

TITLE 1: ADMINISTRATION
CHAPTER 5: MAYOR AND VILLAGE BOARD OF TRUSTEES

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1-5-1: MAYOR

- A. Designation as Mayor: Pursuant to Section 1-1-2.1 of the Illinois Municipal Code, the Village President may be referred to as the Mayor of this Village. (1971 Code, §2-1-1)
- B. Election; Term of Office: The Mayor shall be elected for a term of four (4) years and until his/her successor is elected and qualified, as provided by Statute, and shall be the President of the Board of Trustees. (1971 Code, §2-1-2)
- C. Bond, Oath and Compensation: Before entering upon the duties of his/her office, the Mayor shall give a bond with sureties to be approved by the Village Board conditioned upon the faithful performance of his/her duties in the sum as set forth under Section 1-6-2 of this Code. The Mayor shall take the oath of office as prescribed by statute,¹ The Mayor shall receive no compensation for the performance of his/her duties as Mayor.
- D. Mayor Pro-Tem; Acting Mayor
 - 1. During the temporary absence or disability of the Mayor, the Trustees of the Village shall elect one of its members to act as Mayor pro-tem, who during the absence or disability of the Mayor shall perform the duties pertinent to the office.
 - 2. Whenever vacancy in the office of the Mayor occurs during his/her other term, the vacancy shall be filled in the manner provided by law until the next municipal election. During the period from the time that the vacancy

¹ 65 ILCS 5/3-14-3

occurs until a Mayor is elected, and has qualified, the vacancy shall be filled by the election of an acting Mayor by the Trustees of the Village.

E. Duties

1. General: The Mayor shall be the chief executive officer of the Village, and shall perform all such duties as may be required by Statute or ordinance. The Mayor shall have supervision over all employees of the Village. The Mayor shall have the power and authority to inspect, at any reasonable time, all books and records kept by any Village officer and employee. (1971 Code, §2-1-3)
2. Designation of Duties: Whenever there is a question as to the respective powers or duties of any appointed officer of the Village, this shall be settled by the Mayor who shall have the power to delegate to any such officer, any duty which is to be performed when no specific officer has been directed to perform the duty by statute or Village. (1971 Code, §2-1-4)
3. Issuance of Permits and Licenses: The Mayor or his/her designee shall sign all permits granted by the Village Board and grant all licenses, except as otherwise provided by law or Village ordinance. (1971 Code, §2-1-7)
4. Powers as to Litigation: The Mayor shall sign, and is authorized to sign on behalf of the Village, all instruments necessary to the prompt prosecution or defense of any or all actions brought by or against the Village, including bonds for injunction. (1971 Code, §2-1-8)

F. Emergency Powers

1. As used in this section, "state of emergency" means the actual or threatened existence of conditions of disaster or of extreme peril to the safety of persons and property within the Village of Lincolnshire caused by conditions such as a public health emergency, hazardous materials release, fire, flood, storm, epidemic, riot, earthquake, or conditions resulting from war or imminent threat of war.
2. Whenever the Mayor determines that a state of emergency exists, the mayor is hereby empowered to:
 - a. Emergency Regulations: Make and issue rules and regulations on matters reasonably related to the protection of life and property as affected by such state of emergency, provided that such rules and regulations must be confirmed at the earliest practicable time by the Village Board;
 - b. Emergency Procurement: Obtain vital supplies, equipment and such

other properties and services needed for the protection of life and property, and to obligate the city for the fair value thereof and, if required immediately, to commandeer same for public use, without adhering to the regular purchasing procedures otherwise applicable;

