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**CITY OF TROY**

**ORDINANCE NO. 2013 - 12**

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**AN ORDINANCE ESTABLISHING TITLE III, CHAPTER 31, SECTION 31.40 –  
EXECUTIVE MEETINGS - TO THE CODE OF ORDINANCES OF  
THE CITY OF TROY, ILLINOIS**

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**ADOPTED BY THE  
CITY COUNCIL OF THE  
CITY OF TROY, ILLINOIS  
THIS 16<sup>th</sup> DAY OF September, 2013**

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**Published in pamphlet form by the authority of the City Council of the City of Troy,  
Madison County, Illinois, this 16<sup>th</sup> day of September, 2013.**

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**ORDINANCE NO. 2013- 12**

**AN ORDINANCE ESTABLISHING TITLE III, CHAPTER 31, SECTION 31.40 –  
EXECUTIVE MEETINGS - TO THE CODE OF ORDINANCES OF  
THE CITY OF TROY, ILLINOIS**

**WHEREAS**, the Mayor and the City Council of the City of Troy, Illinois, have the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs and protect the public health, safety, and welfare of its citizens; and

**WHEREAS**, the City Council of the City of Troy, Illinois, has the current text of Title III, Chapter 31, Section 31 of the Code of Ordinances for the City of Troy, Illinois, and determined that it requires certain additions to conform with current operational practices; and

**WHEREAS**, the City Council of the City of Troy, Illinois, believes it will be beneficial and in the best interest of the health, safety and general welfare of the City of Troy, Illinois, to amend the Code of Ordinances accordingly.

**NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE  
CITY OF TROY, MADISON COUNTY, ILLINOIS, AS FOLLOWS:**

- Section 1.** The recitals set forth above are hereby incorporated herein as if fully set forth.
- Section 2.** Title III, Chapter 31, Section 31 of the Code of Ordinances for the City of Troy, Illinois is hereby amended in its entirety and set forth fully herein:

**TITLE III. Administration**

**Chapter 31 – City Council - Meetings**

**Section 33 – Executive Sessions**

§ 31.40 Executive Sessions

- (A) The City Clerk shall keep a verbatim record of all closed or executive session meetings of the corporate authorities of the city or any subsidiary “public body,” as defined by the Illinois Open Meetings Act, ILCS Chapter 5, Act 120, §§ et seq. The verbatim record shall be in the form of an audio or video recording as determined by the Mayor and City Council of the City of Troy.
- (B) The City Clerk shall be responsible for recording the closed or executive sessions. In the absence of the City Clerk, the meeting Chair will arrange for the recording of the closed or executive session. The City Clerk shall maintain the verbatim recordings of

all closed sessions of the City Council of the City of Troy and all subsidiary public bodies of the city.

- (C) In addition to the recordings of the closed or executive sessions, the City Clerk shall keep minutes of all closed meetings in accordance with the Open Meetings Act, ILCS Chapter 5, Act 120, §et seq.
- (D) Review of closed or executive session minutes must be completed every six months. Minutes shall be reviewed in closed or executive session and shall not be released unless the City Council finds that it is no longer necessary to protect the public interest or the privacy of an individual by keeping it confidential. Minutes of closed or executive sessions shall be kept indefinitely.
- (E) The audio recordings of closed or executive sessions shall be maintained for 18 months after the closed or executive session occurred and shall not be released to the public unless such a release is required by a court order or specifically authorized for release by a vote of the City Council. Members of the City Council may listen to the closed or executive session recordings in the presence of the City Clerk. Copies of such recordings will not be made or provided to anyone unless specifically authorized by the City Council.
- (F) The City Clerk is hereby authorized to destroy the audio and video recordings of those closed sessions for which:
  - (1) The City Council have approved the minutes of the closed or executive sessions whether the minutes have been released or not;
  - (2) More than 18 months have passed since the date of the closed or executive session;
  - (3) There is no court order requiring the preservation of such recordings; and
  - (4) The City Council of the city has not passed a motion requiring the preservation of the verbatim recording of that meeting.

**Section 3.** If any section or provision of this Ordinance is declared invalid for any reason, such invalidity shall not affect or impair any of the remaining sections or provisions of this Ordinance which can be given effect without the invalid section or provision, and to this end, the sections and provisions of this Ordinance are declared to be severable.

**Section 4.** This Ordinance shall be effective upon its passage, signing and publication as required by law.

PASSED by the City Council of the City of Troy, Madison County, Illinois, approved by the Mayor, and deposited in the office of the City Clerk this 16<sup>th</sup> day of September, 2013.

Those voting aye: DeCarli, Evans, Greenfield, Hendrickson, Jackson, Lanahan, Partney

Those voting nay: \_\_\_\_\_

Those absent: Italiano \_\_\_\_\_

APPROVED:

By:   
\_\_\_\_\_  
ALLEN P. ADOMITE, Mayor  
City of Troy, Illinois

ATTEST:

BY:   
\_\_\_\_\_  
JAMIE MYERS, Clerk  
City of Troy, Illinois

(SEAL)

