

ROUGHLY EDITED COPY  
LOUISVILLE METRO  
CITY COUNCIL MEETING  
REMOTE BROADCAST CAPTIONING  
NOVEMBER 26~~9~~, 2018

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>> PRESIDENT JAMES: THE REGULAR LOUISVILLE METRO COUNCIL MEETING OF NOVEMBER 29, 2018, 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.

>> PRESIDENT JAMES: THANK YOU.

MR. CLERK, A ROLL CALL.

>> MR. CLERK: [ ROLL CALL.]

MR. PRESIDENT, YOU HAVE 18 IN ATTENDANCE AND A QUORUM.

[OFF MIC.]

>> PRESIDENT JAMES : MR. CLERK, ARE THERE ANY ADDRESSES TO THE COUNCIL.

>> YES, THERE ARE.

>> LET ME REMIND THOSE ADDRESSING THE COUNCIL TO REFRAIN FROM USING ANY PROFANITY AND ADDRESS THE COUNCIL AS A WHOLE.

>> PRESIDENT, COUNCIL AND STAFF, THANK YOU FOR THE OPPORTUNITY TO SPEAK WITH YOU.

I WANT TO THANK SUSTAINABLE LOUISVILLE FOR THEIR CONTRIBUTION IN WHAT I FEEL IS A SHARED GOAL.

MAY BE A DISAGREEMENT ON THE URGENCY BUT LOOK FORWARD TO WORKING WITH THEM FOR A REALISTIC TRANSITION TO RENEWABLE ENERGY.

FOR THE PAST TEN WEEKS YOU HAVE HEARD SEVERAL SPEAKERS TALK ABOUT THE MANY BENEFITS FOR PASSING A RESOLUTION OF CLEAN ENERGY.

THESE INCLUDE JOBS IMPROVEMENT IN AIR, WATER, LAND, HEALTH, BUSINESS, LOW INCOME ENERGY ASSISTANCE, THE ABILITY TO TRACK BUSINESS AND TOURISM AND THE ELEPHANT IN THE ROOM, CURBING CLIMATE CHANGE.

SINCE LAST COUNCIL MET YOU MAY HAVE READ ABOUT THESE NEW REPORTS.

THE FOURTH NATIONAL CLIMATE ASSESSMENT CAME OUT LAST FRIDAY.

NEITHER GLOBAL EFFORTS TO MITIGATE THE CAUSE OF THE CLIMATE CHANGE, REASONABLE EFFORTS TO ADAPT TO THE IMPACT CURRENTLY APPROACH THE SCALES NEEDED TO AVOID SUBSTANTIAL DAMAGE TO THE U.S. ECONOMY, ENVIRONMENT, AND HUMAN HEALTH AND WELL-BEING OVER THE COMING DECADE.

IN KENTUCKY A WARMER CLIMATE MEANS MORE SEVERE AND FREQUENT HEAT WAVES, DROUGHTS, PRECIPITATION, THAT WILL TEST OUR AGING FLOOD PROTECTION SYSTEM, JUST TO NAME A FEW.

IN 2015 THE U.S. WAS THE SECOND LEADING COUNTRY IN GREENHOUSE GAS EMISSIONS PER CAPITA.

SAUDI ARABIA WAS FIRST AT 16 METRIC TONS.

KENTUCKY RANKS SEVENTH AMONG ALL U.S. STATES WITH 29 METRIC TONS.

POSITIVE NEWS.

CLEAN ENERGY IS CATCHING UP TO NATURAL GAS.

WIND AND SOLAR COSTS FELL SO FAR SO FAST THEY ARE NOW CUTTING THE COSTS.

THEN BATTERIES WHICH COULD FIRM UP RENEWABLES DIMINISHING THE NEED FOR NATURAL'S GAS, ALSO STARTED GETTING CHEAPER FASTER THAN ANYONE EXPECTED.

IT WAS ANNOUNCED THIS TUESDAY WASHINGTON D.C.'S COUNCIL GAVE APPROVAL OF LEGISLATION FOR ENTIRELY RENEWABLE ENERGY SOURCES BY 2032.

SO I SEE NO REASON L.G. & E. CAN'T DO IT NOW.

-- ADDING CHEAPER SOLAR TO THEIR PORTFOLIO WHILE MAINTAINING A STABLE GRID.

THE CITY CAN PLAY A ROLE HERE PROVIDING VACATED LOTS AND POTENTIALLY BROWNFIELDS FOR THIS PURPOSE.

PASSING THE RESOLUTION IS A SOBERING CALL FOR LEADERS TO JOIN THE MANY CITIES OF THE U.S. AND AROUND THE WORLD ALREADY COMMITTED TO THE URGENT GOAL.

A DOORWAY FOR LEGISLATION THAT WILL BRING ABOUT MANY BENEFITS OF CLEAN ENERGY TO FUTURE GENERATIONS LIKE THESE STUDENTS HERE.

RARELY EVER IF HAVE SMALL GROUPS IN CITY GOVERNMENT LIKE THIS METRO COUNCIL HAD THE OPPORTUNITY TO MAKE A CHANGE FOR SUCH LONG TERM CONSEQUENCES.

THANK YOU.

[ APPLAUSE.]

>> MR. CLERK: NANCY ROBERTS.

>> [OFF MIC] I'M CONCERNED BY SPEAKING UP IT EXPOSES MY FAMILY AND BUSINESS TO POTENTIAL PROBLEMS.

BUT I CAME TONIGHT BECAUSE ALTHOUGH IT IS MUCH EASIER TO REMAIN IN THE CANNABIS CLOSET, IT IS THE RIGHT THING TO DO.

I AM HERE TO REPRESENT THOSE WHO ARE AFRAID TO SHOW UP.

METRO COUNCILMEMBERS, DON'T BE FOOLED BY LOW PUBLIC TURN OUT.

PEOPLE ARE AFRAID TO SHOW THEIR SUPPORT, WHICH COULD MEAN LOSS OF FRIENDS, EMPLOYMENT OR EVEN ARREST.

FOR SENIORS, THE LARGEST GROWING DEMOGRAPHIC ARE PARTICULARLY FRIGHTENED.

I CAME OUT OF THE CLOSET TWO YEARS AGO.

MY HUSBAND IS A CHRONIC -- PATIENT.

WE TRAVELED TO FIVE STATES SEEKING TREATMENT.

NOTHING HELPED UNTIL WE TOOK A LIFE-CHANGING TRIP TO COLORADO.

CANNABIS RELEASED MANY OF HIS MOST TROUBLING SYMPTOMS.

I CAME OUT FOR MY HUSBAND AND FOR ALL LYME PATIENTS.

I CAME OUT FOR OUR 23-YEAR-OLD SON WHO HAS HIGH FUNCTIONING AUTISM AND FOR ALL AUTISM FAMILIES.

HE MOVED TO CALIFORNIA WHERE HE HAD ACCESS TO CANNABIS MEDICINE, WHICH IS A HUGE HELP FOR HIS SYMPTOMS OF AUTISM.

AS MUCH AS HE NEEDS LEGAL MEDICAL CANNABIS, HE NEEDS HIS FAMILY MORE.

HE MOVED BACK TO KENTUCKY LAST YEAR.

I CAME OUT FOR OUR TEENAGE SON, SO THEY COULD SEE THAT WE HAVE TO LIVE WITH COURAGE AND CONVICTION AND THAT BY PARTICIPATING IN THE PROCESSES AVAILABLE TO US, WE CAN STILL CHANGE THE WORLD WE LIVE IN.

THE L.L.E.P. ORDINANCE WILL PUT AN END TO COSTLY LOW-LEVEL MARIJUANA CHARGES.

IT ALLOWS FOR A REVIEW PROCESS IF YOU WERE ARRESTED.

SO IF YOU HAVE A VALID MEDICAL CONDITION, YOUR CHARGES MAY BE DROPPED.

THIS SENDS A MESSAGE OF COMPASSION TO THE THOUSANDS OF MEDICAL CONSUMERS IN OUR CITY AND TO THEIR FAMILY.

GO TO LOUISVILLE.COM, BRAND OUR CITY AS COMPASSIONATE SAYING WE ARE TOUTED ACROSS THE GLOBE FOR BEING WELCOMING, INCLUSIVE AND COMPASSIONATE.

WE SCORED A PERFECT 100 ON THE HUMAN RIGHTS CAMPAIGN MUNICIPAL EQUALITY INDEX THREE YEARS IN A ROW.

WE ARE LEADERS IN KENTUCKY AND IN THE SOUTH FOR INCLUSION AND COMPASSION.

ALREADY HAVING GONE AGAINST CONVENTION TO STAND UP FOR WHAT IS RIGHT.

TONIGHT, I AM ASKING YOU TO DO THAT AGAIN.

I AM ASKING YOU TO CONTINUE LEADING LOUISVILLE TO  
BECOME THE MOST COMPASSIONATE AND PROGRESSIVE CITY IN THE SOUTH  
BY INTRODUCING AND PASSING THE L.L.E.P. CANNABIS ORDINANCE.

NOT BECAUSE IT IS EASY, BUT BECAUSE IT IS RIGHT.

THANK YOU.

[ APPLAUSE.]

>> MR. CLERK: PATRICIA RAMEE.

>> MY NAME IS TRISH RAMEE FROM FIRST UNITARIAN CHURCH  
AND I'M A CONSTITUENT OF COUNCILMEMBER MULVIHILL IN DISTRICT 10.

AND I'M REPRESENTING OVER 20 CONGREGATIONS LOCATED ALL  
OVER LOUISVILLE.

ALL OF YOU HAVE HEARD MEMBERS OF CLOUT SPEAK TO YOU  
FOR AFFORDABLE HOUSING, MANY, MANY TIMES.

IN TEN YEARS WE HAVE MOVED FROM FIRST GETTING THE  
TRUST FUND ESTABLISHED TO ENSURING ITS CONTINUED AND ADEQUATE  
FUNDING.

THROUGHOUT THIS TIME WE HAVE SEEN THE HEARTS AND MINDS  
OF OUR COMMUNITY AND ITS LEADERSHIP.

AFFORDABLE HOUSING HAS BECOME A PRIORITY.

AND WE ARE GRATEFUL THAT THE STUDENTS FROM MERCY  
ACADEMY ARE ALSO HERE THIS EVENING TO SPEAK TRUTH TO POWER FOR  
AFFORDABLE HOUSING.

BUT I AM HERE TONIGHT TO SPEAK TO A DIFFERENT BUT  
RELATED ASPECT.

AFFORDABLE HOUSING NEEDS TO BE AVAILABLE IN ALL THE DISTRICTS OF LOUISVILLE.

