

BY-LAWS OF THE CITY OF JOLIET HISTORIC PRESERVATION COMMISSION

I. GENERAL PROVISIONS:

A. Authority

The Joliet Historic Preservation Commission shall be governed by the terms of the Code of Ordinances of the City of Joliet, particularly (1) the enabling ordinance, Code of Ordinances of the City of Joliet, Article XI, Chapter 8, Section 8-601 through Section 8-622, Ordinance 9296, as adopted by the City Council on September 18, 1990, as amended by Ordinance 9457, adopted by the City Council on December 18, 1990 under authority granted to Home Rule municipalities under Article VII, Section 6 (a) of the Illinois Constitution (1970) (Appendix A); (2) the Open Meetings Act, Chapter 102, Section 41, of the Illinois Revised Statutes, as may be amended from time to time; (3) the elementary rules of parliamentary procedure; and (4) the rules contained herein.

The City Corporation Counsel shall be consulted in cases where the powers of the Commission are not clearly defined.

B. Conflict of Interest

Any Commission member who in good conscience believes he/she may have a conflict of interest in any matter before the Commission shall disqualify himself/herself from voting thereon. He/she shall not vote on any matter in which he/she has a direct personal pecuniary interest. Failure to abide by conflict of interest provisions may result in the removal of the Commissioner from the Commission. If any member feels he/she may have a conflict of interest in any matter, it is suggested that they contract the City's Corporation Counsel to request an opinion.

C. Amendment of Rules

The Rules may be amended by an affirmative vote of seven (7) voting members of the Commission.

Any proposed amendment must be presented in writing by any Commission member at a regular or special meeting of the Commission at least seven (7) days preceding the Commission meeting at which the proposed amendment is considered for approval. Copies of such proposed amendment(s) shall be forwarded to any absent member by the secretary of the Commission.

D. Public Policy Statements

Any public policy statement issued by the Commission shall be preceded by the phrase: "The following public policy statement has been authorized by majority (or unanimous)

vote of the Joliet Historic Preservation Commission taken at a duly constituted meeting held on _____.”

The record of the vote shall appear in the minutes of the meeting at which the vote was taken.

Any public policy statement by an individual member of the Commission, issued because of the Commissioner’s status as a Commissioner, or concerning a matter of the Commission, or concerning a related matter of the City, shall be preceded by the phrase: “The following statement is the personal view of the undersigned.”

An individual Commission member shall not represent personal opinions as opinions of the Commission unless the opinion has been approved by the Commission in the manner previously described for public policy statements. Improper representation may be grounds for censure and following censure, the possible removal of the Commissioner from the Commission as provided for in the enabling Ordinance.

A cop of all public policy statements issued by the Commission shall be sent to each member of the City Council.

Disclosure of the proceedings of a Closed Session meeting, conducted as provided for in these rules, prior to a majority vote of the Commission approving the public disclose of said proceedings, may result in the removal o the Commissioner from the Commission.

E. Annual Report

An annual report of Commission activities shall be prepared by the secretary of the Commission and presented to the Commission at its January meeting of each year, for consideration and approval, or approval with modifications, by a majority vote of the Commission. Said report shall be submitted to the City Council following its approval, by no later than March 1, of the same year.

Committee chairpersons may submit annual reports to the secretary of the Commission to be included in the secretary’s annual report.

F. Resignations

Commissioners are requested to provide at least two (2) months advance notice to the Commission of their intended resignation.

II. MEETINGS

A. Regular Meetings

Regular meetings shall be held on the fourth Wednesday of each month at 7:00 p.m. in the Joliet City Hall or other suitable building accessible to the public, unless such day

shall be in conflict with a Holiday. In that event, the regular meeting shall be held at such other time as the Chairperson may designate. Regular meetings shall be conducted in facilities accessible to the handicapped.

B. Special Meetings

Special meetings may be called by the chairperson or any combination of three voting commission members. Said request for a special meeting, which shall include a proposed agenda, shall be submitted in writing to the secretary and in writing or by telephone to all Commissioners, at least forty-eight (48) hours before the requested special meeting. All special meetings shall be subject to the Illinois Open Meetings Act and subject to quorum requirements.

Informational meetings may be conducted without a quorum present. Though, informational meetings must be approved by a majority vote of the Commission at a preceding Commission meeting. No official actions may be taken at informational meetings.

C. Committee Meetings

Committee meetings shall be conducted in an open manner in keeping with the Illinois Open Meetings Act. Minutes of all such proceedings shall be maintained by the secretary of the Commission, documenting attendance, time, place, and the subject of the meeting.

