

RESOLUTION NO. _____, SERIES 2025

A RESOLUTION AMENDING SECTION 5A OF THE RULES OF THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT REGARDING VIRTUAL MEETINGS.

SPONSORED BY: COUNCIL MEMBERS KRAMER AND PIAGENTINI

WHEREAS, in-person attendance during meetings of the Metro Council leads to better communication between members of the Metro Council during the conduct of the meetings; and

WHEREAS, in-person participation within the Council Chamber grants residents within Jefferson County the opportunity to address the members of the Metro Council in a personal and first hand manner; and

WHEREAS, all efforts to participate in meetings in person should be made to help improve collaboration and communication between Metro Council members, staff, and representatives of the Administration and community; and

WHEREAS, allowances should be made should our community face challenges related to city-wide weather or health emergencies.

NOW THEREFORE, BE IT RESOLVED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS FOLLOWS:

SECTION I: Council Rule 5A.01 is hereby amended as follows:

5A.01 Virtual Participation Authorized

Virtual participation in committee meetings or in Council meetings may only occur by video teleconference, and only in accordance with the provisions of this ~~Rule~~ Section. For purposes of this Rule, participation means to engage in debate in committee meetings and ~~or to engage in debate and vote on a measure in Council meetings.~~

SECTION II: Council Rule 5A.02 is hereby amended as follows:

~~5A.02 Timely Written Notification of Virtual Attendance Required to Initiate a Video Teleconference Meeting~~ Initiating and Attending Virtual Committee Meetings

a) All committee meetings shall be held fully in person unless a member of the body that is scheduled to meet provides timely written notification of his/her intent to attend virtually. Only committee members may initiate a virtual meeting of that committee; ~~any member of Council may initiate a virtual meeting of Council.~~

b) Only those members of a committee who are present in person may count toward the quorum requirement for that meeting. Committee members attending virtually may engage in debate, but shall not vote nor make motions in committee when attending virtually. The clerk shall note for the record that the member attended the meeting virtually.

c) _____ The committee member must notify the Clerk in writing of their intent to ~~participate~~ attend virtually in a meeting via email, and that email must be received by the Clerk no later than 12:00 p.m. on the business day last preceding the date of the meeting. No notification received after 12:00 p.m. on the business day last preceding the date of the meeting shall be effective; if notification is untimely, the meeting shall proceed fully in person ~~and any member must be physically present in person to participate.~~

e) d)_____ If the Clerk receives a timely notice of intent to participate virtually in a committee meeting, the Clerk shall forward the request to all members of the Council. ~~If the Clerk receives a timely notice of virtual participation for a Council meeting, the Clerk shall forward the request to only the Council Member requesting a virtual meeting. The Clerk shall promptly re-notice the meeting as a video teleconference meeting as required by the Kentucky Open Meetings Act.~~

d) e) In order for a presenter to appear virtually at a committee meeting, whether the meeting occurs in person or by video teleconference, the committee chair must provide the Clerk with timely written notice via email and that email must be received by the Clerk no later than 12:00 p.m. on the business day last preceding the date of the meeting. No notification received after 12:00 p.m. on the business day last preceding the date of the meeting shall be effective; if notification is untimely, the presenter may only appear in person at the meeting.

SECTION III: A new Council Rule within Section 5A is created as follows:

5A.03 Initiating Virtual Council Meetings

All Council meetings shall be held fully in person unless:

a) The President determines that weather conditions, environmental conditions, or community health concerns warrant conducting a Council meeting virtually. The President shall notify the Clerk of his decision as soon as possible, and the Clerk shall promptly re-notice the meeting as a video teleconference meeting as required by the Kentucky Open Meetings Act; or

b) At least 48 hours prior to the scheduled Council meeting, two-thirds of the membership of the entire Council presents written communication to the clerk and to the President petitioning for the meeting to be conducted with a virtual participation option available to all members. When such petitions have been received from two-thirds of the membership of the entire Council, the Clerk shall promptly re-notice the meeting as a video teleconference meeting as required by the Kentucky Open Meetings Act.

SECTION IV: Council Rule 5A.03 is renumbered and amended as follows:

5A.03 5A.04 Conduct of Meeting Re-Noticed as a Video Teleconference

~~a) If a meeting is re-noticed as a meeting by video teleconference any member may participate virtually in that meeting.~~

~~b) Only those members of a committee or Council who are present in person or who are participating virtually in a meeting that has been noticed by the Clerk as a video teleconference may count toward the quorum requirement for that meeting.~~

~~ε) a) Any Council Member participating by video teleconference in any committee meeting or Council meeting must keep his/her camera on for the entire duration of the meeting.~~

~~δ) b) Council Members may not participate by video teleconference in any committee meeting or Council meeting while operating a motor vehicle.~~

SECTION V: Council Rule 5A.04 is renumbered and amended as follows:

5A.04 5A.05 Protocols for Technological Interruptions During a Video Teleconference

The following protocols shall be observed for technological interruptions with the signal or feed during a video teleconference:

a) For committee meetings:

1. If there is a disruption in the video feed for any committee member who is attending virtually, the meeting will not be suspended. ~~for five (5) minutes while a reasonable attempt is made to fix the issue. While the meeting is suspended, all discussion of public business will cease, and no action will be taken. If, after five (5) minutes, the issue with that committee member's feed continues, the meeting shall resume, and the meeting shall continue as long as a quorum of members are still present. If the committee member's feed is restored after the meeting has resumed, he or she may~~

rejoin the meeting and participate fully in the remainder of the proceedings to engage in debate.

