

CITY OF AUDUBON PARK, KENTUCKY
MUNICIPAL ORDER
Series 2020, Number 1

*An Order Concerning City Council Meeting Protocols
For Novel Coronavirus (COVID-19)*

WHEREAS, on March 6, 2020, the Governor issued Executive Order 2020-215, declaring a state of emergency throughout Kentucky pursuant to his power under the Kentucky Constitution and KRS Chapter 39A regarding the threats to public health presented by the Novel Coronavirus (COVID-19) pandemic; and

WHEREAS, the same emergency public health considerations are relevant to Kentucky cities; and

WHEREAS, Kentuckians have been advised to practice “social distancing” during the state of emergency, including but not limited to keeping a distance of at least six (6) feet between individuals and the cancellation of large “community gatherings;” and

WHEREAS, the Kentucky Open Meetings Act at KRS 61.840 provides that “no condition other than those required for the maintenance of order shall apply to the attendance of any member of the public at any meeting of a public agency”; and

WHEREAS, on March 18, 2020, the Kentucky Attorney General issued OAG 20-05 opining that it is not feasible under KRS 61.840 to precisely identify a primary physical location for a video teleconference at which the public may attend and view a public meeting conducted through video teleconference; and

WHEREAS, due to the emergency conditions currently existing under the present state of emergency and the need to mitigate the spread of COVID-19 via person-to-person contact in large community gatherings of persons where social distancing is difficult, the conditions necessary at this time for the maintenance of order, which include the mitigation of the spread of disease during a public health pandemic, at meetings of the City of Audubon Park include limitations on meeting attendance by members of the public such as described in the Meeting Protocol;

NOW THEREFORE be it resolved by the City Council of the City of Audubon Park, Kentucky as follows:

1. Meetings of the City of Audubon Park will have been streamed live via a provided web link that all public has the ability to attend.
2. It is not feasible for the City to comply with the public health directives and best practices by continuing to allow in-person attendance at City of Audubon

Park Council meetings.

3. Until such time as the state of emergency regarding the threats to public health presented by the Novel Coronavirus (COVID-19) pandemic is lifted by the Governor of the Commonwealth, or until such time as this Order is rescinded by subsequent municipal action, all meetings of the City of Audubon Park held on March 23, 2020 and after the adoption of this Order, and subject to limited exceptions described below, shall be conducted in conformity with the procedures set forth in KRS 61.826 for video teleconferencing of meetings.
4. Due to the circumstances previously described in this resolution, in the Governor's declaration of a state of emergency, and based upon the authority to impose conditions to maintain order under KRS 61.840 in these extraordinary and emergency circumstances, the requirement in KRS 61.826(2)(b) that the City provide a "primary location ... where the public may attend" is suspended to the extent that provision requires an in-person meeting location.
5. Notices that regular or special meetings of the City Council of Audubon Park are to be held as video teleconferences shall provide directions on public viewing of meetings via the internet or posted at City Hall. The general public will be provided with a video link to observe meetings. Provision of such link shall not otherwise interfere with the conduct of the meeting. Absent emergency circumstances qualifying under KRS 61.823(5), these notices shall be provided at least 24 hours before the video teleconference meeting.
6. Should there be an interruption in the public video or audio broadcast of the meeting, the meeting shall be suspended until the full functionality is restored. If there is such an interruption for an individual member attending the meeting via video teleconference, the meeting may continue after reasonable efforts to restore connections so long as a quorum is still participating.
7. In the case of any City of Audubon Park council meetings involving individual hearing matters, including but not limited to personnel disciplinary hearings, consideration shall be made on a case-by-case basis for the holding of in-person meetings as deemed necessary and advisable and alternative arrangements to mitigate the spread of COVID-19 via person-to-person contact may be implemented.

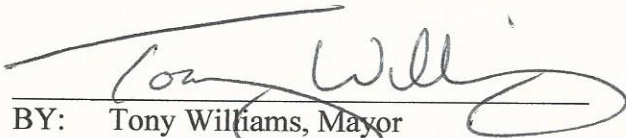
CITY OF AUDUBON PARK, KENTUCKY

Motion to accept this Municipal Order was made by ANDREW KLUMP,

and seconded by BRITNEY GORTER

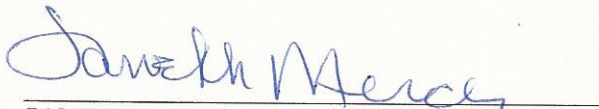
Action by the Council:

	Aye	Nay	Abstain	Absent
Bozeman	✓			
George	✓			
Gorter	✓			
Kleier	✓			
Klump	✓			
Schwenker	✓			


BY: Tony Williams, Mayor

ATTEST:

To be a true Municipal Order accepted by the City Council of the City of Audubon Park,
Kentucky, and accepted by the Mayor, on this 23rd day of March, 2020.


JANETTE MERCER, City Clerk/Treasurer