



**GARDINER CITY COUNCIL
AGENDA ITEM INFORMATION SHEET**



Meeting Date	02/02/2022	Department	City Council
Agenda Item	4.i.) Discussion and possible consideration of adapting the Remote Participation Policy and allow for any city meetings to be conducted over Zoom		
Est. Cost			

Background Information	<p>Since September, 2021, the City of Gardiner's Remote Participation Policy has been followed by all committees, boards and commissions. An example of the current policy is attached to this agenda item. Since enacting the policy Maine and Gardiner have seen an explosion of Covid-19 in all communities.</p>
	<p>This particular state statute has been interpreted differently in many municipalities. The State of Maine continues to conduct most of its business and its hearings remotely for the safety of all who participate.</p>
	<p>After discussion, Council may vote to adapt the policy and allow for the chairs to work with the manager to decide if meetings are best conducted over the Zoom platform.</p>

Requested Action	"I move to adapt the Remote Participation Policy so that it will allow for meetings to be conducted over the Zoom platform."
City Manager and/or Finance Review	The Acting City Manager approves this action.
Council Vote/ Action Taken	
Departmental Follow-Up	

City Clerk Use Only	1 st Reading _____	Advertised _____	EFFECTIVE DATE _____
	2 nd Reading _____	Advertised _____ w/in 15 Days	
	Final to Dept _____	Updated Book _____	Online _____

CITY OF GARDINER
REMOTE PARTICIPATION POLICY

Gardiner Public Body: _____

Pursuant to 1 M.R.S. § 403-B, and after public notice and hearing, the above-named body of the City of Gardiner adopts the following policy to govern the participation, via remote methods, of members of the body and the public in meetings of the body.

Members of the body are expected to be physically present for meetings except when not practicable. Without limiting the generality of the foregoing, the following are situations when physical presence is not practicable:

1. The existence of an emergency or urgent issue that requires the public body to meet by remote methods;
2. Illness, other physical condition, or temporary absence from the City of Gardiner that causes significant difficulty for a member to travel to the meeting location.
Examples include:
 - a. Medical illness or condition
 - b. Disability
 - c. Family or other emergency
 - d. Employment purposes
 - e. Military service
 - f. Travel outside the City of Gardiner making it significantly difficult to attend in-person

A member may not participate by remote methods for mere convenience or ease.

A member who is unable to attend a meeting in person will notify the City Manager as far in advance as possible. The City Manager, in consultation with the Chair or presiding officer of the body, will make a determination that remote methods of participation are necessary in as timely a manner as possible under the circumstances.

Remote methods of participation may include telephonic or video technology allowing simultaneous reception of information and may include other means necessary to accommodate disabled persons. Remote participation will not be by text-only means such as e-mail, text messages, or chat functions.

The public will be provided a meaningful opportunity to attend via remote methods when any member of the body participates via remote methods. If public input is allowed or required at the meeting, an effective means of communication between the body and the public will also be provided. The public will also be provided an opportunity to attend the meeting in person unless there is an emergency or urgent issue that requires the entire body to meet using remote methods.

Notice of all meetings will be provided in accordance with 1 M.R.S. § 406 and any applicable charter, ordinance, policy, or bylaw. When the public may attend via remote methods, notice will include the means by which the public may access the meeting remotely and will provide a method for disabled persons to request necessary accommodation to access the meeting. Notice will also identify a location where the public may attend the meeting in person. The body will not restrict public attendance to remote methods except in the case of an emergency or urgent issue that requires the entire body to meet using remote methods of attendance.

The body will make all documents and materials to be considered by the body available, electronically or otherwise, to the public who attend remotely to the same extent customarily available to the public who attend in person, provided no additional costs are incurred by the body.

All votes taken during a meeting using remote methods will be by roll call vote that can be seen and heard if using video technology, or heard if using audio technology only, by other members of the body and the public. A member of the body who participates remotely will be considered present for purposes of a quorum and voting.

This policy will remain in force indefinitely unless amended or rescinded.

Date Adopted: _____