IN THE PAST FEW YEARS WE HAVE SEEN AFFORDABLE HOUSING AND FUNDING THE TRUST FUND BECOME A PRIORITY FOR METRO COUNCIL.

THIS IS A PRIORITY THAT HAS THE POWER TO IMPROVE OUR ENTIRE COMMUNITY.

BUT ONLY IF AFFORDABLE HOUSING IS WELCOME IN ALL ITS DISTRICTS.

IN THE PAST YEAR THIS HAS NOT ALWAYS BEEN THE CASE.

SO WE WANT TO REMIND METRO COUNCIL THAT AFFORDABLE AND FAIR HOUSING SHOULD BE A GOAL THROUGHOUT ALL OF LOUISVILLE FOR ONE VERY IMPORTANT REASON.

WE ARE ALL BETTER FOR IT.

ALL PEOPLE IN LOUISVILLE DO BETTER WHEN MEMBERS OF OUR COMMUNITY HAVE AFFORDABLE HOUSING.

CHILDREN DO BETTER IN SCHOOLS.

WE HAVE A STRONG AND HEALTHIER WORKFORCE.

WE ARE A BETTER COMMUNITY WHEN NEW HOUSING GIVES US THE OPPORTUNITY TO MEET AND BEFRIEND PEOPLE FROM DIVERSE BACKGROUNDS AND ETHNICITIES.

WE CAN ACHIEVE THIS UNIFYING GOAL BEST WHEN DIVERSE PEOPLE ARE OUR NEIGHBORS.

KEEP IN MIND THAT AFFORDABLE HOUSING DOES NOT ONLY BELONG IN ONE DISTRICT OF THE CITY, BUT IT BELONGS IN THE HIGHLANDS.



IN HIGH POINT, IN PROSPECT AND EVERYWHERE ELSE.

EVERYONE DESERVES SAFE, DECENT AFFORDABLE HOUSING IN  
OUR COMMUNITY AND EVERYBODY DESERVES TO BE WELCOMED INTO ALL  
PARTS OF OUR COMMUNITY.

THANK YOU.

[ APPLAUSE.]

>> ZACHARY WOLF.

>> I WAS BORN AND RAISED IN LOUISVILLE.

I'M A PROUD U. OF L. FAN, MY WIFE IS A [INAUDIBLE]  
FAN, NEEDLESS TO SAY WE HAVE OUR DISAGREEMENTS BUT ONE THING WE  
AGREE ON IS WE LOVE LOUISVILLE AND WE HOPE TO RAISE A FAMILY  
HERE SOME DAY.

HOWEVER, IT COULD BE SCARY THINKING ABOUT WHAT THE  
FUTURE COULD LOOK LIKE FOR OUR FUTURE.

WILDFIRES IN CALIFORNIA, CATEGORY 4 AND 5 HURRICANES  
ON THE COAST.

INCREASING FLOOD RISK IN THE OHIO RIVER VALLEY.

WE HAVE A RESPONSIBILITY TO DO WHAT'S RIGHT FOR OUR  
CHILDREN AND FUTURE GENERATIONS.

NOT ONLY ON A GLOBAL AND NATIONAL SCALE BUT AT THE  
LOCAL SCALE IN OUR OWN COMMUNITY.

WE NEED TO TRANSITION TO 100% CLEAN RENEWABLE ENERGY  
IN ORDER TO SLOW THE RATE OF CLIMATE CHANGE AND ITS POTENTIAL  
EFFECTS TO OUR COMMUNITY.

AS WELL AS SAFEGUARD ENERGY SECURITY FOR THE FUTURE OF LOUISVILLE.

IT'S NOT LIKE THIS ISN'T BEING DONE ACROSS THE COUNTRY.

ACCORDING TO SIERRA CLUB AND REPORTED BY THE HUFFINGTON POST, OVER 90 CITIES AND COUNTIES IN TWO STATES IN THE U.S. HAVE ADOPTED 100% CLEAN ENERGY GOALS JUST LIKE THE RESOLUTION THAT HAS BEEN PRESENTED.

AND SIX CITIES IN THE U.S. HAVE ALREADY ACCOMPLISHED 100% CLEAN ENERGY.

PLACES LIKE ATLANTA, BLACKFORD VIRGINIA, KANSAS CITY, ORLANDO, SALT LAKE CITY, ST. LOUIS, SAN DIEGO.

THEY HAVE ALL AGREED TO TAKE ACTION TO PROTECT AND PRESERVE OUR NATURAL RESOURCES FOR THE FUTURE.

WE CAN'T LET PLACES LIKE ATLANTA AND ORLANDO BEAT US.

I WON'T ACCEPT THAT.

I BELIEVE IN IF I OF THESE CITIES CAN DO IT, LOUISVILLE CAN DO.

THERE'S AN ABUNDANCE OF RESOURCES SURROUNDING THE LOUISVILLE AREA AND ADVANCES IN TECHNOLOGY HAVE MADE IT POSSIBLE TO GO GREEN IN PLACES LIKE BURLINGTON, MINNEAPOLIS AND THE ENTIRE STATE OF CALIFORNIA.

NOT ONLY IS IT FEASIBLE, IT'S RESPONSIBLE.

IT BENEFITS EVERYONE FROM THE STANCE OF PUBLIC HEALTH,  
LOCAL ECONOMY AND SOCIAL WELFARE AND IT'S JUST THE RIGHT THING  
TO DO.

I HOPE WE CAN AGREE LOUISVILLE IS A GREAT PLACE TO  
LIVE AND WE SHOULD KEEP IT THAT WAY.

PLEASE SUPPORT THE RESOLUTION FOR 100% CLEAN RENEWABLE  
ENERGY IN LOUISVILLE.

THANK YOU.

[ APPLAUSE.]

>> COURTNEY STINMEISTER.

>> MY NAME IS COURTNEY STEINMEISTER.

WE ARE SENIORS -- WE ARE HERE NOT ONLY TO EDUCATE BUT  
TO REMIND YOU OF THE IMPORTANCE OF CONTINUING THE CONVERSATION  
SURROUNDING, UNTIL EVERYBODY IN OUR COMMUNITY HAS FAIR ACCESS TO  
HOUSING.

THIS SEMESTER, OUR SOCIAL JUSTICE LEADERSHIP PROCESS  
HAVE DEVELOPED PROJECTS.

DEMONSTRATE WHO ALSO SUPPORT THIS CAUSE AND WHAT  
CHANGED.

OUR PARTNERSHIP WITH METRO POLICY HOUSING COALITION  
AND AFFORDABLE HOUSING TRUST FUND WE SUPPORT A COMMITMENT FOR NO  
LESS THAN \$10 MILLION TO CONSISTENTLY PLACE AFFORDABLE HOUSING  
IN THE ANNUAL BUDGET.

WE UNDERSTAND THAT MANY OF YOU, IF NOT ALL, BELIEVE  
THERE'S A TRUE NEED FOR MORE AFFORDABLE HOUSING IN LOUISVILLE.

WE ARE HERE TODAY TO PROPOSE A POTENTIAL SOLUTION AND TO ENCOURAGE THE CONTINUATION OF THIS CONVERSATION ABOUT AFFORDABLE HOUSING.

WHILE THE MAJOR GOAL OF OURS WAS TO COLLECT SIGNATURES FROM PEOPLE IN THE COMMUNITY, IT BEGAN TO TAKE A DIFFERENT OUTLOOK AS THE SEMESTER PROGRESSES.

OUR GOAL AS THE COMMITTEE HAD A DIFFERENT PERSPECTIVE ON HOMELESSNESS AND THE WAY IT AFFECTS OUR COMMUNITY, OTHER THAN THE WAY WE PREVIOUSLY UNDERSTOOD IT.

AS SENIORS IN HIGH SCHOOL WE ARE ABLE TO GAIN OUR OWN PERSPECTIVES OF THIS ISSUE BUT IT'S NOT UNTIL YOU GET IN THE COMMUNITY YOU FEEL YOU ARE EXPERIENCING IT WITH THEM.

WE AREN'T OFTEN ABLE TO HEAR AND SEE OTHER SITUATIONS REGARDING HOMELESSNESS.

SAINT VINCENT DE PAUL EVENTS WE WERE ABLE TO HAVE CONVERSATIONS AND THE DIFFICULTY THEY HAVE HAD FINDING THEIR WAY.

YES THIS IS BAD OR WE DEFINITELY NEED MORE HOUSING.

SPEAKING TO THEM PERSONALLY OFFERS A REAL LOOK INTO THE REALITY OF SUCH A HUGE HOMELESS POPULATION AND HOW WE SHOULD STRIVE FOR CHANGE.

>> EVERYONE DESERVES EQUAL RIGHTS IN THIS HOME, ESPECIALLY THE ESSENTIAL NEED OF A HOME, WE ENCOURAGE YOU TO CONTINUE THE CONVERSATION ABOUT AFFORDABLE HOUSING FOR THE HOMELESS IN OUR CITY UNTIL A SUSTAINABLE SOLUTION IS REACHED.

THANK YOU.

[ APPLAUSE.]

>> PRESIDENT JAMES: COUNCILWOMAN BUTLER, I THINK YOU HAVE SOME VERY SPECIAL GUESTS TODAY.

I WOULD LIKE TO ASK YOU AS YOU LEAVE THE ROOM TO LEAVE QUIETLY TO NOT INTERRUPT THE PROCEEDINGS.

>> COLLEAGUES, OUR SOCCER TEAM DID IT AGAIN.

THEY ARE CHAMPIONS.

WE GOT TO GIVE IT TO THE PLAYERS WHO ARE HERE.

[ APPLAUSE.]

AGAIN, WE ARE GIVING THEM A CERTIFICATE LIKE LAST YEAR.

LAST YEAR WAS AFTER WE IMPROVED THE STADIUM.

NOW THE STADIUM IS WELL UNDER WAY.

WE DID IT AGAIN, YOU SET A PRECEDENT, YOU GOT TO DO IT AGAIN.

WE ARE SO PROUD OF YOU -- >> WE WILL DO OUR BEST TO GET ANOTHER ONE NEXT YEAR.

THANK YOU.

[ APPLAUSE.]

>> I JUST SAY THE SAME THING, THE STADIUM WILL BE GREAT FOR THE COMMUNITY.

I LOOK FORWARD TO PLAYING NEXT YEAR AND GETTING ANOTHER ONE.

>> WE WOULDN'T COME WITHOUT BEARING GIFTS.

SO WE HAVE SCARVES.

HAPPEN TO HAVE 26 OF THEM HERE.

YOU COULD DISTRIBUTE.

>> ACTUALLY, IF YOU COULD COME DOWN HERE FOR A PHOTO,  
AND WE COULD ALL PUT OUR SCARVES ON.

