

CHAPTER 30: BOARD OF TRUSTEES

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GENERAL PROVISIONS

§30.01 GOVERNING BODY.

The Village of Deer Park shall be governed by a Board of Trustees which shall be elected at large and shall consist of a President and six Trustees.

§30.02 ELECTIONS AND TERMS OF OFFICE.

- A. The term of office of the Trustees shall be four years and until their successors are elected. After the first election, three Trustees shall be elected by the electors of the Village for a four-year term at the regular Village election held on the third Tuesday in April of each odd numbered year, as provided by statute.
- B. The term of office of the Village President shall be four years. He shall be elected by the electors of the Village at the regular Village election held on the third Tuesday in April of each fourth year.
- C. Vacancies in the offices of Trustee or Village President shall be filled as prescribed by the ILCS Ch. 65, Act 5, § 3.1-10-50.

§ 30.03 COMPENSATION.

The Village President, and the Trustees, shall receive such salary as shall be fixed by ordinance, subject to the provisions of the ILCS Ch. 65, Act 5, §§ 3.1-50-5 and 3.1-50-10.

§ 30.04 STANDING AND SPECIAL COMMITTEES.

The President shall appoint the members of the standing and special committees, and shall designate the chairperson of each committee. ('77 Code, § 2.08)

MEETINGS: RULES OF ORDER

§30.15 MEETINGS.

- A. The Board of Trustees shall hold its regular meetings at Vehe Barn Community Center, unless otherwise ordered, on the third Thursday of each month at 7:00 p.m., except when such date falls on a legal holiday in which event the meeting may be held on the next succeeding business day, or at such other times as it may by ordinance prescribe. No notice of regular meetings shall be required, except as required by law.
- B. The Board of Trustees shall meet as a Committee of the Whole (“COW”) on the third Thursday of each month, except when such date falls on a legal holiday in which event the meeting may be held on the next succeeding business day, or at such other times as it may by ordinance prescribe. The meeting shall begin at 7:30 p.m. following the regular Village Board meeting in the Vehe Barn Community Center, unless otherwise ordered. In the event there is not sufficient business to bring before the COW the meeting may be cancelled by the President and notice of said cancellation shall be given to the members and posted at the Village Hall, as well as provided to all media who have filed an annual request for such notice. The President shall chair the COW meetings. The Clerk shall be responsible for the preparation and submittal of all meeting minutes.
1. Committee of the Whole Matters: Business coming before the COW will generally be in four general categories: Administration and Communication and Safety; Development related to Commercial and Residential Properties and Ordinances; Infrastructure Including Parks, Roads and Drainage; and Special Projects. These general categories shall consist of the following matters:
- a. Administration, Communication and Safety: This category will include, but not be limited to, the study and review of recommendations from staff regarding:
- i. Monthly reports of the Administrator and Treasurer;
 - ii. The employment of an auditing firm to perform the annual audit of the Village’s financial records;
 - iii. Fiscal year budget and appropriations ordinance;
 - iv. Matters of internal management and control policies and procedures, which shall include matters of insurance, tort liability, public relations, contractual employee performances, evaluations and training, records management, and the use of related technologies and licensing for the same;
 - v. Matters of both federal and state legislation and proposed intergovernmental agreements;
 - vi. Matters pertinent to the application for and administration of federal and state grants;
 - vii. Legal matters and litigation;
 - viii. Personnel policies and procedures, salary structures, and related employment matters;
 - ix. Matters relative to community communications and events;

