

**NILES TOWNSHIP**  
**COOK COUNTY, ILLINOIS**

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**ORDINANCE**

**NUMBER 01-2022**

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**AN ORDINANCE ESTABLISHING RULES GOVERNING MEETINGS OF  
THE NILES TOWNSHIP BOARD**

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**BONNIE KAHN OGNISANTI, Township Supervisor**  
**CHARLES LEVY, Township Clerk**

**DONALD GELFUND**  
**MARK COLLINS**  
**PEGGY TOLLESON**  
**KITTY KENDRICK**  
**Trustees**

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Published in pamphlet form by authority of the Supervisor and Board of Trustees of Niles Township on January 24 , 2022

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Prepared by ODELSON, STERK, MURPHEY, FRAZIER & MCGRATH, LTD. - Township Attorneys -  
3318 West 95th Street - Evergreen Park, Illinois 60805

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**NILES TOWNSHIP**

**ORDINANCE NO. 01-2022**

**AN ORDINANCE ESTABLISHING RULES GOVERNING MEETINGS OF  
THE NILES TOWNSHIP BOARD**

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**WHEREAS**, Niles Township, Cook County, Illinois is a duly organized and existing township and unit of local government organized under the laws of the State of Illinois and is operating under the provisions of the Illinois Township Code, 60 ILCS 1/1-1 *et. seq.*, and all laws amendatory thereto; and

**WHEREAS**, the Township Code, 60 ILCS 1/80-10 permits the Township Board to adopt rules governing their meetings; and

**WHEREAS**, the Illinois Open Meetings Act, 5 ILCS 120/1, *et seq.*, permits attendance at meetings by means other than physical presence in both emergency and non-emergency situations, 5 ILCS 120/7; and

**WHEREAS**, the Illinois Open Meetings Act further provides that “Any person shall be permitted an opportunity to address public officials under the rules established and recorded by the public body”, 5 ILCS 120/2.06(g); and

**WHEREAS**, the Supervisor and Board of Trustees seek to establish uniform rules for the conduct and procedure of Niles Township Board Meetings.

**NOW THEREFORE, BE IT ORDAINED BY** the Supervisor and Board of Trustees of Niles Township, Cook County, Illinois, as follows:

**SECTION 1. Recitals.** The above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made part hereof, as if fully set forth in their entirety.

*[Remainder of Page Intentionally Left Blank]*

**SECTION 2. Township Board Meeting Rules & Procedures.** There is hereby adopted the following rules and procedures governing Township Board Meetings for Niles Township including all committees thereof:

**I. Time and Place of Township Board Meetings.**

- (a) The Niles Township Board of Trustees shall hold regular meetings on the second and fourth Monday of each month at the Niles Town Hall, 5255 Lincoln Avenue Skokie, Illinois 60077 at 7:00 pm. Any modifications to this schedule or meeting location shall be made in the manner provided by State law.
- (b) Special board meetings may be called upon the request of the Supervisor or any two (2) Board members. Upon a proper request, the Township Clerk shall call a special meeting at the time requested and shall furnish at least 48 hours' notice to the Supervisor and all Board members in addition to any further notice required by law.

**II. General Meeting Rules.**

- (a) All Township Board Meetings shall comply with the provisions of the Illinois Open Meetings Act, 5 ILCS 120/1, *et. seq.*
- (b) A majority of the Township Board of Trustees shall constitute a quorum to do business.
- (c) The Township Supervisor shall act as the Chair of the Township Board meetings and shall call the meeting to order at the time designated or as soon thereafter as practical.
- (d) If the Township Supervisor is absent, the Board of Trustees shall nominate a Trustee to serve as meeting Chair in the Supervisor's absence.
- (e) The Township Board may determine if an absence by one of its members is excused or not.
- (f) The Chair shall be responsible for preserving decorum and deciding questions of order and may consult with the Township Attorney on questions of parliamentary procedure.
- (g) Public comment shall be held according to the Agenda and shall be limited to three (3) minutes per speaker.
- (h) The Meeting Rules may be suspended by a 2/3 vote of the members of the Board.

