

Village of East Dundee  
PRESIDENT AND BOARD OF TRUSTEES  
Special Meeting  
Monday, March 23, 2020  
11:00 AM  
Police Station 2nd Floor Meeting Room 115  
E. 3rd Street, East Dundee, Illinois 60118

**This meeting will be conducted via teleconference call by authorization of Gov. JB Pritzker waiving a portion of the Illinois Open Meetings act to allow local governments to hold "remote" meetings to help control the spread of COVID-19**

**Dial-in number: 425-436-6341**

**Access Code: 676422#**

Call to Order

Roll Call

Pledge of Allegiance

Public Comment: Agenda items only - Please keep comments to 5 minutes or less

Consent Agenda

Old Business

New Business

A. Motion to Approve an Ordinance of the Village of East Dundee, Cook and Kane Counties, Illinois Amending the Village of East Dundee Village Code Authorizing the Village President to Declare a State of Emergency if Needed

B. Declaration of a State of Emergency in the Village of East Dundee, Cook and Kane Counties, Illinois (Covid-19 – March 23, 2020)

Financial Reports

Reports: Village President

Reports: Village Trustees

Reports: Village Administrator

Reports: Village Attorney

Reports: Village Engineer

Reports: Chief of Police

Reports: Director of Public Works

Reports: Building Official

Reports: Finance Director

Public Comment - Please keep comments to 5 minutes or less

Executive Session

Closed to the public and media under the provisions of the Illinois Open Meetings Act, 5ILCS, 120/2, (c)(21) Discussion of Minutes, (c)(11) Pending Litigation, (c)(1) Personnel, (c)(5) Acquisition of Property and (c)(6) Sale of Property.

Adjournment

**ORDINANCE NUMBER 20 - \_\_**

**AN ORDINANCE OF THE VILLAGE OF EAST DUNDEE, COOK  
AND KANE COUNTIES, ILLINOIS AMENDING THE VILLAGE OF EAST DUNDEE  
VILLAGE CODE AUTHORIZING THE VILLAGE PRESIDENT TO  
DECLARE A STATE OF EMERGENCY IF NEEDED**

**WHEREAS**, the Village of East Dundee (“Village”) is a home rule unit of local government pursuant to Section 6 of Article VII of the Constitution of the State of Illinois, and has the authority to exercise any power and perform any function pertaining to its government and affairs; and

**WHEREAS**, Section 11-1-6 of the Illinois Municipal Code, 65 ILCS 5/11-1-6, provides that the corporate authorities of the Village may grant the Village President the extraordinary power and authority to exercise, by executive order, during a state of emergency, such of the powers of the Village’s corporate authorities as may be reasonably necessary to respond to the emergency; and

**WHEREAS**, such ordinance is to establish the standards to be relied upon for the Village President to determine when a state of emergency exists;

**NOW, THEREFORE, BE IT ORDAINED BY THE VILLAGE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS, AS FOLLOWS:**

**SECTION 1: Incorporation.** That the recitals above shall be and are hereby incorporated in this Section 1 as if restated herein.

**SECTION 2: Village Code Amendment.** That Section 33.13(H) of the Village of East Dundee Village Code (“Village Code”) is created and shall read as follows:

“(1) In addition to the Village President’s authority to proclaim a state of emergency in the Village of East Dundee, including elsewhere in this Section 33.13, the Village President is authorized to declare of a state of emergency and to exercise, by executive order, such powers of the Village President and Board of Trustees as may be reasonably necessary to respond to the emergency.

(2) A declaration of a state of emergency under this Section 33.13(H) shall:

(a) Be executed under oath.

(b) Set forth the basis and underlying facts supporting the declaration of a state of emergency.

(c) Make reference to published statements of federal, state or county agencies whose duty it is to address emergency matters.

(d) To the extent possible, specify the procedures and protocols to be followed during the state of emergency.

(e) To the extent possible, make specific reference to any regulations which may be subject to suspension during the state of emergency.

(f) Consistent with Section 33.13(H)(3)(h) below, set forth the duration of the state of emergency.

(g) Be filed with the Village Clerk as soon as practicable.

(h) Expire no later than the adjournment of the first regular meeting of the Village President and Board of Trustees after the state of emergency has been declared.

(3) A declaration of emergency pursuant to the authority in this Section 33.13(H) may not suspend in any way the rights of persons under the Illinois or United States Constitutions.

(4) The authority granted herein is in addition to, and not in lieu of, the authority of the Village President to address emergencies in the Village of East Dundee, including, but not limited to, elsewhere in this Section 33.13.”

**SECTION 3: Continuation.** That all provisions of the Village Code not amended herein shall remain in full force and effect.

**SECTION 4: Severability.** That if any Section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such Section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

**SECTION 5: Repeal.** That all ordinances, resolutions, motions or parts thereof in conflict with this Ordinance shall be and the same are hereby repealed.

