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Article I The Village President

Section 2-101 Election and Term of Office. The Village President shall be elected by the electors of the Village for a term of four years, and shall be the President of the Board of Trustees as provided by Statute.

Section 2-102 Duties: Presiding Officer; Official Head. The Village President shall preside at all meetings of the Village Board and on all ceremonial occasions. The Village President shall be recognized as the official head of the Village by the courts for the purpose of serving civil process and by the Governor for all legal purposes.

- a. The Village President may vote on all questions coming before the Village Board. The Village President shall vote: 1) where the vote of the Trustees has resulted in a tie; 2) where one-half of the Trustees elected have voted in favor of an ordinance, resolution or motion even though there is no tie vote; or 3) where a vote greater than a majority of the corporate authorities is required by the Illinois Municipal Code to adopt an ordinance, resolution or motion. Nothing in this Section shall deprive an acting President or President pro tem from voting in his or her capacity as Trustee, but he or she shall not be entitled to another vote in his or her capacity as acting President or President pro tem. The President shall have the power to administer oaths upon all lawful occasions and shall be a conservator of the peace. The President shall perform other duties and exercise other powers as may be imposed upon him or her by the Municipal Code and the Statutes of the State of Illinois. The President shall devote to the duties of office whatever time faithful discharge thereof may require.
- b. President may veto. All resolutions and motions: 1) which create any liability against the Village, or 2) which provide for the expenditure or appropriation of its money, or 3) to sell any Village or school property, and all ordinances, passed by the Board shall be deposited with the Village Clerk. If the President of the Board of Trustees approves of them, he or she shall sign them. Those of which he or she disapproves shall be returned to the Board, with his or her written objections, at the next regular meeting of the Board occurring not less than five days after their passage. The President may disapprove of any one or more sums appropriated in any ordinance, resolution, or motion making an appropriation, and, if so, the remainder shall be effective. However, the President may disapprove entirely of an ordinance, resolution, or motion making an appropriation. If the President fails to return any ordinance or any specified resolution or motion with written objections, within the designated time, it shall become effective despite the absence of the President's signature.
- c. Board may override President's veto. Every resolution and motion, specified in Section 2-102 b., and every ordinance which is returned to the Board by the President shall be reconsidered by the Board. If, after such reconsideration, two-thirds of the Trustees elected to the Village Board agree to pass an ordinance, resolution, or motion, notwithstanding the President's refusal to approve it, then it shall be effective. The vote on the question of passage over the President's veto shall be by yeas and nays, and shall be recorded in the journal of proceedings.

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(Ord. #96-061)

Section 2-103 Oath and Salary. Before entering upon the duties of office, the President shall take the oath of office prescribed by statute for municipal officers, and shall receive an annual salary of \$8,500 and no other compensation shall be allowed for that office. Any ordinance providing for a change in the compensation of the Village President shall be adopted no less than 180 days before the beginning of the term of the Village President.

Section 2-104 President Pro Tem. On the second Monday in May, following each Village election, the Board of Trustees shall elect one of its members to act as President pro tem, who shall, during the absence of or disability of the President, act as presiding officer of all meetings of the Village Board. The Trustee elected to serve as President pro tem must have served as a Trustee on the Village Board for at least two years prior to election as President Pro Tem. The Trustee elected as President pro tem shall be selected only from those Trustees who have been duly elected by the citizens of the Village. In order to allow for consideration of the recommendation before the Committee-of-the-Whole meeting, the Village President's recommendation for President pro tem shall be distributed to each Trustee not later than the Friday preceding the May Committee-of-the-Whole meeting.

(Ord. #09-020)

Section 2-105 Vacancy in the Office of Village President. Whenever a vacancy in the office of Village President occurs during his or her term, the vacancy shall be filled for the remainder of the term at the next election of Trustees. During the period of time from the time the vacancy occurs, the vacancy shall be filled for the remainder of the term at the next election of Trustees. During the period of time from the time the vacancy occurs until a President is elected and has qualified, the Board of Trustees shall fill the vacancy by the election of an Acting President.

Article II The Board of Trustees

Section 2-201 Composition; Election; Powers. The Board of Trustees shall consist of the President and eight Trustees. They shall constitute the corporate authorities of the Village of Arlington Heights. The President shall be elected by the electors of the Village for a four-year term. The Trustees shall be elected at the regular Village election to be held in each odd numbered year. The powers of the Board shall be purely legislative except as otherwise provided by statute or ordinance. The Board shall approve for payment all expenses and liabilities of the Village.