**III. Meeting Rules of Procedure.**

- (a) In all cases not covered by these Rules, the provisions of the latest published edition of Robert's Rules of Order shall govern.

- (b) The Township Board of Trustees meeting shall follow the Meeting Agenda unless a proper motion is made to consider an item out of order.
- (c) All actions of the Board shall proceed by way of motion. The motion shall be clearly stated and articulated by the Supervisor or the Trustee making the motion.
- (d) If a motion does not receive a second, the motion fails, and no discussion may be held on that specific question.
- (e) When a motion has been seconded, discussion, debate, and questions by Board members may follow.

#### **IV. Rules of Discussion.**

- (a) No Board member may speak until recognized by the Chair, who must recognize each member who wishes to speak during discussion.
- (b) No member may interrupt the speaker or hold any private discourse during discussion of a motion.
- (c) Certain subsidiary motions may be made during discussion on the main motion and must be voted upon unless rescinded or withdrawn. The only subsidiary motions that may be considered when a main motion is on the floor are as follows:
  1. Motion to Adjourn.
  2. Motion for Recess.
  3. Motion to Table.
  4. Motion to Call the Question.
  5. Motion to Postpone to a date certain.
  6. Motion to Send to Committee.
  7. Motion to Amend the wording of the Motion.
  8. Motion to Substitute.
  9. Motion to Postpone Indefinitely.
- (d) Upon close of discussion the Chair shall call the question for a vote. The Clerk shall call the roll and record the vote of each member. The Chair shall then announce the result of the motion.
- (e) Any Board Member that has a direct financial interest in the motion may not vote and must recuse him or herself from all discussion on that particular motion or matter.

#### **V. Motions Regarding Parliamentary Procedure.**

- (a) **Point of Order.** Any Trustee may call for a point of order when he or she feels the rules are being violated. The Chair must then enforce the rules if she or he finds the point of order is well taken. The Chair may call another member to order if he or she violates the rules.

- (b) **Appeal.** If a Trustee disagrees with the Chair's decision regarding parliamentary procedure, he or she may appeal from the Chair's decision. The Chair must then clearly state the question at issue and her or his reasons for the ruling. The members then vote on whether to sustain the decision of the Chair.
- (c) **Reconsideration.** Any Trustee who votes with the prevailing side on any motion, or who was absent from the vote, may move for a reconsideration. The motion for reconsideration is no longer in order after the expiration of the next regular meeting of the Board.

*[Remainder of Page Intentionally Left Blank]*

**SECTION 3. Remote Attendance Policy (Non-Emergency).** Niles Township hereby approves and enacts the following Remote Attendance Policy for use during non-emergency situations:

**REMOTE ATTENDANCE POLICY**  
**(Non-Disaster or Emergency)**

**I. Purpose.**

The purpose of these Rules is to allow members of the Board of Trustees of Niles Township to attend and participate in open meetings of the Board in non-emergency situations by video or audio means as authorized by Section 7 of the Open Meetings Act, 5 ILCS 120/7, subject to the rules and limitations applicable to such attendance and participation as set forth in the Act and in these Rules.

**II. Definitions.**

“Act” means the Illinois Open Meetings Act, 5 ILCS 120/1 *et seq.*

“Administrator” means the Township Administrator for Niles Township.

“Board” means the Board of Trustees of Niles Township.

“Clerk” means the Township Clerk pursuant to the Township Code.

“Meeting” means any open meeting of the Board that is subject to the Act.

“Qualifying Event” means: (i) personal illness or disability; (ii) employment purposes or the business of the Township; or (iii) a family or other emergency.

“Policy” means this Remote Attendance Policy and any modifications that may be approved from time to time.

“Remote Means” means video or audio conference only.

