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PRESIDENT TANDY: The Regular Louisville Metro Council Meeting of February 12, 2015, will please come to order.

Please rise for the Pledge of Allegiance to the Flag.

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

Mr. Clerk, please call the roll.

MR. CLERK: Councilwoman Green.

COUNCILWOMAN GREEN: Here.

PRESIDENT TANDY: Councilwoman Shanklin.

COUNCILWOMAN SHANKLIN: Present.

MR. CLERK: Councilwoman Woolridge.

COUNCILWOMAN WOOLRIDGE: Present.

MR. CLERK: President Tandy.

PRESIDENT TANDY: Here.

MR. CLERK: Councilwoman Hamilton.

COUNCILWOMAN BRYANT HAMILTON: Here.

MR. CLERK: Councilman James.

COUNCILMAN JAMES: Here.

MR. CLERK: Councilwoman Leet.

COUNCILWOMAN LEET: Here.

MR. CLERK: Councilman Owen.

COUNCILMAN OWEN: Here.

MR. CLERK: Councilman Hollander.

COUNCILMAN HOLLANDER: Here.

MR. CLERK: Councilman Kramer.

COUNCILMAN KRAMER: Here.

MR. CLERK: Councilman Blackwell.

COUNCILMAN BLACKWELL: Here.

MR. CLERK: Councilwoman Aubrey Welch.

COUNCILWOMAN AUBREY WELCH: Here.

MR. CLERK: Councilwoman Fowler.

COUNCILWOMAN FOWLER: Here.

MR. CLERK: Councilwoman Butler.

Councilman Downard.

Councilman Stuckel.

COUNCILMAN STUCKEL: Here.

MR. CLERK: Councilwoman Parker.

Councilwoman Denton.

COUNCILWOMAN DENTON: Here.

MR. CLERK: Councilman Johnson.

Councilman Engel.

COUNCILMAN ENGEL: Present.

MR. CLERK: Councilman Peden.

COUNCILMAN PEDEN: Here.

MR. CLERK: Councilwoman Flood.

COUNCILWOMAN FLOOD: Here.

MR. CLERK: Councilman Yates.

Councilman Ackerson.

COUNCILMAN ACKERSON: Present.

MR. CLERK: Mr. President, you have 22 in attendance and a quorum.

PRESIDENT TANDY: All right. Thank you, Mr. Clerk.

Please allow the record to reflect that Council Members Downard, Parker and Yates have excused absences for this evening.

MR. CLERK: So noted.

PRESIDENT TANDY: Thank you.

Colleagues, our community has lost another public servant in the form of Mark White. Mark was the Metro Louisville arborist and has served in this community for a number of years and has touched many of our districts as it relates to the tree canopy here in Jefferson County. He recently lost his battle with a long illness, and so if you would please join me in a moment of silence in recognition of the life and work of Mark White. Thank you.

Next, Mr. Clerk, are there any addresses to the Council?

MR. CLERK: Yes, sir.

PRESIDENT TANDY: Mr. Clerk, we want to remind all of our persons addressing the Council to please refrain from using any profanity or making any derogatory comments or statements to the Council or with regard to any other member in our community.

Mr. Clerk, please call the first speaker.

MR. CLERK: Daniel Cobble.

DANIEL COBBLE: Mr. President, please enter this statement into the Metro Council's record. I am Daniel Cobble.

First, I am still being harassed by government. On Tuesday, January 20th, 2015, I was denied entry into the state capitol in Frankfort without any reason given by state trooper security. I believe I am being denied entry to the capitol due to my protest at the U of L games.

Second, I wish to restate the two primary legal issues of why LG&E knows the November 2014 rate hike proposal of two percent is not legally proper. Here it is your constitutional duty to stop LG&E and the Kentucky Public Service Commission. I brought this issue to the Public Service Commission in 2008 and 2011. The first legal issue. LG&E improperly uses our rate hikes to raise money for the construction of power plants and other facility improvements. These are capital improvements/overhead expenses for LG&E that directly increases the company's value. But LG&E cannot require ratepayers to pay expenses because we are not investors. We are only ratepayers for paying for electricity and natural gas. The rate hikes are only justified when there is shown to be respective increases in the cost of electricity and natural gas.

On January 5, 2015, CBS news reported natural gas is trading at \$3 per gallon, down by \$1, trading at \$4 per gallon a year ago. The price of coal is also down. In August, 2014, a ton of coal sold for \$58 per ton. In February, 2015, a ton of coal is selling for approximately \$49 per ton. So there is absolutely no justification for rate hikes by LG&E.

Please see my attached 2011 flier enumeration 1D showing LG&E needs capital gains at \$3.9 billion and not including the company's total capital. Then please see my attached 2006 LG&E bill of \$46 by contrast to my 2014 July bill at \$119, an increased billing of 260 percent over those years.

Next, over the decades, each LG&E construction has a predetermined cost that is ultimately paid for, yet our rate hikes are permanent. We are still paying today for projects that have long ago been

paid for, whereby LG&E should be refunding these overpaid rates to us and not the other way around.

PRESIDENT TANDY: Mr. Cobble, your time has elapsed. And your statement, you asked for it to be submitted into the record, so we will include that into our minutes.

DANIEL COBBLE: I'm almost finished, though, Mr. Tandy.

PRESIDENT TANDY: I understand, but your time has elapsed. And so I gave you a little bit of extra time as well. Okay. So your point has been duly noted and it will be a part of our record going forward.

DANIEL COBBLE: Thank you.

PRESIDENT TANDY: Thank you.

Mr. Clerk, next speaker.

MR. CLERK: Connie Marshall.

>> Good evening. My name is Connie Marshall. My website is www.justiceforallcitizens.com. My e-mail address is conniemarshall@justiceforallcitizens.com or conniemarshall8@yahoo.com. My topic is circle of corruption.

On January 9th, 2015, I was in the bathtub soaking and my two poodles were barking uncontrollably. I finally got out of the tub and went to the front door and a white man was at my door; however, this man never knocked on my door. It was dark outside and I had a towel around my head and I yelled through the door, May I help you? This man yelled loudly, You know who I am. You contacted me on Craigslist for a date. As I am not listed on Craigslist searching for a date, I ran and picked up my video camera and started filming him and repeated back to him what he said. He froze like a deer in headlights and finally turned and walked off the porch. I went outside with my camera to find out where he was parked. The next thing I know I see car lights coming from the back of my driveway as he had pulled to the back of my driveway. This man was in a gray or silver later model SUV.

Later that night I let my dogs out in the backyard to go to the bathroom and noticed that my outside door was partially open, as this man was trying to enter my home. You will find a video of the incident on my website and on YouTube under "electromagnetic harassment stalker part six

of six." There are other incidences that occurred in a six-day span prior to this man trying to enter my home.

For the record, I have a federal lawsuit against the Louisville Metro Police Department and I have filed other complaints through other offices in Washington, etc., regarding being stalked and harassed by them, which led to me being stomped by them, causing a chest contusion, enlarged heart and vertebrae, and that case is appealed. I have received 16 death threats from the LMPD saying I better plead guilty or they will kill my daughter. I have received threatening telephone calls from the Louisville police. I have filed an amount of threatening videos and calls to support my case. And I have included these death threats at previous Metro Council meetings.

Today I have given you a reward poster for the man at my door who I believe is an official connected to the aforementioned incidents. Due to the fact that I have decided to fight for my rights, because I am a fighter, I believe there is a corrupt group of officials that will stop at nothing, and my life is in danger.

For more information go to my website, justiceforallcitizens.com. You may also go to YouTube and put my name, Connie Marshall, in the search box to pull up the incident regarding the man at my door and history of organized crime, violation of the RICO act, color of law, the racism that I have experienced in the past 12 years and beyond in Louisville, Kentucky.

Also when I arrived tonight I received an e-mail stating that I canceled. I did not send that e-mail. And this is the kind of harassment I endure on a daily basis in my life. Thank you.

MR. CLERK: Bridgette King Daly.

BRIDGETTE DALY: Good evening, Council. My name is Bridgette King Daly and I'm here not to make a complaint, just make someone aware of a situation and to offer awareness and outreach. I live in the west end of Louisville, which is a very filthy, very dirty. And as you know, that type of environment promotes violence, promotes drug dealing all kinds of types of things, so I wanted to do something about it.