- x. Public safety which shall include, but not be limited to, protection of persons and property, crime prevention, fire prevention/protection, and pedestrian and vehicle safety, including traffic control measures and procedures;
 - xi. Environmental protection and enforcement measures relative to public health issues and public nuisances, including control measures for the transport of hazardous materials through the Village; and
 - xii. Activities related to emergency management and disaster planning for the delivery of services to respond to requests for emergency medical services and disaster assistance in the wake of floods, hazardous material accidents, and other natural or manmade disasters.
- b. Development Related to Commercial and Residential Properties and Ordinances: This category will include, but not be limited to the study and review of recommendations from staff and advisory review bodies regarding:
- i. Concept plans presented by developers and individuals;
 - ii. Proposed zoning amendments, special uses, zoning variations, planned developments, and annexation agreements; and
 - iii. Proposed regulations or amendments to the Zoning Code, Subdivision Code, site development codes, and village municipal codes.
- c. Infrastructure Including Parks, Roads and Drainage: This category will include, but not be limited to, the review of staff recommendations and study matters with respect to:
- i. The construction, use, grade, drainage, maintenance and repair of Village roads, right of way, and all appurtenances therein;
 - ii. The operation of all Village parks with respect to their maintenance, alterations, and improvements and recommend such park rules and regulations as deemed appropriate;
 - iii. Village structures and property owned and leased by the Village and formulate decisions with respect to their maintenance, repairs, demolition, and alterations; and
 - iv. Transportation planning.
- d. Special Projects: Any other issues that need Village Board review and approval.
2. Village Board Action: Following a COW meeting, any matters needing formal action by the Village Board will be placed on the agenda of a future regular Village Board meeting.
- C. The President or any three of the Trustees may call special meetings of the Board at any time. The Clerk shall notify all members of the Board of such meeting at least two days before the same is held, by delivering a written notice, stating the time and place of such meeting, to each member personally, or by leaving the notice at his residence.

- D. Whenever all of the members of the Board of Trustees are present at any special meeting, the requirement of notice of such special meeting shall be deemed waived.

(Ord. 2008-08 passed 6/18/08; Amd. 2017-06 passed 4/17/17, 2017-14 passed 8/17/17)

§30.16 PRESIDENT TO PRESIDE.

The Village President shall be the presiding officer of all regular and special meetings of the Board of Trustees, and at all times when the Board meets as Committee of the Whole.

§30.17 RULES OF ORDER.

- A. Order of Business. The order of business of the Village Board of Trustees shall be as follows:
1. Call to order, roll call and determination of a quorum.
 2. Minutes of the preceding Board Meeting and minutes of any commission or committee submitting reports to the Board for inclusion in the record of the Village.
 3. Reports and communications from the President and other officers as set forth below.
 - (a) President.
 - (b) Trustees and their standing committees.
 - (c) Clerk.
 - (d) Treasurer.
 - (e) Village Administrator.
 - (f) Attorney.
 - (g) Plan Commission.
 - (h) Board of Appeals.
 - (i) Other Commissions or Committees.
 4. Petitions, resolutions and ordinances.
 5. Old business.
 6. New business.
 7. Public discussion and/or comments from the floor.
 8. Adjournment.
- B. Rescinded Action. No vote or action of the Board of Trustees shall be rescinded at any special meeting of the Board of Trustees unless there be present at such special meeting as many members of the Board of Trustees as were present at the meeting when such vote or action was taken, as provided by statute.
- C. Resolutions. Any resolutions submitted to the Board of Trustees shall be reduced to writing before being voted upon on request of any two members of the Board.
- D. Suspension of Rules. The rules of order, other than those prescribed by statute, may be suspended at any time by the consent of a majority of the members present at any meeting.

- E. Robert's Rules of Order. Robert's Rules of Order shall govern the deliberations of the Board of Trustees except when in conflict with any of the foregoing rules.
- F. Quorum. A majority of the Trustees shall constitute a quorum to do business, but no ordinance or resolution creating a liability against the Village shall be passed except upon the favorable vote of a majority of the elected members, as provided by statute.
- G. Committees. Special committees shall be created from time to time as directed by the Board of Trustees.
- H. All standing and special committees shall consist of three members each, including the Chairperson, unless the Board shall direct otherwise. All committees shall be appointed by the Village President.

§30.18 DISTURBANCES AT MEETINGS.

- A. It shall be unlawful for any person to disturb any meeting of the Board of Trustees or of any committee thereof.
- B. Any person violating the provisions of this section shall be fined not less \$1 nor more than \$50 for each offense.

§30.19 RULES FOR PARTICIPATION IN MEETINGS VIA ELECTRONIC MEANS.

