

Request For Board Action

REFERRED TO BOARD: June 10, 2019

AGENDA ITEM NO: 13

ORIGINATING DEPARTMENT: Village Clerk's Office

SUBJECT: Consideration of an Ordinance Amending Sections 1-4 and 1-8 of the Municipal Code of Antioch

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

The following code updates are proposed:

Village Code Section 1-4-4 – Village Board Meetings

This code section relates to Village Board meetings, and currently states that regular meetings of the Village Hall shall be held on the first and third Monday of each month. Since the meetings are approved annually per state statute, the proposed language will refer to 5 ILCS 120/2.02 as required by the Open Meetings Act. This section also updates the requirements for special and emergency meetings.

Village Code Section 1-8-3 – FOIA

A repeal of Village Code Section 1-8-3 related to the inspection and copying of public records, will be replaced to require compliance with the current Freedom of Information Act: 5 ILCS 140.

Village Code Section 1-8-7 – Document Retention And Destruction Policy

Current Village Code outlines specific retention periods for documents that differ from current State Disposal guidelines. This ordinance amendment allows the clerk to keep documents according to the Local Records Act and with the approval of the Local Records Commission through the Illinois Secretary of State's Office.

FINANCIAL IMPACT:

None.

DOCUMENTS ATTACHED:

1. Ordinance

RECOMMENDED MOTION:

Motion to approve an Ordinance Amending Sections 1-4 and 1-8 of the Municipal Code of Antioch, waiving the second reading.

VILLAGE OF ANTIOCH

19-xx-xx

***AN ORDINANCE AN ORDINANCE AMENDING §1-4 AND §1-8 OF THE MUNICIPAL
CODE OF ANTIOCH RELATING TO THE MAYOR AND VILLAGE BOARD OF
TRUSTEES AND VILLAGE POLICIES***

ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES

OF THE

VILLAGE OF ANTIOCH, ILLINOIS

ON

_____, 2019

**Published in pamphlet form by authority of the Village Board
of the Village of Antioch, Lake County, Illinois,
this ____ day of _____, 2019.**

LAWRENCE M. HANSON	President	MARY C. DOMINIAK	Trustee
		JERRY T. JOHNSON	Trustee
LORI K. ROMINE	Clerk	ED MACEK	Trustee
		SCOTT A. PIERCE	Trustee
ROBERT J. LONG	Attorney	TED P. POULOS	Trustee
		DANIEL YOST	Trustee

ORDINANCE 19-xx-xx

**AN ORDINANCE AMENDING §1-4 AND §1-8 OF THE MUNICIPAL CODE OF ANTIOCH
RELATING TO THE MAYOR AND VILLAGE BOARD OF TRUSTEES AND VILLAGE POLICIES**

WHEREAS, the Village of Antioch (the “Village”) is an Illinois municipal corporation organized and operating pursuant to authority granted by the Constitution and Laws of the State of Illinois, and

WHEREAS, the Village maintains a comprehensive set of generally applicable ordinances in the form of the Antioch Municipal Code, and

WHEREAS, periodically, staff encounters certain inconsistencies and outdated sections of the Village of Antioch Municipal Code, and

WHEREAS, in order to maintain and keep the Village Code current and compatible with certain state statutes, updates need to be made from time to time, and

WHEREAS, the Corporate Authorities of the Village find it to be in the best interest of the Village to amend portions of Chapters 1-4 and 1-8 of the Antioch Municipal Code;

NOW THEREFORE, BE IT ORDAINED by the Village of Antioch, Lake County, Illinois, as follows:

SECTION ONE. Recitals. The foregoing recitals shall be and are hereby incorporated into and made a part of this Ordinance.

