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**AN ORDINANCE TO AMEND SECTIONS 148-10(A) AND 148-12(C)-(D) AND CREATE SECTION 148-24 OF THE VILLAGE OF EAST TROY MUNICIPAL CODE PERTAINING TO REMOTE ELECTRONIC AND VIRTUAL MEETINGS**

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WHEREAS, the Village Board for the Village of East Troy has adopted ordinances related to meeting attendance; and

WHEREAS, recent events, including the Covid-19 pandemic, illustrate the need to attend remotely under certain circumstances; and,

WHEREAS, remote meetings can count towards a quorum;

NOW, THEREFORE, the Village Board of the Village of East Troy, Walworth County, Wisconsin do ordain that the Code of Ordinances for the Village of East Troy be revised as follows:

**Section 1.** That subsection 148-10(A) be, and hereby is, amended to read as follows:

"A. Regular meetings. Regular meetings of the Village Board shall be held on the first and third Monday of each calendar month at 6:30 p.m., local time, except when the day so designated falls on a legal holiday, in which case the regular meeting shall be held the following day, or at such other date and time as the Village Board shall designate. The fourth Monday of each calendar month may be scheduled as a regular meeting on an as-needed basis. When the Village Board designates a date and time for the regular Board meeting, notice thereof shall be posted at the Municipal Building in the Village of East Troy prior to such rescheduled meeting date. Except as provided in § 148-24, or specified otherwise in the minutes of the preceding meeting or by written notice posted at the regular meeting place at least three hours prior to any meeting, all meetings of the Board shall be held at the Municipal Building. All regular in-person Village Board meetings shall be held within the boundaries of the Village."

**Section 2.** That subsections 148-12(C) and 148-12(D) be, and hereby are, amended to read as follows:

- "C. Meetings to be open. During the holding of any open session in the regular meeting room, or in the substituted meeting room, said room and said meeting shall, at all times, be open and remain open to all citizens. Remote Electronic or Virtual meeting rooms under § 148-24 shall, at all times, be open and accessible to all citizens, except as stated in § 148-12(D).
- D. Closed meetings. The provisions of this Code do not prohibit the Board or any committee thereof from having a closed meeting that is legally convened. A

Closed Meeting that is a Remote Electronic or Virtual meeting under § 148-24 shall remove all non-members of the body in the meeting and shall then lock the Remote Electronic or Virtual meeting, preventing non-members to re-enter said meeting. If a meeting cannot be locked through the software or telephonic device being utilized, a closed Remote Electronic or Virtual meeting shall not occur.”

**Section 3.** That section 148-24 be, and hereby is, created to read as follows:

**“§ 148-24 Remote Electronic or Virtual meetings.**

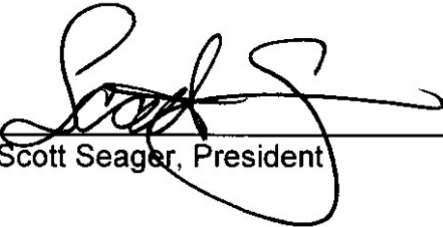
- A. Remote Electronic or Virtual meetings generally. In lieu of meeting in person at the Municipal Building, the Village President or Village Administrator may make any meetings of the Village Board or its committees, including any Special Meeting under § 148-11, a Remote Electronic or Virtual meeting. A Remote Electronic or Virtual meeting shall be conducted partially or entirely by telephone, electronically, or by other means of two-way communication so as to provide maximum participation by members and the public, in a manner consistent with the provisions of the Wisconsin Open Meetings law. Such meetings may also take place upon a majority vote of the Village Board in advance of the proposed meeting date.
- B. Members attending virtual meetings. All members of the Village Board or committees shall be provided the capability to hear one another or otherwise communicate with one another during the conduct of the meeting, and to hear or read all discussion, comment, and testimony in a manner designed to provide greatest amount of openness and participation. Whenever possible, a two-way video connection should be utilized by member(s) appearing in this manner.
- C. Public attending virtual meetings. Members of the public shall be able to hear or read all discussion, testimony and votes, in a manner designed to provide maximum notice and openness. For meetings or hearings requiring public commentary or input, a method shall be utilized to assure that such comment or input shall be received in a timely manner by the members of the Village Board or committee.
- D. Quorum. Virtual meeting attendance by any or all members of the Village Board or committees shall be considered the same as physical presence at the meeting for purposes of counting toward quorum and the ability to cast a vote at the meeting. All non-unanimous votes shall be recorded via a roll call during such meetings.
- E. Minutes. The minutes of a meeting conducted by telephone, electronically, or other means are open to public inspection. Any audio or video recording of the meeting shall be made available in accordance with Wisconsin public records law and retained by the custodian of records in accordance with the Village’s records retention schedule.
- F. Authorization to appear virtually. For any meeting not conducted entirely via telephonic or electronic means as described above, any individual member may participate remotely where circumstances make in-person attendance difficult (e.g., travel, sickness, weather conditions, etc.). In such situations, the reason for remote participation should be stated, and made part of the minutes, as part of the meeting’s call to order. Any member participating virtually shall

notify the Village Present and Village Administrator no later than two (2) hours prior to the meeting.

- G. Technical requirements and malfunctions. Each member is responsible for his or her connection to the Internet and telephone conference call; no action shall be invalidated on the grounds that the loss of, or poor quality of, a member's individual connection prevented him or her from participating in the meeting.
- H. Other Boards and Commissions. Other Boards and Commissions performing business for or on behalf of the Village of East Troy, including citizen commissions, shall be permitted to conduct meetings in the manner described above."

**Section 4.** This ordinance shall become effective upon passage and posting or publication as provided by law.

Adopted this 15 day of June, 2020.

  
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Scott Seager, President

ATTEST:

  
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Lorri Alexander, Village Clerk