monthly, except for the months of August and December when the Council shall convene but once. The Council shall convene on the 2nd and 4th Monday of the month. The Council shall meet immediately following the adjournment of the Planning and Development Committee meeting, such Committee meeting which shall precede the regular scheduled Council meeting. The Council shall convene on the 3rd Monday of the month to present awards, receive presentations and consider items of citywide concern.

17. MINUTES

17.1 A journal of the minutes of the City Council, standing committees and boards and commissions shall be kept by the City Clerk, and a copy of the minutes of the immediately preceding meeting shall be delivered to each Councilmember prior to the convening of the next regular meeting.

17.2 In all cases where a motion is entered in the minutes of the Council, the name of the Councilmember moving the same and the name of the seconding Councilmember shall be recorded, except for a motion to adjourn.

17.3 Approved City Council and its Standing Committees' minutes shall be posted in a timely manner to the City of Evanston website: www.cityofevanston.org.

17.4 Meetings of the City Council and the Standing Committees (Administration & Public Works Committee, Human Services, Rules, Referrals Committee and the Planning & Development Committee) will be broadcast live. In addition, Plan Commission, Zoning Board of Appeals, Economic Development Committee and select funding meetings of the Housing and Community Development Act Committee will be broadcast live.

17.5 All meetings broadcast live pursuant to Rule 17.4 will be recorded and posted on the City's website under the related Committee's "Agenda and Minutes" page.

17.6 The Housing & Community Development Act Committee meetings will be audio recorded. Audio recordings will be retained by the Secretary of the Committee.

18. MOTIONS

18.1 A motion is not before the Council until it has been seconded. A motion shall be reduced to writing if requested by a Councilmember, the Clerk, or the Mayor.

18.2 A motion may be withdrawn by the proposer at any time before a vote is called.

18.3 All ordinances and authorizations to expend or disburse monies shall be passed only by a roll call vote, duly recorded (five (5) votes).

18.4 Upon motion of any Councilmember, the vote shall be by roll call, and shall be recorded.

18.5 The Mayor shall announce the result of the Council's vote on every roll call. Prior to such announcement, Councilmember may change their vote.

18.6 A motion to table any matter is not debatable. If adopted by majority vote of the Councilmember present, all further debate on the subject shall end. The matter must be tabled to a future date certain.

18.7 An amendment to modify an original motion shall be in order at any time, but no amendment to a motion shall be made which changes the intent of an original motion, or relates to a different subject.

18.8 A substitute of any original motion or proposition may be considered. If adopted by the Council, it shall entirely supersede the original motion or proposition.

18.9 When a motion is made and seconded to "call the question", a vote shall then be taken without debate unless one of the following motions is interposed:

- a motion to adjourn;
- a motion to adjourn to a specified time;
- a motion to recess; or

- a motion raising a point of personal privilege.

If the motion to call the question is carried, all further motions and debate shall be excluded and the question before the Council shall then be put. If a roll call vote is requested on a motion to call for the question, a two-thirds (2/3's) vote of the Councilmember present is required for passage.

18.10 A duly seconded motion to limit further debate to a specified period of time shall carry if it is approved by a majority of the Councilmember present. This motion is not debatable.

18.11 A special order of business refers to a docket item which will be considered by Council at a specified date that did not originate from any Council Committee or Subcommittee. It may be placed on the agenda of a Council Meeting with five (5) days prior notice sent to the City Council via electronic mail. A special order of business can be placed on the agenda at the request of the Mayor or a majority of the City Council in open session of the City Council.

18.12 At the request of two Councilmembers, any matter except a special order of business may be held over for consideration until the next regular meeting of the Council. Any matter so held over may not be held over a second consecutive time by this procedure. A Councilmember may ask either the City Manager or the Councilmember requesting the holdover to explain the impact of the holdover at the time the holdover is requested. If a request to hold the matter over is contested by a motion to overrule the request, duly made and seconded, the motion to overrule will be sustained if at least two-thirds (2/3's) of the Councilmembers present vote in favor of the motion. A motion to overrule is debatable. Any citizen may inspect the matter under such deferred deliberation at the office of the City Clerk.

19. OMNIBUS AGENDA (CONSENT AGENDA)

19.1 Consent agenda items are marked by an asterisk (*) on the regular Council agenda. Items so marked on the consent agenda shall be presented to the City Council by a reading of the title of the action, 65 ILCS 5/3.1-40-40.

19.2 All items on the consent agenda are decided by one roll call vote without discussion or debate.

19.3 An item may be removed from the consent agenda by the request of either the Mayor or a Councilmember. Such a request does not require a second or a vote.

