

AN ORDINANCE AMENDING THE ORLAND PARK VILLAGE CODE

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WHEREAS, the Corporate Authorities of the Village of Orland Park, an Illinois home rule municipality, deem it in the best interests of the Village and its residents to amend the Orland Park Village Code to modifying the existing committee structure and agenda management process.

NOW, THEREFORE, Be It Ordained by the President and Board of Trustees of the Village of Orland Park, Cook and Will Counties, Illinois, an Illinois home rule municipality, as follows:

SECTION 1

That Title 1, Chapter 5, Section 1-5-5 of the Orland Park Village Code is hereby amended to delete and repeal in its entirety the present wording and to substitute the following as the new text of said Section

“1-5-5: AGENDA PREPARED FOR BOARD MEETINGS:

The Village Clerk shall prepare an agenda for each meeting. The Village President or the Village Manager may direct the Village Clerk to place an item on the agenda for all regular meetings of the Board of Trustees for consideration if the request is timely made and shall communicate with the office of the Village Clerk not later than twelve o'clock (12:00) noon on the Friday preceding said regular meeting indicating what business is to be placed on the agenda. The Village Clerk may place items on the agenda of all regular meetings of the Board of Trustees that are necessary to perform the Clerk's duties as prescribed by the laws of the State of Illinois and the Ordinances of the Village of Orland Park. The Village Clerk shall post a copy of said agenda on the bulletin board in the Village Hall not later than four o'clock (4:00) P.M. on the Friday preceding the regular meeting. For a special meeting, the agenda shall be posted at the time notice of said meeting is posted on the bulletin board which shall not be later than forty eight (48) hours prior to the time of convening of said special meeting. Such of the order of business enumerated in this Chapter as shall be applicable shall be the order of business for a special meeting.”

SECTION 2

That Title 1, Chapter 5, Section 1-5-7-8-4 of the Orland Park Village Code is hereby amended to delete and repeal in its entirety the present wording and to substitute the following as the new text of said Section

“1-5-7-8-4: MOTION TO REFER:

A motion to refer to the Committee of the Whole shall take precedence over a similar motion for a special committee.

SECTION 3

That Title 1, Chapter 5, Section 1-5-7-14 of the Orland Park Village Code is hereby amended to delete and repeal in its entirety the present wording and to substitute the following as the new text of said Section

“1-5-7-14: COMMITTEE OF THE WHOLE:

One hour prior to each regularly scheduled Board of Trustees meeting, the Village Board will meet as a Committee of the Whole unless there are no items for the Committee of the Whole to consider. The agenda for the Committee of the Whole shall be prepared by the Village Clerk in consultation with the Village Manager and Village President.

A portion of the Committee of the Whole meeting shall be dedicated to previewing upcoming non-routine agenda items, including a standing item for the consideration of Agenda Initiatives. A time for public comment shall be conducted. No final action, beyond action setting future agenda items and/or Agenda Initiatives, would be taken at a meeting of a Committee of the Whole.

The following agenda items would be brought before the Committee of the Whole: (1) the expenditure of money over \$250,000; (2) development agreements; (3) amending the Village Code; (4) the implementation or modification of policies; (5) Budget amendments; and/or (6) an Agenda Initiative filed by a Board Member. Items that do not fall within these categories, and require Board approval, are to be placed on the regular Board of Trustees meeting agenda. The failure to preview a non-routine agenda item at a Committee of the Whole shall not prohibit its consideration and/or action at a future Board of Trustees meeting.

Since the purpose of the Committee of the Whole is to allow an opportunity to engage in more informal discussions, the rules of parliamentary practice for “Standing Committees” comprised in the latest published edition of Robert's "Rules of Order Revised" shall govern the Committee of the Whole in all cases to which they are applicable and in which they are not inconsistent with the special rules of the Committee of the Whole or the Statutes or laws of the State of Illinois.

Board of Trustees Agenda Initiatives

An “Agenda Initiative” process would provide that any individual Trustee could get an initiative placed on the Committee of the Whole agenda by instructing the Village Manager, either verbally or in writing, prior to noon on the Friday preceding the meeting, to place the item on the Committee of the Whole agenda. Village/Legal staff time would be restricted until after at least three Trustees vote to move the Agenda Initiative forward.

Agenda Initiatives would include (1) the expenditure of money; (2) modifications to the Village Code; (3) formation/modification of Village policies; (4) the introduction of an ordinance or resolution; (5) the formation/modification of committees; (6) budget changes and/or (7) the appropriation of Village/Legal staff time. At each Committee of the Whole meeting, a portion of the meeting would be dedicated to the consideration of any Agenda Initiatives that have been filed.”

SECTION 4

That Title 1, Chapter 5, Section 1-5-2 of the Orland Park Village Code is hereby amended to delete and repeal in its entirety the present wording and to substitute the following as the new text of said Section

1-5-2: PRESIDING OFFICER, PRESIDENT PRO TEM:

The Village President shall preside at all meetings of the Board of Trustees or the Committee of the Whole, and he shall vote on all questions.