“Trustee” means a member of the Township Board, including the Supervisor.

“Township” means Niles Township.

**III. Remote Attendance Permitted.**

Subject to the limitations set forth in Sections IV and V below, a Trustee may attend any Meeting by Remote Means if the Trustee is prevented from physically attending the Meeting because of a Qualifying Event. For the purposes of this Policy, the Supervisor may request participation at a meeting via remote means in the same manner as a Trustee.

Nothing herein shall either limit the Township’s ability to, or require that the Township, provide additional, remote access to meetings for members of the public to use.

#### **IV. Restrictions on Remote Attendance.**

- (a) No Trustee may attend any portion of a Meeting by Remote Means unless:
  - (1) a quorum of the Board is physically present at the Meeting; and
  - (2) he or she provides written notice to the Administrator and/or the Clerk of the Township specifying the Qualifying Event at a reasonable time prior to the Meeting; and
  - (3) the Remote Means being utilized is fully functional so as to allow all Trustees and any member of the audience to hear all communications taking place at the Meeting. Before allowing any remote attendance for any meeting, adequate equipment to accomplish this objective shall be secured by the Board at the Meeting site. It shall be the responsibility of the Board member requesting to participate remotely to confirm with the Administrator the method by which remote participation will be utilized.
- (b) No Trustee may attend a Meeting by Remote Means for any reason other than a Qualifying Event.
- (c) For the purposes of this section, "written notice" shall include E-Mail correspondence (with read receipt requested).

#### **V. Rules of Procedure When Remote Attendance is Utilized.**

- (a) When any Trustee attends any portion of a Meeting by Remote Means as permitted by these Rules:
  - (1) the minutes of the Meeting shall so reflect that such Trustee attended the Meeting by Remote Means;
  - (2) every Trustee shall be identified during all Board discussions so that each Trustee is aware of which Trustee is speaking at all times; and
  - (3) members of the general public present at the Meeting can hear all discussion and testimony and all votes of the Trustees.

- (b) A Trustee attending a Meeting by Remote Means:
- (1) shall be permitted to fully participate in the Meeting as if he or she were physically present, and shall comply with the Board's guidelines and procedures for conducting the Meeting; and shall advise the Supervisor, Clerk, and Board if he or she leaves or returns from the Meeting; and
  - (2) shall not allow any other persons in the same room as such Trustee attending by Remote Means unless otherwise disclosed and specifically permitted by the Board.

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**SECTION 4. Disaster Remote Meeting Policy.** Niles Township hereby approves and enacts the following Disaster Remote Meeting Policy:

**DISASTER REMOTE MEETING POLICY**

**I. Purpose.**

The purpose of these Rules is to allow members of the Board of Trustees of Niles Township to attend and participate in open meetings of the Board in emergency situations by video or audio means as authorized by Section 7 of the Open Meetings Act, 5 ILCS 120/7(e), subject to the rules and limitations applicable to such attendance and participation as set forth in the Act and in these Rules.

**II. Definitions**

“Act” means the Illinois Open Meetings Act, 5 ILCS 120/1 *et seq.*

“Administrator” means the Township Administrator for Niles Township.

“Board” means the Board of Trustees of Niles Township.

“Chair” means the Township Supervisor or her/his designee who presides at Township Meetings.

“Clerk” means the Township Clerk pursuant to the Township Code.

“Meeting” means any open meeting of the Board that is subject to the Act.

“Policy” means this Disaster Remote Meeting Policy and any modifications that may be approved from time to time.

“Remote Means” means video or audio conference only.

“Trustee” means a member of the Board, including the Supervisor.

“Township” means Niles Township.

**III. Remote Attendance Permitted.**

(a) The Board of Trustees may hold a Regular or Special Meeting by audio or video conference without the physical presence of a quorum of the members if:

(1) The Governor or Director of the Illinois Department of Public Health has issued a disaster declaration related to public health concerns and the Township is covered by the disaster area;

- (2) The Chair determines that an in-person meeting is not practical or prudent because of a disaster; and
- (3) At least one member of the Board, Township Attorney, or the Administrator of the Township is physically present at the meeting location, unless doing so is determined to be unfeasible due to the disaster.

