

CITY OF GENOA
DEKALB COUNTY, ILLINOIS

ORDINANCE NO. 2020 - 09

ADOPTED BY
THE MAYOR AND
CITY COUNCIL
OF THE
CITY OF GENOA

AN ORDINANCE WAIVING REMOTE ATTENDANCE RULES FOR THE
DURATION OF A LOCAL STATE OF EMERGENCY DECLARATION

Adopted March 17, 2020, by the Mayor and City Council of the City of Genoa,
DeKalb County, Illinois, and approved and published in pamphlet form
this 17th day of March 2020.

ORDINANCE NO. 2020-09

***An Ordinance Waiving Remote Attendance Rules for the Duration of
the Local State of Emergency Declaration***

WHEREAS, Illinois Governor Pritzker has issued a Gubernatorial Disaster Proclamation in light of the dangers to public health presented by the spread of the Coronavirus disease 2019 (COVID-19); and

WHEREAS, on March 16, 2020 Governor Pritzker issued Executive Order No. 2020-07 (COVID-19 Executive Order No. 5), that, among other things, provided in Section 6 that:

“During the duration of the Gubernatorial Disaster Proclamation, the provisions of the Open Meetings Act, 5 ILCS 120, requiring or relating to in-person attendance by members of a public body are suspended. Specifically, (1) the requirement in 5 ILCS 120/2.01 that “members of a public body must be physically present” is suspended; and (2) the conditions in 5 ILCS 120/7 limiting when remote participation is permitted are suspended.”;
and

WHEREAS, that same Section 6 encouraged public bodies to postpone consideration of public business where possible and, where a meeting remained necessary, encouraged public bodies “to provide video, audio, and/or telephone access to meetings to ensure members of the public may monitor the meeting, and to update their websites and social media feeds to keep the public fully apprised of any modifications to their meeting schedules or the format of their meetings due to COVID-19, as well as their activities relating to COVID-19.”; and

WHEREAS, Executive Order No. 2020-07 (COVID-19 Executive Order No. 5), has prohibited public gatherings of fifty people or more for the duration of the Gubernatorial Disaster Proclamation and the White House has discouraged social gatherings of greater than ten people to limit the spread of the virus; and

WHEREAS, the City wishes to ensure that the business of the City can be conducted, as necessary, in a manner that does not compromise the public health but that still seeks to protect the values of public openness articulated in the Illinois Open Meetings Act; and

WHEREAS, the City’s own ordinances providing for in-person and remote attendance were prepared in a manner consistent with the Illinois Open Meetings Act but must be revised in light of the current conditions and the Governor’s waiver of the in-person attendance rules of the Open Meetings Act.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the CITY OF GENOA, DeKalb County, Illinois, as follows:

SECTION 1: The foregoing recitals shall be and are hereby incorporated as findings of fact as if said recitals were fully set forth herein.

SECTION 2: That Chapter 1-6-3.D, Rules for Remote Attendance, of the City of Genoa Municipal Code be hereby waived for the period of time in which the City Mayor declares a State of Emergency. The following rules for remote attendance shall apply instead:

RULES FOR REMOTE MEETING ATTENDANCE DURING A STATE OF EMERGENCY DECLARATION

During the period in which a State of Emergency is and remains declared by the City Mayor, and in light of Governor Pritzker's Executive Order No. 2020-07 (COVID-19 Executive Order No. 5), the following remote attendance rules for the meetings of any Council, commission, or committee meeting shall be as follows:

1. Members shall be allowed to participate in meetings by audio or video conference (or comparable telephonic or electronic means that allows for reasonable contemporaneous, interactive communication between members) ("Remote Attendance").

2. Meetings may be held, and a quorum of the public body may be created and shall be permitted, by means of Remote Attendance; a quorum need not be physically present at the location of an open or closed meeting.

3. Any member who wishes to be considered present at a meeting by Remote Attendance should attempt to notify the Clerk/Mayor/Chair prior to the meeting, unless advance notice is impractical.

4. The minutes of every meeting shall reflect the members physically present, absent, and present by Remote Attendance.

5. The Clerk or other party taking minutes shall be permitted to participate remotely and is authorized to record meetings as reasonably possible.

6. When reasonably safe and possible, the City shall seek to provide video, audio, and/or telephone access to meetings to ensure members of the public may monitor the meeting and shall allow for public comment in some form, including written, when reasonably feasible.

7. When reasonably safe and possible, the City shall update its website and social media feed to keep the public fully apprised of proposed meetings and options for public monitoring and/or comment.

SECTION 3: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 4: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 5: This Ordinance shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law.

ADOPTED THIS 17 day of March, 2020.

AYES: 8-Wesner, Carroll, Di Guido, Winter, Cravatta, Brust, Lang, Mayor Pro Tem Stevenson

NAYS: 0

ABSTAINED: 0

ABSENT: 0

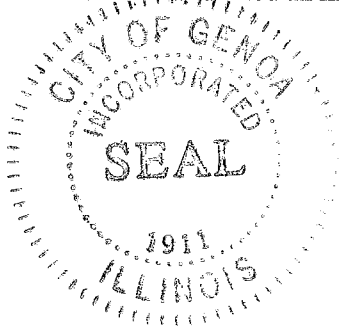
PASSED by the City Council of the City of Genoa, DeKalb County, Illinois this 17 day of March, 2020.

Approved by me this 17 day of March, 2020.

(SEAL)

[Signature]
Mark Vicary, Mayor Pro Tem
James Stevenson

ATTESTED and filed in my office this 18 day of March, 2020



[Signature]
Kim Winker, City Clerk