

ORDINANCE NO. 807

AN ORDINANCE
TO AMEND SECTIONS 2-52(c) AND 15.10.13(2) AND TO CREATE SECTION 2-3
OF THE CITY OF FORT ATKINSON MUNICIPAL CODE
RELATING TO ALLOWING ELECTRONIC PARTICIPATION AT MEETINGS BY MEMBERS OF CITY
COUNCIL, BOARDS, COMMISSIONS, AND COMMITTEES

WHEREAS, on May 18, 2004, the City Council adopted Amended Ordinance 2-52(c) of Article II which governs the City Council meeting; and

WHEREAS, on October 20, 2020, the City Council adopted Section 15.10.13(2) specifying the details of the meetings of the Board of Appeals; and

WHEREAS, since the adopted of the above ordinances, the City Council has determined that the establishment of language allowing for electronic participation by members of the City Council and other boards, commissions, and committees is warranted.

NOW, THEREFORE, the City Council of the City of Fort Atkinson, Wisconsin, do ordain as follows:

Section 1. Section 2-52(c) of the City of Fort Atkinson Municipal Code is hereby amended to read as follows:

“Sec. 2-52. – Meetings.

- (a) *Regular meetings.* The Council shall meet annually on the third Tuesday of April for the purpose of organization, and regular meetings shall be held on the first and third Tuesdays of every month thereafter. If the date for such regular meeting falls upon a legal holiday or day of election, the council may meet the following Thursday.
- (b) *Special meetings.* Special meetings of the council may be called by the council president, or by any two councilmembers or by the city manager, by filing a written notice to members as required by Wis. Stats. §62.11(2); however, such written notice of meeting may be waived by any member.
- (c) *Time and place.* Regular meetings of the council shall be held in the council chambers in the municipal building in the city at 7:00 p.m. Special meetings shall be held at the same place and at the time designated in the notice thereof, except as found in Section 2-3 of the Municipal Code.

(Code 1969, §1.01; Ord. No. 615, 5-18-04)”

Section 2. Section 15.10.13(2) of the City of Fort Atkinson Municipal Code (Zoning Ordinance) is hereby amended to read as follows:

“Section 15.10.13: Board of Zoning Appeals

- (2) Meetings. All meetings of the Board shall be held at the Municipal Building unless a different meeting place is announced in a public notice of the meeting, except as found in Section 2-3 of the Municipal Code. All meetings shall be held at the call of the Building Inspector and at such other times as the Board may determine. The Building Inspector, or in his absence the Acting Chairman, may administer oath and compel the attendance of witnesses. Three (3) members shall constitute a quorum.”

Section 3. Section 2-3 of the City of Fort Atkinson Municipal Code is hereby created to read as follows:

“Section 2-3. – Remote Electronic or Virtual Meetings.


- A. Remote electronic or virtual meetings generally. In lieu of meeting in person at the Municipal Building, the City Manager may make any meetings of the City Council, or its committees, including any Special Meeting, a remote electronic or virtual meeting or a hybrid 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. A hybrid meeting combines virtual and in-person participation by the Council, Committees, Staff, and/or the public in order to accommodate schedules and promote engagement. Such meetings may also take place upon a majority vote of the City Council in advance of the proposed meeting date.
- B. Members attending virtual and/or hybrid meetings. All members of the City Council 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 and/or hybrid 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 City Council, boards, commissions or committees.
- D. Quorum. Virtual meeting attendance by any or all members of the City Council, boards, commissions, 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.

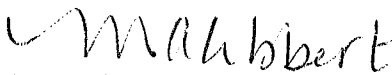
- E. Minutes. The minutes of a meeting conducted by telephone, electronically, or other means are open to public inspection. Any audio or video recording of the meeting shall be made available in accordance with Wisconsin public records law and retained by the custodian of records in accordance with the City's records retention schedule.
- F. 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.
- G. Other Boards and Commissions. Other boards and commissions performing business for or on behalf of the City of Fort Atkinson, including citizen commissions, shall be permitted to conduct meetings in the manner described above.

Section 4. This ordinance shall take effect upon passage, posting, or publication as provided by law.

Enacted by the City Council of the City of Fort Atkinson, Jefferson County, Wisconsin, this 21 day of Sept, 2021.


Chris Scherer, President

ATTEST:


Michelle Ebbert, City Clerk/Treasurer/Finance Director