So I called several people and I got to response. I had a lot of promises. My father is an elderly gentleman and he lives on one of

these streets. So I decided to call the city council. They have taken my name and number and said I will get back to you and they have never gotten back to me. So I wanted to start a grassroots effort. So I contacted the city council. What can we do? What can you do? We have people here willing at the grassroots level willing to help people willing to help ourselves. Again, I received no response. And I think as a voting constituent at least I deserve a response. And I have offered my services. Would you like to come out and take pictures and see the conditions that we can get started on one street at a time? And we will come out there but to no avail. I said I will meet you out there and do something with you. And no response. This is all the time. I'm a little bit nervous. And I believe everyone has the right to live in a healthy and safe community, whether in the west or east end. We deserve the right.

And several times I heard them talk about change of culture, but from my experience and research, you can't change culture unless you involve the people in that culture. And so that's why I'm reaching out trying to get a grassroots effort. There is a solution, if you would just listen to other ideas. And give us an ear. Give us an ear. Offer what you can offer us and we will offer what we can offer. And that empowers people. And I found that when you empower people you give them dignity and hope. And that's from them being involved in the process and they have a direct involvement with it. That's why we ask for your help.

And as is the case with me in my experience in trying to get some help in this specific instance, it promotes apathy and helplessness. I reached out and I got nothing. And I'm not hopeless, but I can see where the apathy and hopelessness comes in at. And that's why I want to present that to you.

I went to the Zones of Hope trying to get a grassroots involvement. There are several people in the community that I know of that I'm personally involved with who come together and we just don't know how to start. So I would ask the district councilmen and women to ride through your district and look at the condition about it and be realistic about it. That's all I have. Thank you.

PRESIDENT TANDY: Thank you.

MR. CLERK: Jeremiah Morton.

JEREMIAH MORTON: Good evening, Council People. I'm Jeremiah Morton. Also a rapper, a steering committee member of Man Up. Tonight I just want to expound on what Man Up is attempting to do in regards to the 16 murders in the metro. Thanks to the support of my councilwoman, Cindy Fowler, and Cheri Hamilton, Man Up is producing a play, Depending on their Approval, in the community. It will teach about values, ethics, and morals.

Man Up and I have helped design an online curriculum based on my book. Next week I will select a school in the West Louisville and they will be participating. Man Up is also a proud partner of the Jesus and a Job program. Man Up is proud to help out patriarch Pastor Elliot put individuals back to work.

This Saturday we will be hosting a prayer breakfast for the 16 lives that we lost thus far versus the two last year. I know that the council people have their candidate picked for the tenth seat, but I would like to recommend Peter Hayes. He is a symbol of diversity, someone who understands economic growth. He understands working and collaborating across districts. I'm in that capacity. So tonight you have the power to add to your pillar of greatness. And as a law-abiding citizen, I would like to recommend to you Peter Hayes. That is what I would like to say tonight. Thank you.

MR. CLERK: Suzanne DiGrigorio.

SUZANNE DIGRIGORIO: A year ago I addressed the council on behalf of my son who has severe autism and epilepsy. Two months later I was diagnosed with an aggressive form of breast cancer. My prognosis is good, but it could be better. Chemotherapy harmed my liver, interrupting treatment. My doctor can't say if it will be as effective now. Studies suggest certain cannabis compounds may fight breast cancer. If nothing else, they can help with the debilitating side effects of chemo. Patients who lose weight have poor prognoses. I lost 12 pounds. One in three men and one in four women will get cancer in their lifetime. Studies suggest cannabis may fight cancer in general, even brain cancer, which generally has a poor prognosis. It may halt brain tumor growth and shrink them in some cases.

One in eight will have Alzheimer's by 65. In 2014 alone Alzheimer's cost Medicare \$150 billion. Five studies suggest when administered early enough very low levels of cannabis may interrupt the pathological process of Alzheimer's disease. So this isn't just about someone else's kid or someone else's rare condition, it is about potentially every extended family in this state. And it is far better to have the laws in place already if you or a loved one needs them than like me to have to roam the halls of power begging for them with what little energy the disease hasn't already taken from you.

The federal government won't move on its own. There were two dozen studies prior to two suggesting cannabis stops seizures. Before my son was born they knew and they did nothing. Well, they did something. In 2003 the federal government filed a patent for individual cannabis compounds as medicine while maintaining official policy that cannabis has no medicinal properties, a position it holds to this day. No, therapeutic access didn't arrive anywhere because of the federal government. It is only happening in states across this land because patients brought the evidence to their state and local governments and they took action. And because citizens and doctors are willing to face stiff penalties. I wouldn't be standing here if my brothers and a few brave hospitals didn't risk jail time from a little girl from seizing in her hospital bed. That little girl is alive and well because of cannabis.

Please tell Frankfort Louisville would like the treatment available to its residents with debilitating illnesses just as each state that passes medical cannabis legislation sends a powerful referendum to the federal government. Each city and town that passes resolutions encourages the state to follow suit. As more and more do so, the country will hit a tipping point and then federal policy will have to change. Thank you.

MR. CLERK: Jeannette Wortham.

JEANNETTE WORTHAM: My name is Jeannette Wortham. My son is a graduate of Ballard High School and the University of Kentucky and now lives in Virginia. Patrick's daughter has intractable epilepsy. The only epilepsy drug that controls her seizures has such debilitating side effects that Jen cannot function on the full therapeutic dose. That

throws my sweet, compliant granddaughter into violent rages which never occur when not taking this medicine. She had to be subdued by 911 many times. She also suffered suicidal thoughts, cognitive functioning problems, depression, weight gain, and ovarian issues.

Since medical cannabis oil extracts were helping children like Jennifer in Colorado, my son's family made the heartbreaking decision to move Jen and her mother Beth to Colorado, leaving my son and their other daughter behind in Virginia. The financial and the emotional toll on such families is immense.

Jennifer did not respond to the more well-known cannabis oil extract for epilepsy, cannabidiol. Instead, her factors reduced on another non-psychoactive extract called THCA that is placed under the tongue. Not only did Jen's seizures significantly lessen on the THCA, but she was able to cut her dose of the pharmaceutical epilepsy drug to a level that does not produce those disturbing side effects. The rages stopped. The suicidal thoughts stopped. She lost the 30 pounds she gained on the pharmaceuticals and her grades improved. Though Jennifer was thrilled to be having fewer seizures, living apart from her father and sister was so unbearable that she sunk into deep depression.

Beth and Jennifer returned to Virginia to rejoin the family and fight for access in that state. There are Kentucky patients and families in similar circumstances like the Collins in Virginia. Their choice is this. Stay and continue risking the brain-damaging effects of seizures and debilitating side effects of antiepileptic drugs or move to Colorado, leaving one spouse behind to make a living for the family. The economy's not what it used to be. There may or may not be jobs available when they arrive in Colorado. Some Kentucky families have already made the move. Others like Suzanne cannot. Will you help these families?

Please consider the proposed resolution we have delivered to your offices. Passage of this would send a powerful signal to Frankfort that Kentucky's largest city recommends access to this plant for patients with debilitating conditions. Thank you.

PRESIDENT TANDY: Thank you.

[Applause.]

MR. CLERK: Mr. President, that concludes addresses to Council.

PRESIDENT TANDY: Thank you, Mr. Clerk.

We have guests. Council Members Johnson, Aubrey Welch, and Blackwell, please introduce your guests.

>> Colleagues, please join us in welcoming from District 201 the DeSales High School championship football team. A stifling defense and punishing ground game powered DeSales to a second straight 2A football championship on December 5th. In a title game that was the repeat of the 2013 match-up against Newport Central Catholic High School, they dominated the line of scrimmage, amassing 350 yards of offense while allowing 50 from Newport. It was the third shutout that saw the coach only allow 13 total points.

Senior Adam Nord had three interceptions and a sack and was named the game's MVP. DeSales becomes the fifth Louisville school to win back-to-back state titles and is the only one to win the division 2A crown. The accolades are a testament to the hard work and determination of these students, their coaches, and the community that supports them.

The Metro Council is proud of the DeSales football team, and we are thrilled they are bringing the 2A championship back to south Louisville for the second year in a row. Join me in honoring these students and their achievement. We all look forward to the next season to win a third championship.

[Applause.]

Tonight every one of them will get a proclamation, but I'm going to recognize Mr. Adam Nord. And it says:

To all whom these letters shall come, greetings. Know ye that the Louisville Metro Council hereby recognizes Adam Nord as the member of the 2014 DeSales 2A state football champions. We hereby confer this honor with all the rights, privileges, responsibilities thereunto appertaining. In witness whereof we cause these letters to be made and the seal of the Metro Government to be hereunto affixed. Done in the Commonwealth of Kentucky this 22nd day of January, 2015. Signed by myself, Marianne Butler, Vicki Aubrey Welch, Rick Blackwell, and David Yates.

And so if any other council members want to say something, I will present this to Mr. Nord.

>> Mr. Nord isn't here, but I'll present it to the head coach.