>> PRESIDENT JAMES: BARBARA SEXTON SMITH.

AND CHERI BRYANT HAMILTON.

YOU HAVE A SPECIAL GUEST.

A LOCAL HERO.

AND I WOULD LIKE TO RECOGNIZE CHIEF CONRAD WHO IS  
HERE.

I THINK I SAW HIM SOMEWHERE.

THERE HE IS, ALL RIGHT.

>> ALL RIGHT, YES.

THANK YOU, MR. PRESIDENT.

AND COUNCILWOMAN CHERI BRYANT HAMILTON AND I WOULD  
LIKE TO WELCOME THE COMMANDER OF THE LOUISVILLE METROPOLITAN  
POLICE DEPARTMENT MAJOR ERIK JOHNSON.

[ APPLAUSE.]

AND ALSO, I WOULD LIKE TO, IF WE MAY INVITE A FEW  
OTHER FOLKS TO JOIN US, BECAUSE THIS IS A VERY SPECIAL EVENING  
FOR MAJOR JOHNSON.

HIS WIFE AND HIS PARENTS ARE HERE.

IF YOU WOULD PLEASE JOIN US.

CHIEF CONRAD, IF THERE IS ANYONE ELSE IN L.M.P.D. IN THE HOUSE TO SHOW SUPPORT OF MAJOR JOHNSON, PLEASE PROCEED, THIS IS KIND OF LIKE "PRICE IS RIGHT", COME ON DOWN! [ APPLAUSE.]

SO AS WE GATHER THIS EVENING, COLLEAGUES, WE HAVE GATHERED HERE MANY A THURSDAY EVENING ALONG WITH PRESIDENT JAMES AND BILL HOLLANDER, THEIR DISTRICTS HAVE JOINED DISTRICT 4, MINE AND DISTRICT 5 WITH CHERI BRYANT HAMILTON.

WE HAVE RECOGNIZED MANY FOLKS IN LOUISVILLE WHO HAVE SPENT THEIR ENTIRE LIFE DEDICATED TO SERVING OUR COMMUNITY.

MANY OF WHOM HAVE PUT THEIR LIVES ON THE LINE DAY IN AND DAY OUT INCLUDING MAJOR ERIK JOHNSON AND WE WANT TO RECOGNIZE THEM AND MAKE SURE THEY KNOW UPON THE EVE OF THEIR RETIREMENT, HOW MUCH WE ADMIRE THEM, RESPECT THEM, APPRECIATE THEM AND MOST IMPORTANTLY, HOW MUCH WE WANT TO WISH YOU AND YOUR FAMILY WELL ON THE VERY NEXT JOURNEY.

SO WHAT WE HAVE PREPARED IS A SIGNED OFFICIAL PROCLAMATION.

MR. PRESIDENT, MAY I READ THIS INTO THE RECORD?

>> PRESIDENT JAMES: MOST DEFINITELY.

>> [READING PROCLAMATION.]

[READING PROCLAMATION.]

JOB WELL DONE MAJOR JOHNSON! [ APPLAUSE.]

NOW THEREFORE BE IT RESOLVED AT THE LOUISVILLE METRO COUNCIL WE HONOR MAJOR JOHNSON.

SIGNED BY ALL FOUR COUNCILMEMBERS WHOM DISTRICTS HE HAS BEEN SAVING LIVES, PROTECTING LIVES AND MAKING IT A BETTER LIFE FOR ALL.

COUNCILMAN BILL HOLLANDER, DAVID JAMES, CHERI BRYANT HAMILTON AND MYSELF BARBARA SEXTON SMITH.

MAJOR JOHNSON, CONGRATULATIONS.

[ APPLAUSE.]

WOULD YOU LIKE TO SAY SOMETHING.

>> I'M LUCKY ENOUGH TO HAVE BOTH MY PARENTS HERE, I WANT TO THANK THEM AND MY LOVELY WIFE FOR THEIR LOVE AND SUPPORT.

I WANT TO THANK YOU, CONRAD FOR THE OPPORTUNITY YOU HAVE GIVEN ME AT L.M.P.D.

YOUR SUPPORT IS NOT ONLY APPRECIATED BUT NECESSARY FOR US TO ACCOMPLISH OUR TASKS.

IF YOU NEED FURTHER EVIDENCE YOU NEED TO LOOK NO FURTHER THAN THE FIRST DIVISION, PERFECT EXAMPLE WHAT COULD HAPPEN WHEN YOU GIVE POLICE THE RESOURCES THEY NEED AND THE SUPPORT TO DO THEIR JOBS, THEY COULD DO AMAZING THINGS.

PLEASE CONTINUE TO GIVE THEM THAT SUPPORT.

THANK YOU.

[ APPLAUSE.]

>> IT'S AMAZING WHAT CAN HAPPEN IN JUST A YEAR.

MAJOR ANDREW BROWN TO ANOTHER DIVISION, MAJOR JOHNSON CAME [OFF MIC.]



>> MR. PRESIDENT, IF I MAY, I'M A LITTLE LESS OF A PROFESSIONAL FOR PART OF OUR BUSINESS MEETING THIS EVENING.

MAJOR JOHNSON, I HOPE YOU DON'T MIND ME SAYING TO THE FOLKS YOU HAD THE MOST OUTRAGEOUS BEST HALLOWEEN COSTUME THIS YEAR AS YOU SET UP THE FIRST, WHICH IS WHAT WE ARE HOPING WILL BE THE ANNUAL HALLOWEEN EXTRAVAGANZA WHERE MORE THAN 2,000 CHILDREN GOT TO COME THROUGH AND HAVE A WONDERFUL SAFE AND FUN HALLOWEEN THIS YEAR.

THAT WAS ANOTHER DUTY YOU CAME UP WITH AND DID FOR US AND WE ARE GRATEFUL FOR THAT.

JUST MORE THAN A WEEK THERE WILL BE THE FIRST DIVISION AUXILIARY HOLIDAY PARTY FOR MANY CHILDREN AND I KNOW YOU HAVE BEEN VERY INVOLVED IN DOING THAT.

SO WE HAVE ONE MORE THING THAT WE ARE GOING TO GIVE YOU.

WE SORT OF THREW A LITTLE THING TOGETHER.

WE WENT THROUGH PICTURES AND BECAUSE YOU ARE SUCH A SPECIAL FRIEND WE HOPE YOU WILL ENJOY THE COLLAGE THAT WE HAVE PICKED OUT OF A FEW OF YOUR FINER MOMENTS DURING THE LAST YEAR AND WE FOUND THIS WONDERFUL PICTURE OF YOU WITH YOUR PARENTS AND ONE WITH YOU AND YOUR WIFE AND THEN THROUGHOUT THE DISTRICT, THE THINGS YOU HAVE DONE.

SO AS I WOULD LIKE TO SAY TO YOU ON A PERSONAL NOTE, WILLIAM SHAKESPEARE PROBABLY SAYS IT BETTER THAN ANYONE BUT I WANT TO PARAPHRASE, WHEN ONE IS MOVING FROM A TRANSITION IN LIFE

WHERE YOU HAVE DONE SO MUCH AND THERE'S SO MUCH TO DO AND I KNOW IT'S ON YOUR HEART, AND I KNOW IT'S COMING.

HE SAID THE WIND SITS IN THE SHOULDER OF YOUR SAIL MY SON AND KEEP THESE PRECEPTS IN YOUR MEMORY, AND GIVES A LONG LIST WHICH I WILL NOT DO.

HOWEVER ENDS IT TO THINE OWN SELF BE TRUE [OFF MIC.]

THAT IS WHAT YOU HAVE DONE, MY FRIEND.

AND I AM SO GLAD TO CALL YOU FRIEND.

CONGRATULATIONS.

[ APPLAUSE.]

>> PRESIDENT JAMES: COUNCILWOMAN SMITH.

COULD YOU BRING MAJOR JOHNSON AND HIS COLLEAGUES IN FOR A PHOTO TOGETHER?

>> YES, SIR.

MAJOR JOHNSON, WE HAVE BEEN ASKED TO MOVE INTO THE CENTER OF THE ROOM.

WILL ALL OF OUR COLLEAGUES AND MEN AND WOMEN OF L.M.P.D. PLEASE JOIN US UP FRONT FOR A PHOTO?

>> PRESIDENT JAMES: NEXT I HAVE SOME SPECIAL GUESTS.

THAT IS CAROLYN SEACREST FROM FLOYD CENTRAL HIGH SCHOOL AND KILEY McDUFFY.

THEY ARE HERE FROM FUN FOR THE ARTS AND THEY ARE GOING TO PERFORM FOR US TONIGHT.

>> THANK YOU.

WE WANTED TO SAY THANK YOU TO METRO COUNCIL AND  
PRESIDENT JAMES FOR LETTING US PERFORM TODAY.

I'M KILEY McDUFFY.

>> AND I'M CAROLYN SEACREST.

>> WE WOULD LIKE TO SING FOR YOU.

[ SINGING.]

§ §[ APPLAUSE.]

>> THE FUN FOR THE ARTS STARTED A CULTURAL PATH IN  
JUNE AS THE SUMMER READING KICK OFF AND CLOSED AUGUST 11th.

THIS YEAR OVER 32,000 PASSES WERE DISTRIBUTED THROUGH  
FREE PUBLIC LIBRARY BRANCHES.

>> TO INCREASE PARTICIPATION FROM LOW-INCOME FAMILIES  
THEY PARTNERED TO ADVERTISE ON PARK BUSES.

THERE WERE 45 PARTICIPATING VENUES, AN INCREASE FROM  
18% LAST YEAR AND WORKED CLOSELY WITH PARTNERS AT J.C.P.S.,  
LOUISVILLE PARKS AND OFFICE OF STATE AND HEALTHY NEIGHBORHOODS.

>> IT'S SPECIAL FOR US, WE MET IN ACTORS THEATER AND  
HELPED US BECOME BEST FRIENDS BECAUSE THEY WOULD HAVE US SING.

I HAVE BEEN CHOSE CENTER STAGE, STAGE ONE, ACTING  
LOUISVILLE AND PERFORMING ARTS SCHOOL.

[OFF MIC.]

NOW WE WILL LEAVE YOU WITH ONE MORE SONG BY TWENTY ONE  
PILOTS.

§ I WILL MAKE YOU QUEEN OF EVERYTHING YOU SEE § § I'LL  
PUT YOU ON THE MAP § § WE'LL MAKE PRETEND YOU AND ME § § LIVE

HAPPILY EVER AFTER \$ \$ WILL YOU BUY ME A HOUSE OF GOLD \$ \$ WHEN  
YOUR FATHER TURNS TO STONE \$ \$ WILL YOU TAKE CARE OF ME \$ \$ WILL  
YOU TAKE CARE OF ME \$ [ APPLAUSE.]

