

Request For Board Action

REFERRED TO BOARD: June 14, 2021

AGENDA ITEM NO: 19

ORIGINATING DEPARTMENT: Administration

SUBJECT: Consideration of an Ordinance Repealing Section 1-5-12 of the municipal code of Antioch regarding Legislative Counsel

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

As discussed at the May 26, 2021 Committee of the Whole meeting, the current municipal code includes a provision to allow the corporate authorities to enter into a contract with an attorney to serve as legislative counsel for the Village Board. Since this provision has never been utilized, and does not promote the efficient operation of government, it is recommended to repeal Title 1, Chapter 5, Section 12 of the Village Code.

DOCUMENTS ATTACHED:

1. Ordinance

RECOMMENDED MOTION:

Move to approve an Ordinance Repealing Section 1-5-12 of the municipal code of Antioch regarding Legislative Counsel, waiving the second reading

VILLAGE OF ANTIOCH

21-__-__

***AN ORDINANCE REPEALING SECTION 1-5-12 OF THE MUNICIPAL CODE OF
ANTIOCH REGARDING LEGISLATIVE COUNSEL***

**ADOPTED BY THE PRESIDENT AND BOARD OF TRUSTEES
OF THE
VILLAGE OF ANTIOCH, ILLINOIS
ON
_____, 2021**

**Published in pamphlet form by authority of the Village Board of the Village of
Antioch, Lake County, Illinois,
this __th day of _____, 2021.**

SCOTT J. GARTNER	President	MARY C. DOMINIAK	Trustee
		MARY J. PEDERSEN	Trustee
LORI K. ROMINE	Clerk	ED MACEK	Trustee
		SCOTT A. PIERCE	Trustee
DEL GALDO LAW GROUP, LLC	Attorney	PETRINA A. BURMAN	Trustee
		BRENT C. BLUTHARDT	Trustee

Ordinance No. 21-__-__

AN ORDINANCE REPEALING SECTION 1-5-12 OF THE MUNICIPAL CODE OF ANTIOCH REGARDING LEGISLATIVE COUNSEL

WHEREAS, the Village of Antioch (“Village”) is an Illinois non-home rule municipality organized and operating under the Illinois Municipal Code (65 ILCS 5/1, et seq.) (the “Code”); and

WHEREAS, the Village President (the “President”) and the Village Board of Trustees (the “Village Board”, and together with the President, the “Corporate Authorities”) are committed to the efficient operation of government; and

WHEREAS, the Municipal Code of Antioch (the “Village Code”) provides that the Corporate Authorities may enter into a contract with a duly licensed attorney to serve as legislative counsel (the “Legislative Counsel”) for the Village Board; and

WHEREAS, the Corporate Authorities have determined that the office of Legislative Counsel no longer promotes the efficient operation of government; and

WHEREAS, based on the foregoing, the Corporate Authorities have determined that it is necessary, advisable, and in the best interests of the Village, and its residents, to repeal Section 1-5-12 of the Village Code to eliminate the office of Legislative Counsel;

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

SECTION 1: The Village Code is hereby amended, notwithstanding any provision, ordinance, resolution, or Village Code section to the contrary, by repealing Title 1, Chapter 5, Section 1-5-12 of the Village Code as set forth below:

1-5-12: LEGISLATIVE COUNSEL RESERVED:

~~—A. Contract: In order to provide the village board with proper legal advice separate and apart from that rendered to the mayor and to the village generally by the village attorney, the corporate authorities may, by majority vote of the trustees and mayor, enter into a contract with a duly licensed Illinois attorney to serve as legislative counsel for the trustees. The contract shall have the following provisions, consistent with the requirements of 65 Illinois Compiled Statutes 5/8-1-7(b):~~

- ~~— 1. The contract shall be for a period of time in excess of one year;~~
- ~~— 2. The contract shall not extend past the term of the then current sitting mayor;~~
- ~~— 3. The fee provisions of the contract shall be a flat monthly rate;~~
- ~~— 4. The fee provisions shall be consistent with sums appropriated for the same in the village's then current appropriations ordinance;~~
- ~~— 5. The legislative counsel shall be required to submit bills to the village monthly.~~

~~—B. Duties And Responsibilities: The legislative counsel shall:~~

- ~~— 1. Advise the trustees of the village on all matters germane to the performance of their duties, to the structure and work of any committee of the board and all other matters that may assist them~~

~~in the faithful and competent fulfillment of their governmental roles, and in such capacity, issue such legal memoranda as may be beneficial to the trustees.~~

~~— 2. Prepare such draft legislation as any one or more of the trustees may direct, and provide legal advice to the trustees in connection therewith on matters of policy, constitutionality, conformance with statutory provisions and other issues germane to their duties as trustees.~~

~~— 3. Prepare such draft resolutions, initiatives, strategic plans and other documents as may be requested by any one or more of the trustees.~~

~~— 4. Coordinate with the village attorney when appropriate or necessary to assist in the preparation of final drafts of legislation or to ensure compliance with all relevant laws, rules and regulations.~~

SECTION 2: The Corporate Authorities hereby approve the repeal of Title 1, Chapter 5, Section 1-5-12 of the Village Code.

SECTION 3: All ordinances, resolutions and orders or parts of ordinances, resolutions and orders in conflict with this Ordinance are repealed to the extent of such conflict.

SECTION 4: The Village Clerk shall cause this Ordinance to be published in pamphlet form.

SECTION 5: This Ordinance shall be in full force and effect after passage and publication as provided by law.

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PASSED by the President and Board of Trustees of the Village this __ day of _____, 2021.

SCOTT J. GARTNER, MAYOR

ATTEST:

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 December __, 2021, the Corporate Authorities of such municipality passed and approved Ordinance No. 20-__-__, entitled “**AN ORDINANCE REPEALING SECTION 1-5-12 OF THE MUNICIPAL CODE OF ANTIOCH REGARDING LEGISLATIVE COUNSEL**” which provided by its terms that it should be published in pamphlet form.

The pamphlet form of **Ordinance No. 21-__-__**, including the Ordinance and cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on _____, 2021 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 __th day of _____, 2021

Lori K. Romine, RMC/CMC
Village Clerk