**IV. Rules of Procedure When Remote Attendance is Utilized.**

- (a) Notice that the Meeting will be held by remote means shall be given to all members of the public body, shall be posted on the website, and shall be provided to any news media that has requested notice of meetings.
- (b) Members of the public may attend the Meeting at the regular meeting location unless attendance is not feasible due to the disaster. Where attendance is not feasible, the Board shall make other arrangements which allow the public to contemporaneously hear all discussion, testimony, and votes of the members by Remote Means.
- (c) When the Supervisor or any Trustee attends any portion of a Meeting by Remote Means as permitted by these Rules:
  - (1) the minutes of the Meeting shall so reflect that such Trustee (or the Supervisor) attended the Meeting by Remote Means;
  - (2) the Supervisor and every Trustee shall be identified during all Board discussions so that the Supervisor and each Trustee is aware of who is speaking at all times;
  - (3) the Supervisor and all Trustees shall verify they can hear each other and all discussion and testimony; and
  - (4) members of the general public present at the Meeting must be able to hear all discussion, testimony, and all votes of the Board. The Supervisor shall have discretion as to the means by which members of the public are provided contemporaneous access to the Meeting.

- (d) The Supervisor or a Trustee attending a Meeting by Remote Means:
  - (1) shall be permitted to fully participate in the Meeting as if he or she were physically present, and shall comply with the Board's guidelines and procedures for conducting the Meeting; and shall advise the Supervisor, Clerk, and Board if he or she leaves or returns from the Meeting; and
  - (2) shall not allow any other persons in the same room as such Trustee attending by Remote Means.
- (e) All votes shall be conducted by roll call.
- (f) A verbatim record in the form of audio or video recording shall be made by the Board.
- (g) Members of the public wishing to make a comment during an audio or video conference meeting of the Board of Trustees must submit their comment to the Township Clerk in writing by electronic mail or personal delivery by **noon** on the date of the meeting. Additional accommodations for public comment may be provided, to the extent deemed feasible, including "live" public comment. Notice of said arrangements shall be provided on the Notice of the meeting so affected.

*[Remainder of Page Intentionally Left Blank]*

**SECTION 5. Public Comment Rules.** Niles Township hereby approves and enacts the following Rules Governing Public Comment at Niles Township Meetings:

**RULES GOVERNING PUBLIC COMMENT AT  
NILES TOWNSHIP MEETINGS**

**I. Purpose.**

The purpose of these Rules is to allow members of the public to attend and participate in all open meetings of the Board as authorized by Section 2.06 of the Open Meetings Act, 5 ILCS 120/2.06(g), subject to the rules and limitations applicable to such attendance and participation as set forth in the Act and in these Rules.

**II. Definitions.**

“Act” means the Illinois Open Meetings Act, 5 ILCS 120/1 *et seq.*

“Administrator” means the Township Administrator of Niles Township.

“Board” means the Board of Trustees of Niles Township.

“Chair” means the Township Supervisor or her/his designee who presides at Township Meetings.

“Clerk” means the Township Clerk pursuant to the Township Code.

“Meeting” means any open meeting of the Board that is subject to the Act.

“Public Speaker” means a member of the general public and not an official or employee of the Township nor a member of the Board, who desires to participate and/or give testimony at a Meeting of the Board.

“Township” means Niles Township.

“Trustee” means a member of the Board, including the Supervisor.

**III. Rules for Public Speaking and Participation at Open Meetings.**

The following rules shall apply at any Meeting of the Board at which public comment or testimony is taken:

- (a) *Public testimony at all Meetings.* Subject to the provisions herein, public testimony will be permitted at all Meetings of the Board. Any Public Speaker may address the Board at any regular or remote Meeting required to be open to the public under the Act, in-person in the Board’s chambers, or in writing or orally from a remote location by means of electronic, video, audio, or telephonic connection if permitted in the meeting notice.