- A. Individual Member Remote Attendance when a Quorum is Physically Present: Members of any public body of the Village, including but not limited to members of the Village Board, may participate in meetings via electronic means, provided no such participation in such meetings shall occur via such means unless in compliance with the following rules:
 - 1. Purpose: The purpose of these rules is to prescribe rules for the participation by members of a public body of the Village in meetings of such public body in accordance with the Illinois Open Meetings Act when such meeting is conducted wholly or partially via electronic means. These rules for participation in meetings by members of any public body of the Village via electronic means are intended to be consistent with and supplement the Illinois Open Meetings Act.
 - 2. Minutes of Meetings: Minutes of the public body of the Village shall reflect and record whether the members were physically present or present by means of video or audio conference.
 - 3. Limitations on Participation in Meetings Via Electronic Means: The following rules shall apply for the participation in any meeting at which any member of a public body of the Village is participating through the use of audio, video, or other electronic conference means:
 - a. If a quorum of the members of the public body of the Village is physically present as required by the Illinois Open Meetings Act, a member of that body may attend the meeting by other means if the member is prevented from physically attending because of: (a) personal illness or disability, (b) employment purposes or the business of the public body, or (c) a family or other emergency. "Other means" or "electronic means", for the purposes of this Section, shall mean attendance by video, audio, or other electronic means.
 - b. A quorum of members of a public body of the Village must be physically present at the location of an open meeting. A quorum of members of a public body of the Village must also be physically present at the location of a closed meeting. Other members who are not physically present at any open or closed meeting of such a public body may participate in the meeting by other means consistent with the

Rules set forth in this Section and the Illinois Open Meetings Act.

- c. If a member of a public body of the Village wishes to attend a meeting by other means, the member must notify the Village Clerk or other recording secretary of the public body before the meeting, unless such advance notice is impractical.
- d. At the commencement of any such meeting of a public body of the Village, the presiding officer shall announce such method of attendance of those participating by other means to the public and the reason.
- e. If the presiding officer of a public body of the Village attends the meeting through the use of other means, he or she shall vacate the chair and a duly elected or appointed temporary chair who is physically present shall preside.
- f. When one or more members of a public body attend a meeting of such public body via other means, all votes shall be by roll call.
- g. No more than two (2) members of a public body of the Village may attend a meeting through the use of other means at the same remote location.
- h. When other means are used to allow a member of a public body to participate in a meeting without being physically present, each time a member using such other means wishes to speak, such member shall endeavor to identify himself or herself by name and be recognized by the presiding officer before speaking.
- i. The Village staff or consultants of the Village are authorized to participate in the proceedings of any public body of the Village by other means.
- j. Member(s) Considered Present: Any member of a public body of the Village shall be considered present wherein the member is present by other means whereby voices are audibly received at the physical location of the quorum of the public body.
- k. The Village Board hereby allows its members to attend a meeting of any Village Board or Village Board committee via electronic means to the extent permitted by and in accordance with these Rules. Other public bodies of the Village may do likewise on a case-by-case basis or as part of the rules of such public body, but such participation by electronic means shall be in compliance with this Section.

- B. Remote Attendance Without a Quorum Physically Present in the Event of a Disaster Declaration: Notwithstanding the provisions of Section A above, when the Governor or the Director of the Illinois Department of Public Health has issued a disaster declaration related to public health concerns because of a disaster as defined in Section 4 of the Illinois Emergency Management Agency Act and any part of the Village is covered by the disaster declaration, then any open or closed meeting of any Village body subject to the requirements of the Illinois Open Meetings Act (5 ILCS 120) may be conducted by audio or video conference, without the physical presence of a quorum of the members, so long as the requirements of the Illinois Open Meetings Act (as may be amended) for such meetings have been met.

(Ord. 2021-06, Passed 02-18-21)

§30.20 REGULATIONS FOR RECORDING OF PUBLIC MEETINGS.

- A. The following regulations are hereby prescribed to govern the right to make such recordings of Village meetings required to be open pursuant to the Open Meetings Act (5 ILCS 120/2.05, *et seq.*) (“public meetings”).
- B. Any person(s) recording such public meetings shall do so: (a) in a quiet, unobtrusive, and respectful manner, and (b) in a manner so as to not disturb and/or disrupt any of the proceedings of such public meeting(s).
- C. All equipment being used to record such public meetings via tape, film, video, or otherwise, and the persons operating such equipment, shall be located in a manner which will not block the view of others in attendance.
- D. All such recording equipment and personnel operating such equipment shall be located in such a manner so as not to block any exit or to create a “trip” hazard within the meeting room.
- E. Any person attending, participating in, and/or speaking at such a public Village meeting should recognize the fact that, pursuant to 5 ILCS 120/2.05, the Village is legally required to allow the recording of such public meetings and those in attendance and cannot prevent and/or control the dissemination, use and/or republication of such recording(s).
- F. It is the hope of the Village that all public comments offered at any public Village meeting will be fair and accurate and reflect an appreciation for a high degree of civility and mutual respect among residents of the Village and their elected and appointed officials.
- G. At each public meeting, the Village President or other designated person chairing such meeting, or his or her designee, shall announce to those present that: “This meeting is a limited public forum for public comments, but any statements made and/or opinions expressed therein do not necessarily reflect the views of the Village but represent only the views of the persons making such statements and/or presenting such opinions who are solely responsible for the content thereof.”
- H. It is the hope of the Village and its Corporate Authorities that any such recordings and/or the dissemination, use and/or republication of such recordings will be done, not in a malicious and/or deceptive manner, or in a manner which may intimidate any reasonable person(s) or discourage them from participating in public discussion and/or debate, but in such a manner which will further open and transparent municipal government and which will foster civility and mutual respect among the residents of the Village and their elected and appointed officials.

