

ORDINANCE NO. 2021-04

AN ORDINANCE TO CREATE SECTION 19-32 D. ENTITLED "HYBRID MEETINGS" AND SECTION 19-32 E. ENTITLED "VIRTUAL MEETINGS" RELATED TO THE HYBRID AND VIRTUAL MEETING MODELS OF THE VILLAGE OF FOX POINT VILLAGE BOARD, COMMISSIONS AND COMMITTEES

WHEREAS, during the COVID-19 pandemic, meetings of the Village Boards, Commissions, and Committees were attended in a remote manner from time to time; and

WHEREAS, on May 21, 2020 Village President Douglas Frazer issued Proclamation No. 3 relating to the COVID-19 Pandemic and Municipal Emergency that allowed for remote attendance and virtual meetings; and

WHEREAS, the Village experience with virtual meetings and remote attendance has been largely successful to date, with the public having ample opportunity to participate and the governing bodies having ample ability to accomplish the affairs of government; and

WHEREAS, since the Village exercise of emergency powers to allow remote conduct of meetings, some of the COVID-19 State and federal orders have expired or have been overturned; and

WHEREAS, the Village hopes to continue to allow members of relevant boards, committees, and commissions, as well as the public to attend meetings in a virtual manner while also returning to an in-person format; and

WHEREAS, the Village Board believes there is a benefit for members attending in person and encourages members to attend in person whenever possible; and

WHEREAS, allowing for a hybrid model of attendance both in-person and in a remote manner will allow for the greatest amount of participation among the Village staff and officials, as well as the interested public.

NOW, THEREFORE, the Village Board of the Village of Fox Point, Milwaukee County, Wisconsin, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: Chapter 19 of the Village of Fox Point Village Code entitled "Boards, Commissions and Committee," Section 19-32 entitled "Conduct of Meetings," subsection D. entitled "Hybrid Meetings" is hereby enacted as follows:

D. Hybrid Meetings.

- (1) Remote Attendance by Members. When a meeting is held in-person, any one or more members of the applicable board, commission or committee may attend the applicable governing body meeting by telephone or other electronic means, subject to the following. A governing body member seeking to attend remotely shall inform the presiding officer or Village Manager in advance of their expected remote attendance. Governing body members attending remotely shall have all powers of participation, including being counted in the quorum and having the opportunity to vote subject to the following.

Such attendance is only permitted if the technology is sufficient to allow the remote member to hear the proceedings, and to be heard in the meeting room. If visual information is presented at the meeting, the technology must allow the remote attendee to view what is presented or the remote attendee may be prohibited from voting on the matter, as determined by the chair. No assurance is provided to any governing body member who attempts to attend remotely that the technology will perform sufficiently to allow for their participation.

- (2) Remote Attendance by the Public. All in-person meetings of Village boards, commissions, or committees shall include a remote option for the general public when practicable as determined by the chair of the governing body. In such cases, access to the virtual meeting platform and information about remote access to the meeting will be provided to citizens in a timely manner as part of the meeting agenda notice. No assurance is provided to the public that the technology will perform sufficiently to allow for their participation.

SECTION 2: Chapter 19 of the Village of Fox Point Code entitled "Boards, Commissions and Committee," Section 19-32 entitled "Conduct of Meetings," subsection E. entitled "Virtual Meetings" is hereby enacted as follows:

E. Virtual Meetings.

- (1) Attendance by Members. Upon direction of the chair of a Village board, commission or committee on a case-by-case basis, such governing body may conduct an entirely virtual meeting, as described herein. Governing body members attending virtually shall have all powers of participation, including being counted in the quorum and the opportunity to vote subject to the following. If visual information is presented at the meeting, the technology must allow the remote attendees to view what is presented or the remote attendees may be prohibited from voting on the matter, as determined by the chair.
- (2) Virtual Attendance by the Public. In the event of meetings held entirely by virtual means, the public shall be given access to the virtual meeting platform and information about remote access to the meeting shall be provided to citizens in a timely manner as part of the meeting agenda notice. Best efforts shall be used to ensure that members of the public lacking access to the virtual meeting platform are provided alternative reasonable methods to attend. No assurance is provided that the technology will perform sufficiently to allow for their participation.

SECTION 3: SEVERABILITY.

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE.

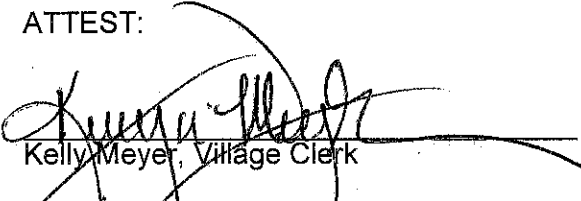
This ordinance shall take effect immediately upon passage and posting or publication as provided by law.

Dated this 14<sup>th</sup> day of September, 2021.

VILLAGE OF FOX POINT

  
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Douglas H. Frazer, Village President

ATTEST:

  
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Kelly Meyer, Village Clerk

Published and/or posted this 27<sup>th</sup> day of September, 2021.