

**Chapter 2**  
**VILLAGE BOARD**

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**2.01 GOVERNMENT OF VILLAGE**

The Village shall be governed by a Village Board which shall consist of a President and 6 Trustees. The President and Trustees shall be elected at large and serve a 4-year term, and until their successors are elected and qualified, as provided by law.

**2.02 PRESIDENT, *Ord. 675***

A. ELECTION AND TERM: The President shall be elected for a 4-year term and shall serve until the successor is elected and qualified, as provided by law.

B. DUTIES: The President shall be the President of the Village Board and shall preside at properly called meetings of the Village Board. The President shall devote to the duties of the office whatever time the faithful discharge thereof may require. The President at all times may examine and inspect the books, records and papers of any agent, employee or officer of the Village. The President shall perform all the duties which are prescribed by law, including Village ordinances, and shall take care that the laws and ordinances are faithfully executed.

The President, from time to time, and shall annually give the Village Board information relative to the affairs of the Village, and may recommend for its consideration such measures as required.

C. APPOINTMENT OF OFFICERS: The President shall have the power and authority to appoint, by and with the advice and consent of the Village Board, all officers of the Village whose appointment is not otherwise provided for. Any vacancies occurring in an appointive office shall be filled in like manner.

D. PRESIDENT PRO TEM: During any temporary absence or disability of the

President, the Village Board shall select one of their own as President Pro Tem or temporary chairman, who shall possess the powers and authority of the President as provided by law and by ordinance.

E. ACTING PRESIDENT: In the event of a vacancy in the office of President, the Village Board may appoint one of their own as the acting President to serve until the vacancy is filled as provided by law.

F. EMERGENCY INTERIM EXECUTIVE: Pursuant to the Emergency Interim Executive Succession Act (5 ILCS 275/1 *et al.*), the following officers are designated as the emergency interim successors to the office of President in the following order:

1. The Trustee with the highest number of years in office.
2. The Trustee with the second highest number of years in office.
3. The Trustee with the third highest number of years in office.

The powers and duties of the emergency interim successor shall be pursuant to the Emergency Interim Executive Succession Act.

G. BOND: Before entering upon the duties of office, the President shall execute a bond in such amount and with such sureties as may be required by law and by ordinance, conditioned upon the faithful performance of the duties of the office. The Village shall pay the premium on such bond.

H. VILLAGE REPRESENTATION: The President shall act for and on behalf of the Village on formal occasions and receptions. In the President's absence or inability to attend any such function, the Village Board may select any other Village officer to so act.

I. LOCAL STATE OF EMERGENCY: Whenever an emergency, as is defined in Subsection (1) of this Section exists, or imminent emergency, the Village Board may activate the President's extraordinary powers, as set forth in this Section, with such limitations as the Village Board deems necessary.

1. Definitions: The following words, terms and phrases, when used in this Section, shall have the meanings ascribed to them in this Subsection, except where the context clearly indicates a different meaning:

EMERGENCY: (1) A riot or unlawful assembly characterized by the use of actual force or violence or any threat to use force if accompanied by immediate power to execute by three or more persons acting together without authority of law; or (2) any natural disaster, epidemic, or manmade calamity, including outbreak of disease, flood, conflagration, cyclone, tornado, earthquake or explosion, or eminent threat of any of those events within the corporate limits of the Village, resulting in or threatening the death or injury of persons or the

destruction of property to such an extent that extraordinary measures must be taken to protect the public health, safety and welfare.

**CURFEW:** A prohibition against any person walking, running, loitering, standing or motoring upon any alley, street, highway, public property or vacant premises within the corporate limits of the Village except officials of any governmental unit and persons officially designated to duty with reference to said civil emergency.

