

City Council Committee of the Whole

Agenda Cover Memorandum

Meeting Date: January 23, 2012

Item Title: Duties and Responsibilities of Aldermanic Liaisons to Boards and Commissions

Action Requested:

- Approval
- For discussion
- Feedback requested
- For your information

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Background:

At the August 22, 2011 COW a resident requested that a policy be adopted defining the role of aldermanic liaison to each board and commission. Alderman DiPietro asked that the City Council discuss this issue at the December 12, 2011 COW meeting.

At the December 12, 2011 COW the Committee reviewed language that is currently in the Municipal Code for the Appearance Commission, Zoning Board of Appeals, Planning and Zoning Commission and the Historic Preservation Commission. It was requested that the language be provided to limit the voting rights of the liaison to boards and commissions and to revise the 3P Manual to include guidelines for participation by liaisons during Board and Commission meeting.

It is recommended that the role of the liaison to a Board or Commission be set forth in the 3P Manual. Suggested language is attached. The language proposes that an aldermanic liaison's primary role be that of a source of information to the City Council with respect to the activities of a Board or Commission. The role will also include responding to Board or Commission questions on City Council practices and procedures and as the presenter to the Council on matters arising out of the liaison's particular Board or Commission. The language specifies that the liaison does not vote on matters coming before the Board or Commission and strikes a cautionary note with respect to the liaison's expression of personal opinions.

The current Municipal Code contains language with respect to ex-officio membership and voting rights. It is recommended that all such language be removed from the Code. This is especially critical with respect to those Boards and Commissions whose role implicates the due process rights of persons seeking consideration from the City and where the liaison alderman may then vote as a member of the City Council. With respect to commissions (such as the Youth Commission, O'Hare commission and Community Health Commission) that do not typically act on matters where a resident or other third party is seeking consideration from the City, the removal of the aldermanic liaison's voting role is not significant and the liaison, as a voting member, language has not been removed.

Recommendation:

Move approval of Modifications to the 3P Manual and place on the February 6, 2012 City Council Meeting for approval.

Move approval of modifications to the Municipal Code regarding liaisons to Boards and Commissions and place on the February 6, 2012 City Council agenda for first reading.

Budget Implications:

Does Action Require an Expenditure of Funds: Yes No

If Yes, Total Cost:

If Yes, is this a Budgeted Item: Yes No

If Budgeted, Budget Code (Fund, Dept, Object)

Attachments:

- Applicable sections from the Municipal Code and 3P Manual

3P Manual

wishing to address the Council or state a position on a make their presentations during the discussion of that topic. Citizens who wish to address the Council immediately following the reports of City Officials. Aldermen who wish to raise issues not included on the agenda generally do so under the "New Business" category. When large numbers of citizens with a common interest are present, the Council generally prefers to hear their position as presented by only one or two spokesmen.

Distribution of Information

Each week the City staff assembles a packet of information for elected officials on current topics of interest. A typical packet will include a calendar of meetings scheduled for the next two months, the Council agenda, minutes and action memoranda from various Council committees or commissions, staff reports, copies of petitions or other correspondence, and magazines oriented toward concerns of the elected official. The staff strives to provide City officials with all information required in the performance of their duties as policy makers and representatives of the public interest.

These packets may be picked up at the Police Department Communications Desk on Friday evenings, or they will be distributed to individual residences on Saturday by police delivery. Officers delivering the envelopes will hand them to an occupant of the house or set them inside the front screen/storm door. If this door is locked, the officer will return the packet to the Police Department Communications Desk and forwarded to the City Manager's office on Monday. Other arrangements for delivery of the packet may be made with the mayor's secretary. Elected officials who expect to be out of town for the weekend should notify the city manager's office by Friday so that the packet can be held until the official returns.