19.4 An item removed from the consent agenda will be considered separately as called by the appropriate committee.

19.5 An Ordinance to be introduced may remain on the Consent Agenda, if it was approved by the Committee.

20. ORDINANCES

20.1 No ordinance may be adopted by the Council at the same meeting at which it is introduced. During the period between introduction and consideration, any citizen may inspect any such proposed ordinance at the office of the City Clerk. However, an ordinance may be adopted by the Council at the same meeting at which it is introduced after the rules are suspended by a unanimous vote of the Councilmember.

20.2 An ordinance, to pass, requires a majority vote (five (5)) of the nine (9) Councilmember, unless otherwise specified, *i.e.*, unless an extraordinary vote is required. (See Council Rule 25.) If the Mayor's vote to break a tie constitutes the fifth vote, the item passes.

21. QUORUM

21.1 A quorum of the City Council shall be six (6) members of the City Council (Corporate Authorities) including the Mayor, acting Mayor or Mayor *pro tem*, currently holding office. Except as required by State law, the City Code, or these rules, action may be taken by a majority vote of a quorum.

21.2 A member may attend any meeting of the City Council by electronic means provided the following conditions are satisfied:

- A. A quorum of the members of the City Council is physically present at the place designated in the notice of the meeting;
- B. The member is prevented from attending because of:
 - 1. Personal illness or disability; or
 - 2. Absence from the jurisdiction for employment or for the business of the public body; or
 - 3. Family or other emergency.
- C. Communications made by the member attending electronically are made concurrently available to the public.

21.3 A quorum for City Council Standing Committees shall be the majority of the members appointed to any City Council Standing Committee.

22. RECONSIDERATION

22.1 Any vote may be reconsidered, but only at the same meeting at which said vote was taken. An affirmative vote of two-thirds (2/3's) of the Councilmembers present is required in order to pass a motion to reconsider a vote to approve a purchase, contract, bond sale, zoning variation or special use, or to confirm an appointment by the Mayor to a commission, board or advisory body, or to convene into a closed session. An affirmative vote of a majority of Councilmembers present is required in order to pass a motion to reconsider any other vote. A motion to reconsider may be made as set forth herein only once. A motion to reconsider must be made by a Councilmember who voted on the prevailing side; however, when a motion, resolution, or ordinance fails to pass by reason of not having received a required extraordinary vote, a motion to reconsider, properly made, may be seconded by any other Councilmember.

22.2 Every resolution, motion, and every ordinance that is returned to the City Council by the Mayor shall be reconsidered by the City Council at the next regular meeting following the regular meeting at which the City Council receives the Mayor's written objection. If two-thirds (2/3's) of all the Councilmembers then holding office on the City Council agree at that regular meeting to pass an ordinance, resolution or motion, notwithstanding the Mayor's refusal to approve it, then it shall be effective. The vote on the question of passage over the Mayor's veto shall be by yeas and nays, and shall be recorded in the journal.

23. ROBERT'S RULES

The rules of parliamentary practice comprised in the latest edition of *Robert's Rules of Order* shall govern the Council in all cases to which they are applicable and in which they are not in conflict with these Rules of the Council.

24. VOTES

24.1 Votes may be taken on motions, resolutions, and appointments, except where a roll call vote is specifically called for by statute, rule of the Council, or by a request of any Councilmember.

24.2 Roll call votes are required on all ordinances, expenditures, calling a closed meeting, items requiring an extraordinary majority, or when requested by a Councilmember.

24.3 The order in which Alderperson shall be called for roll call votes shall be alternated. The order of voting for the year shall be published by the City Clerk at the beginning of the year.

24.4 A Mayoral vote is required in the instances specified in Council Rule 14.4.

24.5 A Councilmember may abstain from voting in the instances as set forth in Council Rule 11.1.

24.6 Except as provided for in City Council Rule 25, all matters that obtain a majority vote from all present voting City Council Committee members shall move forward to the City Council with a positive recommendation. When a matter obtains a tie vote from all present voting City Council Committee members, said matter shall move forward to the City Council with a neutral recommendation.

25. EXTRAORDINARY VOTES

25.1 Three-quarters (3/4) of (elected) Councilmembers then holding office (seven (7) votes).

- A. Vacation of streets and alleys. 65 ILCS 5/11-91-1.
- B. Passage of Map amendment when thirty percent (30%) of property owners within five hundred feet (500') of the boundary of an area to be amended file written protest with the City Clerk. (City Code: 6-3-4-7).
- C. Passage of a unique use when thirty percent (30%) of property owners within a thousand-foot (1,000') radius of the area boundary file with the City Clerk a written protest. (City Code: 6-3-7-6).