>> WE WOULD JUST LIKE TO THANK YOU FOR YOUR CONTINUED  
SUPPORT OF FUN FOR THE ARTS.

THANK YOU.

>> PRESIDENT JAMES: THANK YOU.

YOU GUYS ARE GREAT.

NEXT WE HAVE THE APPROVAL OF COUNCIL MINUTES FOR THE  
REGULAR MEETING OF NOVEMBER 8th.

I'M SORRY, COUNCILWOMAN BARBARA SEXTON SMITH?

>> SORRY, I CAN'T HAVE THEM AND NOT SAY AT LEAST ONE  
THING.

AT THE RISK OF SINGLING OUT AT LEAST ONE OF THE WOMEN,  
I MET BOTH WHEN THEY WERE YOUNG GIRLS AND THEY TRAVELED ALL OVER  
THE REGION WITH ME, THAT, MY COLLEAGUES IS HOW I WAS ABLE TO  
RAISE MONEY FOR FUN FOR THE ARTS.

I KNOW YOU THOUGHT IT WAS ME.

IT WAS THEM AND ALL THE CHILDREN.

CAROLINE, WOULD YOU STAND FOR A MOMENT.

SEVERAL YEARS AGO I WAS WATCHING TELEVISION, SOME OF  
YOU MAY HAVE SEEN THE LITTLE GIRL FROM LOUISVILLE KENTUCKY  
SINGING A CAPPELLA, NATIONAL ANTHEM AT THE U.S. OPEN.

THERE SHE IS, LADIES AND GENTLEMEN, IT'S CAROLINE.

SO AS WE LOVE TO SAY, TOGETHER THROUGH THE ARTS WE REALLY DO CREATE A GREAT AMERICAN CITY.

THANK YOU, LADIES, YOU WERE WONDERFUL.

>> PRESIDENT JAMES: THANK YOU.

NEXT WE HAVE APPROVAL OF COUNCIL MINUTES FOR NOVEMBER 8th 2018.

ANY CORRECTIONS OR DELETIONS.

ALL IN FAVOR?

THE AYES HAVE IT, THESE MINUTES ARE APPROVED AS WRITTEN.

NEXT WE HAVE APPROVAL OF THE FOLLOWING COMMITTEE MINUTES, ALL IN 2018: REGULAR: PARKS AND SUSTAINABILITY COMMITTEE, OCTOBER 25.

REGULAR: BUDGET COMMITTEE, NOVEMBER 1. REGULAR: PARKS AND SUSTAINABILITY COMMITTEE, NOVEMBER 8. REGULAR: COMMITTEE OF THE WHOLE, NOVEMBER 8.

REGULAR: PLANNING, ZONING AND ANNEXATION COMMITTEE, NOVEMBER 13.

REGULAR: PUBLIC WORKS, FACILITIES, TRANSPORTATION AND ACCESSIBILITY COMMITTEE, NOVEMBER 13. REGULAR: PUBLIC SAFETY COMMITTEE, NOVEMBER 14. REGULAR: APPROPRIATIONS COMMITTEE, NOVEMBER 14. REGULAR: APPOINTMENTS COMMITTEE, NOVEMBER 15. SPECIAL: BUDGET COMMITTEE, NOVEMBER 15.

SPECIAL: PLANNING, ZONING AND ANNEXATION COMMITTEE, NOVEMBER 27. REGULAR: COMMITTEE ON COMMITTEES, NOVEMBER 27.

>> PRESIDENT JAMES: THE MINUTES HAVE BEEN PROPERLY  
MOVED AND SECONDED.

ALL THOSE IN FAVOR PLEASE SIGNIFY BY SAYING AYE.

OPOSED? THE AYES HAVE IT.

THE MINUTES ARE APPROVED AS WRITTEN. MR. CLERK, DO WE  
HAVE ANY COMMUNICATIONS FROM THE MAYOR.

>> MR. CLERK: WE DO, SIR.

>> PRESIDENT JAMES: PLEASE READ THOSE INTO THE RECORD.

>> MR. CLERK: DEAR PRESIDENT JAMES: PLEASE ACCEPT THIS  
LETTER AS A CORRECTION TO A PREVIOUSLY READ INTO RECORD LETTER  
THAT WAS SUBMITTED TO NEW BUSINESS ON SEPTEMBER 10 AND STAMPED  
AND APPROVED ON SEPTEMBER 27, 2018.

FOR THE RECORD, I AM APPOINTING AND REAPPOINTING THE  
FOLLOWING TO THE SCIENCE CENTER BOARD: CHRISTY HARTMAN,  
APPOINTMENT, TERM EXPIRES JULY 1, 2020.

MARK SLAUGHTER, APPOINTMENT, TERM EXPIRES JULY 1,  
2020. JEAN SCOTT, REAPPOINTMENT, TERM EXPIRES JULY 1, 2020. MATT  
INGRAM, REAPPOINTMENT, TERM EXPIRES JULY 1, 2020. KATIE  
DAILINGER, REAPPOINTMENT, TERM EXPIRES JULY 1, 2020. SHAWN  
BAILEY, APPOINTMENT, TERM EXPIRES JULY 1, 2021. LYNETTE  
BREEDLOVE, APPOINTMENT, TERM EXPIRES JULY 1, 2021. JODY CLASEY,  
APPOINTMENT, TERM EXPIRES JULY 1, 2021. KEISHA DEONARINE,  
APPOINTMENT, TERM EXPIRES JULY 1, 2021. SEAN LYONS, APPOINTMENT,  
TERM EXPIRES JULY 1, 2021. KARL SCHMITT, APPOINTMENT, TERM  
EXPIRES JULY 1, 2021. THIS IS TO BE READ INTO RECORD ONLY. METRO

COUNCIL APPROVAL OF THIS APPOINTMENT IS NOT REQUIRED. SINCERELY,  
GREG FISCHER, MAYOR.

DEAR PRESIDENT JAMES: IN ACCORDANCE WITH THE  
KENTUCKIANA WORKS - GREATER LOUISVILLE WORKFORCE DEVELOPMENT  
BOARD ORDINANCE, I AM APPOINTING AND REAPPOINTING THE FOLLOWING:  
CAITLIN BLAIR, APPOINTMENT, TERM EXPIRES DECEMBER 13, 2021.

TONY GEORGES, REAPPOINTMENT, TERM EXPIRES SEPTEMBER  
10, 2021.

TAMI HATFIELD-KENNEDY, REAPPOINTMENT, TERM EXPIRES  
DECEMBER 17, 2021.

THOMAS QUICK, REAPPOINTMENT, TERM EXPIRES SEPTEMBER  
10, 2021.

YOUR PROMPT ACTION ON THESE APPOINTMENTS IS MOST  
APPRECIATED.

SINCERELY, GREG FISCHER, MAYOR.

DEAR PRESIDENT JAMES: IN ACCORDANCE WITH THE CRIMINAL  
JUSTICE COMMISSION BOARD ORDINANCE, I AM APPOINTING AND  
REAPPOINTING THE FOLLOWING TO THE BOARD: DONALD VISH,  
APPOINTMENT, TERM EXPIRES DECEMBER 13, 2021.

YOUR PROMPT ACTION ON THIS APPOINTMENT IS MOST  
APPRECIATED.

SINCERELY, GREG FISCHER, MAYOR.

DEAR PRESIDENT JAMES: IN ACCORDANCE WITH THE EXTENSION  
BOARD ORDINANCE, I AM APPOINTING AND REAPPOINTING THE FOLLOWING:  
AMANDA FULLER, APPOINTMENT, TERM EXPIRES JANUARY 1, 2022.

YOUR PROMPT ACTION ON THIS APPOINTMENT IS MOST APPRECIATED.

SINCERELY, GREG FISCHER, MAYOR.

DEAR PRESIDENT JAMES: IN ACCORDANCE WITH THE BOARD OF HEALTH ORDINANCE, I AM APPOINTING AND REAPPOINTING THE FOLLOWING: DR. DWAYNE COMPTON, REAPPOINTMENT, TERM EXPIRES JULY 31, 2021.

YOUR PROMPT ACTION ON THIS APPOINTMENT IS MOST APPRECIATED.

SINCERELY, GREG FISCHER, MAYOR.

DEAR PRESIDENT JAMES: I AM APPOINTING THE FOLLOWING TO THE BRIGHTSIDE BOARD OF DIRECTORS: BRADLEY SAVKO, APPOINTMENT, TERM EXPIRES DECEMBER 13, 2021.

AMY WHELAN, APPOINTMENT, TERM EXPIRES DECEMBER 13, 2021.

EMINE NUR MANDADI, APPOINTMENT, TERM EXPIRES DECEMBER 13, 2021.

THIS IS TO BE READ INTO RECORD ONLY.

METRO COUNCIL APPROVAL OF THESE APPOINTMENTS IS NOT REQUIRED.

SINCERELY, GREG FISCHER, MAYOR.

DEAR PRESIDENT JAMES: I AM APPOINTING THE FOLLOWING TO THE MEDICAL CENTER COMMISSION OF JEFFERSON COUNTY: ANDREW MCCARTHY, APPOINTMENT, TERM EXPIRES JANUARY 12, 2020.



MARK WATKINS, APPOINTMENT, TERM EXPIRES JANUARY 12,  
2020.

THIS IS TO BE READ INTO RECORD ONLY.

METRO COUNCIL APPROVAL OF THESE APPOINTMENTS IS NOT  
REQUIRED.

SINCERELY, GREG FISCHER, MAYOR.

DEAR PRESIDENT JAMES: IN ACCORDANCE TO THE ORDINANCE  
AUTHORITY FOR THE CALIFORNIA NEIGHBORHOOD ADVISORY GROUP, I AM  
APPOINTING THE FOLLOWING TO SERVE AS COMMITTEE MEMBERS: YOLANDA  
WALKER, APPOINTMENT, TERM EXPIRES N/A.

THIS IS TO BE READ INTO RECORD ONLY.

METRO COUNCIL APPROVAL OF THESE APPOINTMENTS IS NOT  
REQUIRED.

SINCERELY, GREG FISCHER, MAYOR.

READ IN FULL.

>> PRESIDENT JAMES: PRESIDENT JAMES.

>> MR. CLERK: EXCUSE ME?

>> PRESIDENT JAMES: YOU SAID PRESIDENT YATES.

>> MR. CLERK: EXCUSE ME.

I'M GOING TO NEVER LIVE THAT DOWN.

[ CHUCKLES.]

