

**MINUTES OF A COMMITTEE OF THE WHOLE MEETING
OSWEGO VILLAGE PRESIDENT AND BOARD OF TRUSTEES
OSWEGO VILLAGE HALL
100 PARKERS MILL, OSWEGO, ILLINOIS
November 28, 2023**

CALL TO ORDER

President Ryan Kauffman called the meeting to order at 6:00 p.m.

ROLL CALL

Board Members Physically Present: President Ryan Kauffman; Trustees Tom Guist, Karin McCarthy-Lange, Jennifer Jones Sinnott, and Andrew Torres.

Board Members Absent: Trustee Karen Novy

Staff Physically Present: Dan Di Santo, Village Administrator; Tina Touchette, Village Clerk; Jason Bastin, Police Chief; Jennifer Hughes, Public Works Director; Rod Zenner, Community Development Services Director; Andrea Lamberg, Finance Director; Joe Renzetti, IT Director; Bridget Bittman, Community Relations Manager-Marketing; Kevin Leighty, Economic Development Director; Madeleine Trinco, Management Analyst; and Jim Murphy, Village Attorney.

CONSIDERATION OF AND POSSIBLE ACTIONS ON ANY REQUESTS FOR ELECTRONIC PARTICIPATION IN MEETING

President Kauffman noted that Trustee Novy would like to electronically attend tonight's meeting. Trustee Novy submitted the necessary documents to the Village Clerk.

A motion was made by Trustee McCarthy-Lange and seconded by Trustee Torres to approve Trustee Karen Novy to electronically attend the November 28, 2023 Committee of the Whole Meeting.

Aye:	Tom Guist	Kit Kuhrt
	Karin McCarthy-Lange	Jennifer Jones Sinnott
	Andrew Torres	

Nay: None

Absent: Karen Novy

The motion was declared carried by a roll call vote with five (5) aye votes and zero (0) nay votes.

Trustee Karen Novy attended electronically at 6:01 p.m.

PUBLIC FORUM

Public Forum was opened at 6:01 p.m. There was no one who requested to speak. The public forum was closed at 6:01 p.m.

OLD BUSINESS

There was no old business.

NEW BUSINESS

F.1 Discuss Elected Official Participation at Board & Commission Meetings

Administrator Di Santo addressed the Board regarding Village Board participation at commission meetings.

During Trustee Reports at the November 7, 2023, Village Board meeting, the Board discussed their increased interest in attending and participating in Board and Commission meetings and the resulting Illinois Open Meetings Act (OMA) implications. The Board directed staff to bring back a discussion at a future Committee of the Whole meeting. OMA restricts communication concerning the business of the Village Board by a majority of a quorum to properly called public meetings of the Board. If two or fewer elected officials meet outside of a public noticed public meeting of the Village Board, they can discuss business of the Village Board and not be in violation of OMA. However, once three or more elected officials communicate outside of a Village Board meeting, Village business cannot be discussed. If two or fewer elected officials attend a Board or Commission meeting, they can be involved in the discussion and not violate OMA. However, if three or more elected officials attend the same Board or Commission meeting, they can observe the meeting but should not participate. It is our understanding that three or more elected officials are interested in attending some Board and Commission meetings. The following are options on how to allow elected official attendance while complying with OMA:

- Option 1: Limit attendance and participation to two elected officials, determined by the first two to notify staff of their interest in attending
 - First come, first serve
- Option 2: Limit attendance and participation to two elected officials, determined on a rotating basis of those that have expressed interest in attending.
- Option 3: Allow three or more elected officials to attend and participate if interest is expressed more than seven days in advance of the meeting so that staff can issue a notice of a concurrent Village Board meeting.
 - Public notice required per OMA
 - Staff has the most concerns with this option
- Option 4: Have the Village President assign up to two elected officials per Board and Commission to attend and participate as official Village Board liaisons.
- Option 5: Allow elected official attendance but discourage elected official participation due to OMA and role interference considerations.

Based on OMA implications, staff and the Village Attorney have concerns about any option that would allow three or more elected officials to attend a Board or Commission meeting but restricting participation to only two elected officials.

Board and staff discussion focused on first two options seem fair; option 2 because it gives everyone an opportunity to get to know the commission members and the structure of the commission; rotating is fair; surprised to see option 5; thought staff was not in favor of option 5; staff does not like option 3; great to have interaction, but don't need to participate; can sit and listen; Board members should know what is an OMA violation and what not to do; no problem with option 5, but can see a potential for a problem; if someone was to speak up, it could be messy with option 5; nice to have openness; whether the commission wants interaction; should just sit and listen; would like to continue to be involved by sitting in the audience; would like an option without limits; kudos to Kevin for reenergizing the EDC; no problem listening and being involved; issue with option 5 because of OMA violations; need to read the minutes for the commissions; could live stream the EDC meetings; no other commissions have a waiting list; Planning & Zoning commission (PZC) is the only commission being live streamed; the live streaming for PZC started when the cricket item was presented; staffing issue for running the equipment for live streaming; whether the commissions want Board participation and whether it is important; different interactions and comments; the commission members appreciate it; option 5 has the potential to send us down the wrong path; participation and discussion of Village business with three Board members is an OMA violation; doesn't feel appropriate to attend and participate at PZC meetings as the PZC plays a statutory role; definition of participate is to have verbal interactions in any form; there is an appearance issue if attending commission meetings and sitting at the dais versus in the audience; EDC recently started meeting in the Board

