

MEMO TO : Village President Keith Giagnorio and
Lombard Village Board

FROM : Scott R. Niehaus *SN*
Village Manager

DATE : May 18, 2015

SUBJECT : **DRAFT ORDINANCE ON MAYOR PRO TEM**

As you will recall, there was a short discussion at the Strategic Planning Session regarding the need for adoption of a mayor pro tem ordinance. Attached is a memo that was previously prepared by Tom Bayer in May of 2013. I am distributing it to you in advance of the workshop session on Thursday, May 21. If you have any questions, please feel free to contact myself or the Village Attorney. Tom Bayer will be present at the workshop as well.

Cc: Tom Bayer, Village Attorney

SN:cb


Sn president pro tem memo 05212015



#120676

MEMORANDUM

TO: David A. Hulseberg
Village Manager

FROM: Nicole P. Aranas 
Assistant Village Manager

DATE: May 29, 2013

SUBJECT: President Pro Tem and Temporary Chairman

Attached please find a revised copy of a proposed ordinance amending the Lombard Code of Ordinances to set forth procedures for the designation of a president pro tem and temporary chairman, "An Ordinance Amending Title 3, Chapter 31 of the Lombard Village Code in Regard to the Designation of a President Pro Tem and a Temporary Chairman." The Ordinance, originally introduced by Trustee Breen in January of this year, was presented for discussion at the last Village Board of Trustees meeting with designation of President Pro Tem and Temporary Chairman made on the basis of Trustee selection within sixty (60) days after each general consolidated election. The ordinance has subsequently been revised to reflect the designations on the basis of status as "senior Trustee" rather than Trustee selection.

ORDINANCE

The proposed ordinance sets forth provisions for the pre-selection of a Village Trustee to serve as president pro tem and temporary chairman in the following instances:

PRESIDENT PRO TEM - Where a temporary absence or disability of the Village President incapacitates him/her from the performance of his/her duties but does not create a vacancy in the office.

TEMPORARY CHAIRMAN - Where the Village President is absent from a meeting, and the absence is not the result of a vacancy in the office nor of such a nature as to require a president pro tem (as listed above).

In neither case does the president pro tem or temporary chairman serve where a vacancy has been created in the office of Village President. A vacancy in the office of Village President due to resignation, death, permanent disability or other causes is addressed separately through provisions of the Illinois Municipal Code (65 ILCS 5/3.1-10-50).

Until repealed in October of last year, the Code of Ordinances provided that the "senior Trustee," or Trustee with most consecutive years as Trustee, serve as president pro tem and temporary chairman in the above instances. In lieu of designating the senior Trustee, the ordinance originally proposed in January and at the last Village Board of Trustees meeting provided that the president pro tem and temporary chairman be pre-selected by the Village Board within sixty (60) days from each general election (Attachment A). At the direction of the Board, the ordinance has been revised to once again reflect that the "senior Trustee" or Trustee with the

most consecutive years as Trustee shall serve as the president pro tem and temporary chairman (Attachment B – Revisions).

LEGISLATIVE HISTORY

Prior provisions designating “senior Trustee” as president pro tem and temporary chairman under the same sections of the Lombard Code of Ordinances were repealed by Ordinance 3696, passed on October 2, 2012. The provisions set forth within the prior version of this ordinance reflecting selection of president pro tem and temporary chairman were introduced by Trustee Breen, initially discussed by the Village Board of Trustees on January 3, 2013 and tabled by unanimous vote to January 17, 2013. At the January 17, 2013 Board of Trustees Meeting, the proposed ordinance was discussed further and separate motions to both table the item and to approve the item failed to carry at that time.

The Ordinance providing for Trustee selection of the president pro tem and temporary chairman was presented for discussion again on May 16th. Based upon further discussion by the Board of Trustees, revisions were made to the original ordinance to provide that designation of the president pro tem and temporary chairman would be made on the basis of status as “senior Trustee” rather than by Trustee selection.

ORDINANCE NO. _____

**AN ORDINANCE AMENDING TITLE 3, CHAPTER 31 OF THE
LOMBARD VILLAGE CODE IN REGARD TO THE DESIGNATION
OF A PRESIDENT PRO TEM AND A TEMPORARY CHAIRMAN**

BE IT ORDAINED by the President and Board of Trustees of the Village of Lombard, DuPage County, Illinois, as follows:

Section 1: That Title 3, Chapter 31 of the Lombard Village Code is amended by adding a new Section 31.15 thereto, which shall read in its entirety as follows:

**“§31.15 DESIGNATION OF PRESIDENT PRO TEM AND
TEMPORARY CHAIRMAN**

The Village Board shall select, from among the Trustees, a person to serve as President Pro Tem and Temporary Chairman, as set forth in Section 31.16 and Section 31.17 below, within sixty (60) days after each general consolidated election or after a vacancy in the office of the Trustee selected by the Village Board under this Section. The selected Trustee shall serve until the selection of a new Trustee after the next consolidated election, unless removed sooner by a vote of a majority of the Village Board, in which case the Village Board shall select a new Trustee under this Section within sixty (60) days.”

Section 2: That Title 3, Chapter 31 of the Lombard Village Code is amended by adding a new Section 31.16 thereto, which shall read in its entirety as follows:

“§31.16 PRESIDENT PRO TEM

If a temporary absence or disability of the Village President or Acting Village President incapacitates him/her from the performance of his/her duties, but does not create a vacancy in the office, the Village Board has hereby determined that the Trustee selected pursuant to Section 31.15 above, shall act as President Pro Tem. The President Pro Tem, during the absence or disability, shall perform the duties and possess all the rights and powers of the Village President.”

Section 3: That Title 3, Chapter 31 of the Lombard Village Code is amended by adding a new Section 31.17 thereto, which shall read in its entirety as follows:

“§31.17 TEMPORARY CHAIRMAN

If the Village President or Acting Village President is absent from a meeting, and the absence is not the result of a vacancy in office nor of such a nature as to require a President Pro Tem under Section 31.16 above, the Village Board has hereby determined that the Trustee selected pursuant to Section 31.15 above, shall act as Temporary Chairman for purposes of chairing said meeting. The Temporary Chairman shall have only the powers of a presiding officer and shall retain the right to vote in his/her capacity as Trustee on any Ordinance, Resolution or Motion.”

Section 4: That this Ordinance shall be in full force and effect from and after its passage, approval and publication in pamphlet form as provided by law.

Passed on first reading this _____ day of _____, 2013.

First reading waived by action of the Board of Trustees this _____ day of _____, 2013.

Passed on second reading this _____ day of _____, 2013, pursuant to a roll call vote as follows:.

Ayes: _____

Nays: _____

Absent: _____

Approved by me this _____ day of _____, 2013.

Bill Ware, Acting Village President

ATTEST:

Brigitte O'Brien, Village Clerk

Published by me in pamphlet form this _____ day of _____, 2013.

Brigitte O'Brien, Village Clerk