>> PRESIDENT JAMES: THOSE APPOINTMENTS NEEDING COUNCIL  
APPROVAL WILL BE FORWARDED TO THE COMMITTEE ON APPOINTMENTS.

THE NEXT ORDER OF BUSINESS IS THE CONSENT CALENDAR.  
THE CONSENT CALENDAR COMPRISES ITEMS 28-53.

MR. CLERK, A SECOND READING OF THESE ITEMS.

-28 >> MR. CLERK: APPOINTMENT OF JOHN DANIEL RIVERS TO THE DOWNTOWN DEVELOPMENT REVIEW OVERLAY DISTRICT COMMITTEE. TERM EXPIRES DECEMBER 31, 2021.

-29 APPOINTMENT OF JESSICA KINCAID TO THE COMMISSION ON PUBLIC ART (COPA). TERM EXPIRES OCTOBER 24, 2022.

-30 APPOINTMENT OF STEPHEN SULLIVAN TO THE AIR POLLUTION CONTROL DISTRICT BOARD. TERM EXPIRES NOVEMBER 29, 2021.

-31 APPOINTMENT OF LINDSEY JAGOE TO THE BOARD OF ZONING ADJUSTMENT. TERM EXPIRES JUNE 30, 2019.

-32 APPOINTMENT OF VINCENT GONZALEZ TO THE CITIZENS COMMISSION ON POLICE ACCOUNTABILITY. TERM EXPIRES NOVEMBER 29, 2022.

-33 APPOINTMENT OF MARGARITA GARDNER TO THE CITIZENS COMMISSION ON POLICE ACCOUNTABILITY. TERM EXPIRES MARCH 27, 2021.

-34 APPOINTMENT OF DAVID KAE LIN TO THE LOUISVILLE METRO TREE ADVISORY COMMITTEE. TERM EXPIRES NOVEMBER 29, 2021.

-35 APPOINTMENT OF CINDI SULLIVAN TO THE LOUISVILLE METRO TREE ADVISORY COMMITTEE. TERM EXPIRES NOVEMBER 29, 2021.

-36 APPOINTMENT OF SARAH BETH SAMMONS TO THE LOUISVILLE METRO TREE ADVISORY COMMITTEE. TERM EXPIRES NOVEMBER 29, 2021.

-37 APPOINTMENT OF JIM WALLITSCH TO THE LOUISVILLE METRO TREE ADVISORY COMMITTEE. TERM EXPIRES NOVEMBER 29, 2021.

-38 APPOINTMENT OF BECKY PEAK TO THE LOUISVILLE METRO TREE ADVISORY COMMITTEE. TERM EXPIRES NOVEMBER 29, 2021.

-39 APPOINTMENT OF CHARLES AULL TO THE LOUISVILLE METRO TREE ADVISORY COMMITTEE. TERM EXPIRES NOVEMBER 29, 2021.

-40 APPOINTMENT OF ANTOINETTE DOUGLAS TO THE LOUISVILLE METRO TREE ADVISORY COMMITTEE. TERM EXPIRES NOVEMBER 29, 2021.

-41 APPOINTMENT OF RAY SMITH TO THE LOUISVILLE METRO TREE ADVISORY COMMITTEE. TERM EXPIRES NOVEMBER 29, 2021.

-42 APPOINTMENT OF LAURA LYON TO THE LOUISVILLE METRO TREE ADVISORY COMMITTEE. TERM EXPIRES NOVEMBER 29, 2021.

-43 APPOINTMENT OF PATRICK HENRY TO THE LOUISVILLE METRO TREE ADVISORY COMMITTEE. TERM EXPIRES NOVEMBER 29, 2021.

-44 APPOINTMENT OF JORDAN BASHAM TO THE LOUISVILLE METRO TREE ADVISORY COMMITTEE. TERM EXPIRES NOVEMBER 29, 2021.

-45 APPOINTMENT OF DENISE SIMON TO THE LOUISVILLE METRO TREE ADVISORY COMMITTEE. TERM EXPIRES NOVEMBER 29, 2021.

-46 APPOINTMENT OF DAVE PARKS TO THE LOUISVILLE METRO TREE ADVISORY COMMITTEE. TERM EXPIRES NOVEMBER 29, 2021.

-47 AN ORDINANCE APPROPRIATING \$27,000 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$2,000 EACH FROM DISTRICTS 6, 1, 2, 4, 5, 10, 12, 14, 17, 23 AND 26; \$1,500 FROM DISTRICT 20; \$1,000 FROM DISTRICT 9; AND \$500 EACH

FROM DISTRICTS 8, 13, 15, 21, AND 25; THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO KENTUCKY SHAKESPEARE, INC. FOR COSTS ASSOCIATED WITH THE 2019 MACBETH TOUR. -48 AN ORDINANCE APPROPRIATING \$11,324.19 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$3,774.73 FROM DISTRICTS 7, 16, AND 17 TO SOLID WASTE MANAGEMENT SERVICES TO FUND A COMMUNITY RECYCLING EVENT AT BALLARD HIGH SCHOOL ON OCTOBER 6, 2018.

-49 AN ORDINANCE AMENDING ORDINANCE NO. 104, SERIES 2015 AS PERTAINING TO THE FISCAL YEAR 2015-16 CAPITAL BUDGET AND AMENDING ORDINANCE NO. 029, SERIES 2016 AND AMENDING ORDINANCE NO. 109, SERIES 2018 PERTAINING TO THE FISCAL YEAR 2018-19 CAPITAL BUDGET FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT BY REALLOCATING \$30,677.49 OF COUNCIL DISTRICT 21 CAPITAL FUNDS FOR A NEW CAPITAL PROJECT UNDER PUBLIC WORKS AND ASSETS.

-50 A RESOLUTION AMENDING RESOLUTION NO. 124, SERIES 2017 TO UPDATE AND AMEND THE JEFFERSON COUNTY SHERIFF'S 2018 BUDGET.

-51 A RESOLUTION AUTHORIZING THE MAYOR ON BEHALF OF METRO GOVERNMENT TO ACCEPT THE DONATION OF A SECOND CONSERVATION EASEMENT ON PROPERTY OWNED BY MASON LANE LLC LOCATED NORTH OF SOUTH BUCKEYE LANE IN OLDHAM COUNTY, KENTUCKY.

-52 AN ORDINANCE CLOSING AN UNNAMED ALLEY AT 313 SOUTH 18TH STREET AND BEING IN LOUISVILLE METRO (CASE NO.

18STREETS1017).

-53 A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A GRANT OF \$24,999 FROM THE U.S. DEPARTMENT OF JUSTICE FOR THE INTELLECTUAL PROPERTY ENFORCEMENT PROGRAM TO BE ADMINISTERED BY THE DEPARTMENT OF CODES AND REGULATIONS.

READ IN FULL.

-54 >> A RESOLUTION AUTHORIZING THE MAYOR ON BEHALF OF METRO GOVERNMENT TO ACCEPT THE DONATION OF A SECOND CONSERVATION EASEMENT ON PROPERTY OWNED BY DINWIDDIE LAMPTON, III AND HIS WIFE IRENE D. LAMPTON LOCATED ON HALLS HILL ROAD AND COVERED BRIDGE ROAD IN OLDHAM COUNTY, KENTUCKY.

-55 A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A GRANT OF \$24,999 FROM THE U.S. DEPARTMENT OF JUSTICE FOR THE INTELLECTUAL PROPERTY ENFORCEMENT PROGRAM TO BE ADMINISTERED BY THE DEPARTMENT OF CODES AND REGULATIONS.

>> PRESIDENT JAMES: THANK YOU.

THAT'S BEEN PROPERLY MOVED AND SECONDED.

WILL THE CLERK PLEASE OPEN THE VOTING.

WITHOUT OBJECTION THE VOTING IS CLOSING.

>> MR. CLERK: 25 YES VOTES AND ONE NOT VOTING.

>> PRESIDENT JAMES: THANK YOU, THE CONSENT CALENDAR PASSES.

THE NEXT ORDER OF BUSINESS IS OLD BUSINESS.

A READING OF ITEM 56.

>> MR. CLERK: AN ORDINANCE APPROPRIATING \$7,500 IN NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$7,500

FROM DISTRICT 5; THROUGH THE OFFICE OF MANAGEMENT AND BUDGET TO THE BEECH, INC. WITH \$5,000 FOR COSTS ASSOCIATED WITH ASSISTING CHILDREN OF THE RUSSELL, SHAWNEE, CHICKASAW, SMOKETOWN, ALGONQUIN, AND OTHER ECONOMICALLY DISENFRANCHISED NEIGHBORHOODS IN LOUISVILLE, KENTUCKY FOR ACADEMIC ENRICHMENT AND SUCCESSFUL TRANSITION INTO POSTSECONDARY EDUCATION AND THE WORKFORCE, AND \$2,500 TOWARD THE ESTABLISHMENT OF THE SAMUEL M. PLATO HISTORICAL MARKER WITH THE KENTUCKY HISTORICAL SOCIETY.

>> PRESIDENT JAMES: THANK YOU.

A MOTION AND A SECOND.

THE MOTION IS BEFORE US.

ANY DISCUSSION?

COUNCILMEMBER DR. BLACKWELL.

>> THANK YOU, MR. PRESIDENT.

THIS CAME OUT OF COMMITTEE [OFF MIC] COUNCILMEMBER BRYANT HAMILTON MIGHT WANT TO SPEAK.

>> PRESIDENT JAMES: THANK YOU.

COUNCILWOMAN BRYANT HAMILTON?

>> THANK YOU, I WOULD LIKE TO DONATE \$500 [OFF MIC.] EDUCATIONAL PROGRAM, ACADEMIC ENRICHMENT.

[OFF MIC.]

>> PRESIDENT JAMES: THANK YOU.

FURTHER DISCUSSION?

MAY I HAVE A MOTION AND A SECOND?

ALL IN FAVOR?

OPPOSED?

THE AYES HAVE IT.

WE HAVE THE AMENDED ORDINANCE BEFORE US.

MR. CLERK, WOULD YOU PLEASE OPEN THE VOTING. WITHOUT  
OBJECTION THE VOTING IS CLOSING AND THE VOTING IS CLOSED.

>> MR. CLERK: 25 YES VOTES AND ONE NOT VOTING.

>> PRESIDENT JAMES: THANK YOU.

THE ORDINANCE PASSES.

MR. CLERK, A READING OF ITEM 57.

>> MR. CLERK: AN ORDINANCE CHANGING THE ZONING FROM  
R-7 RESIDENTIAL MULTI-FAMILY TO [C-1] C-R COMMERCIAL/RESIDENTIAL  
ON PROPERTY LOCATED AT 1860 FRANKFORT AVENUE CONTAINING 0.56  
ACRES AND BEING IN LOUISVILLE METRO (CASE NO.