Committees, Commissions, and Boards

An examination of the Council agenda indicates the significant role of committees, commissions, and boards in assisting the City Council with its broad realm of responsibilities. Committees are important elements of the City's decision-making structure and perform an invaluable function. With seven aldermen, the citizens of Park Ridge are very well represented for a community of its size. If the council has faith and confidence in its advisory committees and commissions, those sub-units can more thoroughly research matters within their realm of responsibility and leave the Council free to address itself to the policy implications of recommended courses of action. Committees can also entertain more thorough discussion and input from the public on individual issues. Public hearings are often necessary for proposed ordinances, especially those of a regulatory nature. If such hearings are conducted at the committee level, the Council can be assured that all citizens have had an opportunity to voice their opinions. The Council should have confidence in its advisory sub-units and give fair consideration to their recommendations when presented on the Council floor. The Council should encourage a thorough discussion at the committee level, which will permit all interested parties to express their opinions. The actual deliberations at Council meetings can therefore, focus on the viewpoints of the elected representatives themselves.

The Mayor may appoint an alderman to function as a liaison to any Board or Commission. It is expected that the liaison will attend the meetings of that Board or Commission and be available to report on the activities, conduct and recommendations of the Board or Commission. The liaison should be available to the Board or Commission to respond to questions of the Board or Commission members with respect to City Council practices and procedures that may bear on the particular issue before the Board of Commission. It is not the role of the liaison to express opinions on any issue before the Board or Commission in the liaison's capacity of alderman. The liaison may, as a resident, express personal opinions on an issue; but must remain mindful that it is not the role of the liaison to use his or her position as alderman to influence the independent reflection, discussion and judgment of the Board or Commission members. The liaison will not be a voting member of a Board or Commission where that Board or Commission deliberates on requests by persons or entities for favorable City Council consideration. Currently this would apply to the Planning and Zoning Commission, the Zoning Board of Appeals, the Appearance Commission and the Historic Preservation Commission.

In most instances, it is expected that the liaison to a Board or Commission will present to the City Council matters arising out of the deliberations of that Board or Commission.

To expedite business and to further assist the City Council in making its policy decisions and meeting its legal obligations, a number of independent commissions and boards have been created. These include the Zoning Board of Appeals, Planning and Zoning Commission, Library Board, Liquor License Review Board, Civil Service Commission, Board of Fire and Police Commissioners, Youth Commission, Board of Trustees-Police Pension Fund, Board of Trustees-Firemen's Pension Fund, Electrical Commission, etc. In general, appointments are made by the Mayor, with the advice and consent of the Council, although exceptions do exist as noted in Appendix C and I.

In addition to the independent commissions and boards, there are advisory groups whose membership includes one or more elected officials.

One of these advisory groups is the Executive Committee consisting of the Mayor, City Clerk and the Chairmen of the Public Works Committee, the Finance and Budget Committee, the Procedures and Regulations Committee, and the Public Safety Committee.

On May 3, 2005, the City Council adopted Rules for Committee and Commission Assignments. In compliance with those Rules, one of the advisory groups is the Advisory Committee on Boards and Commissions. This group is responsible for interviewing candidates for the City's boards and commissions. The committee will act in an advisory capacity and make recommendations to the Mayor or the City Council pursuant to the rules as set forth in Appendix I of this manual. The committee shall consist of the Chairmen of the Public Works Committee, the Finance and Budget Committee, the Procedures and Regulations Committee and the Public Safety Committee.

Finally, the City Council may establish standing committees or special ad hoc committees as may best serve the Council's needs and interest, or the Council may meet as a Committee-of-the-

ORDINANCE NO. _____

**AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF PARK RIDGE AMENDING ARTICLE 4
CHAPTERS 1, 2 AND 16 AND ARTICLE 15, CHAPTER 7 OF THE
MUNICIPAL CODE OF PARK RIDGE**

BE IT ORDAINED by the City Council of the City of Park Ridge, Cook County, Illinois, pursuant to its home rule authority provided under Article VII of the Illinois Constitution of 1970 as follows:

SECTION 1: Section 4-1-2 entitled "Members and Terms" of Article 4 "Boards and Commission" Chapter 1 "Planning and Zoning Commission" of the Park Ridge Municipal Code shall be amended by deleting the third paragraph in its entirety.