>> I will present it to him. Thank you.

>> We would just like to thank the council for recognizing us. This has been a very exciting time for football at DeSales, obviously, but it is also a great time to be a DeSales alumni, student, parents of DeSales. Some of you know the exciting things that are happening right now. We are supposed to be getting a football stadium, a home football stadium that we have never had. I think someone told us we are the only school in the state of Kentucky without a home football field, so we are really excited about that. This has been a great time. Like I said, we appreciate the recognition. I want to thank the council and these four here for recognizing us. I know there are a lot of ties with these council people being around DeSales. So we appreciate it and hopefully we will get to see you again next year. Thank you.

[Applause.]

PRESIDENT TANDY: Very good. We are certainly glad to have all of y'all here. It is always warms my heart. If you want to take a pictures, come on up so you can take a picture. Speaking personally, it is always good to see normal sized people come into this chambers. Folks at home will get that if you see me stand up. But I'm always sitting down so that is all right.

Let's hear it again for the 2014 state champions, DeSales High School.

[Applause.]

>> If I could, they will be going to Frankfort to be recognized by two people. The alums are both in the districts, so they have a nice strong history.

>> Very good.

COUNCILMAN ENGEL: Mr. President.

PRESIDENT TANDY: Councilman Engel.

COUNCILMAN ENGEL: No, I'm not an alum, but I do want to say that DeSales is recruiting inside District 22 from the southeast part of the county as well.

PRESIDENT TANDY: Wait. Let us clarify for the record. There is no recruitment going on on the high school level per Kentucky High School Athletic Associations rules.

COUNCILMAN ENGEL: I suspect it happens throughout many of the high schools in town.

PRESIDENT TANDY: We want to state that the comments made by Councilman Engel do not necessarily reflect those of any other high school here in Jefferson County. All right.

COUNCILMAN ENGEL: Mr. President. My constituents voluntarily decided to attend DeSales High School. Don't believe that they were recruited. Is that better?

PRESIDENT TANDY: That would be better. Thank you. All right.

Next item of business, we have a couple of special proclamations from Councilwoman Woolridge.

Councilwoman Woolridge, please read the proclamations into the record.

COUNCILWOMAN WOOLRIDGE: Thank you, Mr. President. And thank you, colleagues. These two proclamations are very near and dear to my heart. Since I have been here, we have done them each year.

And the first one reads:

Louisville Metro Council. A proclamation by Louisville Jefferson County Metro Council. To all whom these letters shall come, Greetings. Know ye, that the Louisville Metro Council Hereby proclaims February as American Heart Month.

WHEREAS, Heart disease kills an estimated 630,000 Americans each year. In the United States, the most common type of heart disease is coronary artery disease which can lead to a heart attack.

WHEREAS, Since 1963, February has been celebrated as American Heart Month to urge Americans to join the battle against heart disease.

WHEREAS, Since 2004, February also has been the signature month for the American Heart Association's Go Red For Women campaign and the message that heart disease is not only a man's problem.

WHEREAS, High cholesterol, high blood pressure, obesity, diabetes, tobacco use, unhealthy diet, physical inactivity, and secondhand smoke are some of the risk factors associated with heart Disease. You can greatly reduce your risk for coronary artery disease through lifestyle changes and, in some cases, medication.

WHEREAS, far too many Americans are unaware of the dangers of cardio arrest and about 95 percent Die before reaching the hospital.

WHEREAS, Knowing the signs and symptoms of a heart attack are crucial to the most successful recovery after having a heart attack.

THEREFORE, BE IT RESOLVED THAT the Louisville Metro Council urges all citizens to learn as much as possible about the signs of a heart attack. Further, we urge all citizens to learn and to follow preventive practices that lead to a healthy heart and to encourage family, co-workers and friends to do the same.

Now we therefore hereby proclaim February as American Heart Month in the Louisville Jefferson Metro area and encourage all citizens to begin today to work toward having a healthy heart.

Done at Louisville Jefferson Metro Council this twelfth day of February, 2015, Mary C. Woolridge, councilwoman, Louisville members of council District 3.

And the other proclamation, Mr. President, very near and dear to my heart as well.

Louisville Metro Council.

A PROCLAMATION BY THE LOUISVILLE JEFFERSON COUNTY METRO GOVERNMENT RECOGNIZING FEBRUARY AS BLACK HISTORY MONTH.

WHEREAS, Dr. Carter G. Woodson, a graduate of Berea College in Kentucky, initiated Black History Week on February 12, 1926.

WHEREAS, in 1976, as part of the nation's Bicentennial, Black History Week was expanded and became established as Black History Month, and is now celebrated all over North America.

WHEREAS, Black History Month seeks to bridge the gap wherein American history failed to accurately portray and record the achievements of Blacks. And.

WHEREAS, Black History Month acknowledges the many valuable contributions made by African Americans in almost every area of American life and history.

WHEREAS, The African American experience is a story from which we all can learn. It is a story of triumph in the face of immense obstacles and barriers. More importantly, it is a story that speaks to the essence of this nation's great democratic ideal.

And Now We Therefore Hereby Proclaim February As Black History Month In The Louisville Jefferson Metro Area And Urge All Citizens To Be Mindful Of The Many Valuable Contributions Of African Americans In Our Society.

Done at Louisville Jefferson County metro this twelfth day of February, 2015, Mary C. Woolridge, council District 3.

I would like to move that into the record. Thank you.

PRESIDENT TANDY: Thank you, Councilwoman. So noted. They will be added to our record.

Next we have approval of Council minutes for the Regular Meeting of January 22, 2015.

Any corrections or deletions?

>> So moved.

PRESIDENT TANDY: We have a motion.

Is there a second?

>> Second.

PRESIDENT TANDY: The minutes have been properly moved and seconded. All those in favor say aye. Opposed? The ayes have it. The minutes are approved as written.

Next we have approval of the following Committee minutes, all in 2015.

Special: Committee of the Whole, January 22.

Special: Planning/Zoning, Land Design and Development, February 3.

Special: Appropriations, NDFs and CIFs Committee, February 4.

Special: Committee on Contracts and Appointments, February 4.

Special: Committee on Sustainability, February 5.

Special: Budget Committee, February 5.

Special: Ad Hoc Committee on Land Development Code, February 9.

Special: Committee of the Whole, February 9.

Special: Community Affairs Committee, February 11.

Are there any corrections or deletions?

Is there a motion?

>> So moved.

>> Second.

PRESIDENT TANDY: Properly moved and seconded. All those in favor say aye. Opposed? The ayes have it. These minutes are approved as written.

Mr. Clerk, do we have any communications from the mayor?

MR. CLERK: We do, sir.

PRESIDENT TANDY: Please read those into the record.

MR. CLERK: Dear President Tandy:

I am appointing the following to the SPOT Fund, Inc.'s Board. Margaret Alcorn, new appointment, term expires February 12, 2018.

Metro Council approval of this appointment is not required.

Sincerely, Greg Fischer, Mayor.

Dear President Tandy:

In accordance with the Volunteer Fire Districts Ordinance, I am appointing the following to the Anchorage Fire Protection District Board.

Mark Witten, new appointment, term expires June 30, 2016.

Your prompt action on this appointment is most appreciated.

Sincerely, Greg Fischer, Mayor.

Dear President Tandy:

In accordance with the Louisville Regional Airport Authority Ordinance, I am appointing the following to the Louisville Regional Airport Authority.

Dale Boden, new appointment, term expires February 28, 2019.

Your prompt action on this appointment is most appreciated.

Sincerely, Greg Fischer, Mayor.

Read in full.

PRESIDENT TANDY: Thank you. Those appointments needing council approval will be forwarded to the Committee on Contracts and Appointments.

Next, Mr. Clerk, please read item number 18.

MR. CLERK: A RESOLUTION APPROVING THE COUNCIL AND COMMITTEE MEETING SCHEDULE OF THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (THE COUNCIL) FOR THE CALENDAR YEAR 2015.

Read in full.

PRESIDENT TANDY: Is there a motion?

>> Motion to approve.

>> Second.

PRESIDENT TANDY: Properly moved and seconded. The resolution is before us. Is there any discussion?

Hearing none, this is a resolution allowing for a voice vote. All those in favor say aye. All opposed? The ayes have it. The resolution passes.

Next item of business is the appointment of the District 10 representative. I would like to take a moment to review the process for this election.

I will open the floor for nominations. Only the nine people who interviewed with the council on Monday of this week are eligible to be nominated. Nominations do not require a second. Once the nominations have been closed, I will ask the clerk to call a roll call vote of the nominee. You are to then cast a vote for one of the nominees. A candidate must receive 13 votes in order to be appointed.