- c. Emergency Services: Require emergency services of any city officer or employee and, in the event of the proclamation of a state of emergency in the County of Lake or the existence of a state of war emergency, to command the aid of as many citizens of the Village as he or she deems necessary in the execution of his or her duties, provided that such persons shall be entitled to all privileges, benefits, and immunities as are provided by law for registered disaster service workers;
 - d. Emergency Staffing and Resource Management: Requisition and allocate necessary personnel, equipment, or material of any city department or agency;
 - e. Emergency Police Power: Enforce all orders from the United States Centers for Disease Prevention and Control, State of Illinois Department of Public Health, County of Lake Department of Public Health, Army Corp of Engineers, and the Governor of the State of Illinois;
 - f. Emergency Spending: Approve the payment of all current invoices and wages which are not inconsistent with the appropriations adopted by the Village Board and which are made necessary for the protection of life and property as affected by such state of emergency;
 - g. Emergency Succession: Prepare an order of succession in the event of the Mayor's inability to perform such powers;
 - h. Emergency Administrative Power: Temporarily modify licenses and permits granted by the Village to the extent reasonably necessary for the protection of life and property as affected by such state of emergency and for the preservation of the economic welfare of the Village; and
 - i. Execute all of his or her ordinary power as mayor, all of the special powers conferred upon him or her by this section, all powers conferred upon him or her by any statute, by any agreement approved by the Village Board, and by any other lawful authority.
3. The Mayor shall not exercise the extraordinary powers and authority provided herein until after he or she has signed, under oath, a statement finding that the definition of a state of emergency has been met, setting

forth facts to substantiate such a finding, describing the nature of the emergency, and declaring that a state of emergency exists. Such statement shall be filed with the Village Clerk as soon as practicable.

4. A state of emergency, declared as provided herein, shall expire not later than the adjournment of the first regular meeting of the Village Board after the state of emergency is declared.

1-5-2: VILLAGE BOARD OF TRUSTEES

- A. Election; Functions: The members of the Village Board of Trustees (“Trustees of the Village”), consisting of six (6) persons, shall be elected to office for four (4) year terms, according to the method provided by Statute. The trustees of the Village, along with the Mayor, where appropriate, shall be the legislative department of the Village government and shall perform such duties and have such powers as may be delegated by Statute to it.¹
- B. Oath, Salary: The Trustees of the Village shall take the oath of office prescribed by Statute. The Trustees shall receive no compensation for performance of their duties as Trustees.

1-5-3: MEETINGS OF THE VILLAGE BOARD

1-5-3-1: REGULAR AND SPECIAL MEETINGS

- A. Time of Regular Meetings: The Village Board shall hold its regular meetings on the second and fourth Monday of each month, except as otherwise scheduled at such time, date and place as provided in the annual notice and schedule of regular meetings given in accordance with the Illinois Open Meetings Act.² (Ord. 82-695-02; Amd. Ord. 93-1274-04 eff. 3/8/93)(Amd. Ord. 03-1885-62, eff. 12/8/03)
- B. Time of Committee of the Whole Meetings: A Committee of the Whole Meeting shall be held by the Village Board on the second and fourth Mondays of each month, except as otherwise scheduled at such time, date and place as provided in the annual notice and schedule of regular meetings given in accordance with the Illinois Open Meetings Act. (amd. Ord. 93-1309-39 eff. 11/22/93) (amd. Ord. 93-1313-43 eff. 12/20/93)(Amd. Ord. 03-1885-62, eff. 12/8/03)
- C. Meetings Open to the Public: All meetings of the Village Board shall be open to the public. The Mayor and Board of Trustees may adjourn any meeting to go into closed session as may be provided by law. (1971 Code, §2-7-10)

¹ 65 ILCS 5/3-11-9

² 5 ILCS 120/1

- D. Quorum: A majority of the Trustees of the Village or three (3) Trustees and the Mayor shall constitute a quorum of the Village Board. (1971 Code, §2-7-8)
- E. A special meeting of the Village Board of Trustees shall be held at the written request of the Mayor or any two Trustees of the Village. The special meeting shall be held as soon as is practicable after the written request that one be held is received by the Village Clerk or his/her deputy. (Ord. No. 03-1825-02, eff. 1/13/03)

1-5-3-2: MAYOR AS PRESIDING OFFICER

The Mayor shall be the presiding officer of all regular and special meetings of the Village Board at all times when the Board meets as a committee of the whole. The Mayor shall be an ex-officio member of all committees and boards of the Village but without the power to vote on those committees and boards except as otherwise designated. During the temporary absence of the Mayor from any meeting of the Village Board or Committee of the Whole, the Trustees shall elect a Temporary Chair to serve as the presiding officer of the meeting but who shall continue to perform the duties of Trustee.