Section 2-202 Quorum; Meetings. A majority of the corporate authorities, being five members, shall constitute a quorum to do business. A smaller number, however, may adjourn from time to time. The affirmative majority vote of at least three members shall be necessary for the adoption of any resolution or motion unless a greater number is required by statute.

- a. Regular Meetings. The regular meetings of the Board of Trustees shall be held on the first and third Mondays of each month at the hour of 8:00 P.M. All meetings shall be held at the Village Hall except as otherwise determined by the Board. Meetings may be adjourned to a date certain by vote of the Board.

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- b. **Special Meetings: Notice.** The President or any four Trustees may call a Special Meeting by giving notice, in writing, served personally, or by registered mail, upon all members of the Board at least 48 hours prior to the time set for the Special Meeting. The notice shall specify the time and place of the Special Meeting and the matters to be considered at the meeting. Notice to the members of the Board may be waived by attendance at the meeting or by written waiver of notice. Matters not specified in the notice may not be considered at the Special Meeting unless all members of the Board are present and unanimous consent is given for consideration of such matters. No vote of the Board of Trustees shall be reconsidered or rescinded at a Special Meeting unless there are present at the Special Meeting as many Trustees as were present when the vote was taken. Special Meetings may also be called by a motion, adopted at a regular meeting, specifying the matters to be considered. No notice to the members of the Board shall be required for such meetings except to members not present at the time such motion was adopted.
- c. **Village Clerk to Issue Notices.** The Village Clerk shall give the Notices required in this Section and shall specify that the President or four named Trustees are calling the meeting.

(Ord. #96-030, #02-038)

Section 2-203 Committee of the Whole.

- a. **Meetings.** The Board of Trustees shall meet regularly as a Committee-of-the-Whole on the second Monday of each month and, prior to the regular Village Board meeting, on the third Monday of each month. In addition, the Board may also meet as a Committee-of-the-Whole at such other times as it determines necessary.
- b. **Functions of the Committee-of-the-Whole.** The Committee-of-the-Whole shall be concerned solely with the formation of policy. Whenever policy and administration overlap, every effort shall be made by the Committee-of-the-Whole to collaborate and coordinate with the Village Manager.
- c. **Liaison with Boards and Commissions.** The Committee-of-the-Whole shall be liaison and monitor the activities of the appointed Boards and Commissions. Each Board and Commission shall meet with the Committee-of-the-Whole as directed by the Committee.
- d. **Special Committees.** Matters of a special or extraordinary nature may be referred to a Special Committee by a majority vote of the President and Board of Trustees. Such Special Committees shall be appointed by the President with the advice and consent of the Board of Trustees.

(Ord. 99-043)

Section 2-204 Order of Business. Any citizen wishing to be heard on an item not on the formal agenda at a Village Board meeting may make such a request at that Board meeting by filling out a speaker's card and handing it to the Village Clerk. All such citizens shall be given three minutes in which to make a statement.

(Ord. #06-080)

- a. The Order of Business to be observed at all meetings of the Village Board shall be as follows, except that a majority vote of all Trustees present may suspend the following order of business:

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- I. Call to Order
- II. Pledge of Allegiance
- III. Roll Call of Members
- IV. Approval of Minutes
- V. Accounts Payable
- VI. Recognitions and Presentations
- VII. Public Hearings
- VIII. Citizens to be Heard
- IX. Old Business
- X. Approval of Bids
- XI. Consent Agenda
- XII. New Business
- XIII. Legal Ordinances and Resolutions
- XIV. Appointments
- XV. Petitions and Communications
- XVI. Report of the Village Manager
- XVII. Adjournment

The Village Manager may submit to the President and Board of Trustees not less than five days prior to the date of meeting, a separate Consent Agenda to be considered by the President and Board of Trustees immediately after approval of bids and before new business.

The Consent Agenda shall contain all matters deemed by the Village Manager to be of a non-controversial nature. The Manager, in his or her discretion, may include on the Consent Agenda all matters on which a preliminary vote or recommendation, awaiting the drafting of an ordinance or resolution, has been taken by the Village Board. The Manager may also include on the Consent Agenda, resolutions or ordinances accepting plats of subdivision and appointments and reappointments from Committees, together with all other matters which the Manager deems suitable for a Consent Agenda. The Consent Agenda may be adopted by a roll call vote and the roll call shall be recorded in the minutes of the Village Board as approving each item contained on the Consent Agenda. The motion to adopt the Consent Agenda shall be non-debatable. Any item may be removed from the Consent Agenda at the Village Board meeting by the request of any one Trustee, in which case the item shall be considered separately.

The taking of a single vote on the Consent Agenda shall be deemed sufficient compliance with all requirements of law to all intents and purposes and with like effect as if the vote in each case had been taken separately by nays and ayes on the question of each ordinance, resolution and motion included on the Consent Agenda.