SECTION 2: Section 4-2-2 entitled "Members and Terms" of Article 4 "Boards and Commission" Chapter 2 "Zoning Board of Appeals" of the Park Ridge Municipal Code shall be amended by deleting the second paragraph in its entirety.

SECTION 3: Section 4-16-2 entitled "Organization; Rules; Meetings; Removals; Conflicts" of Article 4 "Boards and Commission" Chapter 16 "Historic Preservation Commission" of the Park Ridge Municipal Code shall be amended by deleting paragraph C in its entirety and re-lettering the subsequent paragraphs accordingly.

SECTION 4: Section 15-7-3 entitled "Appearance Commission" of Article 15 "Building Regulations" Chapter 7 "Appearance Code" of the Park Ridge Municipal Code shall be amended by deleting paragraph H entitled "Ex-Officio Members" in its entirety and re-lettering the subsequent paragraphs accordingly.

BE IT FURTHER ORDAINED that this Ordinance shall be in full force and effect after its passage, approval and publication in accordance with State law.

BE IT FURTHER ORDAINED that the City Clerk is authorized and directed to publish this Ordinance in pamphlet form in accordance with State law.

ADOPTED by the City Council of the City of Park Ridge, Cook County, Illinois, this ____ day of _____ 2012.

VOTE: _____

AYES: _____

NAYS: _____

ABSENT: _____

Approved by me this ____ day of _____ 2012.

Mayor

ATTEST:

City Clerk

A certified copy of this Ordinance was published in pamphlet form by me this ____ day of _____, 2012.

City Clerk

ARTICLE 4

BOARDS AND COMMISSIONS

CHAPTER 1 PLANNING AND ZONING COMMISSION

SECTION

- 4-1-1 Commission Established
- 4-1-2 Members and Terms
- 4-1-3 Resignations
- 4-1-4 Organization, Rules and Records
- 4-1-5 Powers and Duties
- 4-1-6 Compensation
- 4-1-7 Review

4-1-1 COMMISSION ESTABLISHED

There is hereby created the Planning and Zoning Commission of the City hereinafter referred to as the Commission.

4-1-2 MEMBERS AND TERMS

Commission shall consist of nine (9) members appointed by the Mayor with the advice and consent of the City Council. The Mayor shall appoint a chairman from among its members to serve for two (2) years. The members of the Commission shall serve for a term of four (4) years or until their successors have been appointed and qualified.

(Ord. 2007-88, 12/03/2007)

Vacancies shall be filled for the unexpired term of the members whose place has become vacant in the same manner provided for the appointment of members.

(Ord. 2007-88, 12/03/2007)

~~The Mayor may appoint one or more aldermen to serve as liaison between the Planning and Zoning Commission and the City Council. Any alderman so appointed shall be an ex-officio member of the Commission. If more than one alderman is appointed an ex-officio member of the Commission, the Mayor shall designate them as principal liaison and alternates. The appointment of an ex-officio member shall not increase the number of alternates. The appointment of an ex-~~

~~officio member shall not increase the number of members required to constitute a quorum of the Commission but an ex-officio member, if present at a meeting, may be counted for purposes of creating a quorum. An ex-officio member may vote as a member of the Commission on any matter coming before it if, because of the absence of any regular member, that vote is needed to break a tie or to create a majority vote. If more than one ex-officio member is called upon to vote, the principal liaison shall vote before any alternate. The fact that an alderman has voted with the Commission as an ex-officio member shall not disqualify that alderman from voting as an alderman on the same matter when it comes before the City Council.~~

(Ord 2005-65, 10/17/05, S24)