In the event that no person receives the required number of votes, we will open the process again and open the floor for nominations and proceed to another vote until a candidate receives the requisite 13 votes for approval.

Are there any questions?

Seeing none, the floor is now open for nominations.

Councilwoman Welch.

COUNCILWOMAN AUBREY WELCH: Thank you, Mr. President. The District 10 appointment should be someone in touch with the district and the metro as a whole. It should be someone who can hit the ground running with constituent issues. It should be someone who is trustworthy, honest and genuine. It should be continuity for the constituents in District 10.

Pat Mulvehill fulfills the criteria. I see all three generations of the Mulvehills living here tonight. Pat has been engaged in the district, as has his parents and children. Pat has worked with the Metro Council since 2003, its inception. As our liaison, he has written our ordinances and he has helped us all with constituent concerns for 14 years. As an attorney, Pat has the knowledge and experience of mediating issues with people. He knows the district well and would carry on the projects that Jim King began for the people of District 10.

Pat Mulvehill was selected by his constituent representatives from District 10 as their nominee for the upcoming November 15th special election and will very likely win due to the makeup of District 10. We should have respect for the constituents of District 10 to allow continuity of that vacant office by voting for Pat Mulvehill to fulfill that vacancy here tonight. Why would we want to play leapfrog with a council seat by putting in a placeholder which just makes the constituents and the neighborhood associations have to adjust to different leaders for their community? I am asking my colleagues tonight to do the right thing for District 10. I nominate Patrick Mulvehill.

PRESIDENT TANDY: Thank you.

Are there any other nominations?

Councilman James.

COUNCILMAN JAMES: Thank you, Mr. President. I would like to nominate Mr. Michael Meeks.

PRESIDENT TANDY: Thank you. Are there any other nominations?

Councilman Johnson.

COUNCILMAN JOHNSON: Yes, Mr. President. I would like to nominate Steve Magre.

PRESIDENT TANDY: All right.

Councilman Kramer.

COUNCILMAN KRAMER: I would like to nominate Rich Gimmel.

PRESIDENT TANDY: All right. Are there any other nominations?

>> I move nominations.

PRESIDENT TANDY: Motion to move nominations. Without objection, the nominations will be closed.

Mr. Clerk, please commence with a roll call vote.

MR. CLERK: Councilwoman Green.

COUNCILWOMAN GREEN: Steve Magre.

MR. CLERK: Councilwoman Shanklin.

COUNCILWOMAN SHANKLIN: Michael Meeks.

MR. CLERK: Councilwoman Woolridge

COUNCILWOMAN WOOLRIDGE: Michael Meeks.

MR. CLERK: President Tandy.

PRESIDENT TANDY: Michael Meeks.

PRESIDENT TANDY: Councilwoman Hamilton.

COUNCILWOMAN BRYANT HAMILTON: Michael Meeks.

MR. CLERK: Councilman James.

COUNCILMAN JAMES: Michael Meeks.

MR. CLERK: Councilwoman Leet.

COUNCILWOMAN LEET: Mr. Magre.

MR. CLERK: Councilman Owen.

COUNCILMAN JAMES: Patrick Mulvehill.

MR. CLERK: Councilman Hollander.

COUNCILMAN JAMES: Steve Magre.

MR. CLERK: Councilman Kramer.

COUNCILMAN JAMES: Rich Gimmel.

MR. CLERK: Councilman Blackwell.

COUNCILMAN JAMES: Our friend Pat Mulvehill.

MR. CLERK: Councilwoman Welch.

COUNCILWOMAN WELCH: I proudly cast my vote for Patrick
Mulvehill.

MR. CLERK: Councilwoman Fowler.

COUNCILWOMAN FOWLER: Pat Mulvehill.

MR. CLERK: Councilwoman Butler.

COUNCILWOMAN BUTLER: Pat Mulvehill.

MR. CLERK: Councilman Stuckel.

COUNCILMAN JAMES: Rich Gimmel.

MR. CLERK: Councilwoman Denton.

COUNCILMAN JAMES: Rich Gimmel.

MR. CLERK: Councilman Benson.

COUNCILMAN JAMES: Rich Gimmel.

MR. CLERK: Councilman Johnson.

COUNCILMAN JAMES: Steve Magre.

MR. CLERK: Councilman Engel.

COUNCILMAN JAMES: Rich Gimmel.

MR. CLERK: Councilman Peden.

COUNCILMAN JAMES: Steve Magre.

MR. CLERK: Councilwoman Flood.

COUNCILWOMAN FLOOD: Patrick Mulvehill.

MR. CLERK: Councilman Ackerson.

COUNCILMAN JAMES: Steve Magre.

MR. CLERK: Mr. President, none of the nominations received the required 13 votes.

PRESIDENT TANDY: All right.

Councilman James.

COUNCILMAN JAMES: Mr. President, I would like to request we take a five minute recess, please.

PRESIDENT TANDY: All right. Without objection, we will take a five minute recess.

Mr. Clerk, please start the clock.

[Recess.]

PRESIDENT TANDY: All right. We are back in session. The floor is now open for nominations. So are there any nominations?

Councilwoman Welch.

COUNCILWOMAN WELCH: I nominate Patrick Mulvehill.

PRESIDENT TANDY: Councilman Johnson.

COUNCILMAN JOHNSON: I nominate Steve Magre.

PRESIDENT TANDY: Councilwoman Fowler.

COUNCILWOMAN FOWLER: I nominate Michael Meeks.

PRESIDENT TANDY: Are there any other nominations? All right.

Seeing no further nominations, the nominations are closed.

Mr. Clerk, please call the roll.

MR. CLERK: Councilwoman Green.

COUNCILWOMAN GREEN: Steve Magre.

MR. CLERK: Councilwoman Shanklin.

COUNCILWOMAN SHANKLIN: Meeks.

MR. CLERK: Councilwoman Woolridge.

COUNCILWOMAN WOOLRIDGE: Michael Meeks.

MR. CLERK: President Tandy.

PRESIDENT TANDY: Michael Meeks.

MR. CLERK: Councilwoman Hamilton.

COUNCILWOMAN BRYANT HAMILTON: Michael Meeks.

MR. CLERK: Councilman James.

COUNCILMAN JAMES: Michael Meeks.

MR. CLERK: Councilwoman Leet.
COUNCILWOMAN LEET: Steve Magre.
MR. CLERK: Councilman Owen.
COUNCILMAN OWEN: Steve Magre.
MR. CLERK: Councilman Hollander.
COUNCILMAN HOLLANDER: Steve Magre.
MR. CLERK: Councilman Kramer.
COUNCILMAN KRAMER: Steve Magre.
MR. CLERK: Councilman Blackwell.
COUNCILMAN BLACKWELL: Pat Mulvehill.
MR. CLERK: Councilwoman Aubrey Welch.
COUNCILWOMAN AUBREY WELCH: Patrick Mulvehill.
MR. CLERK: Councilwoman Fowler.
COUNCILWOMAN FOWLER: Michael Meeks.
MR. CLERK: Councilwoman Butler.
COUNCILWOMAN BUTLER: Pat Mulvehill.
MR. CLERK: Councilman Stuckel.
COUNCILMAN STUCKEL: Steve Magre.
MR. CLERK: Councilwoman Denton.
COUNCILWOMAN DENTON: Steve Magre.
MR. CLERK: Councilman Benson.
COUNCILMAN BENSON: Steve Magre.
MR. CLERK: Councilman Johnson.
COUNCILMAN JOHNSON: Steve Magre.
MR. CLERK: Councilman Engel.
COUNCILMAN ENGEL: Steve Magre.
MR. CLERK: Councilman Peden.
COUNCILMAN PEDEN: Steve Magre.
MR. CLERK: Councilwoman Flood.
COUNCILWOMAN FLOOD: Patrick Mulvehill.
MR. CLERK: Councilman Ackerson.
COUNCILMAN ACKERSON: Magre.

MR. CLERK: Mr. President, none of the nominations received the required 13 votes.

PRESIDENT TANDY: All right. The floor is now open for nominations. Are there any nominations?

Councilwoman Welch.

COUNCILWOMAN AUBREY WELCH: Patrick Mulvehill.

PRESIDENT TANDY: Councilman Johnson.

COUNCILMAN JOHNSON: Steve Magre.

PRESIDENT TANDY: Any other nominations?

Councilwoman Fowler.

COUNCILWOMAN FOWLER: Michael Meeks.

PRESIDENT TANDY: All right. Are there any other nominations?

Without objection, the nominations are closed.

Mr. Clerk, please call the roll.

MR. CLERK: Councilwoman Green.