25.2. Three-quarters (3/4) of Councilmembers Present.

25.3. Two-thirds (2/3) of (elected) Councilmembers then holding office (six (6) votes).

- A. Sale or lease of real property. (City Code 1-17-4-1; 1-17-4-2; and 1-17-5).
- B. Purchase of goods and services over \$20,000 (twenty thousand dollars) without public bids, except for federally funded programs, which may have requirements that supersede the City's. (City Code 1-17-1).
- C. Passage of an ordinance over veto of the Mayor. (City Code 1-6-4 (B)).
- D. Overrule Liquor Commissioner in rejection of application. (City Code 3-4-2(C)5).
- E. Passage of modification of a site development allowance in excess of that established in zoning district, upon Plan Commission recommendation and City Council written finding. (City Code 6-3-6-6).

25.4 Two-thirds (2/3) of Councilmembers present (number will vary).

- A. Temporary suspension of any rule (except Rule 20.1). (Council Rule 3.2).
- B. A roll call vote on a motion to call the question. (Council Rule 18.9).
- C. A motion to overrule the request of two Councilmembers to hold a matter over until the next regular meeting. (Council Rule 18.12).
- D. A motion to reconsider made at the same meeting at which original vote was taken. (Council Rule 22.1).
- E. Expulsion of a Councilmember for the remainder of a Council meeting. (Council Rule 10.3).

- 25.5. Two-thirds (2/3) of Corporate Authorities. (seven (7) votes)
- A. To appoint a City Manager. (Council Rule 7.1).
 - B. To remove a City Manager. (Council Rule 7.2).
 - C. To amend the budget. (City Code 1-11-5(F)).

The Mayor cannot vote on extraordinary votes except to break a tie and to appoint a City Manager. (See Council Rule 14.4. Note: Although the Mayor's vote is required to break a tie vote, the item will fail unless the extraordinary vote numbers are met.)

25.6. Unanimous Vote. To suspend the rules for the purpose of adopting an ordinance at the same meeting at which it is introduced. (Council Rule 20.1).

26. COMPENSATION COMMITTEE

The Mayor shall appoint a compensation committee comprised of Councilmembers no later than January 1 of the year prior to a municipal election to ensure that the process for recommending and setting the compensation for elected City officials complies with Title 1, Chapter 5 of the City Code, and the Illinois Municipal Code, 65 ILCS 5/3.1-50-10.

Pursuant to Title 1 of the City Code, the compensation committee must convene and submit a report and recommendation to the Council no later than 240 days prior to the next regularly scheduled municipal election. The Council then approves and sets all compensation via ordinance following submission of the compensation committee's report. Any member of the Council may attend and provide information to the committee during the committee's meetings to assist the committee in its work. The committee shall recognize and allow any Council member to speak and submit information to the committee.

27. WARD COMMUNICATION POLICY

27.1 Electronic Communications. Upon request, City staff will support a Ward E-Newsletter. Ward E-Newsletters are limited to six (6) per year. City staff will coordinate use of an on-line service for the preparation and issuance of the Ward E-Newsletter. Councilmembers must provide all written content, hyperlinks, and graphics in a Word document so that City staff can format into the

newsletter template. All content should be submitted to City staff at least one (1) week prior to the intended issuance date.

27.2 Electronic Announcements. Upon request, City staff will send Ward Announcements on behalf of a Councilmember. Ward Announcements are: (1) ward meeting agenda notifications; (2) meeting notification reminders; (3) PDF document attachments; and (4) single topic ward-specific notifications. Ward Announcements are limited to two (2) per month. City staff will coordinate use of an on-line service in preparation and issuance of announcements. Councilmember must provide all written content and/or PDF documents for attachment.

27.3 Postcard Announcements. Staff will develop and mail two (2) postcards per year per Councilmember for Ward and/or community meetings. All content must be submitted to City staff four (4) weeks prior to the meeting date.

27.4 Ward Meetings. City staff can assist Councilmembers in preparation for Ward meetings upon request. Requests for assistance should be made twenty-one (21) days in advance to ensure staff availability and presence. City staff will add ward meetings to the City calendar as soon as dates are determined. City staff can assist in securing space for ward meetings.

28. TECHNOLOGY ALLOWANCE

28.1 The Mayor and each Councilmember will receive a monthly technology allowance in the amount of seventy-five dollars (\$75.00) per month to assist with technological amenities associated with conducting City business, including, but not limited to: high-speed internet service, a mobile phone device/service or other communication needs.

28.2 Any additional costs over and above the Technology Allowance will be the responsibility of the individual Councilmember or Mayor.