- (b) *Authorization to speak.* Authorization as a Public Speaker or to provide written testimony shall be granted to those individuals who have submitted in writing, their name, municipality of residence, subject matter, and organization (if any) to the Clerk.
- (c) *Public comment period.* Duly authorized Public Speakers shall be called upon to deliver testimony at a time specified in the Meeting agenda, or at the discretion of the Chair, but prior to final action by the meeting body as is practicable. For remote meetings, the public comment period may be limited to written testimony which will be read into the record.
- (d) *Germane subject matter encouraged.* Written or oral public testimony should be germane to a specific item(s) on the Meeting agenda or matters related to Township governance.
- (e) *Time limit for Public Speakers.* Written or oral public testimony will be limited to three (3) minutes. The Clerk will keep track of the time and advise when the time for public testimony has expired. Responses to inquiries of the Public Speaker by the Chair or Trustees shall not count towards any time limit. With leave, the Chair or Trustees may extend a Public Speaker's time as desired.
- (f) *Prohibited behavior for Public Speakers.* Written or oral public testimony shall not include the use of vulgar, abusive or otherwise inappropriate language when addressing the Board; in-person behavior shall follow established decorum and be otherwise appropriate; failure to act appropriately, failure to speak to an item that is germane to the meeting, or failure to adhere to the time requirements may result in expulsion from the Meeting and/or disqualify the Public Speaker from providing testimony at that Meeting or in the future. Verbal comments and testimony must be conducted in respectful speech with no personal attacks.
- (g) *Disruptions of Meetings prohibited.* Disruptions of Meetings are prohibited. Disruptions include, but are not limited to:
  - (1) Speech or testimony by a Public Speaker after expiration of the time allotted for the Public Speaker's public comment or testimony;
  - (2) Speech or testimony by any individual who has not been recognized by the Chair for public comment or testimony, or who is speaking in a volume louder than a low, conversational level appropriate for communication between persons seated next to each other in the chamber, or whose speech is audible by others;
  - (3) Holding or placing a banner or sign during a Meeting in a way that may endanger other individuals or that obstructs the free passage or view of others attending or viewing the Meeting;

- (4) Obnoxious, inappropriate, or rude behavior or comments by any individual or member of the general public irrespective of whether or not they are a Public Speaker;
- (5) If an individual engages in disruption of the Meeting, including, but not limited to, any of the actions described above, the Chair may: rule the individual out of order, direct the individual to cease the activity and impose other reasonable conditions for the individual's continued presence at the Meeting. If the individual does not immediately comply with the Chair's order, the Chair may direct the removal of the individual from the Meeting. Unless otherwise ordered by the Chair, any individual ordered to be removed from a Meeting is excluded from returning to that Meeting, unless the decision of the Chair is overruled by a majority vote of those Trustees in attendance. Any two Trustees may place before the body the question of whether to permit the individual to return to the same Meeting;
- (6) If an individual is removed from two or more consecutive Meetings of the Board, the Chair may exclude the individual from attending future Board Meetings and/or participation in public comment or testimony periods at such Meetings:
  - (a) The Chair or Clerk shall notify the individual in writing of the type of exclusion, the specific reasons for the exclusion and the specific terms and length of the exclusion.
  - (b) The notice of exclusion shall advise that the individual may submit written comments to the Clerk for distribution to the Trustees at a future Meeting.
  - (c) The notice of exclusion shall be filed with the Clerk, who shall post it on the door to the Board chambers and on the Board's web page, provide a copy of the notice to Trustees and mail the notice to the individual's last known address, if any. The notice is effective when posted. The exclusion order shall remain posted on the door to the chambers for the duration of the exclusion period.
- (7) In determining the scope and length of an individual's exclusion, the Chair may consider the seriousness of the disruptions to the orderly conduct of the Meeting, the number of disruptions in which the individual participated and other reasons deemed relevant by the Chair.
  - (a) The Chair may issue an exclusion from attending future Board Meetings including participation in public comment or testimony periods.
  - (b) At the next regular Meeting of the Board, following the filing and posting of the exclusion notice, the exclusion order may be overruled or modified by a majority vote of those Trustees in attendance. Any two Trustees may place before the body the question of whether to overrule or modify the exclusion decision.