COUNCILWOMAN GREEN: Steve Magre.

MR. CLERK: Councilwoman Shanklin.

COUNCILWOMAN SHANKLIN: Steve Magre.

MR. CLERK: Councilwoman Woolridge.

COUNCILWOMAN WOOLRIDGE: Steve Magre.

MR. CLERK: President Tandy.

PRESIDENT TANDY: Steve Magre.

MR. CLERK: Councilman Hamilton.

COUNCILWOMAN BRYANT HAMILTON: Steve Magre.

MR. CLERK: And I apologize. I meant Councilwoman Hamilton.
Councilman James.

COUNCILMAN JAMES: Steve Magre.

MR. CLERK: Councilwoman Leet.

COUNCILWOMAN LEET: Steve Magre.

MR. CLERK: Councilman Owen.

COUNCILMAN OWEN: Steve Magre.

MR. CLERK: Councilman Hollander.

COUNCILMAN HOLLANDER: Steve Magre.

MR. CLERK: Councilman Kramer.

COUNCILMAN KRAMER: Steve Magre.

MR. CLERK: Councilman Blackwell.

COUNCILMAN BLACKWELL: Pat Mulvehill.

MR. CLERK: Councilwoman Welch.

COUNCILWOMAN AUBREY WELCH: Pat Mulvehill.

MR. CLERK: Councilwoman Fowler.

COUNCILWOMAN FOWLER: Michael Meeks.

MR. CLERK: Councilwoman Butler.

COUNCILWOMAN BUTLER: Pat Mulvehill.

MR. CLERK: Councilman Stuckel.

COUNCILMAN STUCKEL: Steve Magre.

MR. CLERK: Councilwoman Denton.

COUNCILWOMAN DENTON: Steve Magre.

MR. CLERK: Councilman Benson.

COUNCILMAN BENSON: Steve Magre.

MR. CLERK: Councilman Johnson.

COUNCILMAN JOHNSON: Steve Magre.

MR. CLERK: Councilman Engel.

COUNCILMAN ENGEL: Steve Magre.

MR. CLERK: Councilman Peden.

COUNCILMAN PEDEN: Steve Magre.

MR. CLERK: Councilwoman Flood.

COUNCILWOMAN FLOOD: Pat Mulvehill.

MR. CLERK: Councilman Ackerson.

COUNCILMAN ACKERSON: Steve Magre.

MR. CLERK: Mr. President, Mr. Steve Magre has attained the required 13 votes.

PRESIDENT TANDY: All right. Thank you, Mr. Clerk.

Mr. Magre, if you would please come forward to the podium.

Ladies and gentlemen, please welcome the new representative from District 10, Steve Magre.

[Applause.]

COUNCILMAN MAGRE: I'll be brief. But I do want to say I like that third round better than the first two rounds. I really do appreciate the supermajority support. That's kind of what it was going to take tonight in terms of, as I understand, three council persons have very excused absences that are okay to me and I think the others out here. But I want to start by saying I know a split vote when I see one.

And we really had wonderful candidates in the tenth district that came forward. 13 started and you consider one that dropped out is kind of a legend in my eyes, at least, Chief Albert Tronzo and the work he has done at Camp Taylor Fire Department. But then you look at the others that remain. One of the odd things for me was it turned out -- I didn't know it -- being the last to sign up I got to stay in the sequestered room the whole time and got to know these people better. Some of them I knew pretty well to begin with, but we did have some wonderful candidates.

I want to say to Vicki two things. One, the tenth district in a bit when I am sworn will have someone that can speak to the tenth district, so it won't have to come from the 13th or another number. I can speak and it is not going to be a one-horse race. Maybe you didn't hear my comments, but I'm going to file and I'm going to run and I'm going to work as hard as I can to win. And I'm sure there's the assumption the person you nominated will. I'm betting on that. But frankly I think there will be three or four of us. So when that comes, this government and our country was not built on the idea of continuity, that it has to be the same person over and over and over. And I would suggest to say to you some of our problems in the federal level, state level, and local levels is that people win over and over and over. And I can say that as a person that won 11 straight times.

But I am standing before you very humbled with a certain level of pride. I thank first off, my God, right there, my wife and our family. And on that basis with family and faith my charge will be to do the very best I can in a very, very tough situation with Jim having passed.

So if it is continuity you are looking for, I offer an olive branch here to Patrick and hopefully we can coordinate a little closer to when that transfer does take place. I take our focus regardless of running for an office is on behalf of the constituents in this city, and I know Pat feels that way. I really am impressed with his wonderful service. I think the way he would have won this seat, to be honest, he should have brought his wife and children when he came and did his talk. I was back there, those kids are really cute, I have to tell you. They are very special.

So I do want to switch over just for a second and thank Councilman Ackerson. Brent, you really did broker. That is how it has to be done in these kinds of races. You can only do so much as a candidate and when the rubber really meets the road, which has been over the last six, eight hours, you have to have somebody that can represent what your platform is, what you are about, and kind of put the votes together for somebody to win. And I won, we won, I appreciate, Brent, your work.

And then my last thing before I sit down over there to a seat that is really special to me not only for Jim having sat in it but Seral. I go way back with the Algars and he was a dear friend as well. I do want to thank you, Mr. President. It was important for me to get faith again in that there was a process that was really on-time, was fair, allowed equity for all these people behind me that were candidates, and that if we were going to win it, we had to win it with our platform and the way we won it. And that's all we can ask. You were very presidential, which is really important, and you did a very good job in steering that, in my opinion, in terms of it being fair.

I want my first act to be -- I would consider a vote that sort of is like the LG&E complaint person that spoke right off the bat. It is in the record, Stephen. I want to make sure everyone knows that my vote is for David Tandy as president. And I think in the spirit of Jim that vote's being taken as well.

The other thing I will be doing is -- and I talked to the president about this -- establishing the tenth district advisory board that was so, so dear to our heart in terms of those of us who were on it and to President King in representing his district. It has been reestablished tonight. And actually it is going to be reformulated. It needs to have some tweaking and some people at it, in my opinion. There's going to be at least one person subtracted. That's me.

So I have hit the ground running. I will look at Councilwoman Hamilton and say I don't know what this Monday deadline is, but I'm going to meet it. And whether it is capital or noncapital or whatever, I plan to work with the president and you and make sure that we will hit the ground flying, as I have been saying. I understand the process, just not

sure if you are looking for program money or capital or what you are looking for. So we will get together on that.

So that's really -- I'm not down here to be eloquent; I'm down here to work. And I think we need to get the judge here to swear me in and get this thing going, and I look forward to participating tonight in terms of abstaining, unfortunately, but being here. And I think that was a good idea to do it that way, to get the person who comes in up here, at least. It is really a big difference than when I was here. And I can describe several different ways. But a major, major way is that we are county government. We are a unified government. And it is obvious to me I'm going to have to demonstrate in working with many of you that I can work with those who didn't see fit to vote for me. But my door is open.

I couldn't be happier in terms of being able to win in a way that represents the Democratic Caucus support and the Republican Caucus support. To me that is what good government ultimately is about, the ability to really interact and not close doors and shut down to say my way is right and your way is wrong. And that will be my philosophy in terms of working city-wide issues and working via committees or whatever, but my work will be back out in the district and making sure our district is as represented as close to as possible the way Jim did it. I thank you very much and I look forward to implementing my neighborhood small cities associations platform.

PRESIDENT TANDY: All right. Thank you, Councilman Magre.

[Applause.]

Come forward. The next order of business is the oath of office, and we are privileged tonight to have with us District Court Judge Stephanie Pierce Burke when will administer the oath of office.

JUDGE PIERCE BURKE: I -- state your name.

COUNCILMAN MAGRE: I, Steve Magre.

JUDGE PIERCE BURKE: Do solemnly swear.

COUNCILMAN MAGRE: Do solemnly swear.

JUDGE PIERCE BURKE: That I will support the Constitution.

COUNCILMAN MAGRE: That I will support the Constitution.

JUDGE PIERCE BURKE: Of the United States.

COUNCILMAN MAGRE: Of the United States.

JUDGE PIERCE BURKE: And the Constitution.

COUNCILMAN MAGRE: And the Constitution.

JUDGE PIERCE BURKE: Of this Commonwealth.

COUNCILMAN MAGRE: Of this Commonwealth.

JUDGE PIERCE BURKE: And the ordinances.

COUNCILMAN MAGRE: And the ordinances.

JUDGE PIERCE BURKE: Of the Jefferson County Metro Government.

COUNCILMAN MAGRE: Of the Jefferson County Metro Government.

JUDGE PIERCE BURKE: And be faithful and true.