§30.21 PUBLIC COMMENTS AT PUBLIC MEETINGS.

- A. Limited Public Forum:
 - 1. All public meetings of public bodies of the Village shall be and are hereby declared to be a limited public forum for comments by members of the public as required by the Illinois Open Meetings Act, but any statements made and/or opinions expressed by members of the public in attendance at such public meeting(s) do not reflect the views of the Village or of any officer, employee, or public body of the Village, but rather, represent only the views of the persons making such statements and/or presenting such opinions who are solely responsible for the content thereof.
 - 2. Any member of the public making comments at any public meeting(s) of any public body of the Village shall do so in a manner so as to not disturb and/or disrupt any of the proceedings of such public meeting(s).

3. All members of the public in attendance at a public meeting of any public body of the Village shall have an opportunity to be heard during that portion or those portions of the public body's agenda designated for public comment on the agenda for such meeting, or if there is no such item on the agenda, then at the end of the public body's agenda prior to adjournment. Any member of the public offering comments at a public meeting of any public body of the Village shall make such comments during that portion or those portions of the public body's agenda designated for public comment on the agenda for such meeting, or if there is none, then at the end of the public body's agenda prior to adjournment. Any member of the public wishing to offer comments at such a public meeting shall wait to make such comments until recognized by the chair for such purpose, provided, however, the chair of the public body, or the public body by a vote of at least a majority, may move the time designated for public comment(s) on a particular issue to what the chair or public body deems to be a more appropriate or convenient place on the agenda of the public body.

4. Limitations:
 - a. The chair of the public body, or the public body by a vote of at least a majority of a quorum, may limit public comments to maintain, encourage, and foster civility. The chair may take such actions as are required to maintain an orderly and civil meeting. The chair may declare as out of order patently offensive or obscene comments or gestures.

 - b. The chair may impose reasonable limitations on public comment presented at any public meeting, such as time limits and/or limitations on repetitious, irrelevant or immaterial testimony, which ruling(s) may be overruled by a majority of at least a quorum of the public body. Time limits, if imposed, shall be fair and even-handedly administered. The chair may rule on all questions related to the relevancy of any public comment(s), which ruling(s) may be overruled by a majority of at least a quorum of the public body. The chair may also impose reasonable conditions and/or limitations on public comments, including but not limited to time limitations, after giving due consideration to factors present in particular proceedings, including, but not limited to, the following:
 - i. The complexity of the issue;
 - ii. Whether the member of the public offering comments possesses special expertise;
 - iii. Whether the public comments are a matter of taste or personal opinion or concern an issue or proposal;
 - iv. The degree to which the person's comments relate to the factors which can be legally considered relative to any particular issue or proposal.

 - c. Any member of the public making comments at a public meeting shall be required to sign in on a list or form provided by the Village and provide his or her name and address and identify in a general way on such list or form the issue(s) on which such person wishes to comment.

 - d. A member of the public may appear and make comments at a public meeting on his or her own behalf or may be represented by an attorney. Any attorney representing any party or objector(s) at such public meeting shall file a written appearance and include thereon the names, addresses, and telephone numbers of all of his or her clients, and any such attorney shall also be subject to the same rules of conduct as provided by this Village Code.

5. Recording: Any member of the public attending, participating in, and/or speaking at such a public Village meeting should recognize the fact that, pursuant to the Illinois Open Meetings Act, the Village is legally required to allow the recording of such public meetings and those in attendance and cannot prevent and/or control the dissemination, use, and/or republication of such recording(s).

(Ord. 2011-04, Passed 3-21-11)