

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

Recommendation to approve an Ordinance Amending Title 1, "General Provisions," Section 1.28.010, Title 2, "Administration and Personnel," Chapter 2.02, "Mayor," Section 2.02.050, "Mayor Pro-Tem"; Chapter 2.04, "City Council," Sections 2.04.030, "Special Meetings," 2.04.040, "Alderman-Salary," 2.04.060, "Mayor as Presiding Officer – Deciding Vote," and 2.04.145, "Omnibus Vote," 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):*

The City recognizes that gender-neutral language is a generic term covering the use of non-sexist language, inclusive language, or gender-fair language, that the purpose of gender neutral language is to avoid word choices which may be interpreted as biased, discriminatory or demeaning by implying that one sex or social gender is the norm. Using gender-neutral language also helps reduce gender stereotyping, promotes social change and contributes to achieving gender equality. Gender-neutral language is more than a matter of political correctness, but a language that powerfully reflects and influences attitudes, behavior, and perceptions.

State of Illinois Public Act 102-0015 introduces the change from alderman to alderperson. The City of St. Charles Municipal Code is being amended to follow suit.

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

Proposed Ordinance  
Tracked Changes

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

Recommendation to approve an Ordinance Amending Title 2, "Administration and Personnel," Chapter 2.02, "Mayor," Section 2.02.050, "Mayor Pro-Tem"; Chapter 2.04, "City Council," Sections 2.04.030, "Special Meetings," 2.04.040, "Alderman-Salary," 2.04.060, "Mayor as Presiding Officer – Deciding Vote," and 2.04.145, "Omnibus Vote," of the St. Charles Municipal Code.

## 1.28.010 – Generally

The aldermanic wards for the City are redistricted as set out in this chapter and as shown in the attached map.

## 2.02.050 – Mayor pro tem

During a temporary absence or disability of the mayor, the city council shall elect one of its members to act as mayor pro tem, who during such absence or disability shall possess the powers of the mayor, as is provided by statute. If during a temporary absence or disability of the Mayor, the Mayor pro-tem is unable or unwilling to act as Mayor, the then sitting ~~Alderman~~ Alderson with the most seniority shall possess the powers of the Mayor. The most senior ~~Alderman~~ Alderson shall be defined as that individual sitting on the the City Council at that time with the most continuous years of service. In the event that more than one member of the City Council have equal years of continuous service, the determination as to who shall act shall be made by the toss of a coin.

## 2.04.030 – Special meetings

Special meetings of the council may be called by the ~~M~~mayor or three ~~alderpersons~~ aldermen; provided, that a written notice of such meeting shall be given to each member of the council at least forty-eight hours before the time set for the meeting; provided further, that in case all of the elected members of the council are present at any regular meeting, then the requirement of notice shall be unnecessary and shall be deemed waived.

## 2.04.040 – ~~Aldermen~~ Alderson - Salary

Each ~~alderman~~ alderperson that is elected and takes office on or after April 3, 2001, shall be paid a salary of One Hundred Seventy-Five and no/100ths (\$175.00) Dollars for each regular, special or adjourned Council meeting as required by law.

## 2.04.060 – Mayor as presiding officer - Deciding vote

The ~~M~~mayor shall preside at all meetings of the city council. ~~He~~ The Mayor shall not vote on any ordinance, resolution or motion, except:

- A. Where the vote of the ~~aldermen~~ alderpersons has resulted in a tie; or
- B. Where one-half of the ~~aldermen~~ alderpersons elected have voted in favor of an ordinance, resolution or motion, even though there is no tie vote; or
- C. Where a vote of greater than a majority of the corporate authorities is required by state statute to adopt an ordinance, resolution or motion.

In each instance specified, the ~~m~~Mayor shall vote. Nothing in this section shall deprive an acting ~~M~~mayor or ~~M~~mayor pro tem from voting in his capacity as ~~alderman~~ alderperson, but he shall not be entitled to another vote in his capacity as acting ~~M~~mayor or ~~M~~mayor pro tem.

## 2.04.145 – Omnibus vote

At any meeting the city council or a standing committee may by unanimous consent take a single vote by yeas and nays on the several questions of the city council passage or standing committee recommendation of any two or more of the designated ordinances, orders, resolutions or motions placed together for voting purposes in and under the designation "omnibus vote," and in such event the clerk or designee may enter the words, "omnibus vote" in the journal in each case

in lieu of entering the names of the members of the city council or standing committee voting "yea" and of those voting "nay" on the passage of each of the designated ordinances, orders, resolutions and motions included in such omnibus group. The taking of such single or omnibus vote and such entries of the words "omnibus vote" in the journal shall be a sufficient compliance with the provisions of the St. Charles Municipal Code for all intents and purposes and with like effect as if the vote in each case had been taken separately by yeas and nays on the question of the passage of each ordinance, order, resolution and motion including in such omnibus group, and separately recorded in the journal. Likewise, the yeas and nays shall be taken upon the question of the passage of any other resolution or motion at the request of any ~~alderman~~Aldersperson and shall be recorded in the journal.

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

**An Ordinance Amending Title 1, “General Provisions,” Chapter 1.28, “Wards,”  
Section 1.28.010, “Generally,”; Title 2, “Administration and Personnel,” Chapter  
2.02, “Mayor,” Section 2.02.050, “Mayor Pro-Tem”; Chapter 2.04, “City Council,”  
Sections 2.04.040, “Alderman-Salary,” 2.04.060, “Mayor as Presiding Officer –  
Deciding Vote,” and 2.04.145, “Omnibus Vote,”  
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: That Title 1, “General Provisions,” Chapter 28, “Wards,” Section 1.28.010, “Generally,” of the St. Charles Municipal Code be and is hereby amended by adding the following new language (in italics):

The *alderperson* wards for the City are districted as set out in this chapter and as shown in the attached map.