COUNCILMAN MAGRE: And be faithful and true.

JUDGE PIERCE BURKE: To the Commonwealth of Kentucky.

COUNCILMAN MAGRE: To the Commonwealth of Kentucky.

JUDGE PIERCE BURKE: So long as I continue a citizen thereof.

COUNCILMAN MAGRE: So long as I continue a citizen thereof.

JUDGE PIERCE BURKE: And I will faithfully execute to the best of my abilities the office of District 10 council person.

COUNCILMAN MAGRE: And I will faithfully execute to the best of my abilities the office of District 10 council person.

JUDGE PIERCE BURKE: According to law and ordinance.

COUNCILMAN MAGRE: According to law and ordinance.

JUDGE PIERCE BURKE: And I do further swear.

COUNCILMAN MAGRE: And I do further swear.

JUDGE PIERCE BURKE: Since the adoption of the present Constitution.

COUNCILMAN MAGRE: Since the adoption of the present Constitution.

JUDGE PIERCE BURKE: I being a citizen.

COUNCILMAN MAGRE: I being a citizen.

JUDGE PIERCE BURKE: Of this Commonwealth.

COUNCILMAN MAGRE: Of this Commonwealth.

JUDGE PIERCE BURKE: Have not fought a dual.

COUNCILMAN MAGRE: Have not fought a dual.

JUDGE PIERCE BURKE: With deadly weapons within this Commonwealth.

COUNCILMAN MAGRE: With deadly weapons within this Commonwealth.

JUDGE PIERCE BURKE: Nor have I sent or accepted a challenge to fight a dual with deadly weapons.

COUNCILMAN MAGRE: Nor have I sent or accepted a challenge to fight a dual with deadly weapons.

JUDGE PIERCE BURKE: Nor have I acted as a second.

COUNCILMAN MAGRE: Nor have I acted as a second.

JUDGE PIERCE BURKE: In carrying a challenge.

COUNCILMAN MAGRE: In carrying a challenge.

JUDGE PIERCE BURKE: Nor aided or assisted any person thus offending.

COUNCILMAN MAGRE: Nor aided or assisted any person thus offending.

JUDGE PIERCE BURKE: So help me God.

COUNCILMAN MAGRE: So help me God.

JUDGE PIERCE BURKE: Congratulations, Councilman.

COUNCILMAN MAGRE: Thank you.

[Applause.]

PRESIDENT TANDY: All right. Our next order of business is the Consent Calendar. The Consent Calendar comprises items 19-41. Are there any additions or deletions to the Consent Calendar?

Hearing none, Mr. Clerk, a second reading of these items.

MR. CLERK: AN ORDINANCE APPROPRIATING \$27,270 FROM NEIGHBORHOOD DEVELOPMENT FUNDS, IN THE FOLLOWING MANNER: \$6,000 FROM DISTRICT 6, \$5,770 FROM DISTRICT 12; \$2,500 FROM DISTRICT 17; \$2,000 EACH FROM DISTRICTS 13, 15; \$1,500 FROM DISTRICT 25; \$1,000 EACH FROM DISTRICTS 14, 10, 24, 2, 18, 16, 23; \$500 FROM DISTRICT 21; THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE HEALING PLACE, INC., FOR RENOVATIONS TO THE BRADY CENTER.

AN ORDINANCE APPROPRIATING \$10,000 FROM DISTRICT 6 NEIGHBORHOOD DEVELOPMENT FUNDS, THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE ARTHUR S. KLING CENTER, INC., FOR UTILITIES.

AN ORDINANCE APPROPRIATING \$10,000 FROM DISTRICT 10 NEIGHBORHOOD DEVELOPMENT FUNDS, THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE CITY OF AUDUBON PARK POLICE DEPARTMENT FOR IN-CAR COMPUTERS, "AIR CARDS," REPAIRED AND USED POLICE CARS.

AN ORDINANCE APPROPRIATING \$7,000 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$1,500 EACH FROM DISTRICTS 13, 3; \$3,000 FROM DISTRICT 5; \$1,000 FROM DISTRICT 9, TO METRO PARKS FOR THE ENGAGING CHILDREN OUTDOORS (ECHO) PROGRAM.

AN ORDINANCE APPROPRIATING \$9,605 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$3,825 FROM DISTRICT 4; \$395 EACH FROM DISTRICTS 14, 5, 15, 26, 10, 2, 6, 13, 21, 12, 3, 8, 23, 24; \$250 FROM DISTRICT 25 , THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO ACTORS THEATRE OF LOUISVILLE, INC., FOR COSTS ASSOCIATED WITH THE PRODUCTION OF A COMMUNITY CONVERSATION - "THE BROTHERS SIZE" INCLUDING POSTAGE, PRINTING, PROMOTION AND TICKET SUBSIDIES.

AN ORDINANCE AMENDING ORDINANCE NO. 102, SERIES 2014, RELATING TO THE FISCAL YEAR 2014-15 OPERATING BUDGET FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, BY TRANSFERRING \$20,000 OF FUNDING FROM THE NEIGHBORHOOD DEVELOPMENT FUND (DISTRICT 15) TO THE METRO COUNCIL GENERAL OPERATIONS (DISTRICT 15).

APPOINTMENT OF AARON COLE TO THE CODE ENFORCEMENT BOARD. TERM EXPIRES MAY 27, 2017.

APPOINTMENT OF ROBERT MARINO TO THE COPA BOARD. TERM EXPIRES JANUARY 30, 2019.

APPOINTMENT OF JOHN CHAKAUYA TO THE POLICE MERIT BOARD. TERM EXPIRES JUNE 1, 2018.

APPOINTMENT OF Suzanne PIERCE TO THE FERN CREEK FIRE PROTECTION BOARD. TERM EXPIRES JUNE 30, 2015.

APPOINTMENT OF DOUGLAS SHARP TO THE FERN CREEK FIRE PROTECTION BOARD. TERM EXPIRES JUNE 30, 2018.

APPOINTMENT OF JESSICA MURPHY TO THE CLIFTON ARCHITECTURAL REVIEW COMMITTEE. TERM EXPIRES DECEMBER 18, 2017.

APPOINTMENT OF WILLIAM (KENT) OYLER TO THE KENTUCKIANA WORKS - WORKFORCE INVESTMENT BOARD. TERM EXPIRES FEBRUARY 28, 2018.

A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW PROFESSIONAL SERVICE CONTRACT - (RUSS BASSETT CORPORATION - \$23,000.00).

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT \$25,000 OF FUNDING FROM THE OUTDOOR FOUNDATION TO SUPPORT NATURE BASED RECREATIONAL PROGRAMMING TO BE ADMINISTERED BY THE PARKS DEPARTMENT.

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT ON BEHALF OF THE LOUISVILLE METRO PARKS A DONATION FROM LAKESIDE SEAHAWKS SWIM TEAM OF TWO HOIST PERSONAL PULLEY GYMS EQUIPMENT TOTALING AN ESTIMATED VALUE OF \$5,000.

AN ORDINANCE AMENDING ORDINANCE NO. 101, SERIES 2014, RELATING TO THE 2014-2015 CAPITAL BUDGET BY ESTABLISHING CAPITAL PROJECT WILDERNESS LOUISVILLE AT JEFFERSON MEMORIAL FOREST AND AUTHORIZE THE MAYOR TO ACCEPT ON BEHALF OF THE LOUISVILLE METRO PARKS A DONATION FROM WILDERNESS LOUISVILLE, INC., IN THE AMOUNT OF \$103,634.74 TO PROVIDE INITIAL FUNDING FOR CAPITAL PROJECT.

A RESOLUTION AUTHORIZING THE DEPARTMENT OF COMMUNITY SERVICES TO ENTER INTO AN AGREEMENT WITH COMMUNITY ACTION COUNCIL FOR LEXINGTON-FAYETTE, BOURBON, HARRISON, AND NICHOLAS COUNTIES, INC., TO PROVIDE LIFE SKILLS TO AT LEAST 60 YOUTH TRANSITIONING OUT OF FOSTER CARE.

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT \$20,000.00 FOR WORK COMPLETED ON THE AGREEMENT BETWEEN THE DEPARTMENT OF COMMUNITY SERVICES AND THE NATIONAL DISABILITY INSTITUTE.

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT \$10,000.00 FROM CFED FOR THE DEPARTMENT OF COMMUNITY SERVICES FOR WORK ON FINANCIAL CAPABILITY INTEGRATION TOOLKIT PILOT UNDER THE BANK ON LOUISVILLE PROGRAM.