2. **Declaration:** Whenever an emergency, as defined in Subsection (1) of this Section exists, the President is authorized to declare the existence of a Local State of Emergency by means of a written declaration of the President, under oath, setting forth the facts which constitute the emergency, describing the nature of the emergency and declaring that a Local State of Emergency exists in accordance with the definitions set forth in this Section. This declaration must be filed with the Village Clerk as soon as practicable after issuance.
3. **Curfew Authorized:** After the declaration of a Local State of Emergency by the President, the President may order a general curfew applicable to such geographical areas of the Village or to the Village as a whole, as the President deems reasonable and advisable, and applicable during such hours of the day or night as the President deems necessary in the interest of the public safety and welfare.
4. **Orders Authorized:** After the declaration of a Local State of Emergency, the President may also, in the interest of public safety and welfare, and to address the issues caused threatened by the emergency, make take any or all of the following actions by executive order during the Local State of Emergency:
  - a. All actions reasonably necessary to respond to the emergency;
  - b. Approve previous expenditures of the Village for the purpose of continuing the operations of the Village;
  - c. Authorize agreements for purchases and contracts that impose a financial obligation on the Village that would otherwise be required to be authorized by the Village Board;
  - d. In the event the Local State of Emergency extends beyond the current fiscal year and a new budget has not been approved, the President shall be authorized to approve new spending by the Village during the existence of the Local State of Emergency;
  - e. Order the discontinuance of selling, distributing or giving away

gasoline or other liquid flammable or combustible products in any container other than a gasoline tank properly affixed to a motor vehicle; and

5. Duration: The declaration of a Local State of Emergency herein authorized shall be effective for a period of up to thirty (30) days or until the adjournment of the next regular or special meeting of the Village Board, whichever comes first, unless sooner terminated by a declaration of the President, or, his or her interim emergency successor, indicating that the emergency no longer exists. The President or his or her interim emergency successor, shall have the power to re-declare the existence of an emergency at the end of each 30-day period during the time said emergency exists.
6. Notice: Upon issuing the declaration of a Local State of Emergency herein authorized, the Village Clerk shall notify the news media situated within the Village, and shall cause at least four copies of the declaration of a Local State of Emergency and any curfew authorized to be posted at the following places within the Village: the Village hall, the police station, the post office, and in the area of any curfew.
7. Violations: Any person violating the provisions of this Section or executive orders issued pursuant hereto shall be guilty of an offense against the Village and shall be punished as provided by Section 28.17 of this Code.
8. Effect on Other Ordinances: Nothing contained in this Section shall be construed to impair the powers contained in this Code, giving powers to the police and fire departments, but shall be construed together with existing ordinances now in effect for the safety and welfare of the citizens of the Village.

## **2.03 TRUSTEES**

The Trustees shall pass ordinances, resolutions and motions in the manner provided by law. The Trustees may pass motions, resolutions and ordinances over the President's veto by a two-thirds vote of all Trustees then holding office and as provided by law.

## **2.04 MEETINGS** *Amended, 431*

A. REGULAR MEETINGS: All regular meetings of the Village Board shall be held on the third Tuesday of every month in the Village Hall, 3125 Barreville Road, Prairie Grove, Illinois, at 7 p.m.

B. SPECIAL MEETINGS: Special meetings of the Village Board may be called by the President or any 3 members of the Village Board, provided that a reasonable attempt to

provide written notice of such meetings should be made to each member of the Village Board no less than 48 hours prior thereto, which notice shall include the date, time, place and subject matter of the special meeting. In the event of an emergency meeting, a reasonable attempt to provide written notice of such meeting shall be given to all Village Board members as soon as possible and the meeting notice posted pursuant to the Open Meetings Act.

## **2.05           PRESIDING OFFICER**

The President shall be the presiding officer of the regular and special meetings of the Village Board. In the absence of the President, the Clerk shall open the meeting and a temporary chairman shall be selected.

## **2.06           QUORUM**

A majority of the members of the Village Board shall constitute a quorum.

## **2.07           ORDER OF BUSINESS; SERGEANT-AT-ARMS**

A.    **ORDER OF BUSINESS:** The order of business at all regular meetings of the Village Board shall be determined by the President

B.    **ADJOURNMENT:** In the absence of a special resolution, meetings shall promptly adjourn no later than 10 p.m.

C.    **SERGEANT-AT-ARMS:** The Chief or his designee shall attend every meeting of the Village Board and shall act as Sergeant-at-Arms. The Sergeant-at-Arms is authorized to prevent any unlawful disturbance or demonstration at such meetings.