ARTICLE 4

BOARDS AND COMMISSIONS

CHAPTER 2 ZONING BOARD OF APPEALS

SECTION

- 4-2-1 Board Established
- 4-2-2 Members and Terms
- 4-2-3 Resignations
- 4-2-4 Organization, Rules and Records
- 4-2-5 Powers and Duties
- 4-2-6 Compensation
- 4-2-7 Review

(Ord. 2007-88, 12/03/2007)

4-2-1 BOARD ESTABLISHED

Pursuant to the powers granted by Illinois law, there is hereby created the Zoning Board of Appeals of the City hereinafter referred to as the Board.

(Ord. 2002-31, 9/3/2002, Supp 22), (Ord 2005-65, 10/17/05, S24), (Ord. 2007-88, 12/03/2007)

4-2-2 MEMBERS AND TERMS

The board shall consist of seven (7) members appointed by the Mayor with the advice and consent of the City Council. The Mayor shall appoint a chairman from among its members to serve for two (2) years. The members of the Board shall serve a term of five (5) years or until their successors have been appointed and qualified. Vacancies shall be filled for the unexpired term of the member whose place has become vacant in the same manner provided for the appointment of members.

~~The Mayor may appoint one or more aldermen to serve as liaison between the Board and the City Council. Any alderman so appointed shall be an ex-officio member of the Board. If more than one alderman is appointed an ex-officio member of the Board, the Mayor shall designate them as principal liaison and alternates. The appointment of an ex-officio member of the Board shall not increase the number of members required to constitute a quorum of the Board, but an ex-officio member, if present at a meeting, may be counted for purposes of creating a quorum. An ex-officio member of the Board may vote as a member of the Board on any matter coming before it if, because of the absence of any regular member, that vote is needed to break a tie or~~

~~create a majority vote. If more than one ex-officio member is called upon to vote, the principal liaison member shall vote before any alternate. The fact that an alderman has voted with the Board as an ex-officio member shall not disqualify that alderman from voting as an alderman on the same matter when it comes before the City Council.~~

~~(Ord. 2007-88, 12/03/2007)~~

15-7-3 APPEARANCE COMMISSION

A. Appearance Commission.

There is hereby created an Appearance Commission in and for the City of Park Ridge.

A. Commission Membership.

The Appearance Commission (hereinafter referred to as "Commission") shall consist of five (5) members appointed by the Mayor of the City of Park Ridge with the advice and consent of the City Council constituted as follows:

1. All members shall be residents of Park Ridge and shall have an interest in community appearance.
2. Not more than four (4) members shall be recognized as experienced in matters of aesthetic judgment by virtue of training, education and experience (such as architects, land planners or persons specifically qualified for reasons of education, training or experience in the area of graphic or allied arts). Insofar as practical, three (3) members shall be architects registered to practice in the State of Illinois, the City of Park Ridge.

B. Compensation.

The members of the Commission shall receive no compensation unless specific provision is made therefore by the City Council.

C. Terms of Service.

The members of the Commission shall serve for the following terms or until their successors have been duly appointed and qualified. One of the first five appointees shall serve for one year, one for two years, one for three years, one for four years and the remaining for the full five-year term. Following the initial terms, the term of service of the Commission members shall be five (5) years.

D. Chairman

The Mayor, with the approval of the City Council, shall appoint one of the members to serve as Chairman. The Chairman shall appoint a Vice-Chairman to serve in his/her absence. The Chairman shall have the duty of calling all meetings and shall preside at all meetings of the Commission.

E. Vacancies.

Vacancies on the Commission shall be filled for the unexpired term of the member whose place

has become vacant in the same manner in which original appointments are required to be made.

F. Removal.

Removal of Commission members shall be on recommendation of the Mayor with the approval of the City Council.