A RESOLUTION REQUESTING THAT THE PLANNING COMMISSION INITIATE THE PROCESS OF IMPLEMENTING THE RECOMMENDATIONS PERTAINING TO ZONING DESIGNATION CONTAINED IN THE EXECUTIVE SUMMARY OF THE PORTLAND NEIGHBORHOOD PLAN, HOLD A PUBLIC HEARING AND FORWARD A RECOMMENDATION TO THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT FOR FINAL ACTION.

AN ORDINANCE CLOSING A 20' WIDE ALLEY LOCATED ON THE NORTH SIDE OF EASTBOURNE AVENUE, RUNNING BETWEEN THE PROPERTIES AT 3301 EASTBOURNE AVENUE AND 135-141 NORTH CRESTMOOR AVENUE CONTAINING 3,461 SQUARE FEET AND BEING IN LOUISVILLE METRO (CASE NO. 14STREETS1009).

AN ORDINANCE CLOSING A PORTION OF ROSEMONT AVENUE RUNNING FROM MIDLAND AVENUE TO THE WEST APPROXIMATELY 445 FEET AND CONTAINING 14,053 SQUARE FEET AND BEING IN LOUISVILLE METRO (CASE NO. 14STREETS1006).

Read in full.

PRESIDENT TANDY: Thank you, Mr. Clerk.

Is there a motion to approve?

>> Motion.

PRESIDENT TANDY: Second?

>> Second.

PRESIDENT TANDY: Properly moved and seconded. Now before us. The Consent Calendar calls for a roll call vote.

Mr. Clerk, please open the voting. The voting is closing. Trying to help your heart.

>> Thank you, Mr. President. This heart needs all the help it can get.

PRESIDENT TANDY: All right. And the voting is closed.

MR. CLERK: 22 yes votes, one abstention, and three not voting. The within abstention is Councilman Magre.

PRESIDENT TANDY: All right. The Consent Calendar passes.

Next item of business is Old Business.

Mr. Clerk, a reading of item 42, please.

MR. CLERK: AN ORDINANCE APPROPRIATING \$6,000 FROM DISTRICT 6 NEIGHBORHOOD DEVELOPMENT FUNDS TO LOUISVILLE METRO PUBLIC WORKS AND ASSETS, TO FUND THE INSTALLATION OF NEW STREETLIGHTS ALONG THE EAST SIDE OF THE FOURTH STREET UNDERPASS.

Read in full.

>> Motion to approve.

>> Second.

PRESIDENT TANDY: Properly moved and seconded. The ordinance is before us. Is there any discussion?

Councilman Blackwell.

COUNCILMAN BLACKWELL: Thank you, Mr. President.

This came out of committee with a unanimous vote, but Councilwoman Butler asked us to put this on Old Business because I think

she has an abstention. If you would recognize Councilwoman Butler, please.

PRESIDENT TANDY: Councilwoman Butler.

COUNCILWOMAN BUTLER: Yes, thank you. Because this money will eventually go to my employer, I need to abstain.

PRESIDENT TANDY: All right. Any further discussion?
Councilman Peden.

COUNCILMAN PEDEN: I have a question as somebody who has been trying to at least install street lights in the suburban area. My question is being that this is in the urban service district, why you are having to use NDF and then after that fact are you covering the electric part, just the initial installation and then it will go on the bigger bill? And I'm only asking because, again, myself and former Councilwoman Ward-Pugh and several of us have been trying to get street lights outside, and there seems to be road blocks, now this may seem an in between maneuver that I might want to know about.

PRESIDENT TANDY: I will set that as a point of information.
Councilman James.

COUNCILMAN JAMES: So I don't know if you actually qualify them as what you would consider to be street lights. There's a very large underpass on Fourth Street for the railroad and it is extremely poorly lit, if you want to even call it lit. And so there are people that have to pass back and forth through that to get to their homes and businesses and go to school near the university. So it is a public safety issue. So Public Works is utilizing current electrical lines that are under there and installing lights.

COUNCILMAN PEDEN: So there are actually infrastructure. You are just getting new and improved lighting?

COUNCILMAN JAMES: That's correct.

COUNCILMAN PEDEN: Cool. Thank you.

PRESIDENT TANDY: All right. Any further discussion? Seeing none, this is an ordinance that calls for a vote.

Mr. Clerk, please open the voting. The voting is closing. And the voting is closed.

MR. CLERK: 21 yes votes two abstentions and three not voting. The two abstentions are Councilman Magre and Councilwoman Butler.

PRESIDENT TANDY: This ordinance passes with two abstentions. Mr. Clerk, a reading of item 43.

MR. CLERK: AN ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY TO OR-3 OFFICE/RESIDENTIAL ON PROPERTY LOCATED AT 12610 LA GRANGE ROAD CONTAINING 3.3 ACRES AND BEING IN LOUISVILLE METRO.

Read in full.

PRESIDENT TANDY: Is there a motion?

>> So moved.

>> Second.

PRESIDENT TANDY: Properly moved and seconded. The committee-amended ordinance is now before us. Is there any discussion? Councilwoman Flood.

COUNCILWOMAN FLOOD: Thank you, Mr. President.

This is a piece of property as stated on La Grange Road. It was zoned a portion of the property OR sometime back but that was never utilized, so the new applicant who has just purchased the property wishes for it to all be OR-3. So therefore it is just a small portion of the backside of the property to be rezoned. The committee amendment was due to the fact that the binding elements when they came over there were some that were stricken and some were changed and the numbering was off, so the amendment was to follow the numerical order of things that may not be reflected on the SIRE system yet, but it was amended in committee. That is why it is an amended ordinance.

This is in Councilman Glen Stuckel's district, and he might address the council.

PRESIDENT TANDY: Councilman Stuckel.

COUNCILMAN STUCKEL: Yes. This has the acceptance of all the surrounding residents, and I concur.

PRESIDENT TANDY: Thank you.

Councilwoman Flood.

COUNCILWOMAN FLOOD: There was one more element of this. There was a historic building on the property that will follow the demolition

ordinance once it has applied for a demolition. They will wait the 30 days before it is done. But it is not property that has to be -- not on the national register at this time.

PRESIDENT TANDY: All right. Any further discussion?

All right, seeing none, this is an ordinance that calls for a roll call vote.

Mr. Clerk, please open the voting. The voting is closing. And the voting is closed.

MR. CLERK: There are 22 yes votes, one abstention, and three not voting. The one abstention is Councilman Magre.

PRESIDENT TANDY: All right. The ordinance passes with one abstention.

Next item of business is New Business. As you leave chambers, please do so quietly so the clerk may read New Business. I would also like to add those council members wishing to make announcements to please remain in the chambers and request to speak on the speaking system after the clerk has reset that.

Mr. Clerk, a reading of items 44 through 68.

MR. CLERK: The following legislation will be assigned to the Ad Hoc Committee on Land Development Code.

AN ORDINANCE AMENDING CHAPTERS 1, 2, AND 4 OF THE LAND DEVELOPMENT CODE PERTAINING TO PERMITTED USES, PERMITTED USES WITH SPECIAL STANDARDS AND CONDITIONAL USES--APPLICABLE SECTIONS ARE MORE SPECIFICALLY SET FORTH BELOW IN EXHIBIT A--WHICH IS PART OF A CONTINUING EFFORT TO UPDATE THE ZONING REGULATIONS FOR LOUISVILLE METRO (CASE NO. 14AMEND1003).

The following legislation will be assigned to the Appropriations, NDFs, and CIFs Committee.

AN ORDINANCE APPROPRIATING \$18,500 FROM DISTRICT NEIGHBORHOOD DEVELOPMENT FUNDS AS FOLLOWS: \$4,000 FROM DISTRICT 6; \$2,000 EACH FROM DISTRICTS 8, 17, 5, 2, 14, 23; \$1,000 FROM DISTRICT 9; \$500 EACH FROM DISTRICTS 25, 15, 21; THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE KENTUCKY SHAKESPEARE FESTIVAL, INC., FOR SHAKESPEARE IN THE PARKS "MACBETH" TOUR.

AN ORDINANCE APPROPRIATING \$14,250 FROM DISTRICT NEIGHBORHOOD DEVELOPMENT FUNDS AS FOLLOWS: \$5,000 FROM DISTRICT 12; \$3,000 EACH FROM

DISTRICTS 14, 13; \$1,000 EACH FROM DISTRICTS 15, 24; \$500 EACH FROM DISTRICTS 4, 21; \$250 FROM DISTRICT 3; TO METRO PARKS FOR EXPENSES ASSOCIATED WITH THE 2015 RIVERVIEW PARK INDEPENDENCE FESTIVAL.

