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A RESOLUTION APPROVING PLAN COMMISSION POLICIES AND UPDATED BYLAWS

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WHEREAS, the Village continually reviews its policies and procedures to make sure that the Village is ensuring an efficient and effective process; and

WHEREAS, the Plan Commission has considered and recommended certain policies, including an Electronic Participation Policy, a Public Participation Policy, an Attendance Policy, and an In the Absence of the Chair Policy, in order to update their bylaws with current policies which will promote efficient and effective management of the Plan Commission; and

WHEREAS, the Corporate Authorities of the Village of Orland Park have reviewed the recommendations made by the Plan Commission of the Village and have determined that the proposed policies are in the best interest of the Village of Orland Park and its residents.

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF ORLAND PARK, COOK AND WILL COUNTIES, ILLINOIS, AS FOLLOWS:

SECTION 1:

The recitals as set forth above are incorporated herein by reference and made a part hereof as material and operative provisions of this Resolution.

SECTION 2:

The above referenced polices, attached hereto as GROUP EXHIBIT 1 and made part hereof is hereby adopted and approved.

SECTION 3:

This Resolution shall be in full force and effect from and after its adoption and approval as provided by law.

GROUP EXHIBIT 1

PLAN COMMISSION BYLAWS

MAYOR

Keith Pekau

VILLAGE CLERK

Brian L. Gaspardo

14700 S. Ravinia Avenue
Orland Park, IL 60462
(708)403-6100
orlandpark.org



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DEVELOPMENT SERVICES

TRUSTEES

William R. Healy

Cynthia Nelson Katsenes

Michael R. Milani

Sean Kampas

Brian J. Riordan

Joni J. Radaszewski

Plan Commission Bylaws – Electronic Participation

Approved: March 19, 2024

Purpose: The Plan Commission does not have an existing policy regarding electronic participation; therefore, this case provides recommendations and conditions in which to allow Plan Commissioners to participate in meetings electronically.

Background: On July 28, 2023, the Illinois Compiled Statutes, 5 ILCS 120/7, Sec. 7. Attendance by a means other than physical presence, was enacted. It allows electronic participation if a quorum of the members of a public body is physically present at the scheduled meeting. Please note there are provisions to allow a meeting to be conducted by audio or video conference, including a disaster declaration.

Although the Board of Trustees has an electronic participation policy, it does not apply to other Village boards and commissions; therefore, the following policy contains recommended actions and conditions to allow electronic participation by Plan Commission members.

In-person meeting participation is best; however, it is understood that situations occasionally present the need for participation by electronic means. Since the ILCS contains provisions for electronic participation, it is suggested the following concepts be incorporated into the Plan Commission Bylaws – Electronic Participation:

1. Ensure a quorum-plus-one is scheduled to be physically present at the Plan Commission meeting.
2. The request to participate electronically is made at least 24 hours in advance of, and no more than 14 days prior to, the Plan Commission meeting.
3. No more than two (2) Commissioners attend by electronic participation. In an emergency, a third Commissioner may participate electronically at the discretion of the Chair or Presiding Commissioner.
4. All participating Plan Commissioners must be verified and able to hear one another, and hear all discussion and testimony.

Policy:

1. All Plan Commission meetings shall be conducted in-person unless a remote meeting is authorized under 5 ILCS 120/7(e).
2. Any meeting of the Plan Commission at which a quorum of the Plan Commission is physically present may be attended by a Commissioner by means of video or audio conference under the following conditions: the Plan Commissioner cannot be physically

present due to: (i) personal illness or disability, (ii) employment purposes or the business of the Plan Commission, (iii) a family or other emergency, or (iv) unexpected childcare obligations.

3. Any request by a Plan Commissioner for participation by electronic means shall be made by writing to the Recording Secretary of the Plan Commission, at least 24 hours but no more than 14 days prior to the meeting. No more than two (2) Plan Commissioners may be approved to attend a meeting by electronic participation. If more than two (2) Plan Commission members request to participate in a meeting electronically, then priority will be given to the most recent in-person participants; if a tie-breaker is needed, priority will be given to the Commissioner(s) with the smallest number of meetings attended electronically.
4. Should an emergency situation arise in the last twenty-four (24) hours before a Plan Commission meeting, a third Commissioner may be approved to participate remotely at the discretion of the Chair or Presiding Commissioner. Should a quorum not be present, the meeting will be continued to the next regularly-scheduled meeting per the process outlined in the "Plan Commission Procedure for Continuation."
5. Any Plan Commissioner participating in a meeting by electronic means shall publicly state the reason for not being physically present at the meeting.
6. All members of the Plan Commission participating in the meeting, wherever their physical location, must be verified and must be able to hear one another and hear all discussion and testimony.

