

MEMORANDUM

To: City of Pipestone City Council
Deb Nelson, City Administrator

From: Jason M. Hill, City Attorney

Date: June 9, 2025

Re: Remote Meeting Participation

This memorandum addresses recent changes to Minnesota's Open Meeting Law with regard to the use of interactive technology (Zoom/remote participation) for meetings of the City Council and other boards and commissions. Specifically, the State made the following changes –

- Removed the requirement for members of a public body to provide notice of their remote location and for that location to be open to the public.
- Eliminated the three-meeting limit on remote participation by elected officials.
- Notice for all meetings (regular, special, emergency) are only required to include a provision that members of the body may participate remotely.

The recent changes also allow for public notices to be posted on a city's website in lieu of a newspaper, but only if the city's designated newspaper closes. All of the changes became effective on May 23, 2025 upon the approval by the Governor.

At this time, in order for council members and other members of boards and commissions can attend remotely if the following conditions are met –

- All members of the body participating in the meeting, wherever their physical location, **can hear and see** one another and **can hear and see** all discussion and testimony presented.
- At least one member of the body is physically present at the meeting location.
- Members of the public present at the meeting location **can hear and see** all discussion and testimony and all votes of members of the body.
- All votes are conducted by roll call.

- To the extent practical, people must be allowed to monitor the meeting electronically from a remote location.

With regard to notice, the following rules would apply (in addition to all of the requirements in Minnesota Statutes, section 13D.04) –

- Regular meetings – When the regular meeting schedule is adopted at the beginning of the year, it should include a provision stating, “Members of the _____ [governing body] may participate at meetings by interactive technology.” This assumes that all of the conditions above will be met.
- Special/emergency meetings – For a special/emergency meeting at which a member may participate remotely, the posted notice should include a provision stating, “Members of the _____ [governing body] may participate at the special meeting by interactive technology.” Again, this assumes that all of the conditions above will be met.

In this instance, if the City is able to meet all of the requirements above, I would recommend amending the 2025 meeting schedule to include the language above and use the same language going forward. Special and emergency meetings can be noticed as set forth above.

JMH