If the President is absent from the Village or disabled for a period long enough incapacitating him from the performance of his duties, the President pro tem shall have all of the powers of the President and shall perform all of the duties of the President until the President is able to perform his duties or a vacancy in the office exists.

The President may nominate and the Corporate Authorities shall by election designate one of the members of the Village Board of Trustees to serve as President pro tem, if necessary. Such nomination and election shall occur annually, in May. 65 ILCS 5/3.1-35-35(a).

If the President is absent from a meeting the Corporate Authorities may elect one of its members to act as temporary chairman. The temporary chairman shall have only the powers of a presiding officer and shall have only the right to vote as a Trustee on any ordinance, resolution or motion. 65 ILCS 5/3.1-35-35(b).

SECTION 5

That Title 1, Chapter 5, Section 1-5-7-14-1 of the Orland Park Village Code is hereby amended to delete and repeal in its entirety the present wording and to substitute the following as the new text of said Section

“1-5-7-14-1: PREVIOUSLY DELIBERATED ITEMS:

No item shall be placed on the Board of Trustees or Committee of the Whole agenda which, in the opinion of the Village Attorney, is substantially similar to an item or concerns subject matter which is the same as an item that was previously defeated by the Board of Trustees or Committee of the Whole respectfully, for a period of one (1) year after the item was defeated unless:

- (1) The rules are suspended by a majority of the members of the Board of Trustees or Committee of the Whole; or
- (2) A matter is moved to be reconsidered by a majority of the members of the Board of Trustees or Committee of the Whole.”

SECTION 6

That Title 1, Chapter 7, Sections 1-7-3-2 (7) and 1-7-3-2 (11) of the Orland Park Village Code are hereby amended to delete and repeal in its entirety the present wording and to substitute the following as the new text of said Sections

“1-7-3-2: POWERS AND DUTIES:

7. He shall submit to the Board of Trustees, and the Village Administrative Coordinator, any additional or supplemental information which he may have, or they may request, concerning matters upon which he is required to report.

11. He shall assist the independent auditors of the Village and shall assist and work cooperatively with the President and Board of Trustees.”

SECTION 7

That Title 1, Chapter 10, Section 1-10-2 of the Orland Park Village Code is hereby amended to delete and repeal in its entirety the present wording and to substitute the following as the new text of said Section

“1-10-2: EXECUTION OF FINANCIAL DOCUMENTS:

All financial documents and instruments and all transfers of funds of the Village shall be made and executed bearing the signatures of any two (2) of the following Village officers:

Village President

Finance Director

Assistant Finance Director

Village Treasurer

Village Manager

provided, however, that approval of any Trade Authorization (purchase or sale of securities) or Cash/Asset Movement (account to account transfer, wire transfer, check or draft, ACH transfer or delivery of Village financial assets) must bear the signature of either the Finance Director or Assistant Finance Director in addition to the signature of the Village President, Village Treasurer or the Village Manager.

SECTION 8

That Title 9, Chapter 5, Sections 9-5-4, 9-5-5, and 9-5-6 of the Orland Park Village Code is hereby amended to delete and repeal in its entirety the present wording and to substitute the following as the new text of said Sections

“9-5-4: AUTHORITY FOR PLACEMENT OF SIGNS:

This Chapter hereby vests the power and authority for the placement of traffic-control signs and devices in the Board of Trustees of the Village.

9-5-5: LOCATION AND DESIGN OF SIGNS:

The Board of Trustees of the Village shall locate traffic-control signs and devices throughout the Village at the sole discretion of the Board of Trustees wherever it is considered to be in the best interests of public safety. All such traffic-control signs and devices shall at all times be placed in accordance with the Illinois Manual of Uniform Traffic Control Devices, as established in section 5/11-301 of the Illinois Vehicle Code and adopted by the Illinois Department of Transportation.

9-5-6: ENFORCEMENT:

The Police Department of the Village shall enforce the obedience of such traffic-control signs and devices as placed by the Board of Trustees by authority granted under 625 ILCS 5/11-1204(b).”

SECTION 9

All other parts of the Title 1, Chapters 5, 7, 9 and 10 and Title 9, Chapter 5 not specifically changed by this Ordinance shall remain unchanged and effective. All ordinances in conflict with this Ordinance are hereby repealed to the extent of the conflict.

SECTION 10

If any section, subsection, clause, or phrase of this Ordinance is for any reason held to be invalid, such decision or decisions shall not affect the validity of the remaining portions of this Ordinance.

SECTION 11

This Ordinance shall be in full force and effect from and after its adoption and publication as required by law.

SECTION 12

The Village Clerk is hereby ordered to publish this Ordinance in pamphlet form, such pamphlets to be available to the general public at the Village Clerk’s office.