1-5-3-3: COMMITTEES

- A. There shall be a Committee of the Whole consisting of the Mayor and all Trustees of the Village which shall meet on as "as needed" basis, but shall take no final action.
- B. The Mayor shall also appoint individual Trustees to act as liaison to the following Boards and Commissions and/or the following subject area:

Zoning Board (Ord. Amd. 03-1882-59, eff. 11/10/03)
Architectural Review Board
Parks and Recreation
- C. All special committees shall be appointed by the Mayor with the consent of the Village Board. (Ord. 81-686-39; and. Ord. 83-763-17)

1-5-3-4: VOTING REQUIREMENTS

- A. Mayor to Have Deciding Vote: The Mayor shall not vote on any ordinance, resolution or motion except (1) where the vote of the Trustees of the Village has resulted in a tie; or (2) where one-half (1/2) 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 law or Village ordinance 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 the capacity of Trustee of the Village but shall not also be entitled to another vote in the capacity of acting

Mayor or Mayor pro-tem.

B. Voting on Ordinances; Veto:

1. Every ordinance and resolution shall be reduced to writing and presented to the Village Board before a vote is taken.
2. The passage of all ordinances for whatever purposes, and of any resolution or motion (1) to create any liability against the Village or (2) for the expenditure or appropriation of its money, shall require the concurrence of a majority of all members then holding office of the Village Board, including the Mayor, unless otherwise expressly provided by law.

All such designated resolutions and motions and all ordinances shall be decided by a roll call vote, the result of which vote shall be recorded. All ordinances passed by the Village Board shall be deposited with the Village Clerk. If the Mayor approves of them, the Mayor shall sign them. Those which are disapproved shall be returned to the Trustees with specific written objections at the next regular meeting of the Village Board occurring not less than five (5) days after their passage. The Mayor 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 Mayor may disapprove entirely of an ordinance, resolution or motion making an appropriation. If the Mayor fails to return any ordinance, resolution or motion with his/her written objections, within the designated time, it shall become effective despite the absence of the Mayor's signature. (1971 Code, §2-7-6)

Every resolution, motion or ordinance which has been disapproved by the Mayor and returned to the Trustees shall be voted upon again by the Trustees. If two thirds of all the Trustees then holding office then vote to adopt the resolution, motion or ordinance despite the Mayor's disapproval, it shall become effective.

C. Procedure of Reconsideration: A vote of the Village Board upon the adoption of an ordinance, resolution or motion may be reconsidered at the same meeting at which the vote was taken or at the next regular meeting on motion of any Trustee not present at the time the ordinance, motion or resolution was adopted, or on the motion of any Trustee previously voting on the prevailing side of the ordinance, motion or resolution. However, no ordinance, resolution or motion shall be rescinded except by the same or greater number of votes which were required to pass the matter sought to be reconsidered.

No vote of the Mayor and Board of Trustees shall be reconsidered at a special meeting, unless there are present at that special meeting as many of the Mayor and Board of Trustees as were present when the vote was taken. (1971 Code, §2-

7-7)

1-5-3-5: RULES OF ORDER

The following rules of order shall be adhered to in all cases, but the same maybe suspended when no objections are made, or upon a vote of a majority of the Village Board, except Rules 4, 7, and 12: (1971 Code, §2-7-9)

Rule 1 The order of business at all regular meetings of the Village Board shall be as follows:

- 1.0 Roll Call
- 2.0 Pledge of Allegiance
- 3.0 Reports of Village Officers
 - 3.1 Mayor's Report
 - 3.2 Village Clerk's Report
 - 3.3 Village Treasurer's Report
 - 3.4 Village Manager's Report
- 4.0 Payment of Bills
- 5.0 Citizens wishing to address the Village Board (on non-agenda items)
- 6.0 Consent Agenda