18ZONE1039) (AS AMENDED).

READ IN FULL.

>> PRESIDENT JAMES: THANK YOU.

THE ORDINANCE IS BEFORE US.

IS THERE ANY DISCUSSION?

COUNCILWOMAN FLOOD?

>> THANK YOU, MR. PRESIDENT.

THIS WAS A FIRST TO COME IN FRONT OF US.

WE WERE REQUIRED TO HOLD A PUBLIC HEARING BECAUSE THE  
ORIGINAL CHANGE IN ZONING WAS FROM R-7 TO C-1 BUT THEY HAD A  
BINDING ELEMENT ATTACHED TO THE ORDINANCE THAT ACTUALLY  
PROHIBITED ANY USES OF C-1 TO BE USED IN THAT.

SO BOTH PARTIES, BOTH THE PLANNING COMMISSION AND THE APPLICANT AGREE TO CHANGE IT TO C-R.

BUT BECAUSE THIS CAME OVER WITH C-1 WE ARE REQUIRED TO HAVE A PUBLIC HEARING AND IT CAME THROUGH OUR COMMITTEE UNANIMOUS.

THIS IS AN EXISTING CHURCH AND IT WILL PROBABLY BE OFFICE OR RETAIL.

IT'S IN THE CLIFTON COMMUNITY COUNCIL AREA.

AND IF ANY FEATURES ON THE OUTSIDE CHANGES THEY WILL HAVE TO APPROVE THOSE.

THERE'S A C.U.P. ATTACHED BECAUSE THERE'S PARKING ACROSS THE STREET ABOUT CHANGING THE ZONING ON THIS PARKING, SO IT REQUIRED A C.U.P.

THIS IS ACTUALLY IN COUNCILMAN BILL HOLLANDER'S DISTRICT SO HE WOULD PROBABLY LIKE TO DISCUSS IT.

>> PRESIDENT JAMES: THANK YOU, COUNCILMAN HOLLANDER?

>> THANK YOU, MR. PRESIDENT.

IT'S A CHURCH, BEING MARKETED FOR OFFICE OR RETAIL.

I APPRECIATE MY COLLEAGUES ON THE PLANNING COMMITTEE COMING IN THIS WEEK FOR THE PUBLIC HEARING.

WHERE ONLY THE APPLICANT SPOKE, EVERYONE AGREES TO THIS CHANGE TO C-R.

I THINK IN THE FUTURE IT SEEMS TO BE APPROPRIATE TO ZONE SOMETHING C-1 TO HAVE BINDING ELEMENTS IT COULD ONLY BE ZONED FOR C-R [OFF MIC.]



THANK YOU, I APPRECIATE IT.

>> PRESIDENT JAMES: THANK YOU.

ANY FURTHER DISCUSSION?

HEARING NONE, CLERK, PLEASE OPEN THE VOTING.

WITHOUT OBJECTION THE VOTING IS CLOSING, AND THE  
VOTING IS CLOSED.

>> MR. CLERK: 25 YES VOTES AND ONE NOT VOTING.

>> PRESIDENT JAMES: THE ORDINANCE PASSES.

MR. CLERK, A READING OF ITEM NUMBER 58.

>> MR. CLERK: AN ORDINANCE CHANGING THE ZONING FROM  
R-4 SINGLE-FAMILY RESIDENTIAL AND C-2 COMMERCIAL TO M-2  
INDUSTRIAL ON PROPERTY LOCATED AT 8325, 8329, AND 8401 NASH ROAD  
AND 806, 711, 715, 717, 719, 801, 803, AND 805 HAY COURT  
CONTAINING 3.66 ACRES AND BEING IN LOUISVILLE METRO (CASE NO.  
17ZONE1041).

READ IN FULL.

>> PRESIDENT JAMES: THANK YOU, MAY I HAVE A MOTION?

>> MOTION TO APPROVE.

>> PRESIDENT JAMES: THE MOTION IS BEFORE US.

ANY DISCUSSION?

COUNCILWOMAN FLOOD?

>> THANK YOU, MR. PRESIDENT.

THIS WAS ONE OF THE LONGEST PUBLIC HEARINGS, I  
BELIEVE, SINCE I'VE BEEN ON THE COUNCIL, THE PLANNING COMMISSION

ACTUALLY HELD TWO NIGHT HEARINGS THAT WENT IN EXCESS OF TEN HOURS OF TESTIMONY.

AGAIN, THEY WERE TWO NIGHT HEARINGS.

EVERYONE IS REFERRING TO TOP GOLF AT OXMOOR CENTER, ACTUALLY GOING INTO THE OLD SEARS BUILDING.

IT'S AN EXISTING REGIONAL CENTER NOW, AND THIS WAS A VACANT ANCHOR STORE.

THERE'S A CONDITIONAL USE PERMIT TO ALLOW THE GOLF DRIVING RANGE AT THE BACK OF THE MALL THERE.

THIS IS IN COUNCILWOMAN PARKER'S DISTRICT.

SO SHE MIGHT LIKE TO -- >> PRESIDENT JAMES: THANK YOU.

COUNCILWOMAN PARKER?

>> YES, THANK YOU.

JUST TO REITERATE WHAT COUNCILWOMAN FLOOD SAYS, THIS HAS BEEN ONE OF THE MOST CONTROVERSIAL, IF NOT THE MOST CONTROVERSIAL ZONING CASE, THAT I THINK HAS COME BEFORE METRO LOUISVILLE AND THERE WERE LONG HEARING SESSIONS.

I ATTENDED BOTH HEARING SESSIONS AND I READ THROUGH THE ENTIRE PUBLIC RECORD.

SO I DO KNOW WHAT'S IN IT.

I REALLY WANTED TO WEIGH BOTH SIDES AND LISTEN TO THE CONCERNS OF THE CONSTITUENTS.

AS WELL AS LEARN ABOUT THE NEW BUSINESS OF TOP GOLF.

BUT JUST TO GET COUNCILMEMBERS UP TO SPEED A LITTLE BIT THERE WERE CONVERSATIONS OVER THE LAST DAY OR SO, IT IS A VERY, VERY LENGTHY RECORD AND I'M NOT SURE IF EVERYONE HAS HAD THE OPPORTUNITY TO EVEN LOOK AT SOME, MUCH LESS ALL OF IT IN ITS ENTIRETY.

BUT BASICALLY, TOP GOLF IS A 24-ACRE VENUE.

IT'S A RESTAURANT, BAR, MUSIC AND OUTDOOR ATHLETIC VENUE.

IT'S ALL OF THOSE THINGS.

WHICH FOR ATTENDEES MAKES IT REALLY FUN.

BUT WHEN IT'S LOCATED RIGHT NEXT TO A SINGLE FAMILY RESIDENCE NEIGHBORHOOD, THAT'S WHY YOU ARE SEEING SO MUCH OPPOSITION AND CONCERN.

AND JUST TO OUTLINE SOME OF THE CONCERNS OF THE RESIDENTS IN MY DISTRICT AND THE TWO ASSOCIATED NEIGHBORHOODS AND THE SCHOOL RIGHT ACROSS THE STREET, THEY WERE CONCERNED WITH SEVERAL ISSUES.

IT WAS NOT JUST THE LIGHTING, NOT JUST THE HEIGHT OF THE POLES AND THE STRUCTURE AND NOT JUST THE NOISE, NOT JUST THE TRAFFIC AND THE DRINKING TRAFFIC AND THE LATE NIGHT HOURS.

IT WAS THE CUMULATIVE COMBINATION OF ALL OF THOSE CONCERNS THAT WAS VERY CONCERNING TO THEIR QUALITY OF LIFE AND THEIR PROPERTY VALUES.

TOP GOLF WHEN IT WENT THROUGH PLANNING AND ZONING IT GOT MULTIPLE WAIVERS AND VARIANCES, IT WOULDN'T HAVE PASSED OUR

LAND DEVELOPMENT CODE HAD THERE NOT BEEN MULTIPLE VARIANCES AND WAIVERS GIVEN FOR THE LIGHTING.

IT'S AN OUTDOOR RECREATIONAL FACILITY.

OUR CODE ONLY ALLOWS FOR 3800 LUMENS, MEASUREMENT OF BRIGHTNESS OF LIGHT.

THESE LUMENS OF THESE LIGHTS THAT GO ACROSS THE BAY AREA ARE 58,000.

SO WE WENT FROM ALLOWING 3,800 TO 58,000.

AND THEY ALSO GOT A WAIVER FOR THE HEIGHT OF THE LIGHTS.

SO NATURALLY THE RESIDENTS WERE CONCERNED ABOUT THE GLARE.

THERE ARE MULTIPLE TOP GOLFS ALL ACROSS THE COUNTRY. ALMOST ALL OF THEM ARE LOCATED IN EITHER UNDER DEVELOPED AREAS OR INDUSTRIAL AREAS.

THEY AREN'T PLACED RIGHT NEXT TO SINGLE FAMILY HOMES. AND NOT ONLY IS THIS PLACED RIGHT NEXT TO SINGLE FAMILY HOMES WHICH IS ABOUT 1200 FEET AWAY, IT IS FACING DIRECTLY AT THE NEIGHBORHOOD.

SO THAT WAS PRETTY MUCH UNPRECEDENTED.

THE HEIGHT OF THE POLES, THERE WAS A WAIVER FOR THE HEIGHT OF THE POLES BECAUSE THEY ARE 175 FEET TALL.

IT'S MY UNDERSTANDING THERE'S ABOUT 28 OF THEM AND THEY ARE 4-5 FEET AT THE BASE WHICH IS EXTREMELY LARGE AND THEY ARE 175 FEET TALL.

IF YOU CAN IMAGINE THE TALLEST TREE YOU CAN IMAGINE AND THAT SAME TYPE TREE ON TOP OF THAT AND ANOTHER HALF OF THAT TREE ON TOP OF THAT THAT'S HOW TALL THE POLES ARE.

THE NOISE.

THEY DID A STUDY THAT THE AMBIENT NOISE WOULDN'T BE MUCH MORE THAN WHAT A NORMAL SPEAKING VOICE WOULD BE.

THE ONLY PROBLEM WITH THAT, IT'S KIND OF LIKE A FOOTBALL FIELD, IF YOU CAN IMAGINE THAT, AND YOUR FOOTBALL GAME IS GOING TO TAKE PLACE ON FRIDAY NIGHT AND THIS ESTABLISHMENT IS OPEN EVERY NIGHT, 12:00 THROUGH THE WEEK AND 2:00 A.M. ON THE WEEKENDS.

