

ORDINANCE NO. 2005-07-095

AN ORDINANCE AMENDING SECTION 2-30 OF THE URBANA CITY CODE
(Voting Procedures)

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS that:

Section 1. Section 2-30 of the Urbana City Code entitled "Voting Procedures", is hereby amended to read as follows:

"(a) To enact any ordinance for whatever purpose, or any resolution or motion (1) to create any liability against the city, or (2) for the expenditure or appropriation of its money (unless an extraordinary majority is required under state statutes or city ordinances), a majority of the alderpersons then holding office must vote "yes" or "aye".

(b) The passage of any resolution or motion not within the above description shall require the "yes" or "aye" vote of a majority of the alderpersons present and voting when a vote on the measure is taken and the mayor when the mayor is authorized to vote because of a tie.

(c)(1) Abstentions, if for reason of a stated conflict of interest, shall be recorded by the city clerk as 'abstained' and shall not be recorded as either an 'aye' or a 'nay' vote, and shall not be ruled by the chair as 'going with the majority'.

(2) If an abstention or 'pass' vote is not based upon an asserted conflict of interest, then such vote shall be recorded by the city clerk as 'abstained' but the mayor shall rule that such vote 'goes with the majority' of those votes actually cast as an 'aye' or 'nay' vote.

(3) Each council member shall have the right to abstain by reason of a stated conflict of interest based upon his or her own assessment of the existence of such conflict of interest and the city council shall have no right to overrule such council member's determination.

(d) When statute statutes or city ordinances, in order to enact an ordinance, resolution, motion, or upon reconsideration after veto and return thereof by the mayor, require an extraordinary majority to vote "aye", the following procedures shall be applicable in calculating the extraordinary majority:

(1) Abstentions, if stated by the alderperson to be for reason of conflict of interest, shall not be counted as either an "aye" or "nay" vote and members abstaining shall not be counted in determining the total to which the percentage of votes required is applied in determining number of votes for passage, any statute, ordinance or rule

of parliamentary procedure to the contrary notwithstanding;

(2) However, no such ordinance, resolution or motion shall be deemed to have passed the city council unless such ordinance, resolution or motion receives an "aye" vote from at least a simple majority of the aldermen/alderwomen then holding office.

Section 2. The entire last paragraph of Section 2-30(a) is should be deleted entirely.

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called, of a majority of the members of the Council of the City of Urbana, Illinois, at a meeting of said Council.

PASSED by the City Council this _____ day of _____,
_____.

AYES:
NAYS:
ABSTAINS:

Phyllis D. Clark, City Clerk

APPROVED by the Mayor this _____ day of _____,
_____.

Laurel L. Prussing, Mayor