In the event one or more Trustees wishes to be recorded as passing or voting against any item included in the Consent Agenda, that Trustee shall so notify the Village Clerk who will make an appropriate reference in the minutes to record such negative votes.

- b. Initiation of Ordinances. The Village Board, upon petition by at least one percent of the registered voters of the Village as computed at the last general election at which Representatives to the United States Congress were elected, shall consider any proposal contained in the petition to amend, add to or delete from the general ordinances contained in the Municipal Code of 1995, as amended. The petition shall be filed with the Village Clerk at least ten days prior to a regularly scheduled Village Board meeting at which consideration

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of the matter is sought. The filing of the petition shall require placing of such matter upon the agenda for consideration by the President and Board of Trustees.

Any petitioner dissatisfied with the outcome of the one percent petition procedure of the preceding paragraph may invoke the 12 percent petition procedure of this paragraph. The Village Board shall upon petition of at least 12 percent of the registered voters of the Village as computed at the last general election at which Representatives to the United States Congress were elected, consider any proposal contained in said petition to amend, add to or delete from the general ordinances contained in the Municipal Code of 1995, as amended. Said petition shall be filed with the Village Clerk at least ten days prior to a regularly scheduled Village Board meeting at which consideration of said matter is sought. The Village Board shall either pass the proposed ordinance in substance within 90 days after the proposal appears on the Board agenda, or the proposal shall be submitted to a vote of the electors at the next regularly scheduled election, unless it is rejected by the Village Board of Trustees upon advice of the Village Attorney stating that the proposed ordinance is in conflict with any Constitutional provision, existing statutes or ordinances of other pre-empting jurisdictions. Any such petition shall appoint three managers who shall serve as spokespersons and shall have the power to withdraw the petition after the Village Board action on such petition, if a majority of such managers are satisfied with such action.

Any ordinance adopted by initiative may be repealed by the Village Board or by initiative as provided herein.

Section 2-205 Rules of Procedure. The following rules of procedure shall govern the conduct of all meetings of the Board of Trustees, although these rules, other than those prescribed by statute, may be suspended at any time by the consent of a majority of the Trustees present at any meeting.

Rule 1. The President shall decide all questions of order. In all cases where these rules are not applicable, the Board shall be governed by parliamentary law as laid down in Roberts' Rules of Order, as revised.

Rule 2. Trustees discussing a question shall address the President, and no Trustee has the floor unless recognized by the President. No person can address the Board unless recognized by the President.

Rule 3. A roll call vote of yeas and nays shall be taken and recorded on the journal of proceedings, for all ordinances or propositions which create any liability against or obligation on the part of the Village, or for the expenditure or appropriation of its money, and in all other instances where request therefor is made by any Trustee. This rule shall not apply to any items included in the Consent Agenda.

Rule 4. All resolutions and amendments shall be reduced to writing at the request of the President or any Trustee, and shall be handed to the Village Clerk who shall read them to the Board.

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(Ord. #96-030)

Rule 5. Standing and Special Committees, to whom references are made, shall in all cases report in writing a statement of facts with their opinion. Committees may consider only such matters as are referred to them by vote of the Board of Trustees or by the Village President.

Rule 6. Any report to the Board shall be deferred, for final action thereon, to the next regular meeting of the Board after the report is made, upon the request of any two Trustees present.

Rule 7. The vote upon the adoption of an ordinance, motion or resolution of the Board may be reconsidered at the same meeting at which the vote was taken or at the next regularly scheduled meeting on motion of any Trustee not present at the time such ordinance, motion or resolution was adopted, or on the motion of any Trustee previously voting on the prevailing side of such ordinance, motion or resolution, but no ordinance, motion or resolution shall be rescinded except by the same number of votes which were required to pass the matter sought to be reconsidered.

If a request for reconsideration of any matter signed in the manner of election petitions by at least one percent of the registered voters as computed at the last general election at which Representatives to the United States Congress were elected, is presented to the Village Clerk prior to the next regular meeting of the Board of Trustees following the action taken, which meeting shall be at least two weeks later, the Board shall reconsider such matter in the same manner as if a motion to reconsider had been made by a Trustee voting on the prevailing side of such ordinance or motion, whether or not the matter was reconsidered previously. Final action shall be taken at that meeting on all matters reconsidered.

Rule 8. When a question is before the Board, no motion shall be in order but the following: 1) to adjourn; 2) to lay on the table; 3) the previous question; 4) to postpone definitely; 5) to postpone to a certain time, and 6) to amend. These motions are privileged and have precedence in the order in which they succeed each other in this rule. Motions to adjourn, to lay on the table and for the previous question shall be decided without debate.

