

**To:** President and Members of the Munster Town Council

**From:** Wendy Mis, IAMC, CMC, Clerk-Treasurer

**Copy to:** Patricia L. Abbott, IAMC, MMC, Controller  
Dustin C. Anderson, Town Manager

**Date:** June 21, 2021

**Re:** Ordinance 1830  
Virtual Meetings/Town of Munster participation by electronic means of communication

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HEA 1437 prescribed new requirements by which members of the governing body of a public agency of a political subdivision may participate in a meeting by electronic means of communication. HEA 1437 requires a written policy to be adopted with procedures that apply to member's participation in a meeting. Ordinance 1830 applies to the Town Council and all boards and commissions under the jurisdiction of the Council.

Ordinance 1830 outlines the following procedures to must be followed:

Meeting Guidelines: all members must be able to simultaneously communicate with each other and the public can simultaneously attend and observe the meeting, excluding executive session.

**Member Participation:**

Everyone participating electronically must be seen and heard to be considered present for establishing a quorum and for taking final actions. If even one person participates electronically, the vote must be taken by roll call.

As least 50% of the members must be physically present, a member may not attend more than 50% of the meetings electronically and may attend two meetings (sets) electronically consecutively unless military service, illness or other medical condition, death of a relative, or an emergency involving actual or threatened injury to persons or property with at least one meeting in person between meeting sets.

**Meeting Minutes**

The minutes of a meeting must identify each member who was physically present at the meeting, participated in the meeting electronically or was absent. The minutes should include identify the electronic means and by electronic means of communication; and was absent; and identify the electronic means of communication by which: members participated in the meeting; and members of the public attended and observed the meeting if the meeting was not an executive session.

**Exclusions**

No member of the Council may participate by means of electronic communication in a meeting at which the Council may take final action to adopt a budget, make a reduction in personnel, initiate a referendum, impose or increase a fee, impose or increase a penalty, exercise the Council's power of eminent domain, or establish, impose, raise or renew a tax.

**Emergencies**

If an emergency is declared by the governor under I.C. §10-14-3-12; or the Town Council president under I.C. §10-14-3-29 and members are not required to be physically present for a meeting until the emergency is terminated. Members may participate in a meeting by any means of communication provided that: at least a quorum of the members participate in the meeting by means of electronic communication or in person, the public may simultaneously attend and observe the meeting unless the meeting is an executive session, the minutes or memoranda of the meeting must comply with Section 4 of this Ordinance, all votes taken during a meeting at which at least one member participates by an electronic means of communication must be taken by roll call vote.

**RECOMMENDED ACTION:**

By motion and roll call vote, hear proposed Ordinance 1830 on first reading and schedule second reading for the next regular meeting.