

2020-09

CITY OF JONESVILLE
COUNTY OF HILLSDALE
STATE OF MICHIGAN



RESOLUTION – RULES FOR PARTICIPATION IN REMOTE MEETINGS

At a Regular Meeting of the City Council of the City of Jonesville, County of Hillsdale, and State of Michigan, held in the City Hall in said City on the 15th day of April 2020, at 6:30 in the p.m.

PRESENT: Tim Bowman, Brenda Guyse, George Humphries Jr., Delesha Padula, Andy Penrose and Gerry Arno.

ABSENT: Jerry Drake

The following preamble and resolution were offered by Council Member George Humphries Jr. and supported by Council Member Delesha Padula.

WHEREAS, the novel coronavirus (COVID-19) is a respiratory disease that can result in serious illness or death and it is caused by a new strain of virus that has not previously identified in humans and can easily spread from person to person; and

WHEREAS, President Donald Trump has declared a National Emergency, State of Michigan Governor Gretchen Whitmer has declared a state of emergency, and Hillsdale County Board of Commissioners Mark Wiley has issued a Declaration of Local Emergency as a result of the COVID-19 outbreak; and

WHEREAS, on March 23, 2020, Governor Whitmer issued Executive Order 2020-21 which suspends all in-person government activities that are not necessary to sustain or protect life; orders individuals living in the State of Michigan to stay at home; and prohibits public and private gatherings of any number of people occurring among persons not part of a single household; and

WHEREAS, on March 18, 2020, Governor Whitmer issued Executive Order 2020-15 which temporarily suspends certain rules and procedures relating to physical presence of members at meetings and hearings of public bodies so as to enable public bodies to continue to conduct public business during the COVID-19 emergency and so as to enable the general public to continue to participate in government decision making without unduly compromising public health, safety, and welfare; and

WHEREAS, to allow the City Council and all other City boards, commissions, and committees (hereinafter referred to collectively as "Public Bodies") to continue to conduct public business, and to allow the public to attend meetings of the Public Bodies remotely, consistent with and in compliance with Executive Order 2020-15, the Jonesville City Council desires to establish rules to authorize and allow its members and those of other Public Bodies, and members of the public to attend meetings of the Public Bodies by telephone or other electronic means as set forth in this Resolution;

NOW, THEREFORE, BE IT RESOLVED that the Jonesville City Council immediately authorizes its members, members of other Public Bodies, and members of the public to attend all meetings of Public Bodies by telephone or other electronic means and establishes rules as follows:

A. NOTICE OF MEETINGS:

1. For every meeting to be held remotely pursuant to this Resolution, the City Clerk shall post on the homepage of the City's website in a conspicuous location either

the following information or a link to the following information and also in the window of Jonesville City Hall at 265 E. Chicago Street, Jonesville, MI, the following:

- a. An explanation of the reason why the public body is meeting electronically.
- b. Detailed procedures by which the public may participate in the meeting electronically, including a telephone number, internet address, or both.
- c. Procedures by which persons may contact members of the public body to provide input or ask questions on any business that will come before the public body at the meeting.
- d. Procedures by which persons with disabilities may participate in the meeting.

B. CONDUCT OF THE MEETING:

1. The telephone or other electronic technology utilized for the remote meeting shall permit the members of the Public Body in attendance to hear and be heard by the other members of the Public Body in attendance, and shall permit the participants from the general public to hear the members of the Public Body and be heard by the members of the Public Body and the other participants during a public comment period.
2. A member's remote attendance shall be considered attendance for the purpose of establishing a quorum.
3. Any vote by a member participating remotely pursuant to this resolution shall be counted in the total number of votes for any matter and shall not be held invalid for the reason that it was cast by a member remotely.
4. If any member is participating remotely, all votes on any matter shall be taken by roll call vote.
5. For closed sessions conducted under this policy, each member and authorized attendee of the closed session shall not allow anyone else to hear or view the closed session. All members and authorized attendees of the closed session shall affirm, before the closed session begins, that they are in compliance with this subsection.
6. Emails, texting, or other forms of electronic communication by or between members during the meeting shall not be allowed.

C. ATTENDANCE BY MEMBERS OF THE PUBLIC:

1. Immediately after calling the meeting to order, the City Clerk or other designated facilitator shall ensure that the dial-in number or other means of conducting the meeting remotely is working. If the dial-in number or other means of conducting the meeting remotely is not working, the meeting shall be immediately adjourned by the chair of the meeting without any decision or deliberation on any matter.
2. If any member of the public is attending remotely, each member of the public shall be provided an opportunity to provide public comment during a public comment portion of the agenda pursuant to the rules of the Public Body on public comment. Such opportunity shall be given by the City Clerk or designated facilitator asking each individual who is attending the meeting by telephone other electronic means they have any public comment. If the member of the public is

3. If any member of the public is attending, and a closed session is called by the Public Body as permitted by the Open Meetings Act, a separate call-in number or other electronic means of remotely participating shall be available for the Public Body to utilize for the closed session that is not available to the public. The City Clerk shall clearly state at what point in the agenda the closed session will occur, the projected length of the closed session, and that the public will not be able to hear the Public Body or provide comment during the closed session. The Public Body shall return to the public meeting following closed session to adjourn the meeting or take other action as necessary.

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