

STATE OF ILLINOIS)
)
COUNTY OF LAKE)

CERTIFICATE

I, Esmie M. Dahlstrom, certify that I am the duly elected Municipal Clerk for the Village of Mundelein, Lake County, Illinois.

I further certify that on January 22, 2007, the Corporate Authorities of such Village passed and approved

Ordinance No. 07-01-03

which is entitled

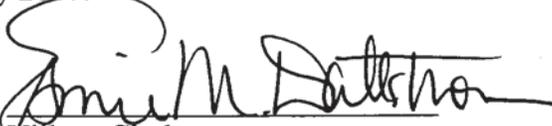
AN ORDINANCE ADOPTING PUBLIC ACT 94-1058, AMENDING THE OPEN MEETINGS ACT FOR THE VILLAGE OF MUNDELEIN, LAKE COUNTY, ILLINOIS

which provides by its terms that it should be published in pamphlet form.

The pamphlet form of said Ordinance, including the Ordinance and a cover sheet thereof was prepared and a copy of such Ordinance was posted in the Village Hall commencing on January 24, 2007 and was posted for at least ten days thereafter.

Copies of such Ordinance are available for public inspection upon request in the Customer Service Office.

Dated at Mundelein, Illinois this 24th day of January 2007.


Village Clerk

ORDINANCE NO. 07-01-03

AN ORDINANCE ADOPTING PUBLIC ACT 94-1058, AMENDING THE OPEN
MEETINGS ACT FOR THE VILLAGE OF MUNDELEIN, LAKE COUNTY, ILLINOIS

Published in pamphlet form by authority
of the President and Board of Trustees
of the Village of Mundelein, Illinois

Date of Publication: January 24, 2007

ORDINANCE NO. 07-01-03

AN ORDINANCE ADOPTING PUBLIC ACT 94-1058, AMENDING THE OPEN MEETINGS ACT FOR THE VILLAGE OF MUNDELEIN, LAKE COUNTY, ILLINOIS

WHEREAS, Public Act 94-1058 (the "Act"), amending the Open Meetings Act, took effect on January 1, 2007; and

WHEREAS, the Act amends the definition of a "meeting" to mean "Any gathering, whether in person or by video or audio conference, telephone call, electronic means (such as, without limitation, electronic mail, electronic chat and instant messaging), or other means of contemporaneous interactive communication, of a majority of a quorum of the members of a public body held for the purpose of discussing public business," and it permits attendance of members of the public body at public meetings by a means other than physical presence; and

WHEREAS, the Act requires that to permit attendance by a means other than physical presence, the Village Board of Trustees must adopt rules that conform to the requirements and restrictions of the Open Meetings Act, 5 ILCS 120/7; and

WHEREAS, the Corporate Authorities of the Village of Mundelein desire to permit attendance of members of the public body by means other than physical presence in compliance with the Open Meetings Act; and

WHEREAS, the Corporate Authorities of the Village of Mundelein find that it is necessary that any existing ordinances, resolutions or policies be amended to conform with the term "meeting" to include electronic gatherings as defined in Section 120/1.02 of the Act.

NOW, THEREFORE, BE IT ORDAINED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF MUNDELEIN, COUNTY OF LAKE, STATE OF ILLINOIS as follows:

Section 1. Recitals. The preliminary paragraphs set forth above are incorporated herein as part of this Ordinance.

Section 2. Definition of Meeting. The term “meeting” as used in any existing Village of Mundelein ordinance, resolution or policy shall be defined to mean, “any gathering, whether in person or by video or audio conference, telephone calls, electronic means (such as, without limitation, electronic mail, electronic chat and instant messaging), or other means of contemporaneous interactive communication, of a majority of a quorum of the members of a public body held for the purpose of discussing public business” or such other definition as shall be contained within the state statutes.

Section 3. Amendment of Previous Terms. The definition of “meeting” as set forth in Section 2 shall supersede and replace any other definition used in any previous or existing ordinance, resolution, or policy.