D. Minutes

The secretary of the Commission shall be responsible for the keeping of minutes of all regular or special Commission meetings.

E. Open Meetings

All meetings shall conform to the requirements of the Illinois Open Meetings Act.

The Commission may adjourn to Closed Session as permitted by the Illinois Open Meetings Act by a majority vote of the voting Commission members present.

F. Setting of Agenda

The agenda shall be prepared by the secretary of the Commission. Any Commissioner or staff member, or member of the public may place an item on the agenda by requesting such of the secretary at least seven (7) working days prior to the regularly scheduled meeting. The secretary shall then distribute the agenda to Commission members at least five (5) working days prior to the regularly scheduled meeting.

The agenda for special meetings as provided for herein, shall be established at the time of the request for the special meeting.

G. Distribution of Information

The secretary shall distribute copies of submitted applications and accompanying information for the designation of landmarks, historic districts, urban conservation districts, Certificates of Appropriateness, and Certificates of Economic Hardship to all Commissioners at least five (5) working days prior to the meeting at which it is to be considered. Additionally, any staff reports or other pertinent information should be distributed to Commissioners at the same time.

H. Staff Reports

Staff shall provide a report at each regularly scheduled Commission meeting of the administrative issuance of Certificates of Appropriateness in the period since the previous regularly scheduled Commission meeting. Said report shall contain at a minimum the address of the properties for which the Certificate or Appropriateness was issued and a general description of the work to be completed.

A staff report shall accompany each petition for the designation of landmarks, historic districts, urban conservation districts, Certificates of Appropriateness, and Certificates of Economic Hardship.

Additional reports may be requested by a Commissioner from time to time.

I. Quorum

A quorum shall consist of five voting members.

J. Voting

Each voting Commissioner shall have one (1) vote.

Every act, order, rule, regulation or resolution of the Commission shall be approved by a simple majority of those voting Commissioners present unless otherwise provided by applicable law.

Voice votes may be taken on motions and resolutions, except where a roll call vote is specifically requested by any voting Commissioner or is required by these rules.

Roll call votes are required on any amendments to these Rules and on all votes for recommendations for the designation of any landmark, historic district, or urban conservation districts to the City Council, and on any final decision approving, denying, suspending or revoking a Certificate of Appropriateness or Certificate of Economic Hardship.

K. Findings

Any final vote concerning the recommendation for designation of any landmark, historic district, or urban conservation district to the City Council, or on any Certificate of Appropriateness or Certificate of Economic Hardship shall be accompanied by a statement of findings providing the reasons for approval or denial or a recommendation for an approval or denial. Said statement of findings shall be included in the motion considered by the Commission for approval or denial or recommendation for approval or denial.

L. Public Comment

Opportunity for public comment shall be provided at all meetings of the Commission, in a manner to be determined by the chairperson.

The ruling of the chairperson concerning public participation may be overruled by a majority vote of the voting Commissioners present.

M. Order of Business

All regular meetings of the Commission shall proceed as follows:

- Call to order by chairperson
- Declaration of quorum
- Review/approval of minutes from previous meeting
- Communications and report from committees and staff
- Old Business
- New Business
- Comment by public, Commission members, and staff
- Adjournment

N. Suspension of Rules

The Commission may be a two-thirds majority vote of the voting Commissioners present at any regular or special meeting, provided a quorum is present, suspend any of these rules.

O. Public Hearing Procedures

Notice for public hearings shall be provided as required by Ordinance by the secretary of the Commission. All persons testifying shall testify under oath, and shall sign their name and address on a form provided by the secretary of the Commission prior to testifying. The Chairperson may establish time limits for individual statements. Public hearings shall be conducted in the following manner:

1. If said public hearing is for the consideration of an application for the designation of a landmark, or a historic district or an urban conservation district, the chairperson of the Nomination Committee shall present a brief statement of the application. If said public hearing is for the consideration of an application for a Certificate of Appropriateness or a Certificate of Economic Hardship the secretary of the Commission shall present a brief statement of the application. The Commission chairperson may give a restatement of a case if it is felt that clarification is necessary.
2. Applicant presents evidence. Commissioners may question applicant during presentation.
3. Witnesses in favor of applicant present evidence. Commissioners or staff may question witnesses during presentation.
4. Objectors present evidence. Commissioners or staff may question objectors during presentation.
5. Response by applicants.
6. Evidence and discussion by Commission.

