

**VILLAGE OF TOLONO  
CHAMPAIGN COUNTY, ILLINOIS**

**ORDINANCE NO. 2020-O-7**

**AN ORDINANCE IMPLEMENTING EMERGENCY MEETING  
PROCEDURES TO ALLOW FOR ELECTRONIC MEETINGS**

**Passed by the Board of Trustees and  
Approved by the President  
of  
Village of Tolono, Illinois  
On March 19, 2020**

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**Published in pamphlet form by authority of the President and Board of Trustees of the  
Village of Tolono, Champaign County, Illinois, this 19<sup>th</sup> day of March, 2020.**

VILLAGE OF TOLONO  
CHAMPAIGN, COUNTY, ILLINOIS

**AN ORDINANCE IMPLEMENTING EMERGENCY MEETING  
PROCEDURES TO ALLOW FOR ELECTRONIC MEETINGS**

WHEREAS, on January 30, 2020, the World Health Organization declared the outbreak of COVID-19 to be a public health emergency of international concern and on March 11, 2020 declared a worldwide pandemic; and

WHEREAS, on January 31, 2020, the U.S. Health and Human Services Secretary declared a public health emergency for the United States; and

WHEREAS, the Governor of the State of Illinois issued a disaster proclamation on March 9, 2020 due to the impact of the COVID-19 virus and has activated the State Emergency Operations Center; and

WHEREAS, the State Emergency Management Agency has declared a public health emergency due to the impact of the COVID-19 virus; and

WHEREAS, on March 16, 2020 the Governor of the State of Illinois issued Executive order 2020-07 whereby beginning March 18, 2020 all public gatherings of 50 or more people would be prohibited and whereby provisions of the Illinois Open Meetings Act 5 ILCS 120 requiring physical presence at municipal meetings is suspended; and

WHEREAS, the Village recognizes that meetings in person increases the risk of the spread of COVID-19 and that there are electronic alternatives that allow for meetings via audio and/or video conferences; and

WHEREAS, at this meeting, the Village Board President has issued a civil emergency order pursuant to authority granted him under Chapter 33 of the Tolono Code of Ordinances; and

WHEREAS, the Village of Tolono Board of Trustees has considered the existence of a public health emergency in acting upon this ordinance and actions required to promote the health, safety and welfare of its citizens; and

WHEREAS, 20 ILCS 3305/10(j) of the Emergency Management Agency Act and 65 ILCS 5/8-10-5 of the Illinois Municipal Code and Section 12.5-32 (d)(5) provides the Village with certain emergency contractual authority; and

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF TRUSTEES AND PRESIDENT OF THE VILLAGE OF TOLONO, ILLINOIS as follows:

**Section 1. Village Board of Trustees Meetings.** That any regular or special meetings of the Board may be conducted at the call of the President or two Board of Trustees members via

electronic means including audio or video conference. Such meetings may be held, providing such notice to the public and media as is reasonable under the circumstances, and if possible, providing access to the public and including means for public participation. Notice by email to Trustees shall be effective when emailed to each Trustee and the Clerk shall utilize such email addresses as are on record for each Trustee by the Village or such new address as may be provided by such Trustee. Personal service, calls, and calls leaving voicemails shall also be effective service and effective as of when service is made or calls are made all as may apply. Any such calls shall be made to phone numbers on file with the Village as updated by each Trustee or to the last ascertainable phone number for each Trustee. All such meetings shall be considered "emergency meetings" under the law.

During this period of emergency, and actions to require an affirmative vote of a majority of a quorum present, electronically or physically, at the meeting for the passage of any ordinance, resolution or other action. Such meetings shall be subject to the following provisions:

A. All Village Board members shall be allowed to attend and participate in Board of Trustees meetings by such telephonic, video conferencing, or other electronic means as are made available by the Village which allow for real-time participation and, if possible, practicable and feasible, visibility (audio or video) by the public ("Electronic Means"), as provided herein. Board members may, if permitted by the President, participate in such meeting from the regular meeting location.

B. Electronic Means shall include telephone, video, or web-based conferencing means made available by the Village that:

(1) Allows all Trustees hear and communicate with each other and the Village Clerk.

(2) Where possible, practicable, and feasible, allows the public to hear and view, the meeting, public statements by Trustees discussion and voting through commonly available technological means. Failure to provide for same shall not preclude the Board from continuing the meeting or void any action taken at such meetings.

(3) Allows for the public comment where possible and practicable by email and/or other electronic messaging if feasible. Failure to allow for such comment shall not preclude the Board from continuing the meeting or voiding any action taken at such meeting.

C. During a meeting held pursuant to this ordinance, members of the public shall not be entitled or permitted to be present in the physical location where the meeting occurs.

D. All votes shall be conducted by a roll call vote that discloses the identity of the person voting and that person's vote.

E. All electronic meetings conducted pursuant to this ordinance shall be recorded.

F. Minutes of the meeting shall be taken and promptly prepared for review and approval by the Board of Trustees at the next regular or special meeting.

G. A quorum may be established by the attendance of Board members through Electronic Means.

H. If a Trustee's ability to participate by Electronic Means is disconnected or delayed, the Board may elect to proceed with the meeting provided a quorum remains present.

**Section 2. Duration.** This ordinance shall continue until repealed or amended by the Board of Trustees or an order by the Governor ending the suspension of the Open Meeting Act is entered.

**Section 3. Priority.** To the extent that this ordinance conflicts with the provisions of other Village ordinances, such other provisions shall be deemed suspended and the terms and authority of this ordinance shall have priority and shall apply.

**Section 4. Severability.** If any provision of this ordinance or the application of it to any person or circumstance is held invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions or applications of this ordinance which can be given effect without the invalid provisions or applications. The provisions of this ordinance are expressly declared to be severable.

**Section 5. Effective Date.** This ordinance shall be in full force and effect upon passage and approval, as provided by the Illinois Municipal Code, as amended.

Motioned for approval by Board Member Vicki Buffo  
With a second by Board Member Jared Ping, roll call vote:

Vicki Buffo yes

Jared Robbins absent

Ryan Perry absent

Terrence Stuber yes

Jared Ping yes

SO PASSED, ADOPTED, APPROVED AND ENACTED IN AND AT THE VILLAGE OF  
TOLONO, COUNTY OF CHAMPAIGN, STATE OF ILLINOIS, THIS 19<sup>TH</sup> DAY OF  
MARCH, 2020 A.D.

  
Robert Murphy, President

ATTEST:

Brandy E Dalton  
Brandy Dalton, Village Clerk  
(SEAL)

Recorded in the Municipal Records: March 19, 2020.  
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