AN ORDINANCE APPROPRIATING \$5,250 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$500 EACH FROM DISTRICTS 13, 14, 6, 24, 15, 22, 20, 4, 3; \$250 EACH FROM DISTRICTS 5, 25, 2; THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO GOOD HEALTH IDEAS, INC., dba COLON CANCER PREVENTION PROJECT, FOR STAFFING, DESIGNING AND PRINTING EDUCATIONAL MATERIALS AND ADVERTISING.

AN ORDINANCE APPROPRIATING ATOTAL OF \$13,450 FROM NEIGHBORHOOD DEVELOPMENT FUNDS (NDF) IN THE FOLLOWING MANNER: \$5,000 FROM DISTRICT 13; \$250 FROM DISTRICT 16; \$1,000 EACH FROM DISTRICTS 15, 24; \$2,000 FROM DISTRICT 12; \$1,200 FROM DISTRICT 25; \$3,000 FROM DISTRICT 14; TO THE LOUISVILLE METRO PARKS DEPARTMENT FOR OPERATING EXPENSES FOR THE FOREST FEST ANNUAL BLUEGRASS FESTIVAL TO BE HELD AT THE JEFFERSON MEMORIAL FOREST.

The following legislation will be assigned to the Budget Committee.

AN ORDINANCE AMENDING ORDINANCE NO. 101, SERIES 2014 AND ORDINANCE NO. 102, SERIES 2014 RELATING TO THE FISCAL YEAR 2014-15 CAPITAL AND OPERATING BUDGET, RESPECTIVELY, BY TRANSFERRING \$30,000 FROM THE DISTRICT 4 CAPITAL INFRASTRUCTURE FUND TO THE DISTRICT 4 NEIGHBORHOOD DEVELOPMENT FUND.

AN ORDINANCE AMENDING ORDINANCE NO. 101, SERIES 2014, PERTAINING TO THE CAPITAL BUDGET FOR FISCAL YEAR 2014-15 BY RETITLING ABOND FUND PROJECT ADMINISTERED BY THE PARKS & RECREATION DEPARTMENT.

The following legislation will be assigned to the Committee on Contracts and Appointments.

A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW PROFESSIONAL SERVICE CONTRACT - (FAMILY AND CHILDREN FIRST, INC. D/B/A FAMILY AND CHILDREN'S PLACE, INC. - \$68,000.00).

A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING

NONCOMPETITIVELY NEGOTIATED NEW PROFESSIONAL SERVICE CONTRACT (BETH NOLTE- \$27,500.00).

APPOINTMENT OF MARK WITTEN TO THE ANCHORAGE FIRE PROTECTION DISTRICT BOARD. TERM EXPIRES JUNE 30, 2016.

APPOINTMENT OF DALE BODEN TO THE LOUISVILLE REGIONAL AIRPORT AUTHORITY. TERM EXPIRES FEBRUARY 28, 2019.

The following legislation will be assigned to the Committee on Health, Education, and Housing.

A RESOLUTION RECOMMENDING A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT CONTINUUM OF CARE FUNDING FROM FAMILY & CHILDREN'S PLACE IN THE AMOUNT OF \$80,174 TO BE ADMINISTERED BY THE DEPARTMENT OF COMMUNITY SERVICES.

The following legislation will be assigned to the Committee on Sustainability.

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT \$1,899 OF FUNDING FROM THE KENTUCKY DIVISION OF FORESTRY FOR TRAINING BY THE SOCIETY OF MUNICIPAL ARBORISTS AT THE 2015 MUNICIPAL FORESTRY INSTITUTE TO BE ADMINISTERED BY THE PARKS DEPARTMENT.

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT \$5,000 OF FUNDING FROM THE JEFFERSON COUNTY SOIL AND WATER CONSERVATION DISTRICT FOR CLEAN-UP OF PROPERTY LOCATED IN JEFFERSON MEMORIAL FOREST TO BE ADMINISTERED BY THE PARKS DEPARTMENT.

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT ON BEHALF OF THE LOUISVILLE METRO PARKS A DONATION FROM LOUISVILLE METRO PARKS FOUNDATION OF PLAYGROUND EQUIPMENT, SURFACE MATERIAL AND COST OF INSTALLATION AT CALIFORNIA PARK TOTALING AN ESTIMATED VALUE OF \$262,407.

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT \$5,000 OF FUNDING FROM LG&E AND KU ENERGY LLC FOR THE PLANTING OF TREES ACROSS METRO LOUISVILLE TO BE ADMINISTERED BY THE PARKS DEPARTMENT.

The following legislation will be assigned to the Labor and Economic Development Committee.

A RESOLUTION APPROVING THE GRANTING OF LOCAL INDUCEMENTS TO AMERICAN METAL SUPPLY CO. PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 32.

A RESOLUTION APPROVING THE GRANTING OF LOCAL INDUCEMENTS TO TAYLOR LAW, PLLC PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 32.

The following legislation will be assigned to the Planning/Zoning, Land Design, and Development Committee.

AN ORDINANCE CLOSING A 12' WIDE ALLEY LOCATED EAST OF THE SOUTHEAST CORNER OF WEST OAK STREET AND DIXIE HIGHWAY, BEING THE FIRST ALLEY EAST OF DIXIE HIGHWAY AND INTERSECTING THE SOUTH SIDE OF WEST OAK STREET CONTAINING 1,856 SQUARE FEET AND BEING IN LOUISVILLE METRO (CASE NO. 14STREETS1008).

The following legislation will be assigned to the Public Safety Committee.

A RESOLUTION RECOMMENDING THAT THE KENTUCKY GENERAL ASSEMBLY PASS LEGISLATION TO ADDRESS TREATMENT FOR HEROIN ADDICTION, EDUCATION, AND INCREASING PENALTIES FOR HEROIN TRAFFICKING.

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT FUNDING FROM THE KENTUCKY FIRE COMMISSION IN THE AMOUNT OF \$3,200 TO PURCHASE A THERMAL IMAGING CAMERA TO BE USED BY THE LOUISVILLE FIRE DEPARTMENT.

The following legislation will be assigned to the Public Works, Bridges, and Transportation Committee.

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT \$18,500 FROM THE PAULA NYE FOUNDATION TO BE USED BY THE DEPARTMENT OF PUBLIC WORKS & ASSETS FOR THREE PROGRAMS REGARDING BICYCLE SAFETY.

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A DONATION OF CONSULTING SERVICES AND FINANCIAL ANALYSIS TO PERFORM A WASTE CHARACTERIZATION STUDY TO DETERMINE RECOMMENDATIONS FOR INCREASED MATERIAL RECOVERY AND OPERATIONAL IMPROVEMENTS OF THE METRO LOUISVILLE WASTE REDUCTION FACILITY FROM WASTE MANAGEMENT OF KENTUCKY VALUED UP TO \$55,000 TO BE ADMINISTERED THROUGH THE DEPARTMENT OF PUBLIC WORKS AND ASSETS.

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT CONGESTION AND AIR QUALITY (CMAQ) FUNDING FROM THE KENTUCKY TRANSPORTATION CABINET IN THE AMOUNT OF \$2.3M TO CONSTRUCT THREE FAST-FILL NATURAL GAS (CNG) FUELING STATIONS TO BE ADMINISTERED BY DEVELOP LOUISVILLE.

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT CONGESTION AND AIR QUALITY (CMAQ) FUNDING FROM THE KENTUCKY TRANSPORTATION CABINET IN THE AMOUNT OF \$684,000 TO REPLACE SEVEN DIESEL TRUCKS WITH CNG-POWERED TRUCKS TO BE ADMINISTERED BY THE FLEET AND FACILITIES DIVISION OF OMB.

Read in full.

PRESIDENT TANDY: Thank you, Mr. Clerk.

Without objection, we will stand adjourned and will now proceed to our announcements.

Councilman Owen.

COUNCILMAN OWEN: Thank you, Mr. President.

I will have one more occasion in the month of February to mention this announcement, but I just have to seize the opportunity. The last Saturday of every month I sit in a coffee shop in my district along Bardstown Road or Baxter Avenue. The last Saturday of each month 11 months a year. Well, for February I will be sitting on the 28th day of February at 2200 Bardstown Road at Heine Brothers at the Loop. I sit there from 9:00 to 11:00 and citizens in the district or out of the district can come and chat with me about something on their mind, and I just wanted to let folks know that for February the talk with Tom will be at Heine Brothers at the Loop, 9:00 to 11:00, 2200 Bardstown Road. Thank you, Mr. President.

PRESIDENT TANDY: Thank you, Councilman Owen.

That concludes the business that we have before the Metro Council. Our next council meeting will be on February 26th at 6:00 p.m. We thank you for watching. God bless and good night.

[Regular Meeting adjourned.]