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## Staff Report to the Plan Commission

Plan Commission Bylaws – Electronic Participation

Prepared: March 15, 2024

### TITLE & SUMMARY

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**Project:** 2024-0195 – Plan Commission Bylaws – Electronic Participation

**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.

### SUMMARY & BACKGROUND

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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 staff report contains recommended actions and conditions to allow electronic participation by Plan Commission members.

### PLANNING DISCUSSION

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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.

## STAFF RECOMMENDED ACTION

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Regarding Case Number 2024-0195, Staff recommends the Plan Commission adopt “Plan Commission Bylaws – Electronic Participation”, as discussed at this Plan Commission meeting and within the Staff Report dated March 15, 2024, subject to the following conditions:

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.

### Recommended Motion

Regarding Case Number 2024-0195, also known as Plan Commission Bylaws – Electronic Participation, I move to approve the Staff Recommended Action as presented in the Staff Report to the Plan Commission for this case.