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Plan Commission Bylaws – Public Participation Policy

Approved: August 6, 2024

Purpose: The Plan Commission generally follows Robert’s Rules of Order to conduct meetings and follows best practices for public participation during regularly scheduled and special meetings.

Background: On March 4, 2024, the Board of Trustees established public participation regulations in Section 1-5-8 of the Village Code via Ordinance No. 5874. Although Case 2024-0123 includes “the Village Board and any of its committees, commissions and advisory boards” in the title, the Board of Trustees and Committee of the Whole meetings are conducted slightly differently than Plan Commission meetings. The following proposed policy is in addition to existing *Section 3-102.H.3. Meetings, Hearings and Procedure*, and building off *Section 1-5-8: Public and News Media Participation*:

Policy: The Plan Commission of the Village of Orland Park welcomes public participation and will hear any interested individual pursuant to the following rules. Prior to appearing before the Plan Commission, the members of the public are urged to seek solutions to their concerns through administrative channels. If there are no members of the public wishing to address the Plan Commission, the Plan Commission may continue with its meeting.

The following rules shall govern speakers who address the Plan Commission:

1. Persons wishing to address the Plan Commission at the time allotted by the Plan Commission for public discussion shall make this desire known in writing to the Recording Secretary prior to speaking at the night of said meeting. Said person shall be permitted to speak only upon recognition of the presiding officer.
2. No equipment may be set up or in any way be used so as to obstruct the view of any person in the audience or any members of the news media.
3. Speakers for each public hearing and non-public hearing shall address topics relevant to the specific project or case. The non-scheduled citizens & visitors shall address topics relevant to the Land Development Code.
4. The maximum public comment period must be limited to:
 - a. 3 minutes per person.
 - b. 10 minutes for a person speaking on behalf of a group of 4 or more people.
 - c. 30 minutes per project or case.

5. The 3- and 10-minute public comment periods may exceed the time allocated at the discretion of the presiding officer. The 30-minute public comment period may exceed the time allocated if the public officials, by a majority vote at the meeting, agree to allow the public comment period to exceed the allocated time for that particular public comment period.
6. No speaker may assign his/her time to another speaker.
7. The public comment period is established for members of the public who physically attend the Plan Commission meeting. Members of the public who do not attend meetings in-person are welcome to submit comments prior to the meeting by other means, including mail or e-mail. Each person who desires to speak shall sign in with the Recording Secretary prior to their comments and provide their name and topic(s) on which they wish to speak.
8. The presiding officer will determine the order in which the speakers are recognized. Each person shall state their name, and, by option of the speaker, the speaker's address, before commenting.
9. Each person may provide prepared copies of his or her public comments prior to, during, or after his or her public comments.
10. Only 1 person may speak at a time during any public comment period, and no person shall speak until recognized for such purpose by the presiding officer. All persons wishing to address the Plan Commission shall do so from the podium and microphone. Statements shall not be made from the audience.
11. The Plan Commission will not respond to the public comments at the public meeting, unless otherwise directed by the presiding officer.
12. Repeating previously stated comments or arguments is not permitted.
13. Abusive, foul, obscene, threatening, disorderly, or other inappropriate language or conduct and/or personal attacks are not permitted.
14. The presiding officer has the authority to terminate the public comment session of any person who fails to adhere to these rules. Any person who disrupts the public body from being able to conduct its business during the public meeting may be subject to removal from the meeting room.
15. Individuals addressing Plan Commission must at all times adhere to the Village policies and other rules as may be necessary for the efficient and orderly conduct of the meeting.
16. All public comments shall be addressed to the Plan Commission as a whole and not to individual Plan Commission members, Village staff members, or other members of the public.

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Plan Commission Bylaws – Attendance Policy

Approved: July 16, 2024

Purpose: To review, discuss, and support the Plan Commission attendance policy codified in the Village Code.

