

ORDINANCE NO. 4107-23/24

AN ORDINANCE AMENDING CHAPTER 2, ARTICLE II, DIVISION I OF THE PEKIN CITY CODE REGARDING APPOINTMENT AND POWERS OF MAYOR PRO TEM

WHEREAS, the City of Pekin is a home rule municipality as described in Section 6(a), Article VII of the 1970 Constitution of the State of Illinois; and

WHEREAS, the City of Pekin, as a home rule municipality, may exercise power and perform any function pertaining to its government and affairs, including, but not limited to, the power to legislate for the protection of the public health, safety, and welfare; and

WHEREAS, on November 26, 2007, the City Council adopted Resolution No. 22-07/08 Establishing Procedure for Appointing a Mayor Pro Tem; and

WHEREAS, the City Council desires to make certain amendments to the City Code to codify the process for appointing a Mayor Pro Tem and to clarify the duties and authorities of the Mayor Pro Tem.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PEKIN, TAZEWELL COUNTY, ILLINOIS, THAT:

Section 1. The findings and recitations set forth above are adopted and found to be true and correct.

Section 2. Chapter 2, Article II, Division 1, Section 1 of the Pekin City Code is hereby amended as follows (additions indicated by underline, deletions by ~~striketrough~~):

Sec. 2-2-1-1. - Members; term; vacancies.

The Council shall consist of the Mayor and six Councilmembers elected for four-year terms pursuant to 65 ILCS 5/5-2-12. The term shall commence at the first regular or special meeting of the City Council during the month of May following the proclamation of the results of the regular municipal election. The order of business at said meeting shall be Pledge of Allegiance, roll call, approval of minutes, swearing in of new officers, continuation of all other business of the municipality by the newly elected officers. Vacancies in the office of Mayor or Councilmember shall be filled by the remaining members; ~~as is~~ provided by 65 ILCS 5/5-2-12.

Section 3. Chapter 2, Article II, Division 2, Section 1-1 of the Pekin City Code is hereby amended as follows (additions indicated by underline, deletions by ~~striketrough~~):

Sec. 2-2-2-1-1. - 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 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, except for Columbus Day legal holiday.

- (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 48 hours' notice to all members of the City Council and Manager.
- (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~~ the Mayor Pro Tem shall preside.
- (g) *Disturbing.* It shall be unlawful to disturb, disrupt, or interrupt any regular or special meeting of the Council; any person violating any provision of this Subsection shall be fined not less than \$5.00 and not more than \$200.00 for each offense and may be summarily ejected from the Council room and the City Hall.

Section 4. Chapter 2, Article II, Division 1 of the Pekin City Code is amended by the addition of a new Section 7 as follows:

Sec. 2-2-1-7. – Mayor Pro Tem.

- (a) The Mayor shall appoint, with the advice and consent of the City Council, a Mayor Pro Tem and a first alternate Mayor Pro Tem from among the sitting Council members. The Council Members so appointed shall serve until another member is appointed to the position, or until the appointed member ceases to be a member of the Council.
- (b) If a temporary absence or disability of the Mayor incapacitates the Mayor from the performance of his or her duties but does not create a vacancy in the office, the Mayor Pro Tem shall perform the duties and possess all the rights and powers of the mayor according to state law and this Code for the duration of such absence or disability.

(c) If both the Mayor and the Mayor Pro Tem are temporarily absent or disabled, the first alternate Mayor Pro Tem shall perform the duties of Mayor Pro Tem for the duration of such absence or disability.

Section 5. Resolution No. 22-07/08 is rescinded and repealed.

Section 6. This Ordinance is in addition to all other ordinances on the subject and shall be construed therewith excepting as to that part in direct conflict with any other ordinance, and in the event of such conflict, the provisions hereof shall govern.

Section 7. This Ordinance shall be in full force and effect from and after its passage and approval in the manner provided by law.

PASSED AND APPROVED at the regular meeting of the City Council of the City of Pekin, this 11th day of September, 2023 and upon roll call the vote was as follows:

AYES: Hohimer, Cloyd, Hilst, Nutter, Abel and Burress

NAYS: None

ABSENT: Orrick

ABSTAINING: None

APPROVED this 11th day of September, 2023

Ymango Burress
Mayor

ATTEST:

Sueⁿ McMullan
City Clerk