~~2. The chair shall have the discretion whether to suspend the proceedings as described in subsection (a)(1) if there is a disruption in the video feed for any non-committee member.~~

3 ~~2.~~ If circumstances require that the public can participate only by virtual means in a committee meeting, then if there is any technical difficulty that affects the public's ability to see the meeting as a whole, the meeting shall be suspended while a reasonable attempt is made to fix the issue. While the meeting is suspended, all discussion of public business will cease, and no action will be taken. If, after ten (10) minutes, the issue cannot be resolved, the meeting will stand adjourned. Any unfinished or pending business at that time will be addressed at the next meeting of the committee.

b) For Council meetings:

1. If there is a disruption in the video feed for any Council member who is attending virtually, the meeting will be suspended for ten (10) minutes while a reasonable attempt is made to fix the issue. While the meeting is suspended, all discussion of public business will cease, and no action will be taken. If, after ten (10) minutes, the issue with that Council Member's feed continues, the meeting shall resume, and the meeting shall continue as long as a quorum of members are still present. If the Council Member's feed is restored after the meeting has resumed, he or she may rejoin the meeting and participate fully in the remainder of the proceedings.

2. The President shall have the discretion whether to suspend the proceedings as described in subsection (b)(2) if there is a disruption in the video feed for any non-Council Member.

3. If circumstances require that the public can participate only by virtual means in a meeting, then if there is any technical difficulty that affects the public's ability to see the meeting as a whole, the meeting shall be suspended while a reasonable attempt is made to fix the issue. While the meeting is suspended, all discussion of public business will cease, and no action will be taken. If, after twenty (20) minutes, the issue cannot be resolved, the meeting will stand adjourned. Any unfinished or pending business at that time will be addressed at the next meeting of the Council.

SECTION VI: Council Rule 4.03 is hereby amended as follows:

4.03 Committee Membership and Voting Rights

a) A Chair of a committee is a voting member of the committee and may make or second any motion at a meeting of the committee.

b) A quorum of a committee shall be a majority of the Members appointed to the committee, excluding the President.

c) If the President's presence is required to make a quorum of a committee meeting, then the President shall be counted to make a quorum for such meeting and shall be a voting member for that meeting only.

d) In the Zoning Committee, any Council Member, including the President, who is not attending virtually may cast a vote, make motions, and second motions on any zoning change located in his/her district and whose presence shall be counted toward a quorum only on the item affecting that district.

e) In the Committee on Equity and Inclusion, the President may serve as a full voting member of the committee and may elect to serve as chair or vice chair of the committee.

SECTION VII: Council Rule 5.06 is hereby amended as follows:

5.06 Voting

Voting by Members shall be recognized in the following manner:

- a) In order for a Member's vote to be counted in committee, he/she must be physically present at the site of the committee meeting, ~~unless he/she is participating virtually by video teleconference pursuant to Section 5A of these Rules~~, and the vote must be recorded by the Clerk. In order for a Member's vote to be counted in a Council meeting, he/she must be physically present at the site of the Council meeting, unless he/she is participating virtually by video teleconference pursuant to Section 5A of these Rules, and the vote must be recorded by the Clerk. Once voting has concluded with respect to an item, any further voting on such item may not occur without an approved motion to reconsider pursuant to Robert's Rules of Order;
- b) All questions put to a vote shall be for or against the measure, except in matters of conflict as stipulated in Rule 5.08, when a member casts a vote of "present," and motions made regarding the election of President, Council Appointees, or Clerk;
- c) The vote of the Council on any ordinance shall be taken by roll call or electronic means.
- d) The vote of the Council on any resolution or order shall be taken by voice, roll call, or electronic means, per Rule 5.09.
- e) Any Council Member who is present at a meeting, but does not vote, abstains, or votes "present" on a particular matter, will be treated as not having cast a vote.
- f) Roll call votes shall be called in numerical order by district (1 through 26).

SECTION VIII: This Resolution shall take effect on October 1, 2025, after its passage and approval or otherwise becoming law.

Sonya Harward
Metro Council Clerk

Brent Ackerson
President of the Council

Craig Greenberg
Mayor

Approval Date

APPROVED AS TO FORM AND LEGALITY:
Michael J. O'Connell
Jefferson County Attorney

BY: _____

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