Rule 9. A motion to adjourn is always in order except: 1) When a member is in possession of the floor; 2) When the yeas and nays are being called; 3) When the members are voting; 4) When adjournment was the last preceding motion; 5) When it has been decided that the previous question shall be taken.

Rule 10. All persons appearing before the Board shall make such appearances only in their own behalf or as a member of some civic, municipal, religious, business or neighborhood organization. All persons may also be represented before the Board by their attorneys.

(Ord. #96-061)

Section 2-206 Oath and Compensation. Each Trustee shall take the oath of office prescribed by statute and shall receive compensation at the rate of \$2,800 per year, payable in monthly installments. Any ordinance providing for a change in the compensation provided for Trustees

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shall be 180 days before the beginning of the terms of the trustees whose compensation is to be fixed.

Section 2-207 Powers and Duties. The Board of Trustees shall pass ordinances, resolutions and motions in accordance with the provisions of this Article and the Statutes of the State of Illinois. The members of the Board of Trustees shall be conservators of the peace and shall have power: 1) to arrest or cause to be arrested, with or without process, all persons who break the peace, or are found violating any municipal ordinance or any criminal law of the State; 2) to commit arrested persons for examination; 3) if necessary, to detain arrested persons in custody overnight or Sunday in any safe place, or until they can be brought before the proper authority; and 4) to exercise all other powers as conservators of the peace as may be prescribed.

(Ord. #09-020)

Section 2-208 Vacancy in the Office of Trustee. Whenever a vacancy occurs in the office of Trustee, the vacancy must be filled in accordance with the applicable section set forth below:

- a. If a vacancy occurs in the office of Trustee with the unexpired portion of that term to be at least 28 months and there is at least 130 days before the next scheduled general municipal election, the vacancy shall be filled for the remainder of the term at that election.
- b. If a vacancy occurs in the office of Trustee with less than 28 months remaining in the unexpired portion of the term or less than 130 days before the next scheduled general municipal election, the vacancy must be filled by the President. An appointment by the President must be made within 60 days after the vacancy occurs. The appointment shall be forwarded to the corporate authorities, who must act upon that appointment within 30 days.

Section 2-209 Commencement of Term of Office. The terms of all elected officials shall begin at the first regular or special meeting in the month following the election of said officials.

Article III Other Appointed Officers

Section 2-301 Recall of Elected Officers. Any elected Village officer may be recalled in accordance with the provisions of this Section.

Any registered voter residing in the Village seeking to initiate the recall of any elected officer may file with the Village Clerk a written statement under oath of the intent to file a recall petition seeking recall of a named officer, in accordance with the provisions of this Section. Within 120 days of the date of filing the statement, the voter or persons acting on the voters' behalf shall file with the Village Clerk a written petition signed by not less than 12% of the registered voters of the Village at the time of the last general election. The petition shall contain the full names and addresses of the petitioners. Each page of the petition shall be supported by a sworn statement of the circulator that he or she is a registered voter in the Village and further certifying that the signatures were obtained in the presence of the circulator and are genuine.

Each petition may name no more than one officer whose recall is sought and shall contain a brief and succinct statement of the reason for which recall is sought. More than one petition naming different officers may be filed for a single recall election.

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Within 30 days of the filing of a petition which meets the requirements of this Section, the President and Board of Trustees shall adopt an ordinance calling a special election to be held on the next consolidated election date which shall be not less than 60 days from the date of the ordinance.

Notice of the election and publication of a sample ballot in a newspaper published in the Village shall be given in the manner provided by law.

The Village Clerk shall prepare a pamphlet for distribution to the voters setting forth the date and time of election and the reasons for initiating recall procedures in accordance with the petition. It shall also contain a responsive statement by the officer whose recall is sought. The reasons and response shall be limited to 500 words each. The pamphlet shall be reviewed by the Village Attorney as to form and content, in compliance with this Article. The Village Clerk shall use all reasonable means to cause a copy of the pamphlet to be distributed to each household within the Village. The Village Clerk shall cause a copy of the pamphlet to be published in a newspaper of general circulation within the Village not less than 15 nor more than 30 days prior to the date of the election.

The conduct of the election and any challenge to the petition or contest of the election shall be as nearly as possible in accordance with the provisions of the Election Code of the State of Illinois relating to the election of municipal officers.

The Village Board shall canvass the results of the election. If a majority of the votes cast shall be in favor of the recall of the named officer, the office shall be declared vacant and the office shall then be filled in the manner provided by law for the filling of vacancies. No officer who has been recalled may be reappointed to that office until after the next regular election to fill the office vacated.