SO IT WOULD BE LIKE ME STANDING AT YOUR BACK DOOR TALKING LIKE THIS AND MY VOICE NEVER GOES AWAY.

TRAFFIC, THERE WAS CONCERNS ABOUT TRAFFIC CUT THROUGH BECAUSE THERE'S ALREADY TRAFFIC THAT CUTS THROUGH THE NEIGHBORHOOD FROM OX -- OXMOOR AND THEY ARE WORRIED THIS WOULD BE LATE NIGHT TRAFFIC CUT THROUGH AND WITH THE DRINKING, THEY WERE ALSO WORRIED ABOUT THAT.

THERE WAS TESTIMONY GIVEN THAT NO OTHER LOCATION WAS CONSIDERED.

IT WAS ONLY THIS LOCATION AND TESTIMONY THEY GOT A VERY GOOD BUSINESS DEAL FOR THAT LOCATION, WHICH, IF YOU ARE A BUSINESS, YOU COULD UNDERSTAND.

[OFF MIC.]

THE HEIGHT OF THE POLES THAT SETS A PRECEDENT FOR ANY OTHER DEVELOPMENT IN THE AREA THAT ANY OTHER DEVELOPMENT POTENTIALLY COULD BE 175 FOOT TALL WHICH WOULD NOT FIT IN WITH -- 2020 AT ALL AND CONCERN THIS DEVELOPMENT DOES NOT FIT WITHIN THE CHARACTER OF OUR NEIGHBORHOOD RESIDENTIAL SETTING.

THAT SAID, I'M SURE THERE WILL BE DISCUSSION.

WITH THE RESIDENTS THE PUBLIC HEARING, THEY DON'T OPPOSE TOP GOLF, MOST LIKE IT BUT THEY JUST DON'T WANT IT IN THEIR BACKYARD.

OUR PLANNING COMMISSION GAVE THEM A LOT OF CONCESSIONS.

SO WITH THAT, THERE WAS SOME CONCERN ABOUT THE SIZE OF THE POLES, CIRCUMFERENCE, THE HEIGHT AND THE NUMBER OF POLES.

SHOULD TOP GOLF LEAVE, OR HEAVEN FORBID GO BANKRUPT OR THERE IS A RECESSION, WE NEVER THOUGHT SEARS WOULD GO OUT OF BUSINESS, NO COMPANY EVER THINKS THEY ARE GOING TO GO OUT OF BUSINESS.

NO ONE WOULD EVER GO INTO BUSINESS IF THEY THOUGHT THEY WOULD GO OUT OF BUSINESS.

SOMETIMES ABOUT 50% OF OUR BUSINESSES AT SOME POINT FAIL.

SO WHAT I WANTED TO DO, I WANTED TO PRESENT AN AMENDMENT TO THIS ORDINANCE THAT BASICALLY ASKS FOR A BOND THEY WOULD TAKE OUT IN THE EVENT THERE'S AN UNTOWARD HAPPENING THAT THE POLES GET REMOVED.

THEY ARE LARGE AND WE DON'T WANT THAT LARGE OF AN EYE  
SORE MONSTROSITY TO BE SITTING THERE FOR PERPETUITY OR FOR A  
NUMBER OF YEARS AND THERE'S NO MONEY AND NO ONE RESPONSIBLE TO  
TAKE THEM DOWN.

I WORKED WITH OUR ATTORNEY, IF WE HAVE A PRECEDENCE  
SET.

WITH OUR CELL TOWERS.

THEY ARE REQUIRED TO TAKE OUT A BOND TO BE REMOVED.

SO THIS ISN'T A NEW THING.

IT WOULD BE ABOUT 1%, WHICH WOULD EQUATE TO ABOUT A  
\$4,000 COST PER YEAR.

FOR A COMPANY THE SIZE, IS A DROP IN THE BUCKET.

BUT IT'S ASSURANCE FOR THE CITY THAT THOSE POLES  
AREN'T LEFT THERE.

THAT WAS THE MAIN PART OF THE FIRST AMENDMENT THAT I  
WOULD LIKE TO MAKE AND THEN THE OTHER ONE WAS JUST FOR THE  
LIGHTING THAT THEY THE LIGHTS NEED TO BE TURNED OFF AN HOUR  
AFTER CLOSING, WHICH WOULD GIVE THEM AN HOUR TO CLEAN UP, WHICH  
REALLY SHOULD BE SUFFICIENT TIME.

I APPRECIATE YOUR SUPPORT.

IT'S A COMMON SENSE MEASURE.

IT'S NOT ASKING TOO MUCH AND IT GIVES US ASSURANCE FOR  
THE CITY THOSE POLES AREN'T LEFT THERE.

>> THANK YOU.

ADD TO THE BINDING ELEMENT.

>> PRESIDENT JAMES: MOTION MADE AND A SECOND.  
SECONDED.

>> COUNTY ATTORNEY.

THERE'S ANOTHER BINDING ELEMENT SHE DIDN'T MENTION, IF  
YOU WANT TO ADDRESS AS WELL.

>> I WAS GOING TO REQUEST A VOTE ON THOSE SEPARATELY.

>> PRESIDENT JAMES: STAND BY.

THE MOTION YOU MADE WAS JUST FOR ONE?

CORRECT?

>> [OFF MIC.]

YES, IT WAS FOR THE BOND.

>> AND THE LIGHTS.

>> AND THE LIGHTS.

>> THAT MOTION WAS FOR THE BOND AND THE LIGHTS.

>> PRESIDENT JAMES: THANK YOU.

THAT'S WHAT YOUR SECOND WAS FOR?

THANK YOU.

COUNCILMEMBER YATES?

>> THANK YOU.

[OFF MIC.]

THE BOND IS PERTINENT AND NECESSARY.

YOU HAVE A DEVELOPER WHO GOES BELLY UP, IT WOULD BE ON  
THE TAX PAYERS [OFF MIC.]

IN THIS SITUATION, IT'S A LITTLE DIFFERENT.

IT COSTS ABOUT \$400,000 TO TAKE OUT THE POLES.



IF WE PUT A BINDING ELEMENT ON THE PROPERTY THIS IS SUPPOSED TO BE TAKEN DOWN, THAT PROPERTY WILL ALWAYS BE WORTH ABOVE AND BEYOND THAT AMOUNT AT THAT LOCATION.

ANYBODY WHO IS WILLING TO PURCHASE THAT PROPERTY -- HAS TO DO THAT.

I CAN'T IMAGINE AN AREA LIKE THAT NOT HAVING ANY VALUE.

IT MAY NOT HAVE THE VALUE SOMEONE WANTS.

[OFF MIC.]

WE WANT TO BE GREAT STEWARDS.

BUT NOT OF THINGS THAT AREN'T PROBABLY TO THE POINT WE STIFLE THIS.

NOT TO THE POINT THAT WE CREATE ADDITIONAL RED TAPE.

I KNOW IN THIS ROOM A LOT OF PEOPLE WEAR THAT RED PIN ABOUT THE RED TAPE.

WE ARE WANTING TO MAKE SURE WE ARE ATTRACTING, WE ARE TRYING TO BRING YOUNG PEOPLE.

WHEN MY LITTLE GIRLS GO TO COLLEGE, I WANT THEM TO WANT TO COME BACK HERE.

THIS IS FUN AND ACTIVE ATTRACTION.

IT'S ONE OF THE THINGS WE WANT.

WHETHER IT'S LIVE MUSIC LIKE YOU SEE IN PLACES.

ENTERTAINMENT OR A SOCCER TEAM.

WE KEEP MOVING THE FINISH LINE.

IT'S NOT A GREAT ENVIRONMENT TO ATTRACT BUSINESS.

I THINK WITH THIS ORGANIZATION, THERE'S OTHER PEOPLE WATCHING.

I'LL TELL YOU IT'S NOT THIS.

I THINK A BINDING ELEMENT PUT IN PLACE, IN THE EVENT SOMETHING LIKE THAT -- I'LL TELL YOU WE HAVE A LOT OF GREAT THINGS.

WE ARE NEGOTIATING A LOT OF GREAT THINGS FOR THE FUTURE OF THE CITY AND THIS STIFLES THAT GROWTH.

THANK YOU.

>> PRESIDENT JAMES: THANK YOU.

COUNCILMEMBER ACKERSON?

>> THANK YOU, MR. PRESIDENT.

JUST TO BE CLEAR [OFF MIC] IF SHE IS CORRECT -- [OFF MIC.]

IF THE REALITY IS IF A WAIVER HAS BEEN GRANTED, THERE'S NO WAIVER REQUIREMENT.

IF SHE IS CORRECT THE PRICE TAG IS ABOUT \$4,000 THAT DOESN'T SEEM EXCESSIVE.

ESPECIALLY IN LIGHT OF THE CONTROVERSY THAT REVOLVES AROUND THESE LIGHTS.

JUST WANT TO BE OPEN TO THIS, I DON'T SEE THIS THAT KILLS, I DON'T SEE IT AS SOMETHING THAT SENDS THE WRONG MESSAGE TO THE REST OF THE NATION.

THE WORST MESSAGE WE COULD SEND IS COME TO LOUISVILLE, WE WILL DO ANYTHING.

LOUISVILLE WILL BEND OVER BACKWARDS.

WE ARE VOTING ON AN AMENDMENT ABOUT LIGHTS.

JUST TO BE CLEAR, TALKING ABOUT LIGHT ON THE TOWERS.

>> LET ME INTERJECT IF I MAY.

PAUL, COUNTY ATTORNEY.

THE LIGHTS AREN'T ON THE POLES.

>> SO WHAT LIGHTS ARE WE TALKING ABOUT?

>> THE LIGHTS ARE IN THE FACILITY ITSELF, IN THE  
CEILING OF THE FACILITY.

>> PRESIDENT JAMES: OKAY, STAND BY.

COUNCILWOMAN -- >> DO YOU WANT ME TO READ THE BINDING  
ELEMENT?

>> PRESIDENT JAMES: I WANT YOU TO READ THE TWO ITEMS  
WE ARE ACTUALLY VOTING ON.

>> [OFF MIC] [READING.]

WE AREN'T TALKING ABOUT THE INTERNAL LIGHTS.

THE FIELD LIGHTING SHALL BE SHUT OFF WITHIN ONE HOUR  
OF CLOSE OF BUSINESS AND TURNED ON NO EARLIER THAN 8:00 A.M.

>> PRESIDENT JAMES: AND THAT'S THE ENTIRE ISSUE YOU  
HAVE UP FOR A VOTE RIGHT NOW?

>> YES.

>> PRESIDENT JAMES: THANK YOU.

COUNCILMEMBER MULVIHILL.

>> THANK YOU, MR. PRESIDENT.

