

**AGENDA ITEM EXECUTIVE SUMMARY****Agenda Item Number: 8a****Title:**

Recommendation to approve an Ordinance Amending Title 2 "Administration and Personnel," Chapter 2.04 "City Council," Section 2.04.170, Citizen Participation" of the St. Charles Municipal Code.

**Presenter:**

City Administrator Heather McGuire

**Meeting:** Government Operations Committee**Date:** February 22, 2022

Proposed Cost:

Budgeted Amount:

Not Budgeted: **Executive Summary** *(if not budgeted please explain):*

Citizen participation is encouraged at public meetings, and establishing rules that govern this participation can prevent problems and confusion between citizens and Council Members. Section 2.04.170, "Citizen Participation," is being added to Title 2 "Administration and Personnel," of the St. Charles Municipal Code to establish a process and rules for members of the public wishing to address the City Council during public meetings, as permitted under the OPEN MEETINGS ACT, 5 ILCS 120/2.06 (g).

**Attachments** *(please list):*

Proposed Ordinance

**Recommendation/Suggested Action** *(briefly explain):*

Recommendation to approve an Ordinance Amending Title 2 "Administration and Personnel," Chapter 2.04 "City Council," Section 2.04.170, Citizen Participation" of the St. Charles Municipal Code.

**City of St. Charles, Illinois**  
**Ordinance No. 2022-M-\_\_\_\_\_**

**An Ordinance Amending Title 2 “Administration and Personnel,”  
Chapter 2.04 “City Council,” Section 2.04.170, “Citizen Participation” of the  
St. Charles Municipal Code.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ST. CHARLES, KANE AND DUPAGE  
COUNTIES, ILLINOIS, AS FOLLOWS:**

**SECTION ONE:** Title 2 “Administration and Personnel,” Chapter 2.04 “City Council,” Section 2.04.170, “Citizen Participation” of the St. Charles Municipal Code, be and is hereby amended by adding the following:

**2.04.170: CITIZEN PARTICIPATION:**

**1. Authority:**

- 1.1. The Illinois Open Meetings Act provides that members of the public must be given an opportunity to address public officials at open meetings and provides that public comment may be subject to the rules established and recorded by the public body.
- 1.2. Members of the public may address the City Council, pursuant to the rules established and recorded in this Section. Reference to “City Council” is to include its committees, commissions and any other subsidiary bodies for the purpose of the application of this Section. Said rules shall be posted at the area where members of the public sign up to address the City Council at a City Council meeting.
- 1.3. Any person may be expelled from City Council Chambers for the remainder of a City Council meeting by the Mayor or a majority vote of the City Council if that person:
  - 1.3.1. Addresses or attempts to address the City Council at a City Council meeting except in conformance and compliance with the rules provided in this Section; or
  - 1.3.2. Otherwise acts in a disorderly manner so as to disrupt the ability of the City Council to efficiently conduct its meeting, including but not limited to:
    - 1.3.2.1. Acting or appearing in a lewd or disgraceful manner;
    - 1.3.2.2. Using disparaging, obscene or insulting language;
    - 1.3.2.3. Personal attacks impugning character and/or integrity;
    - 1.3.2.4. Intimidation;
    - 1.3.2.5. Disorderly conduct (as defined by state law).

**2. Process:**

- 2.1. Members of the public who want to address the City Council at a City Council meeting shall sign up before the start of the meeting identifying themselves by name and

indicating whether they want to address the City Council on a particular agenda item or during public comment.

2.1.1. The purpose of the public comment is to allow members of the public an opportunity to address the City Council on issues of concern to them which are not part of the agenda.

2.2. During public comment or after the introduction of each agenda item, members of the public shall be called in the order as may be determined by the Mayor or Committee Chair.

2.3. Speakers shall address the City Council from the podium and state their name for the record before beginning their remarks.

3. Limitations:

3.1. Speakers shall limit their remarks to no more than three (3) minutes unless additional time is granted by the Mayor or by a majority vote of the City Council.

3.2. A timer shall be used to notify speakers when the allotted time has expired. Speakers will be informed when their allotted time has expired. Upon the expiration of the allotted time, speakers shall stop speaking and leave the podium unless additional time is granted or unless there are questions directed to the speaker from City Council members.

3.3. Groups of speakers should, whenever possible, consolidate their comments and avoid repetition through the use of representative speakers.

3.4. Except during public comment, speakers shall focus and limit their remarks directly to the matter then under discussion and should be as brief as possible and to the point.

3.5. Speakers shall address their remarks to the City Council as a whole, not to any individual City Council members, nor City staff.

3.6. Speakers shall not ask questions of individual City Council members or a member of the City staff. Public comment is not intended to require individual City Council members nor City staff to provide answers to the speaker or engage in debate.

3.7. Discussions between speakers and members of the audience are not allowed.

3.8. The Mayor, or majority of the City Council, may suspend the rules in order to provide more public comment, as deemed appropriate.

3.9. Speakers shall refrain from harassing or directing threats or personal attacks at City Council members, City staff, other speakers or members of the audience.

3.10. City Council members may, but need not, ask questions of speakers at the conclusion of their comments.

3.11. Members of the audience shall maintain decorum and refrain from noisy outbursts or other distracting actions such as applauding, cheering, booing, or use of signs or

banners during or at the conclusion of any remarks made by any speaker, staff member or City Council members.

3.12. Minutes are a summary of the meeting discussion and actions made by City Council. Requests by speakers to append or revise the minutes are not favored.

4. Petitioners:

4.1. Notwithstanding rules to the contrary in this Section, petitioners, defined as persons or entities who initiated and have a direct financial or ownership interest concerning a particular agenda item as determined by the City Administrator shall be called at the beginning of said agenda item and may address the City Council concerning their petition for no more than ten (10) minutes.

4.2. After members of the public have had an opportunity to address the City Council pursuant to the rules provided in this Section, petitioners shall have no more than five (5) minutes to reply to any comments or questions from members of the public or City Council members. There shall be no additional public participation on said agenda item after a petitioner's reply unless granted by the Mayor or by a majority vote of the City Council.

5. Public Hearings:

5.1. The purpose of a public hearing is to seek formal input as required by City Ordinances, State Statute or as deemed appropriate by the Mayor.

5.2 The Mayor will call the public hearing to order and announce the topic. During the public hearing, the Mayor will ask if there are any members of the public that would like to address the City Council about the item under consideration. Individuals wishing to speak should approach the microphone, state their name and if they represent an organization. The same time limits that apply to City Council and Committee meetings apply to public hearings. The Mayor, or a majority of the City Council, reserves the right to suspend these rules and allow more public comment, as deemed appropriate.

**SECTION 2:** That after the adoption and approval hereof the Ordinance shall (i) be printed or published in book or pamphlet form, published by the authority of the Council, or (ii) within thirty (30) days after the adoption and approval hereof, be published in a newspaper published in and with a general circulation within the City of St. Charles.

**PRESENTED** to the City Council of the City of St. Charles, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

**PASSED** by the City Council of the City of St. Charles, Illinois, this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

Ordinance No. \_\_\_\_\_

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**APPROVED** by the Mayor of the City of St. Charles, Illinois, this \_\_\_\_\_ day of  
\_\_\_\_\_ 2022.

\_\_\_\_\_  
Lora A Vitek, Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

COUNCIL VOTE:

Ayes:

Nays:

Absent:

Abstain: