



## **RULES SUBCOMMITTEE AGENDA**

Room 404, Government Center

Monday, September 8, 2014

4:30 p.m.

1. Call to Order – Chairman McIntyre
2. Items to be Presented for Action:
  - A. Approval of Minutes – January 6, 2014 1-2
  - B. Consideration and Discussion of Amendments to Rules of the County Board of McLean County 3-9
3. Items to be presented for Information:
  - A. General Report
  - B. Other
4. Adjournment

## Minutes of the Rules Subcommittee

The Rules Subcommittee of the Executive Committee of the McLean County Board met on Monday, January 6, 2014, at 4:00 p.m. in Room 404, Government Center, 115 E. Washington Street, Bloomington, Illinois.

Members Present: Chairman McIntyre, Members Owens, Gordon, and Erickson

Members Absent: Member Rankin

Other Members  
Present: None

Staff Present: Mr. Bill Wasson, County Administrator; Ms. Hannah Eisner, Assistant County Administrator; Mr. Pablo Eves, First Assistant State's Attorney, Civil Division

Department Heads/  
Elected Officials  
Present: None

Chairman McIntyre called the meeting to order at 4:00 p.m.

Chairman McIntyre presented the minutes from the September 17, 2013 Rules Subcommittee meeting for approval. There was one correction to the minutes on page Two, Paragraph six, last word on line two to correct the spelling of "principal" to "principle."

Motion by Owens/Erickson to Approve the Minutes of the September 17, 2013 Meeting, as amended.  
Motion carried.

Chairman McIntyre presented a request for approval of a Resolution to amend the Rules of the County Board of McLean County in regards to Committees – Number, Designation and Membership.

Mr. Gordon referred to page five of the Packet (5.15 Committees – Number, Designation and Membership) and recommended that the word "each" be removed from line 3 in section (B) and a comma be added, as follows: "...shall have not more than seven members, at the discretion of the County Board Chairman."

Motion by Owens/Gordon to Recommend Approval of a Resolution to Amend the Rules of the County Board of McLean County in regards to Committees – Number, Designation and Membership, as amended.  
Motion carried.

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Chairman McIntyre asked if there were any additional questions or comments. Hearing none the meeting was adjourned at 4:10 p.m.

Respectfully submitted,



William R. Wasson  
McLean County Administrator

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**OFFICE OF THE ADMINISTRATOR**

(309) 888-5110 FAX 888-5111

115 E. Washington St., Room 401 P.O. Box 2400 Bloomington, IL 61702-2400

TO: Honorable Chairman McIntyre and Members, Rules Committee  
FROM: Bill Wasson, County Administrator  
DATE: September 2, 2014  
RE: County Board Rules- Public Comment

At last month's County Board Finance Committee, Justice Committee and Board Meetings, some County Board Members expressed interest in modifying the rules relating to the procedure by which non-members request permission to address the the County Board. These rules are found under sections 5.14-7 (A) & (B) and 5.16 (I) of the McLean County Code below.

5.14-7 Appearance by Non-Members

(A) Any member may request that a County Officer or employee, or other persons, be permitted to appear before the Board on matters of County business, and such request shall be granted by the Chairman unless there is objection by any member, in which event Board action will be required to overrule the Chairman.

(B) All requests by non-members of the Board for appearance before the Board shall be made to the Administrator, in writing with the subject matter stated, not less than five working days before the next scheduled Board meeting. Such appearance with regard to any particular topic shall be limited to a time not to exceed three minutes for each individual, five minutes for a representative spokesman of a group and fifteen minutes total. The Chairman may act to prevent repetition or digression; to maintain decorum and to exclude discussion of matters which have had a previous public hearing conducted according to law, discussion of matters where public comment would interfere with the due process of law or discussion of matters which would be in direct conflict with restrictions placed upon the Board by other applicable law.

5.16 COMMITTEES – GENERAL FUNCTIONS AND RESPONSIBILITIES OF ALL COMMITTEES.

The general functions and responsibilities of all Committees shall be as follows:

(I) The Committees shall allow non-members to appear before the Committees when such appearance is appropriate and does not violate due process of law. A request for such appearance shall be directed to the Administrator in writing with the subject matter stated at least five working days in advance of the meeting. The Committees shall have the right to set reasonable time limits, prevent unruly conduct and require groups to be represented by one spokesman.

The Board members who raised the issue were particularly concerned about the requirement that a request to speak be made five business days prior to the meeting. They thought this unnecessarily restricted public comment and pointed out that someone who saw an item of interest on an agenda, which may be posted 48 hours prior to meeting, may be precluded from addressing the committee or the Board on that item under the current rule.

Staff reviewed the public speaking rules from other neighboring Counties and Cities for purposes of comparison. Based upon the items raised by County Board Members during the aforementioned meetings and a review of these other rules, the staff has developed a list of issues you may wish to consider in deciding whether or how to amend County Board Rule:

- A. Should the time period required for individuals wishing to address the public body provide written notice to the County Administrator be modified? If so, to what?
- B. Should the topics discussed be restricted to those germane to the meeting agenda of the public body?
- C. Should there be a different time period required for individuals wishing to address the public body on a topic germane to the meeting agenda as opposed to an item of general public interest? If so, what period?
- D. Should the individual or group time periods to appear at any single meeting be modified? If so, to what period?
- E. Should the order of appearance continue to be determined by the Chair or by another mechanism? If another mechanism, which one?
- F. Should individuals be limited to addressing the public body more than one time in specified period of time? if so, what period?

We have attached several examples of Illinois local government public appearance rules for your review and consideration. Based upon Rules Committee direction provided on these topic at your September 8 meeting, staff will draft recommendations to be considered by the Rules Committee at its next meeting and schedule such meeting accordingly.

As always, our staff is available to you if you have any questions.

Chapter 2 : Section 85 : Public Comment.

- (a) A public comment period not to exceed fifteen (15) minutes will be held during each Board and Commission meeting, as well as all regularly scheduled City Council meetings, Committee of the Whole meetings and special meetings of the City Council not designated as work sessions. Nothing herein shall prohibit the combination of meetings, at which only one public comment period will be allowed. (Ordinance No. 2014-82).
- (b) Anyone desiring to address the Board, Commission or City Council, as applicable, must complete a public comment card available in the meeting location up to fifteen (15) minutes prior to the start of the meeting. The person must include their name, address and any other desired contact information, although said person shall not be required to publicly state their address information. If more than five individuals desire to make a public comment, the order of speakers shall be by random draw. If an individual is not able to speak due to the time limitation, said individual shall be given priority to speak at the next meeting of the City Council or Board or Commission, as may be applicable. (Ordinance No. 2014-82).
- (c) The public comment portion of the meeting shall be placed on the agenda for regular City Council meetings, as well as any rescheduled meeting of the City Council, after roll call and prior to appointment recognition and/or the consent agenda. For any other special City Council meeting or meeting of any other Board or Commission of the City, public comment shall be listed on the agenda immediately after roll call. (Ordinance No. 2014-82).
- (d) Comments are limited to three (3) minutes per speaker. A speaker can not give his or her allotted minutes to another speaker to increase that person's allotted time. (Ordinance No. 2014-82)
- (e) Speakers will be acknowledged by the Chair and shall address the Board, Commission, or City Council, as applicable, from the designated area in the meeting location and not approach the Board, Commission, City Council or City staff. Speakers will begin their statement by first stating their name for the record. (Ordinance No. 2014-82)

“SECTION ONE: That the following rules shall apply to persons desiring to address public officials of the Town of Normal when said officials are conducting a meeting pursuant to the Open Meetings Act:

- A. The individual public comment period for any single meeting shall not exceed ten minutes.
- B. No individual shall speak for more than two minutes at any single meeting.
- C. No individual representing a group shall speak for more than five minutes at a single meeting.
- D. The chair of the meeting shall determine the order of speakers.
- E. Individuals wishing to address a public body shall provide the City Manager’s office advance notice of their desire and intent to speak at least two hours prior to the scheduled meeting.
- F. Individuals shall be limited to addressing a public body no more than one time in a forty-five day agenda period.
- G. The topics discussed must be germane to the meeting agenda of the public body.”

CITY OF PEKIN

1-5-3: MEETINGS:

A. Regular Meetings: Regular meetings of the City Council of the City of Pekin shall be held in the Council Chambers in the City Hall on the second and fourth Monday of each month at 5:30 o'clock P.M., except that when Monday shall be a legal holiday, the City Council shall meet on the Tuesday next following at the same hour.

B. Adjourned or Recessed Meetings: Adjourned or recessed meetings of the City Council of the City of Pekin may be held for the purpose of completing any unfinished business of a regular meeting at such time or times as may be determined by majority vote of the City Council.

C. Deferred Meetings: Regular meetings of the City Council may be deferred to the Tuesday or Wednesday next following the regular Monday night meeting by majority vote of the City Council, which vote shall be taken not later than the regular meeting preceding the meeting to be deferred to the following Tuesday or Wednesday night of the following week, and such meeting may be deferred at any time in said manner if it is deemed by the City Council to be in the best interest of the City of Pekin.

D. Special Meetings: Special meetings may be called from time to time by the Mayor or by two Council Members upon giving not less than forty-eight hours notice to all members of the City Council and Manager. (Ord No. 2515 02-12-07)

E. Meetings to be Open to Public: All meetings of the City Council, whether regular, adjourned, recessed or special, shall be open to the public, except as otherwise provided by law. (5 ILCS 120/1 et seq.)

F. Presiding Officer: The Mayor shall preside at all regular and special meetings of the Council; provided, that in the absence of the Mayor, a Mayor Pro Tem shall be selected as provided by statute. (65 ILCS 5/3.1-35-35) and Resolution No. 22-07/08 (Ord. No. 2547-07/08 1-14-08)

G. Addressing: It shall be unlawful for any person to address or attempt to address any regular or special meeting of the Council except upon the consent of the Mayor or with the consent of a majority of the members present.

H. Disturbing: It shall be unlawful to disturb or interrupt any regular or special meeting of the Council; any person violating any provision of this subsection shall be fined not less than five dollars (\$5.00) and not more than two hundred dollars (\$200.00) for each offense and may be summarily ejected from the Council room and the City Hall.



Champaign County

E. Time for public participation shall be provided on the agenda for members of the public to be heard, as follows:

1. Any person wishing to address the Board shall be allotted not more than five (5) minutes to do so.
2. Unless waived by majority vote of the Board members present, the total time allotted for public participation shall not exceed sixty (60) minutes.
3. Members of the public wishing to speak at other times on the agenda may do so only if recognized by the Chair or by majority vote of the Board members present.
4. No Board member shall be permitted to address the Board during the time reserved for public participation.

Peoria County

**\*\*Citizens' Remarks:**

- 1) Members of the public who wish to address the Board must provide the Chairperson with written notice of their intent to speak prior to the meeting being called to order. The written notice shall identify the name and address of the speaker, as well as a short statement indicating the speaker's topic.
- 2) After the Consent Agenda, the Chairperson may recognize individuals who have provided written notice of their intent to speak. If the individual wishes to address a specific agenda item, the Chairperson may recommend deferral of the citizen's request until the agenda item is called.
- 3) No speaker may debate a member of the Board. Speakers shall refrain from identifying, by name, County employees or other private citizens with personally disparaging or condemning remarks.
- 4) Each citizen is limited to five minutes unless revised by the Chairperson subject to appeal, and the aggregate Citizens' Remarks shall not exceed thirty minutes per meeting unless the time is extended by majority vote of the members present.