## **2.08   RULES FOR MEETING ATTENDANCE** *Amended, 684, 411*

In addition to holding meetings pursuant to the Open Meetings Act, 5 ILCS 120/1 *et seq.*, Village Board meetings shall be subject to the following rules:

A.    **RULES FOR INDIVIDUAL MEMBER REMOTE ATTENDANCE WHEN A QUORUM IS PHYSICALLY PRESENT:**

1.    A quorum of the Village Board shall be physically present at the location of an open or closed meeting.
2.    Provided a quorum is physically present, a member may be allowed to attend the meeting by audio or video conferencing.
3.    Any member who wishes to be considered present at a meeting via audio or video conference may make such a request to the Village Board by notifying the Clerk prior to the meeting, unless advance notice is impractical, that the member cannot physically attend the meeting for one of the following reasons:

- a. Personal illness or disability;
  - b. Employment purposes or Village business; or
  - c. A family or other emergency.
4. An affirmative vote by a majority of the Village Board physically present may allow a member to attend a meeting as provided herein.
  5. The Clerk shall record in the minutes of every meeting the members physically present, absent and present by audio or video conference.

B. REMOTE ATTENDANCE WITOUT A QUORUM PHYSICALLY PRESENT IN THE EVENT OF A DISASTER DECLARATION: Notwithstanding the provisions of Section A above, any open or closed meeting of any Village body subject to the requirements of the Illinois Open Meetings Act (5 ILCS 120) may be conducted by audio or video conference, without the physical presence of a quorum of the members, so long as the requirements of the Illinois Open Meetings Act (as may be amended) for such meetings have been met.

**2.09 VILLAGE BOARD COMMITTEES** *Amended, 503, 431*

A. STANDING COMMITTEES: From time to time and in the sole discretion of the President, standing committees may be established. The President shall make member and chairman appointment(s), with the advice and consent of the Village Board members. Village residents and Village Board members may be appointed to the committee(s). The President shall determine the term and number of members assigned to the committee(s). Matters referred to any committee shall include issues deemed necessary by the President or Village Board. All committee meetings shall be held pursuant to the Open Meetings Act and the Chairman shall prepare minutes of each meeting.

B. SPECIAL COMMITTEES: The President may appoint a special committee to conduct investigations, make detailed studies of pending proposals or projects and deliver specific findings to the Village Board for final action. The findings of any special committee shall be reduced to a written report. On presentation to and acceptance of the committees' report to the Village Board the special committee shall be deemed disbanded. Any special committee must conform to the requirements of the Open Meetings Act. Minutes must be taken at all special committee meetings.

**2.10 SALARIES OF OFFICIALS**

A. TRUSTEES: The Village shall pay each Trustee a salary of \$2,500 per fiscal year, paid in equal monthly installments.

B. PRESIDENT: The Village shall pay the President \$4,000 per fiscal year, paid in equal monthly installments.

C. CLERK: The Village shall pay the Clerk \$4,800 per fiscal year, paid in equal monthly installments.

## **2.11 RULES OF ORDER AND PROCEDURE** *Amended, 590, 431*

The following rules of order and procedure shall govern the deliberations and meeting of the Village Board and the committees thereof.

### 1. DUTIES:

- A. Presiding Officer, 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 Village Board room to be cleared.
- B. Members, Duties of Members: While the presiding officer is putting the question to vote, no member shall exit the Village Board chambers. Every member, previous to their speaking or making a motion, shall address themselves to the presiding officer and shall not proceed with their remarks until recognized and named by the chair. They shall confine themselves to the question under debate, avoiding personalities and refraining from impugning the motives of any other member's argument or vote. When 2 or more members address the chair at the same time, the President shall name the member who is to speak first.

