



MEMORANDUM

City of Warrenville

Phone: 630-836-3050 | Website: www.warrenville.il.us

DATE: January 29, 2026

TO: MAYOR AND CITY COUNCIL

AGENDA ITEM: PUBLIC COMMENT POLICY AND VARIOUS CODE AMENDMENTS

STAFF CONTACT: CRISTINA WHITE, CITY ADMINISTRATOR

Background: During the discussion around changes to the City's meeting structure in November and December 2025, City Administrator White referenced a future discussion on various code changes to address inconsistencies in the City Code and the need to formalize certain city policies. There are four (4) separate items for Council consideration provided in this memo.

Analysis:

Public Comment

For years, the City's internal policy provided for a limitation of three (3) minutes per speaker during public comment at the Chair's discretion per meeting. Typically, it is only invoked when there is a large gathering of the public to ensure each person has an opportunity to be heard. Formalizing this policy creates clear guidelines and transparency for the public. Section 2.06(g) of the Open Meetings Act (OMA) provides that "any person may be permitted to address public officials [during a meeting] under rules established and recorded by the public body."

Having a written, adopted policy facilitates consistent and fair application of the rules, allows the chair to point to the policy when requesting compliance from the public, and can be made publicly available, which sets expectations for participation before the meeting starts. Staff is recommending City Council consider formally adopting the attached public comment policy by resolution.

Mayor Voting

There are two sections of the City Code (Sections 1-5-2 and 1-5-6.B) that provide when the Mayor votes, but the language is not consistent. One section says the Mayor has a vote, and the other says the Mayor is required to vote. The Illinois Municipal Code provides when a Mayor votes in an Article 3.1. Its language is slightly different than both sections of the City Code. There is no evidence to support that the Code language differs for any particular reason or why there are two applicable Code sections. The most likely reason was imprecise drafting. The internal inconsistency, plus the inconsistency with State law, creates confusion about when the Mayor can or should vote.

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It is best practice when drafting legislation to have only one provision provide a particular regulation to avoid inconsistent amendments and interpretations. If the City Council agrees, the proposed amendment would remove one of the sections so that there is only one provision on the topic and revises the remaining section so that the Code language matches the language set forth in the Illinois Municipal Code. Mayor Johnson was consulted and his preference is for the City Code to follow state statute to streamline this process.

With the recommended changes, the Mayor will continue to have a vote in all of the same circumstances he previously had: when (i) there is a tie; (ii) when half of the aldermen elected have voted in favor of an ordinance, resolution or motion, even if there is no tie; and (iii) when greater than a majority of the corporate authorities is required by state statute to adopt an ordinance, resolution, or motion.

Two Readings of an Ordinance

For years, the City has operated under a self-imposed rule requiring a second reading of any City Ordinance. State law does not require ordinances to receive two readings. The City has consistently waived this self-imposed second reading requirement on City Ordinances.

Most items requiring Ordinances will still be considered at two City Council meetings. The structure of the City's process is that most items are considered or discussed multiple times in an open meeting before there is a final vote, even if the Ordinance itself is not presented twice. The City Council also can continue any item on the agenda if additional review or deliberation is needed.

Many important items of City business are approved by resolution, which do not require two readings. There are specific items that require second readings or public hearing processes for additional transparency. These items will continue to receive all required readings and hearings (budget, audit, etc). Staff is recommending amending the code to eliminate the self-imposed second reading of ordinances except as required by state statute.

Waiving Bids

Staff is recommending an amendment to the City Code to clarify when a waiving of bids is required to match the language set forth in the Illinois Municipal Code.

Section 1-8-4.B.6.a(3) of the City Code currently provides that the competitive bidding requirements may be waived by a 2/3 majority affirmative vote of *members of the City Council*. The Mayor is a member of the City Council. The Illinois Municipal Code provides that competitive bidding requirements may be waived by a 2/3 majority affirmative vote of *all aldermen* then holding office.

While the City is a home rule municipality and may make its own regulations regarding bid waivers, Mayor Johnson was consulted and his preference is to amend the City Code to follow state statute to streamline this process.

Attachments:

1. Draft Public Comment Policy

Authority

This policy concerning public comment and participation is adopted pursuant to Section 2.06 (g) of the Illinois Open Meetings Act (“OMA”), and is intended to provide rules pursuant to which members of the public may address public officials during public meetings (“Public Comment Time”).

Scope

The rules set forth in this Policy apply to Public Comment Time at all public meetings held by the City of Warrenville and any subsidiary public body of the City to which the OMA is applicable (collectively, “Public Bodies”), including, but not limited to Plan Commission/Zoning Board of Appeals, and all other City Boards, Commissions, and Committees.

