

CHAPTER 3

30.00 VILLAGE GOVERNMENT

30.01 **Corporate Seal.** The corporate seal of the Village of Kerkhoven shall be in the form designated by the Village Council and the said corporate seal shall remain in the control and custody of the Village Clerk.

30.02 **Council Meeting.** Regular meetings of the Village Council of the Village of Kerkhoven shall be held on the second and fourth ~~Tuesdays~~ Mondays of each month and shall commence at ~~7:30 p.m.~~ 6:30pm.
(Amended December 10, 2013)

30.03 **Special Meetings.** Special meetings of the Council may be called by the Mayor or any two members of the Council by filing written notice with the Clerk. At least one day before the meeting the Clerk shall notify each member of the time, place and purpose of the meeting. The one-day notice provision may be dispensed with when all of the Council members consent to waive the one-day notice provision. If any Council member so demands, written notices of any special meeting shall be sent to all of the Council members. The business conducted at a special meeting shall be limited to the purpose represented in the notice of meeting unless all of the Council members present agree to entertain other matters.

30.04 **Organizational Meeting.** At the first regular Council meeting in January of each year, the Council shall:

1. Designate the depositories of Village funds;
2. Designate the official newspaper;
3. Choose an acting Mayor from the Trustees who shall perform the duties of the Mayor during any disability or absence of the Mayor from the Village, or in case of a vacancy in the office of the Mayor, until a successor has been appointed and qualified.
4. Appoint such officers and employees and such members of boards, commissions and committees as may be necessary.

30.05 **Committee Chairman.** The committee shall be headed by a commissioner or chairman who may appoint such deputies as may be necessary to assist him in the proper performance of his duties.

30.06 **Committee Duties.** The duties of the commissioner or chairman and the various committees may be defined by the Council, as necessary, from time to time.

30.07 **Council Meetings Public.** All Council meetings, including special and adjourned meetings, shall be open to the public.

30.08 **Presiding Officer.** The Mayor shall preside at all meetings of the Council. In the absence of the Mayor, the acting Mayor shall preside. In the absence of both, the Clerk shall call the meeting to order and shall preside until the Council members present at the meeting choose one of their number to act temporarily as presiding officer.

30.09 **Parliamentary Procedure.** The presiding officer shall preserve order and force the rules of procedure herein prescribed and determine without debate, subject to the final decision of the Council on appeal, all questions of procedure and order. Except as otherwise provided by statute or by these Rules, the proceedings of the Council shall be conducted in accordance with *Roberts Rules of Order, Revised*.

30.10 Appeal. Any member may appeal to the Council from a ruling of the presiding officer. If the appeal is seconded, the member may speak once solely on the question involved and the presiding officer may explain his ruling, but no other Council member shall participate in the discussion. The appeal shall be sustained if it is approved by the majority of the members present exclusive of the presiding officer.

30.11 Participation by Chair. Whenever the presiding officer desires to speak on any question or to make or second any motion, he shall vacate the chair, designate the acting Mayor, or in his absence, some other Council member to preside temporarily and shall not resume the chair until the matter under consideration has been acted upon by the Council.

30.12 Minutes. The minutes of each Council meeting shall be kept by the Clerk, or in his absence, by the Deputy Clerk. In the absence of both, the presiding officer shall appoint a secretary pro tempore. Ordinances, Resolutions and claims need not be recorded in full in the minutes, if they appear in other permanent records of the Clerk and can be accurately identified from the description given in the minutes.

30.13 Typewritten Minutes. The minutes of each meeting shall be reduced to typewritten form, shall be signed by the Clerk, and upon demand, copies thereof shall be delivered to each Council member as soon as practicable after the meeting. At the next regular Council meeting following such delivery, approval of the minutes shall be considered by the Council. The minutes need not be read aloud, but the presiding officer shall call for any additions or corrections. If there is no objection to a proposed addition or correction, it may be made without a vote of the Council. If there is an objection, the Council shall vote upon the addition or correction. If there are no additions or corrections, the minutes shall stand approved.

30.14 Order of Business. Each meeting of the Council shall convene at the time and place appointed therefore. Council meetings shall be conducted in the following order:

1. Call to order.
2. Roll call.
3. Approval of minutes.
4. Public hearings.
5. Petitions, requests and communications.
6. Ordinances and Resolutions.
7. Reports of officers, boards and committees.
8. Unfinished business.
9. New business.
10. Miscellaneous.
11. Adjournment.

30.15 Variance in Order. The order of business may be varied by the presiding officer, but all public hearings shall be held at the time specified in the Notice of Hearing.

30.16 Quorum. At all Council meetings the majority of all the Council members elected shall constitute a quorum for the transaction of business.

30.17 Quorum Necessary. A majority of all members of the Council shall be necessary for approval of any Ordinance unless a larger number is required by statute. Except as otherwise provided by statute, a majority vote of a quorum shall prevail in all cases.

30.18 Manner of Voting. The votes of the members on any question pending before the Council may be by voice vote, standing vote or any other manner of voting which signifies the intention of the members; but if the vote is not unanimous, there shall be a roll call and the names of those voting for and against a question shall be recorded in the minutes. If any member being present does not vote, the minutes as to his name shall be marked "present—not voting."

30.19 Ordinances, Resolutions, Motions, Petitions and Communications.

1. Every Ordinance and Resolution shall be presented in writing and shall be read in full before a vote is taken thereon; but reading in full may be dispensed with by unanimous consent. All motions shall be recorded in the minutes and stated in full before they are submitted to a vote by the presiding officer. All petitions and other communications addressed to the Council shall be in writing and shall be read in full upon presentation of the same to the Council. They shall then be recorded in the office of the Clerk.
2. Every Ordinance and Resolution passed by the Council shall be signed by the Mayor, attested by the Clerk and filed by him in the Ordinance and Resolution book. Proof of publication of every Ordinance shall be attached to and filed with the Ordinance.
3. Every Ordinance and Resolution repealing a previous Ordinance or Resolution or section or subdivision thereof, shall give the number, if any, and the title of the Ordinance or Resolution to be repealed in whole or in part. No Ordinance or Resolution or section or subdivision thereof shall be amended by reference to the title alone, but such an amending Ordinance or Resolution shall set forth in full each section or subdivision to be amended.

30.20 Suspension or Amendment of the Rules. These rules or any of them may be temporarily suspended by a majority vote of all the Council members and shall not be repealed or amended except by a majority vote of the whole Council after notice has been given at some preceding Council meeting.

Derivation: July 24, 1969