

VILLAGE OF BELLEVUE, ILLINOIS

ORDINANCE NO. 810

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

WHEREAS, Section 7 of the Open Meetings Act (5 ILCS 120/1 et seq.) (the "Act") defines 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 Village of Bellevue must adopt rules that conform to the requirements and restrictions of the Act;

WHEREAS, the corporate authorities of the Village of Bellevue desire to permit attendance of members of the public body by means other than physical presence in compliance with the Act;

WHEREAS, the corporate authorities of the Village of Bellevue find that it is necessary that any existing ordinances, resolutions or policies be amended to conform with the term "meeting" to include electronic gatherings as defined in Section 1.02 of the Act.

NOW, THEREFORE, BE IT ORDAINED by the Village of Bellevue as follows:

Section 1. Recitals. The preliminary paragraphs set forth above are incorporated herein as part of this Ordinance.

Section 2. Electronic Attendance at Meetings Permitted. Trustees may attend meetings of the Board of Trustees by electronic means in accordance with the Electronic Attendance at Meetings Rules attached hereto.

Section 3. Remote Meetings Permitted. An open or closed meeting of the Board of Trustees may be conducted by audio or video conference, without the physical presence of a quorum of Trustees, in accordance with the Electronic Attendance at Meetings Rules attached hereto and so long as the following conditions are met:

- (a) the Governor of the State of Illinois or the Director of the Illinois Department of Public Health has issued a disaster declaration related to public health concerns because of a disaster as defined in Section 4 of the Illinois Emergency Management Agency Act (20 ILCS 3305/4), and all or part of the Village of Bellevue is covered by the disaster area;
- (b) the Village President determines that an in-person meeting or a meeting conducted under the Act is not practical or prudent because of a disaster;
- (c) all members of the Board of Trustees participating in the meeting, wherever their physical location, shall be verified and can hear one another and can hear all discussion and testimony;
- (d) for open meetings, members of the public present at the regular meeting location of the Village of Bellevue can hear all discussion and testimony and all votes of the members of the Board of Trustees, unless attendance at the regular meeting location is not feasible due to the disaster, including the issued disaster declaration, in which case the Village of Bellevue must make alternative arrangements and provide notice pursuant to this Section of such alternative arrangements in a manner to allow any interested member of the public access to contemporaneously hear all discussion, testimony, and roll call votes, such as by offering a telephone number or a web-based link;
- (e) at least one member of the Board of Trustees, chief legal counsel, or chief administrative officer is physically present at the regular meeting location, unless

unfeasible due to the disaster, including the issued disaster declaration; and

(f) all votes are conducted by roll call, so each Trustee's vote on each issue can be identified and recorded.

Section 4. Public Participation Rules. The Village of Bellevue hereby adopts the Public Participation Rules attached hereto.

Section 5. Electronic Attendance at Meetings Rules. The Village of Bellevue hereby adopts the Electronic Attendance at Meetings Rules attached hereto that permit a member of the public body to attend any meeting of a public body as defined in the Act via electronic means.

Section 6. Effective Date. This Ordinance shall be in full force and effect after its passage and approval, and publication according to law.

Section 7. Severability. In the event that any section, clause, provision, or part of this Ordinance/Resolution 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.

PASSED AND APPROVED THIS 28 DAY OF JUNE, 2022.

Ayes: 5

Nays: 1

Absent: 0

VILLAGE OF BELLEVUE, ILLINOIS

By: Larry D. Merriman
Larry D. Merriman, President

ATTESTED and RECORDED and published
in pamphlet form this 28 day of JUNE, 2022.

Susan Pesch
Susan Pesch, Village Clerk

VILLAGE OF BELLEVUE, ILLINOIS

PUBLIC PARTICIPATION RULES

Section 1. Written Statement. For all meetings of the Board of Trustees or any subsidiary board, committee, or commission of the Village conducted through virtual means (i.e. by telephone and/or online), members of the public may address the public body by sending the Village Clerk (or other Village of Bellevue representative designated in the agenda posted for such meeting) a written statement to be read aloud at the meeting. In order for a written statement to be read as a public comment at a virtual meeting, the statement must be:

- (1) Typed or written legibly;
- (2) No more than 200 words in length;
- (3) Free of any abusive or obscene language; and
- (4) Received by the Village Clerk or designated representative at the e-mail address set forth in the agenda posted for such meeting, prior to the commencement of such meeting.

Statements that do not adhere to the requirements for virtual public comments will not be read at the public meeting, with timely notice of the basis of that decision to the commenter.

The Village Clerk or designated representative will compile all properly submitted virtual public comments, and when directed to do so by the presiding officer of the meeting, read each comment aloud before the public body, to include the commenter's name and address, if provided.

Section 2. Direct Participation. For all meetings of the Board of Trustees or any subsidiary board, committee, or commission of the Village of Bellevue conducted through virtual means (i.e. by telephone and/or online), the Board of Trustees or subsidiary board, committee, or commission of the Village of Bellevue may, as set forth on the agenda of the meeting, allow members of the public to address the public body by requesting to participate directly in a virtual meeting during the designated public comment time via telephone or virtual means. Members of the public seeking to participate directly must send a request to participate to the Village Clerk (or other Village of Bellevue representative designated in the agenda posted for such meeting) no less than one (1) hour before the commencement of the virtual meeting. Upon such notice, the member of the public will be provided with information regarding how to call in or log in to the virtual meeting.

Direct participation by members of the public in a virtual meeting is subject to the following restrictions:

- (1) Public participants will only be allowed to speak during the designated public comment portion of the virtual meeting;
- (2) Public participants' lines will be muted until they are recognized by the presiding officer of the meeting;
- (3) Public participants must keep their comments to less than 3 minutes;
- (4) Abusive or obscene comments will be prohibited and grounds for the public participant to be removed from the virtual meeting.

The Supplemental Rule is a supplement to, and not a replacement or modification of, any other rule adopted by the Board of Trustees or any subsidiary board, committee, or commission of the Village of Bellevue concerning public comment at public meetings. To the extent that the Supplemental Rule conflicts with any other rule of the Board of Trustees, the Supplemental Rule will control until such time as the situation that necessitated virtual meetings has ended. The Supplemental Rule hereby applies to all subsidiary boards, committees, and commissions of the Village of Bellevue unless and until such boards, committees, and commissions adopt their own rules for public comment at virtual meetings in accordance with Section 2.06(g) of the Act.

422-0218