Purpose

The City of Warrenville values the input of its residents and encourages active participation in the decision-making process. The purpose of this policy is to establish a clear process for Public Comment Time in order to maintain an orderly and respectful environment during public meetings. Public Comment Time is intended to allow members of the public to address the Public Body on a topic that is germane to matters within the specific purview and jurisdiction of the Public Body.

Rules

1. Location:

Unless the meeting is a remote meeting in accordance with the provisions of the OMA, any person desiring to make a public comment must do so in person at the location at which the public meeting is taking place. As provided in Section 6 of these Rules, written comments may be submitted to the Public Body, but written comments will not be read aloud during Public Comment Time. Speakers are encouraged to sign up in advance to speak by completing the appropriate form and providing it to staff or the City Clerk prior to the meeting. If you wish to speak on a specific agenda item, please note the agenda number or topic when signing up.

2. Topics:

Public Comment Time is intended for comments on matters that are specific to an item listed on the meeting agenda or germane to a matter within the purview of the Public Body. For comments regarding a matter on the agenda, the Presiding Officer may, at their discretion, allow the comment to be provided during that agenda item.

3. Time Limit:

No speaker may speak during Public Comment Time for more than three minutes, unless the Presiding Officer designates a longer time period for that meeting, which longer time period must be applicable to all persons making comments during Public Comment Time at that meeting. The maximum amount of time allocated for Public Comment Time at any meeting is 30 minutes, unless determined otherwise by the Presiding Officer prior to the commencement of Public Comment Time.

In the event that all persons desiring to speak during the Public Comment Time are not able to do so within the time limit allowed, the Presiding Officer may either extend the time allocated for Public Comment Time, or allow for continuation of Public Comment Time after the completion of all other matters on the agenda. If the Presiding Officer decides to extend the time allocated for Public Time or allows for its continuation after other matters on the agenda,

that decision may be overruled by a majority vote of the members of the Public Body present at the meeting.

A speaker that is representing, or speaking on behalf of, an individual, group, or association will not be allocated additional time regardless of whether they are speaking for or on behalf of multiple people.

A speaker may not yield time to another speaker.

4. Elected Officials and Staff Interaction:

Unlike a “public hearing,” at which testimony is presented under oath and may be subject to examination by, and dialogue with, public officials and others in attendance, Public Comment Time is strictly limited to comments made by a speaker to the Public Body. Public Comment Time is not intended to be a forum for open dialogue or engagement. Officials and City staff generally will not engage in direct responses to public comments during the meeting. This ensures that the meeting remains on schedule and focused on the agenda. However, speaker concerns and suggestions will be carefully considered. If a speaker would like a follow-up regarding their comment, they may provide their contact information at the time of speaking or reach out directly to staff after the meeting. The Presiding Officer may direct the City Administrator or other City staff to respond to questions or issues raised in a public comment at an appropriate time after the public meeting.

5. Respectful and Constructive Communication:

All comments should be delivered in a respectful, courteous, polite, and constructive manner. No speaker may engage in conduct or speech that is imminently threatening to any person, incites violence, or that is obscene. No speaker may engage in conduct that is disorderly and that disrupts or interferes with the ability of the Public Body to conduct the meeting.

Speakers must state their name in a clear manner so that it can be recorded in the minutes. Speakers are not required to state their home address; however, the Presiding Officer may ask the speaker to state whether they are a resident of the City. If the speaker is representing an individual, group, or association, the speaker must disclose that representation.

All comments must be directed to the Public Body, and not to any member of the public, audience, or staff.

Speakers must speak from the podium or designated location in the public meeting room as designated by the Presiding Officer.

6. Written Comments:

Written comments may be submitted prior to the meeting or during the meeting for inclusion in the public record. However, written comment submitted will not be read aloud during the meeting. Written comments should be addressed to the Presiding Officer of the Public Body or City Clerk to:

City of Warrenville City Hall
3S258 Manning Avenue
Warrenville, IL 60555
Or by email to clerk@warrenville.il.us

All written submissions received for the Public Body will be provided to the members of the Public Body.

7. **Enforcement by the Presiding Officer:**

The Presiding Officer has the authority and the direction to strictly enforce these Rules, and to do so in a fair and consistent manner. The Presiding Officer may interrupt a speaker in order to enforce these Rules, and may limit the comments or take the floor from any speaker who the Presiding Officer determines is violating these Rules.

Any person that the Presiding Officer determines is violating any of these Rules may be required to terminate their comments and vacate the podium or be subject to other action as deemed necessary by the Presiding Officer. Additionally, the Presiding Officer or a majority of the members of the Public Body may require that person to leave the premises of the meeting.