

# Village of McLean

## Ordinance#

**21-09-13**

**An Ordinance Amending the Village of McLean Code  
to Provide Amendments Relating to Remote  
Attendance Policy**

Adopted by the Village Board  
Of the  
Village of McLean

Published in pamphlet form by authority of the Village of McLean, McLean

County, Illinois this 14<sup>th</sup> day of September, 2021.

ORDINANCE NO. 21-09-13

AN ORDINANCE AMENDING THE VILLAGE OF MCLEAN MUNICIPAL CODE SAID MUNICIPAL CODE BEING ORDINANCE NO. 96-5-6A OF THE VILLAGE OF MCLEAN TO PROVIDE AMENDMENTS RELATING TO REMOTE ATTENDANCE POLICY

BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MCLEAN:

SECTION 1: A new §32.25 is hereby added to the Village Code of the Village of McLean which is as follows:

§32.25 Remote Attendance Policy

The following policy shall apply to meetings of the Board of Trustees:

- A. **Policy Statement.** It is the policy of the Village that any member of the Village Board may attend and participate in any open or closed meeting of the Village from a remote location via telephone, video or internet connection, provided that such attendance and participation is in compliance with this policy and any other applicable laws.
- B. **Prerequisites.** Any member of the Village Board may attend a meeting from a remote location if the Village Board member meets all of the following conditions:
  - a. A quorum is physically present throughout the meeting.
  - b. Unless impractical, the Village Board member shall notify the Clerk at least 24 hours before the meeting 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.
  - c. The Village Board member must assert one of the following three reasons why he or she is unable to physically attend the meeting.
    - i. The Village Board member cannot attend because of personal illness or disability; or
    - ii. The Village Board member cannot attend because of employment purposes or the business of the Village; or
    - iii. The Village Board member cannot attend because of a family or other emergency.
  - d. If the meeting is an Executive Session the Village Board member must comply with the requirements of the Village code.
- C. **Voting Procedures.** Any member of the Village Board will be

deemed authorized to attend the meeting electronically unless a motion objecting to the Village Board member's electronic attendance is made, seconded and approved by two-thirds of the Trustees that are physically present at the meeting. If no such motion is made and seconded, or if such motion fails to achieve the required two-thirds vote of the Trustees physically present at the meeting, then the request by the Village Board member to attend the meeting electronically shall be deemed approved by the Village and the Village President shall declare the Village Board member present. After such declaration by the Village President the question of the Village Board member electronic attendance may not be reconsidered.

- D. **Adequate Equipment Required.** Any Village Board member participating remotely and other Village Board members must be able to communicate effectively, and Village Board members of the audience must be able to hear all communications. Before approving remote attendance at any meeting, the Village shall provide equipment adequate to accomplish this objective.
- E. **Minutes.** Any Village Board member participating remotely shall be considered an off-site participant and counted as present by means of video or audio conference, for that meeting if the Village Board member is allowed to participate. The meeting minutes shall also reflect and state specifically whether each Village Board member is physically present, present by video, or present by audio means.
- F. **Rights of Remote Trustee.** Any Village Board member permitted to participate remotely will be able to express his or her comments during the meeting and participate in the same capacity as those Village Board members physically present, subject to all general meeting guidelines and procedures previously adopted and adhered to. The remote Village Board member shall be heard, considered, and counted as to any vote taken. Accordingly, the name of any remote Village Board member shall be called during any vote taken, and his or her vote counted and recorded by the Clerk and placed in the minutes for the corresponding meeting. A Village Board member participating remotely may leave a meeting and return as in the case of any Village Board member.
- G. **Meetings.** The term meeting as used herein refers to 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 Village Board of a public body held for the purposes of discussing public business.

H. **Executive Session Meetings.** A quorum of the Village must be physically present at any closed meeting. The Village Board member participating remotely shall be automatically entitled to participate in the Executive Session Meeting that occurs at the public meeting, by video or audio conference, in the same manner as at an open meeting if and only if the Village Board member remotely participating is physically in a room or area that is secure. The word "secure" is hereby defined as an environment in which the Village Board member who is participating remotely believes is private so that the conversations that occur are not subject to disclosure to anyone other than those who are participating, either personally or remotely, at the Executive Session. In the absence of such security, the Village Board member remotely attending the public session may not attend the Executive Session.

SECTION 2: If any section or part of this Ordinance is held invalid, it shall not affect the validity of the remainder of this Ordinance.

SECTION 3: This Ordinance shall be effective immediately.

SECTION 4: Ordinance No. 96-5-6A of the Village of McLean, as amended by this Ordinance, shall remain in full force and effect and all previous amendments to Ordinance No. 96-5-6A shall remain in force and effect except as modified by this Ordinance.

PASSED in due form on a roll call vote by the Board of Trustees of the Village of McLean at a duly held meeting on the 13<sup>th</sup> day of September, 2021.

APPROVED:



\_\_\_\_\_  
President of the Board of Trustees of  
The Village of McLean

ATTEST:

  
\_\_\_\_\_  
Village Clerk

AYES: 6  
NAYS: 0  
ABSENT: 0

STATE OF ILLINOIS )

) SS

COUNTY OF MCLEAN )

**PUBLICATION CERTIFICATE**

I, the undersigned Village Clerk, certify that I am the duly elected and acting Village Clerk of the Village of McLean, McLean County, Illinois.

I further certify that on **Monday, September 13, 2021**, the Board of Trustees of such municipality passed and approved **Ordinance No. 21-09-13**, entitled:

**An Ordinance Amending the Village of McLean Code to Provide Amendments Relating to Remote Attendance Policy**

Board of Trustees of the Village of McLean previously adopted a Resolution that authorized all Village Ordinances to be published in pamphlet form.

The pamphlet form of Ordinance No. **21-09-13**, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on Sept 14, **2021** and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Village Clerk.

Dated at McLean, Illinois, this 27<sup>th</sup> day of **September 2021**.

  
Village Clerk

(SEAL)