SECTION TWO: Village Board Meetings Amendment. Sections 1-4-4A and 1-4-4B of the Antioch Municipal Code are hereby amended and shall hereafter read as follows (additions underlined, deletions ~~stricken~~):

1-4-4: MEETINGS:

- A. Regular meetings: The regular meetings of the village board of trustees shall be held ~~on the first and third Monday of each and every month at the hour of seven thirty o'clock (7:30) P.M., in the council chambers of the village hall at a time and place convenient to the public as approved annual by the Village Board pursuant to 5 ILCS 120/2.02.~~
- B. Special and Emergency Meetings:
 - 1. ~~Special meetings may be called by the mayor or any three (3) village trustees upon a twenty four (24) hour notice to every member of the village board of trustees; provided that the requirements of a notice shall not be binding in any special meeting to which all of the members of the village board of trustees are present, as is provided by statute.~~
 - 2. ~~Such notices may be served by any member of the police department or by any other person in the village; and it shall be the duty of the village clerk when given copies of such notices to serve the same or to cause the same to be served immediately. (1976 Code § 30.012)~~

Special meetings may be called either by a motion of course passed at any regular meeting or by the Mayor with not less than 3 days' advance notice given to the members of the board of trustees by email sent to their official village email address.

Emergency meetings may be called by the Mayor as needed in a bona fide emergency with as much notice as is reasonably practical in the situation. Notice of emergency meetings may be given in person, by phone, email, text, or any other commonly used method.

SECTION THREE: FOIA Repeal and Replacement. Section 1-8-3 of the Antioch Municipal Code which dealt with a prior version of the State's FOIA law is hereby repealed and replaced with the following new Section 1-8-3, which is adopted to read as follows:

1-8-3: INSPECTION, COPYING OF PUBLIC RECORDS:  

- A. Requests for Public Records: All requests for public records shall be submitted in accordance with the Freedom of Information Act (FOIA) 5 ILCS 140.
 - a. The Village Clerk shall be responsible for administering all requests for inspection and photocopying of public records as the designated FOIA Officer for the Village of Antioch pursuant to 5 ILCS 140/3.5
 - b. As needed due to vacation, illnesses and the like, the Village Clerk may designate individuals to act on his/her absence in order to comply with FOIA.
 - c. All village staff who routinely assist with responding to FOIA requests shall, at a minimum, be trained in FOIA through the electronic training offered by the Illinois Attorney General's office.
- B. Production of Public Records: The village shall provide access to public records as required by the Illinois Freedom of Information Act, and therefore adopts the provisions of 5 Illinois Compiled Statutes 140/, as amended from time to time, relating to requests for public records.

SECTION FOUR: Document Retention Policy Repeal and Replacement. Section 1-8-7 of the Antioch Municipal Code established a document retention policy which has been superseded in large part by state statutory amendments is hereby repealed and replaced with the following new Section 1-8-7, which is adopted to read as follows:

1-8-7: DOCUMENT RETENTION AND DESTRUCTION POLICY:

- A. The Village recognizes that the Village Clerk does not have unlimited storage capacity, and that state law allows the destruction of several categories of routine documents after specific periods of time.

- B. No public records shall be disposed of without the written approval of the Local Records Commission
- C. The clerk shall review the village's stored files and purge any documents that have been kept at least as long as set forth in the Local Records Act, and which do not appear to involve any ongoing matters, and shall cause the same to be securely destroyed.
- D. The clerk shall keep a general index of all destroyed documents in the form of the Local Records Commission Records Disposal Certificate.

PASSED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF ANTIOCH, ILLINOIS, ON THIS ____ DAY OF ____, 2019.

ATTEST:

LAWRENCE M. HANSON, MAYOR

LORI K. ROMINE, VILLAGE CLERK

STATE OF ILLINOIS)
) SS
COUNTY OF LAKE)

CERTIFICATE

I, Lori K. Romine, certify that I am the duly appointed Municipal Clerk of the Village of Antioch, Lake County, Illinois.

I certify that on _____, 2019, the Corporate Authorities of such municipality passed and approved **Ordinance No. 19-xx-xx**, entitled ***“AN ORDINANCE AMENDING §1-4 AND §1-8 OF OF THE MUNICIPAL CODE OF ANTIOCH RELATING TO THE MAYOR AND VILLAGE BOARD OF TRUSTEES AND VILLAGE POLICIES”*** which provided by its terms that it should be published in pamphlet form.

The pamphlet form of **Ordinance No. 19-xx-xx**, including the Ordinance and cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on _____, 2019 and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the Municipal Clerk.

DATED at Antioch, Illinois, this ____ day of _____, 2019.

Lori K. Romine, RMC/CMC
Village Clerk