- (8) Any individual excluded from attending future Board Meetings or from participation in future public comment or testimony periods may appeal the exclusion by submitting a written appeal to the Clerk within five calendar days after the exclusion notice is posted. The Clerk shall distribute copies of the appeal to all Trustees. The Board shall consider the appeal at the next regularly scheduled Board Meeting if any two Trustees place it before the body. The individual's exclusion shall remain in effect during the Board's consideration of the appeal.

*[Remainder of Page Intentionally Left Blank]*

**SECTION 6. Applicability**

If any provision of these policies and Ordinance conflict with any provision of the law of the State of Illinois, the provisions of the law of the State of Illinois shall prevail.

**SECTION 7. Availability of Policies**

The Policies shall remain on file, and shall be made publicly available, together with the Ordinance of the Niles Township Board approving these Policies.

**SECTION 8. Severability**

If any section, paragraph, clause, or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of this Ordinance.

**SECTION 9. Effect of Ordinance**

All ordinances, resolutions, rules, policies, and orders, or parts thereof, in conflict herewith are, to the extent of such conflict, hereby superseded and repealed.

**SECTION 10. Effective Date**

This Ordinance shall be in full force and effect from and after its adoption and approval according to law.

*[Remainder of Page Intentionally Left Blank]*



**ADOPTED** by the Supervisor and Board of Trustees of Niles Township, Cook County,

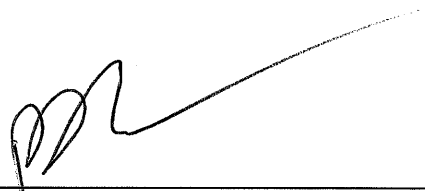
Illinois this 24 day of January 2022, pursuant to a roll call vote, as

follows:

	<b>YES</b>	<b>NO</b>	<b>ABSENT</b>	<b>PRESENT</b>
Trustee Gelfund	X			
Trustee Collins	X			
Trustee Tolleson	X			
Trustee Kendrick			X	
Supervisor Kahn Ognisanti	X			
<b>TOTAL</b>	<b>4</b>		<b>1</b>	


**APPROVED** at a Regular Meeting of the Board of Trustees of Niles Township, on

January 24, 2022.



\_\_\_\_\_  
BONNIE KAHN OGNISANTI, Supervisor

ATTEST:



\_\_\_\_\_  
CHARLES LEVY, Township Clerk

STATE OF ILLINOIS        )  
                                      )  
COUNTY OF COOK        )        ss.

**CLERK’S CERTIFICATE**

I, Charles Levy, duly qualified Clerk of **NILES TOWNSHIP**, Cook County, Illinois, do hereby certify that the attached is a true and correct copy of an Ordinance entitled:

**ORDINANCE No. 01-2022**

**ORDINANCE ESTABLISHING RULES GOVERNING MEETINGS OF THE  
NILES TOWNSHIP BOARD**

which Ordinance was duly adopted by said Board of Trustees at a regular meeting held on the 24th day of January, 2022.

I do further certify that a quorum of said Board of Trustees was present at said meeting, and that the Board of Trustees complied with all requirements of the Illinois Open Meetings Act.

IN WITNESS WHEREOF, I have hereunto set my hand this 24 day of January, 2022.

  
\_\_\_\_\_  
Charles Levy, Township Clerk  
Niles Township

(Seal)