An item shall be removed from the Consent Agenda at the request of any one Trustee. Any such item so removed shall then be considered during "Unfinished Business." A roll call shall be taken on approval of the Consent Agenda and recorded in the minutes.
- 7.0 Items of General Business
 - 7.1 Planning, Zoning and Land Use
 - 7.2 Finance and Administration
 - 7.3 Public Works
 - 7.4 Public Safety
 - 7.5 Parks and Recreation
 - 7.6 Judiciary and Personnel
- 8.0 Reports of Special Committees.
- 9.0 Unfinished Business.
- 10.0 New Business.
- 11.0 Executive Session

12.0 Adjournment (Ord. 83-763-17; amd. Ord. 93-1279-09 eff. 3/8/93)

Rule 2 The Mayor shall decide all questions of order and in all cases where these rules are not applicable, the Village Board shall be governed by parliamentary law as laid down in Roberts' Rules of Order.

Rule 3 Trustees discussing a question shall address the Mayor and no Trustee shall be deemed to have the floor until recognized by the Mayor. Persons who are not Trustees shall be permitted to address the Village Board only as permitted by the public comment rules adopted by the Village Board.

Rule 4 The yeas and nays shall be taken upon the passage of all ordinances, and upon all propositions to create any liability against the Village, or for the expenditure or appropriation of its money, and in all other cases at the request of the Mayor or any Trustee, which shall be entered on the journal of its proceedings. The concurrence of a majority of all the Village Board, including the Mayor, shall be necessary to the passage of any such ordinance or proposition unless otherwise provided by Statute.

Rule 5 Standing and special committees, to whom references are made, shall in all cases make their reports in writing.

Rule 6 Every member who shall be present when a question is stated by the chair shall vote thereon, unless excused by the rest of the Village Board, or unless the person is directly interested in the question, in which case the person's action shall be governed by applicable law.

Rule 7 When a question is before the Village Board, no motion shall be in order but these: (1) to adjourn; (2) to lay on the table; (3) for the previous question; (4) to postpone indefinitely; (5) to postpone to a certain time; (6) to commit; (7) to amend. These motions shall be privileged and have precedence in the order in which they are made to succeed each other by this rule; and motions to adjourn, to lay on the table, and for the previous question shall be decided without debate.

Rule 8 A motion to adjourn shall always be 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; and the "previous question" shall be as follows: "Shall the main question now be put?"

Rule 9 The Village Manager, under the direction of the Mayor, shall prepare

an agenda (including Consent Agenda) for each meeting of the Village Board. The Consent Agenda shall include all items of a routine and noncontroversial nature. The Village Manager shall be responsible for determining what items are subject to placement on the Consent Agenda. The Consent Agenda shall include a specific enumeration of the various items and the proposed action relating thereto. Any such item on the Consent Agenda is subject to removal at the request of the Mayor or Trustee at the Board meeting as indicated above in Rule 1. (Ord. 79-570-17)

Rule 10 Amd. 94-1365-49, eff. 10/10/94 - deleted in its entirety

Rule 11 No Ordinance or Resolution need be presented or read at a regular Village Board Meeting more than once before being acted upon, and the same may be acted upon at the same meeting at which it is first introduced, so long as the Ordinance or Resolution was read and considered at least one prior Committee of the Whole Meeting held by the Village Board. (Ord. 93-1274-04, eff. 3/8/93) (Amd. Ord. 93-1315-45, eff. 12/20/93)

If an Ordinance or Resolution is presented for the first time at a regular Village Board Meeting, however, it may be acted upon without a second reading at a subsequent Regular Village Board Meeting upon a vote of two-thirds (2/3) of the Trustees present voting on a motion to waive first reading and to permit action on the Ordinance or Resolution at the meeting at which it is first introduced. (Amd. Ord. 93-1315-45, eff. 12/20/93)