

ORDINANCE NO. _____, SERIES 2022

**AN ORDINANCE OF THE LOUISVILLE METRO COUNCIL TO APPROVE
THE ANNEXATION BY THE CITY OF ST. MATTHEWS OF THE
TWINBROOK SUBDIVISION.**

SPONSORED BY: COUNCIL MEMBER PAULA MCCRANEY

WHEREAS, on July 26 19, 2022 the City Council of the City of St. Matthews, Kentucky voted in favor of an ordinance to annex the Twinbrook Subdivision as identified by the Jefferson County Clerk as Lots 1 through 12 in Plat Book 10, page 76; and

WHEREAS, the Twinbrook Subdivision consists of 12 R-4 zoned single-family lots located on Hillside Lane and Twinbrook Drive; and

WHEREAS, the City Council of the City of St. Matthews stated in its Ordinance No. 4, Series 2022 that it received consent in favor of the annexation from all but one of the owners in the area to be annexed (a copy of the consent forms is attached hereto); and

WHEREAS, the City of St. Matthews believes it is in a position to provide municipal services to the area proposed for annexation; and

WHEREAS, the City of St. Matthews was required to hold a public meeting regarding the proposed annexation because it does not have 100% consent of affected property owners and held such meeting on July 26, 2022; and

WHEREAS, the City of St. Matthews filed a request on July 27, 2022 with the Office of the Metro Council Clerk requesting that the Louisville Metro Council approve the annexation of the property described above (a copy of which is attached hereto); and

WHEREAS, KRS 67C.111(3) requires the City of St. Matthews obtain approval of the annexation from Louisville Metro Council prior to the City of St. Matthews proceeding with the annexation requirements under KRS Chapter 81A; and

WHEREAS, various municipal agencies were provided the opportunity to review and comment upon the City of St. Matthews' request for approval of its annexation of the Twinbrook subdivision; and

WHEREAS, Louisville and Jefferson County Metropolitan Sewer District ("MSD") provided a responsive comment asserting its duties and rights to continue provision of drainage services to the properties within Twinbrook and charge fees in exchange therefore and its rights to continued ownership and operation of its assets located in the subject area, which duties and rights MSD asserts are recognized and protected by common law, statutory law, and public policy; and

WHEREAS, Louisville Metro does not intend for the approval of the annexation request of Twinbrook by St. Matthews to affect, impair, impede, waive, or otherwise alter MSD's asserted rights or resolve any potential dispute between or among the owners of Twinbrook properties, MSD and the City of St. Matthews; and

WHEREAS, KRS 67C.111(3) gives Louisville Metro Council the authority to approve or deny annexation requests "by ordinance and within sixty (60) days of the receipt of the request" and if Louisville Metro Council does not act within "sixty (60) days, the request for a city to proceed with an annexation proposal shall be deemed to be approved"; and

WHEREAS, for the reasons stated above Louisville Metro Council wishes to proceed with approval of the City of St. Matthews' annexation ordinance to become effective upon passage and approval.

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

SECTION I: Metro Council hereby approves the annexation of the property known as the Twinbrook Subdivision proposed by the City of St. Matthews in its Ordinance No. 4, Series 2022, on July 26 19, 2022 (attached hereto) pursuant to its authority under KRS 67C.111(3).

SECTION II: This ordinance shall take effect on passage and approval.

Sonya Harward
Metro Council Clerk

David James
President of the Council

Approval Date

APPROVED AS TO FORM AND LEGALITY:

Michael J. O'Connell
Jefferson County Attorney

By: _____