**SECTION 6: Effect.** That this Ordinance shall be in full force and effect upon its adoption, approval and publication in pamphlet form as provided by law.

**ADOPTED** this \_\_\_\_ day of March, 2020 pursuant to a roll call vote as follows:

AYES: \_\_\_\_\_

NAYES: \_\_\_\_\_

ABSENT: \_\_\_\_\_

**APPROVED** by me this \_\_\_\_ day of March, 2020.

\_\_\_\_\_  
Lael Miller, Village President

**ATTEST:**

\_\_\_\_\_  
Katherine Holt, Village Clerk

Published in pamphlet form this \_\_\_\_ day of March, 2020, under the authority of the Village President and Board of Trustees.

Recorded in the Village records on March \_\_\_\_, 2020.

**DECLARATION NO. 20-1**

**DECLARATION OF A STATE OF EMERGENCY IN THE  
VILLAGE OF EAST DUNDEE, COOK AND KANE COUNTIES, ILLINOIS  
(COVID-19 – MARCH 23, 2020)**

**WHEREAS**, the Village of East Dundee (“Village”) is a home rule unit of local government as provided by Article VII, Section 7 of the Illinois Constitution of 1970; and

**WHEREAS**, COVID-19, also known as the “coronavirus,” is a dangerous disease which has spread around the world, including in the United States, the State of Illinois and Cook and Kane Counties; and

**WHEREAS**, COVID-19 is a direct and serious threat to the public’s health, safety and welfare; and

**WHEREAS**, on March 11, 2020, the World Health Organization declared the COVID-19 virus a pandemic; and

**WHEREAS**, on March 10, 2020, the President of the Cook County Board of Commissioners issued a disaster proclamation in Cook County, Illinois related to the COVID-19 pandemic; and

**WHEREAS**, on March 17, 2020, the President of the Kane County Board of Commissioners issued a disaster proclamation in Kane County, Illinois related to the COVID-19 pandemic; and

**WHEREAS**, on March 9, 2020, the Governor of the State of Illinois issued a disaster proclamation in the State of Illinois related to the COVID-19 pandemic; and

**WHEREAS**, on March 13, 2020, the President of the United States declared a nationwide emergency under Section 501(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, 52 U.S.C. 5121, *et seq.*, related to the COVID-19 pandemic; and

**WHEREAS**, COVID-19 pandemic is a contagious disease that is likely to cause loss of life, loss of productivity, hardship and suffering to persons residing in or doing business in and around the Village; and

**WHEREAS**, Section 11-1-6 of the Illinois Municipal Code, 65 ILCS 5/11-1-6, provides that the corporate authorities of the Village of East Dundee may grant the Village President the extraordinary power and authority to exercise, by executive order during a state of emergency, such of the powers of the Village’s corporate authorities as may be reasonably necessary to respond to the emergency; and

**WHEREAS**, on March 23, 2020, the Village President and Board of Trustees adopted an ordinance entitled “An Ordinance of the Village of East Dundee, Cook and Kane Counties, Illinois Amending the Village of East Dundee Village Code Authorizing the Village President to Declare a State of Emergency if Needed,” which created

Section 33.13(H) of the Village Code, which authorizes the Village President to declare a state of emergency in the Village pursuant to Section 11-1-6 of the Illinois Municipal Code, 65 ILCS 5/11-1-6; and

**WHEREAS**, declaration of a state of emergency in the Village is necessary in order to allow the Village to assist in preventing the loss of life and injuries, alleviating damages, loss, hardship and suffering related to the COVID-19 pandemic;

**NOW, THEREFORE, BE IT DECLARED**, under oath by the Village President of the Village of East Dundee, Cook and Kane Counties, Illinois:

**SECTION 1: Incorporation.** That the recitals above shall be and are incorporated in this Section 1 as if restated herein.

**SECTION 2: Declaration of a State of Emergency.** That a state of emergency is declared in the Village of East Dundee, Cook and Kane Counties, Illinois pursuant to Section 33.13(H) of the Village Code.

**SECTION 3: Executive Orders.** That the Village President is authorized to exercise, by executive order, such powers of the Village President and Board of Trustees as the Village President deems reasonably necessary to allow the Village to respond to the emergency.

**SECTION 4: Procedures, Protocols and Regulations Subject to Suspension.** That the Village Administrator shall present requests to the Village President for approval of executive orders described in Section 3 above. Executive orders may address any Village regulations reasonably necessary to allow the Village to respond to the emergency.

**SECTION 5: Duration.** That the state of emergency declared herein shall expire upon the earlier of (a) the adjournment of the next regular meeting of the Village President and Board of Trustees, which is scheduled for April 6, 2020, or (b) withdrawal of this Declaration by the Village President.

**SECTION 6: Filing.** That this declaration shall be filed with the Village Clerk upon its execution by the Village President.

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Lael Miller, Village President

Subscribed and sworn to before me  
this \_\_\_\_ day of March, 2020.

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Notary Public