G. Conflicts of Interest.

No member of the Commission shall participate in discussion or vote on requests for a Certificate of Approval from any client he/she is serving or from any business or property in which he/she has a financial interest or of which he/she is an officer or employee.

H. Ex-Officio Members

~~The Mayor may appoint one or more aldermen to serve as liaison between the Appearance Commission and the City Council. Such alderman shall be an ex-officio member of the Commission. If more than one alderman is appointed an ex-officio member of the Commission, the Mayor shall designate them as principal liaison and alternates. The appointment of an ex-officio member of the Commission shall not increase the number of members required to constitute a quorum of the Commission but an ex-officio member, if present at a meeting, may be counted for purposes of creating a quorum.~~ *(Ord. 2005-65, 10/17/05, S24)*

4-16-3 POWERS AND DUTIES

Provided that no monies may be spent or debt incurred without the prior consent of the City Council, the Commission shall have the authority to do the following:

- A. Conduct public hearings for the purpose of making recommendations to the City Council for the designation of landmarks and historic districts within the corporate limits of the City in accordance with the procedures and standards set forth in Article 23.
- B. Issue Certificates of Appropriateness and Certificates of Economic Hardship in accordance with the procedures and standards set forth in Article 23.
- ~~C. Review decisions of the Director with respect to whether a proposed work is an alteration or normal maintenance and repair. Such a review shall not require a hearing.~~
- D.C. Retain, upon approval by the City Council, such specialists as may from time to time be required.
- E.D. Engage in mutual cooperation with City departments and other Commissions on matters affecting landmarks or historic districts.
- F.E. Make suggestions and recommendations relative to the nomination of a landmark or historic district to state and national registers.
- G.F. Foster the marking and maintenance of landmarks and historic districts as may be appropriate of each and as may aid the public in visiting such areas in convenient and appropriate surroundings. This may include the providing of a plaque or other appropriate indicia of status.
- H.G. Recommend the City's acquisition by donation or purchase of a fee or lesser interest in a landmark or historic district. This may include, but not be limited to easements, covenants and leasehold interests.
- I.H. Recommend the City's acquisition by donation or purchase of a fee or lesser interest in property which is within the public view and adjacent to or immediately surrounding a landmark or historic district when the adjacent property's alteration, clearance or maintenance is important for the proper preservation and use of a landmark or historic district.
- J.I. Recommend the City's reconstruction, maintenance, operation or transfer of a landmark or historic district in accordance with the purposes, procedures and standards set forth in Article 23.
- K.J. Recommend to the City Council appropriate covenants and restrictions to protect landmarks and historic districts.

L.K. Receive funds from federal, state and private sources for deposit in a separate account of the City to be referred to as the Preservation Fund. Monies from this fund may only be loaned or expended by the Commission with approval of the City Council in furtherance of the purposes set forth in Article 23. If the Commission is dissolved, any amounts remaining in the fund shall be applied by the City Council to further the purposes of Article 23. If any amounts remain in the fund after a period of one (1) year following the Commission's dissolution, then such funds may, if permitted by law, be applied by the City Council for such general corporate purposes as it may deem appropriate.

M.L. Recommend the issuance of bonds by the City Council to further the purposes of Article 23.

N.M. Cooperate with other governmental bodies or agencies and not-for-profit organizations with purposes similar to those set forth in Article 23.

O.N. Undertake surveys and research efforts to identify potential landmarks or historic districts within the City. As part of such a survey or research effort, the Commission may review and evaluate any prior surveys or studies by any responsible person or group and compile appropriate descriptions, facts or photographs. No City funds may be used for such survey or effort unless approved by the City Council. No City staff may be used for such survey or effort without the permission of the City Manager.

P.O. Undertake education and advocacy efforts within the City with respect to historic preservation. However, no City funds may be used for such efforts unless approved by the City Council. No City staff may be used for such efforts without the permission of the City Manager.

Q.P. Establish and publish design guidelines with respect to any permit, designation or certificate required by Article 23.