At the request of a Commission member, staff, the applicant, or a member of the public, the Commission may continue a public hearing for no more than forty (40) days, by a majority vote of the voting Commission members present.

P. Decisions by Commission

If requested by a majority of the voting members of the Commission present, the Commission may vote on a recommendation for designation of a landmark, historic district, or an urban conservation district or a request for a Certificate of Appropriateness or a Certificate of Economic Hardship immediately following the close of the public hearing.

The Commission may recommend approval of the designation of a landmark, historic district, or an urban conservation district or a request for a Certificate of Appropriateness or a Certificate of Economic Hardship with conditions, in accordance with the enabling Ordinance.

At a minimum, said decision shall occur within thirty (30) days following the conclusion of the public hearing.

The secretary of the Commission shall notify the applicant, or the applicant's designated agent, in writing of the Commission's decision within seven (7) days of the decision.

Q. Recommendation to the City Council

The Commission's recommendation to the City Council concerning the designation of a landmark, a historic district, or an urban conservation district shall be presented by memorandum to the City Council. It is recommended that the chairperson of the Nominating Committee or another Commissioner as designated by the chairperson of the Nominating Committee appear before the City Council to present the Commission's recommendation.

III. OFFICERS

A.

The voting Commissioners shall, at the first regularly scheduled meeting of each year, elect a chairperson and vice-chairperson from among its members. Nominations must be submitted and seconded by voting Commissioners for each office. A Commissioner may not nominate himself/herself for consideration. The vote shall be by separate roll call for each office with the candidate receiving the most votes assuming the officers position immediately following the vote.

No Commissioner shall serve more than two successive terms in any elected Commission office.

In the event of the resignation of an officer, an election in the above described manner shall be held at the first Commission meeting following the resignation.

In the event of the absence of the chairperson and the vice-chairperson, the voting members present shall elect a temporary chairperson to preside over the meeting.

B. Chairperson

The chairperson shall preside at all regular and special Commission meetings and shall appoint such committees as may be necessary to carry out the purposes of the Commission. The Chairperson shall administer oaths as necessary. The chairperson shall perform all duties as called for in these rules.

C. Vice-Chairperson

The vice-chairperson, in the absence or disability of the chairperson, shall perform all the duties and exercise all the powers of the chairperson.

D. Secretary of the Commission

The secretary of the Commission shall be designated by the city manager. The secretary of the Commission shall be responsible for the preparation and maintenance of minutes of Commission meetings, the compilation and distribution of the agenda, the preparation of the annual report, accepting applications for the designation of landmarks, historic districts, and urban conservation districts and Certificates of Appropriateness and

Certificates of Economic Hardship, the publishing and distribution of required notices of meetings, and all other duties as called for in these Rules. Any reference in these rules to secretary shall be construed to be a reference to the secretary of the Commission appointed by the city manager.

IV. COMMITTEES

A. General Provisions

Each committee shall have a minimum of three members, at least two of whom are voting Commissioners, appointed by the chairperson. Non-voting members are entitled to vote on matters at the committee level. Committee appointments shall be made at the first meeting of each year immediately following the election of officers. Additional committees may be appointed as requested by Commissioners. All Commissioners shall serve on at least one (1) committee.

B. Community Awareness, Awards and Development Committee

This committee shall be responsible for the development and ongoing operations of a program to increase public awareness of, and public participation in, the activities of the Historic Preservation Commission. Activities may include but need not be limited to, an awards program, a marker or identification program, development and maintenance of a reference library, and fund raising activities.

C. Nomination Committee

This committee shall be responsible for the solicitation and/or preparation of applications for consideration by the Commission for the designation of landmarks, historic districts, and urban conservation districts. This committee shall meet monthly, at least three (3) weeks in advance of the regularly scheduled Commission meeting. Any application for the designation of a landmark, historic district, or urban conservation district shall be reviewed by this committee prior to its consideration by the Commission. Said review shall constitute the required preliminary review.

D. District Committee

This committee shall generally act as a liaison to the Commission for landmarks and districts following their designation. The committee shall be responsible for the drafting of design criteria and specific guidelines for historic districts and urban conservation districts for consideration for approval by the full Commission to be used in reviewing applications for Certificates of Appropriateness. The Committee may recommend to the full Commission the creation of citizen committees for individual historic districts and urban conservation districts and recommend to the full Commission persons for appointments to the citizen committees. It is recommended that at least one (1) architect serve on this committee.