### 2. VISITORS: Members of the public are invited and permitted to speak at any public, open meeting of the Village Board and any other commission, committee, board or other public entity created by or subject to the Village's ordinances, subject to the following rules:

- A. Individuals wishing to be heard on an item that is not on the agenda may be recognized by the Village President or Village Board during the Public Comment portion of each meeting which will generally be held as one of the initial items of business on the agenda but may, be moved to a different point on the agenda for that meeting.
- B. Individuals wishing to be heard on an item that is included in the agenda will be provided an opportunity to speak by the Village President or Village Board during the consideration of that item.
- C. Public comment may be restricted to no more than three minutes for each individual speaker. The Village President or Village Board may permit additional comment in his or her discretion taking into account the number of persons wishing to be heard on a matter and the amount of business requiring attention.
- D. Members of the public may be asked to avoid repeating comments that have

already been made, although they may be given the opportunity to indicate that they agree or disagree with an earlier speaker.

- E. Members of the public will be required to step forward to the podium and to identify themselves for the record. Members may be asked but are not required to provide an address for the record.
  - F. The Village President or Village Board shall require that order and decorum be maintained at public meetings. This includes prohibiting outbursts from the public or other behavior that is threatening, disorderly or disruptive to the public business. The Village President or Village Board may eject from a public meeting any person who, in the President or Board's sole opinion, disrupts the order and decorum of the meeting or otherwise violates the rules of this Section.
  - G. Public comment shall be restricted to the portions of meetings which are required to be open to the public under the Open Meetings Act. Nothing in this Section shall be construed to allow public access to or public comment at closed sessions or any other meeting of public officials which is not required to be open to the public under the Open Meetings Act.
3. DEBATE: No member shall speak more than once on the same question, except by unanimous consent, and then not until every other member desiring to speak shall have had an opportunity to do so. No member shall speak longer than 5 minutes at any one time, except by consent of the Village Board.
  4. CALL TO ORDER: A member, when called to order by the chair, shall thereupon discontinue speaking and the order of ruling by the chair shall be binding and conclusive, subject only to the right of appeal to the Village Board.
  5. VOTING: Every member who shall be present when a question is stated from the chair shall vote thereon. A failure to vote shall be counted as an abstention and will count in the manner established by law. Any member required to abstain on a matter due to conflict of interest shall so declare.
  6. ADOPTION OF ROBERT'S RULES OF ORDER: The rules of parliamentary practice contained in the latest published edition of *Robert's Rules of Order* shall govern the Village Board in all cases to which they are applicable and in which they are not inconsistent with the special rules of this Village Board or the statutes or laws of the state.
  7. TEMPORARY SUSPENSION OF RULES; AMENDMENT OF RULES: These rules may be temporarily suspended, repealed, altered or amended by a two-thirds vote of the Village Board then holding office.
  8. CENSURE OF MEMBERS; EXPULSION OF MEMBERS: Any member of the Village Board acting or appearing in a lewd, disorderly or disgraceful manner, or who does not obey the order of the chair, shall be, on motion, censured by a majority vote of the



Village Board and, in addition, may be fined not to exceed \$100 for each such occurrence. With the concurrence of two-thirds of the Village Board elected, it may expel a member from a meeting, but not for a second time for the same incident.

## **2.12 INDEMNIFICATION**

In the event a lawsuit is filed against any former or current elected Village officer for acts relating to the Village or Village business affairs while in office, the Village shall retain and pay counsel of its choice to defend the officer. The Village shall also indemnify the officers for any acts for which he or she is found liable within the scope of his or her office, duty or employment with the Village. The protection afforded to officers in this Section shall apply where defense and indemnity is not adequately provided for, without any conflict of interest, by the Village's liability insurance carrier. In the event of a conflict of interest reasonably deemed to exist by the Village officer, separate counsel chosen by the Village officer shall be retained at the Village's cost.

## **2.13 TERM OF OFFICE** *Ord. 410*

The term of office for an elected official shall begin prior to adjournment of the first regular or special meeting of the Village Board following receipt of the official election results from the County Clerk.

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