SECTION TWO: That Title 2, “Administration and Personnel,” Chapter 2.02, “Mayor,” Section 2.02.050, “Mayor Pro-Tem,” of the St. Charles Municipal Code be and is hereby amended by adding the following new language (in italics):

During a temporary absence or disability of the mayor, the city council shall elect one of its members to act as mayor pro tem, who during such absence or disability shall possess the powers of the mayor, as is provided by statute. If during a temporary absence or disability of the Mayor, the Mayor pro-tem is unable or unwilling to act as Mayor, the then sitting *Aldersperson* with the most seniority shall possess the powers of the Mayor. The most senior *Aldersperson* shall be defined as that individual sitting on the City Council at that time with the most continuous years of service. In the event that more than one member of the City Council has equal years of continuous service, the determination as to who shall act shall be made by the toss of a coin.

SECTION THREE: That Title 2, “Administration and Personnel,” Chapter 2.04, “City Council,” Section 2.04.030, “Special Meetings,” of the St. Charles Municipal Code be and is hereby amended by adding the following new language (in italics):

Special meetings of the council may be called by the Mayor or three *Alderspersons*; provided, that a written notice of such meeting shall be given to each member of the council at least forty-eight hours before the time set for the meeting; provided further, that in case all of the elected members of the council are present at

any regular meeting, then the requirement of notice shall be unnecessary and shall be deemed waived.

SECTION FOUR: That Title 2, "Administration and Personnel," Chapter 2.04, "City Council," Section 2.04.040, "Alderman-Salary," of the St. Charles Municipal Code be and is hereby amended by adding the following new language:

Each *Aldersperson* that is elected and takes office on or after April 3, 2001, shall be paid a salary of One Hundred Seventy-Five and no/100ths (\$175.00) Dollars for each regular, special or adjourned Council meeting as required by law.

SECTION FIVE: That Title 2, "Administration and Personnel," Chapter 2.04, "City Council," Section 2.04.060, "Mayor as Presiding Officer – Deciding Vote," of the St. Charles Municipal Code, be and is hereby amended by adding the following new language:

The Mayor shall preside at all meetings of the city council. *The Mayor* shall not vote on any ordinance, resolution or motion, except:

- A. Where the vote of the alderpersons has resulted in a tie; or
- B. Where one-half of the *Alderspersons* elected have voted in favor of an ordinance, resolution or motion, even though there is no tie vote; or
- C. Where a vote of greater than a majority of the corporate authorities is required by state statute to adopt an ordinance, resolution or motion.

In each instance specified, the mayor shall vote. Nothing in this section shall deprive an acting Mayor or Mayor pro tem from voting in his capacity as alderperson, but he shall not be entitled to another vote in his capacity as acting Mayor or Mayor pro tem.

SECTION SIX: That Title 2, "Administration and Personnel," Chapter 2.04, "City Council," Section 2.04.145, "Omnibus Vote," of the St. Charles Municipal Code, be and is hereby amended by adding the following new language:

At any meeting the city council or a standing committee may by unanimous consent take a single vote by yeas and nays on the several questions of the city council passage or standing committee recommendation of any two or more of the designated ordinances, orders, resolutions or motions placed together for voting purposes in and under the designation "omnibus vote," and in such event the clerk or designee may enter the words, "omnibus vote" in the journal in each case in lieu of entering the names of the members of the city council or standing committee voting "yea" and of those voting "nay" on the passage of each of the designated ordinances, orders, resolutions and motions included in such omnibus group. The taking of such single or omnibus vote and such entries of the words "omnibus vote" in the journal shall be a sufficient compliance with the provisions of the St. Charles Municipal Code for all intents and purposes and with like effect as if the vote in each case had been taken separately by yeas and nays on the question of the passage of each ordinance, order, resolution and motion including in such omnibus group,

and separately recorded in the journal. Likewise, the yeas and nays shall be taken upon the question of the passage of any other resolution or motion at the request of any *Aldersperson* and shall be recorded in the journal.

**SECTION SEVEN:** The corporate authorities of the City intend that this Ordinance will be made part of the City Code and that sections of this Ordinance can be renumbered or relettered and the word “Ordinance” can be changed to “Section,” “Article,” Chapter” or some other appropriate word or phrase to accomplish codification, and regardless of whether this Ordinance is ever codified, the Ordinance can be renumbered or relettered and typographical errors can be corrected with the authorization of the City Attorney, or his or her designee.

**SECTION EIGHT:** All parts of the City Code in conflict with the terms or provisions of this Ordinance shall be and the same are hereby amended or repealed to the extent of such conflict, and said City Code and all other existing ordinances shall otherwise remain in full force and effect.

**SECTION NINE:** If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance or any part thereof is, for any reason, held to be unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this Ordinance, or any part thereof. The corporate authorities hereby declare that they would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional, invalid or ineffective.

**SECTION TEN:** That, after the adoption and approval hereof, this Ordinance shall (i) be printed or published in book or pamphlet form, published by the authority of the City Council of the City of St. Charles, 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.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

SECTION ELEVEN: This Ordinance shall be in full force and effect ten (10) days from and after its passage by a vote of the majority of the corporate authorities now holding office, approval and publication in the manner provided by law.

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

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

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

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

ATTEST:

\_\_\_\_\_  
Nancy Garrison, City Clerk

COUNCIL VOTE:

Ayes : \_\_\_\_\_

Nays : \_\_\_\_\_

Absent : \_\_\_\_\_