Background: On August 7, 1995, Ordinance 2768 established/updated the expectations of the Plan Commission regarding membership, term, removal, and compensation. The regulations can be found in Section 2-9-1 of the Village Code:

The membership of, term of office on, appointment to, and removal from the Plan Commission, established by the Village's Land Development Code, and the filling of vacancies thereon, shall be as follows:

- 1. The Plan Commission shall be composed of seven (7) members to be appointed by the President with the advice and consent of the Board of Trustees. Members of the Board of Trustees may submit names of candidates to the President.*
- 2. Members may be removed for cause prior to the expiration of their term of appointment by a majority vote of the Board of Trustees.*
- 3. All members shall serve terms of one (1) year. Members may serve more than one term. All terms shall commence on the first Monday in June and expire on the first Monday of the following June.*
- 4. Members shall be compensated in a manner as may be authorized by the Board of Trustees.*
- 5. The President and the Board of Trustees shall appoint, with the advice and consent of the Board of Trustees, one of the members as Chairman and one as Vice-Chairman. In making such appointment, the President may consider the recommendations of the Plan Commission. In the absence of the Chairman, the Vice-Chairman shall act as Chairman and shall have all powers of the Chairman.*
- 6. The presiding officer of any meeting of the Commission shall administer oaths, shall be in charge of all proceedings before the Commission, and shall take such actions as shall be necessary to preserve order and the integrity of all proceedings before the Commission.*
- 7. If any member of the Commission shall fail to attend three (3) regular meetings of the Commission within any three-month period, without reasonable excuse, such failure shall constitute sufficient grounds for termination of the member's appointment. The Chairman*

or the Vice-Chairman, as the case may be, shall immediately file a notification of such non-attendance with the Village Clerk for placement on the agenda of the Board of Trustees, and the Board shall, after notification to the Plan Commission member, by appropriate action, consider whether to terminate the appointment of such person. If the decision of the Board is to terminate the person, the vacancy thereby created shall be filled, for the remainder of the term, as soon as practicable.

Policy: Ordinance 2768 established language for the Village Code and not the Land Development Code regarding Plan Commission membership, term, removal, and compensation. A summary of the attendance-related expectations of the Plan Commission:

- The Plan Commission is 7 members. A quorum is 4 members.
- Each Commissioner's term is for 1 year, starting the first Monday of each June.
- The Board of Trustees appoints the Chairman and Vice-Chairman.
- The presiding officer is the Chairman, or the Vice-Chairman in his/her absence.
- If a commissioner fails to attend 3 regular meetings within any 3-month period without reasonable excuse, the member's term could be terminated by recommendation of the Chairman or Vice-Chairman to the Board of Trustees for consideration and possible termination.

At the March 19, 2024, Plan Commission meeting, the members supported a policy that allows electronic participation by Plan Commission members based on certain criteria, including a minimum of 4 members (a quorum) must attend the meeting in-person, the members participating by electronic means must publicly state the reason for not being physically present at the meeting, and all discussion and testimony must be heard by all members.

Between existing regulations and a recent electronic participation policy, staff members believe these items sufficiently communicate attendance expectations.

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Plan Commission Bylaws – In the Absence of the Chair Policy

Approved: July 16, 2024 (details confirmed August 6, 2024)

Purpose: The Plan Commission has a Chairman and a Vice-Chairman who may conduct the business of the Plan Commission when the Chairman is absent. This policy will formalize additional details.

Background: On August 7, 1995, Ordinance 2768 established/updated the expectations of the Plan Commission regarding membership, term, removal, and compensation.

Current practice is for the Vice-Chairman to serve as the presiding officer for any Plan Commission meeting in which the Chairman is unable to attend.

Policy: The responsibilities of the Plan Commission are codified in Section 3-102 of the Land Development Code (LDC). In summary, the Chairman, the Vice-Chairman, or chair pro tem (by a majority vote of a quorum of members physically present at the meeting) will enforce the powers and duties of the Plan Commission, including the following tasks and Plan Commission Bylaws – Public Participation Policy:

1. Follow Robert’s Rules of Order, except as expressly modified by Village Code or Commission Policy.
2. Call to Order/Roll Call
3. Lead the Pledge of Allegiance
4. Describe meeting expectations to the public
5. Request motions, seconds, and votes (by roll call if not unanimous) for:
 - a. Approval of meeting minutes
 - b. Opening and closing of public hearings
 - c. Opening and closing of non-public hearings
 - d. Adjournment
6. Ensuring public participation for each public hearing and non-public hearing
7. Announcing other business items on the agenda (including the New Petitions memo)
8. Ensuring participation by non-scheduled citizens and visitors prior to adjournment