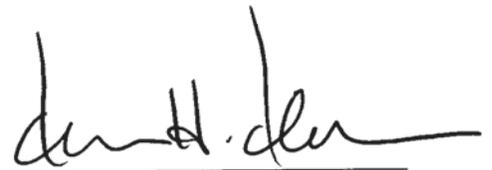
Section 4. Remote Participation Policy. The Board of Trustees hereby adopts the Remote Participation Policy, attached as **Exhibit A** to this Ordinance, that permits a member of the public body to attend and participate in any meeting of a public body as defined in the Open Meetings Act from a remote location via telephone, video or internet connection provided that such attendance and participation is in compliance with the policy and applicable laws.

Section 5. Effective Date. This Ordinance shall be in full force and effect after its passage, approval, and publication in pamphlet form in a manner provided by law.

Section 6. Severability. In the event that any section, clause, provision, or part of this Ordinance shall be found and determined to be invalid by a court of competent jurisdiction, all valid parts that are severable from the invalid parts shall remain in full force and effect

The foregoing Ordinance was passed by a roll call vote as follows:

<u>AYES</u>	<u>NAYS</u>	<u>ABSENT AND/OR NOT VOTING</u>
Trustees:	None	None
Voss		
Semple		
Cancelli		
Nutschnig		
Schedler		
Sullivan		



President

PASSED: January 22, 2007

APPROVED: January 22, 2007

PUBLISHED in pamphlet form: January 24, 2007

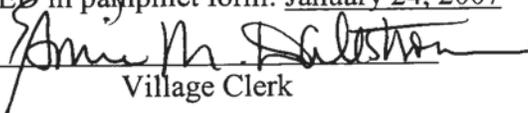
ATTEST: 
Village Clerk

EXHIBIT A

REMOTE PARTICIPATION POLICY FOR VILLAGE OF MUNDELEIN, ILLINOIS

In accordance with the provisions of 5 ILCS 120/7, a member of the corporate authority of the Village of Mundelein may attend a Village Board meeting by video or audio conference, or other means of remote participation using electronic contemporaneous interactive communication, provided:

1. A quorum of the corporate authority is physically present for the meeting.
2. Any member who desires to attend a meeting by remote electronic participation has given the Village Clerk at least two hours advance notice that they are unable to physically attend the meeting due to a (a) personal illness; (b) employment purpose or the business of the Village Board; or (c) a family or other emergency.
3. Members should use all means necessary to be physically present for all meetings.
4. The Village Board may revoke the right to attend a meeting by remote electronic participation if a member is abusing the remote participation policy.
5. When a member is attending by remote electronic participation, the Village Clerk shall, upon taking the roll, announce to the public that the member notified the Village Board in accordance with this policy, and that the member is attending by remote participation, unless a motion objecting to the member's electronic attendance is made, seconded, and approved by two-thirds of the members of the Village Board physically present at the meeting. If no such motion is made and seconded, or if any such motion fails to achieve the required vote by the members of the Village Board physically present at the meeting, then the request by the member to attend the

meeting electronically shall be deemed approved by the Village Board and the presiding officer shall declare the requesting member electronically present. After such declaration by the presiding officer, the question of a member's electronic attendance may not be reconsidered.

6. Any member attending electronically shall be considered an off-site attendee and counted as present electronically for that meeting. If the member is allowed to attend, the minutes shall reflect that the member or members were attending by remote electronic participation.

7. The electronic equipment used for remote participation shall be of such quality that the members present and the public shall be able to hear the comments of the member participating.

8. The member attending by remote electronic participation shall have the same rights to participate in discussions and vote as if the member was physically present. A member attending electronically may leave a meeting and return as in the case of any member, provided the member attending electronically shall announce his or her leaving and returning.

9. If the member is able to provide notice in advance of the meeting, prior to completion of the agenda, the agenda shall note that a member has requested remote electronic participation.