I JUST HAVE TWO QUESTIONS.

I THINK I KNOW ONE OF THEM WAS MENTIONED IN COMMITTEE,  
BUT FOR THE BENEFIT OF EVERYONE HERE, WAS THIS PROPOSED CHANGE  
WITH REMOVAL OF THE POLES DISCUSSED WITH THE APPLICANT ANY TIME  
PRIOR TO OUR COMMITTEE MEETING, PLANNING AND ZONING LAST WEEK,  
OR TWO WEEKS AGO?

>> I CAN ANSWER THAT QUESTION.

>> THANK YOU.

>> THAT WAS PROPOSED TO THE APPLICANT PRIOR TO THE  
COMMITTEE MEETING AND IT WAS REJECTED.

>> BUT AFTER THE PLANNING COMMISSION, IS THAT CORRECT?

>> CORRECT.

>> AND SECONDLY, DO WE KNOW THAT THE AGREEMENT BETWEEN  
THE TWO PARTIES, DO THEY CONTEMPLATE THE REMOVAL CONCURRENTLY,  
ARE THEY ADDING SOMETHING THEY HAVE ALREADY DISCUSSED.

HAVE WE SEEN THE AGREEMENT BETWEEN WHAT THEY HAVE  
CONTEMPLATED.

>> I DON'T THINK WE ARE APPROVING THAT, WE ARE ONLY  
SUPPOSED TO VOTE OR TALK ABOUT OR HAVE CONVERSATIONS WITH WHAT  
IS IN THE PUBLIC RECORD.

SO AS CONVERSATIONS HAVE TAKEN PLACE, PROBABLY  
SHOULDN'T HAVE, I'M NOT PRIVY, I DON'T THINK ANY OF US ARE PRIVY  
TO THAT INFORMATION.

>> I WAS JUST ASKING, THEY MAY ALREADY HAVE A SOLUTION  
IF THIS IS -- >> THEY DIDN'T STATE NICK -- ANYTHING LIKE  
THAT IN THE PUBLIC RECORD.

>> PRESIDENT JAMES: THANK YOU.

COUNCILWOMAN BUTLER?

>> I WOULD IMAGINE THAT THE AGREEMENT THEY WOULD HAVE FOR THE PROPERTY OWNER WOULD BE WHAT WOULD SAY WHETHER OR NOT POLES ARE REMOVED, THAT'S WHAT THEY WILL FIND IN THE AGREEMENT AND LEASE, AND I DON'T THINK IT'S APPROPRIATE TO COMPARE THESE POLES TO CELL TOWERS.

CELL TOWER IS TWICE THE SIZE OF THESE POLES.

CELL TOWERS ARE 200-400, DEPENDING WHERE THE CELL TOWER IS, AND IF IT'S IN A VALLEY OR ON A HILL AND WHAT IT'S TRYING TO DO.

AND A CELL TOWER IS DIFFERENT THAN WHAT THE POLES ARE BUT I THINK REMOVAL GO WITH THE PROPERTY OWNER AND THE AGREEMENT WITH THE PROPERTY.

AND THAT'S THE AGREEMENT THEY HAVE.

I DON'T LIKE SETTING PRECEDENT FOR PEOPLE RENTING PROPERTY LIKE THAT DOING BONDS.

>> WE DO BINDING ELEMENTS ALL THE TIME.

WE HAVE THE RIGHT TO DO BINDING ELEMENTS.

POINT OF ORDER.

>> THANK YOU.

>> MAY I RESPOND TO THAT?

>> PRESIDENT JAMES: YES.

>> IT'S MY UNDERSTANDING AND I HEARD A LOT OF MURMURS AND SHAKING OF HEADS TO SAY THAT INFORMATION IS NOT CORRECT FOR CELL TOWERS.

I THINK THEY ARE ABOUT FIVE STORIES.

AND THESE POLES ARE ABOUT 17 STORIES.

GIVEN THAT WE GAVE OUR METRO GOVERNMENT PLANNING DESIGN COMMISSION TO ALLOW VARIANCES AND WAIVERS, WE ARE GIVING THEM THE RIGHT TO PUT UP THESE POLES.

WE CAN ALSO ENSURE THEY ARE -- MOST OF THE TIME, IT DOESN'T MATTER WHO OWNS THE PROPERTY, WHO LEASES THE PROPERTY, THAT BINDING ELEMENT WILL STAY WITH WHOEVER THE OWNER IS, WHOEVER PUT UP THE POLES.

I'VE GOT MORE TO ADD.

I WILL LET OTHER PEOPLE SPEAK FIRST.

>> PRESIDENT JAMES: THANK YOU.

COUNCILWOMAN FLOOD?

>> THANK YOU, MR. PRESIDENT.

THIS IS FOR COUNTY ATTORNEY PAUL WOODY.

THE BINDING ELEMENT, CAN WE NOT FINE PEOPLE AND TAKE THEM TO COURT FOR FAILURE TO ADHERE TO THE BINDING ELEMENT OF THE PROPERTY?

>> YES.

>> OKAY, SO WE ARE NOW FINING PEOPLE VERSUS BEFORE WE TOOK THEM TO COURT.

WE CAN FINE THEM EVERYDAY?

>> WE CAN FINE THEM EVERYDAY THEY ARE IN VIOLATION.

>> SAY IN A WORLD WHERE TOP GOLF WOULD DECIDE THEY NO LONGER WANT TO BE IN LOUISVILLE, IF WE PUT SIX MONTHS ON THERE, DOES THAT TAKE THE ABILITY OF THE OXMOOR GROUP OF ACTUALLY GOING OUT AND MARKETING IT TO ANOTHER BUSINESS THAT MAY NEED THE SAME STRUCTURE, IF WE DO THAT?

>> WELL, IT'S UNLIKELY, I WOULD THINK, THAT ANYBODY WOULD NEED THAT SAME STRUCTURE FOR A DIFFERENT USE BUT I DON'T REALLY HAVE AN OPINION ABOUT HOW THAT WOULD INTERFERE WITH THEIR MARKETING.

BUT I THINK I SHOULD CLARIFY THAT THE HEIGHT LIMITATION IS 150 FEET.

THEY HAVE A VARIANCE OF 25 FEET.

>> WHEN WE WERE TALKING ABOUT CELL TOWERS, THERE WAS A CELL TOWER APPROVED IN MY DISTRICT ABOUT 4-5 YEARS AGO, IT WAS 240 FEET BECAUSE OF THE TERRAIN WHERE IT WAS AT AND WHAT IT WAS SERVING.

THANK YOU.

>> PRESIDENT JAMES: THANK YOU.

COUNCILMEMBER DENTON?

>> THANK YOU, MR. PRESIDENT.

IN MY DISTRICT, WE ALREADY HAVE APPROVED A TOP GOLF ENTITY THAT WILL BE STARTING SHORTLY, CONSTRUCTION, OFF OLD HENRY THE MERCEDES DEALERSHIP OUT THERE.

WE HAVE A TOP GOLF COMING INTO TOWN.

I DON'T GOLF.

I DON'T HAVE A DOG IN THIS FIGHT.

IT'S NOT MY DISTRICT, I DON'T GOLF, IF ANYONE HAS SEEN ME GOLF THEY KNOW HOW HORRIBLE I AM AT GOLFING.

I CAN'T EVEN WII GOLF.

THIS ENTITY IS AN L.L.C. FOR THIS SPECIFIC LOCATION IS MY UNDERSTANDING.

SO IF THEY DON'T TAKE DOWN THE POLES AS THEY HAVE BEEN TOLD THEY NEED TO, IF THEY GO OUT OF BUSINESS, IT WILL TAKE US A HECK OF A LONG TIME TO GET THEM TO TAKE DOWN THE POLES.

AND THERE MAY NOT BE THE MONEY THERE.

AND WE WILL HAVE TO STAND IN LINE WITH EVERYBODY ELSE TO GET MONEY TO TAKE DOWN THOSE POLES.

I DON'T HAVE A PROBLEM WITH THIS AMENDMENT IN THAT IT WOULD PROVIDE THE DOLLARS TO TAKE THOSE POLES DOWN.

I'M NOT AGAINST TOP GOLF PER SE.

BUT I THINK THIS IS A GOOD THING TO DO TO MAKE SURE THOSE LIGHTS ARE GOING OUT IN A TIMELY FASHION AND TO MAKE SURE THAT THE MONEY IS THERE TO TAKE DOWN THOSE POLES IN THE EVENT THAT THIS PARTICULAR L.L.C. GOES OUT OF BUSINESS.

BECAUSE THEY ARE A SMART COMPANY.

THEY ARE DOING THE L.L.C.'S PER ENTITY THEY SET UP PER LOCATION, THAT'S SMART.

IF THAT'S BECAUSE THEY ARE DOING THAT, THAT DOESN'T GIVE IT ANOTHER ENTITY TO GO BACK ON IF THEY GO OUT OF BUSINESS.



SO I WOULD ENCOURAGE MEMBERS TO SUPPORT THIS.

>> PRESIDENT JAMES: THANK YOU.

COUNCILMAN YATES.

>> THANK YOU, MR. PRESIDENT.

AND I THINK NOT TOO MUCH DISAGREEMENT.

I HEARD THE SPONSOR TALKING ABOUT THE BINDING ELEMENT  
ON THERE.

IN THIS PARTICULAR CASE, IF YOU MAKE IT A BINDING  
ELEMENT, THOSE HAVE TO COME DOWN.

IF IT'S PART OF THE ZONING OF THE LIGHTING -- [OFF  
MIC.]

THE L.L.C. [OFF MIC.]

THE VALUE OF THE LAND -- VARIANCE, WE ARE TALKING  
ABOUT 25 FEET ABOVE AND BEYOND WHAT'S ALLOWED.

IF YOU HAVE A LANDLORD THAT WILL BE RESPONSIBLE  
FOR -- THE LANDLORD [OFF MIC.]

WE HAVE TO TALK ABOUT SINGLE LANDLORDS AS WELL STILL  
HAVE THE PROPERTY -- [OFF MIC.]

SO THAT'S PART OF THE ZONING.

WITH THIS ZONING CHANGE, THE BINDING ELEMENT IS  
ATTACHED TO.

ANY DEVELOPER IS SUBJECT TO THAT -- I THINK IT'S GOOD  
PROTECTION.

AND I THINK COUNCILWOMAN -- I WANT TO OFFER THAT AS A  
FRIENDLY AMENDMENT.

IF WE COULD MAKE IT PART OF THE BINDING ELEMENT  
ATTACHED TO THE ZONING AND NOT REQUIRE A BOND --

>> PRESIDENT JAMES: THANK YOU.

COUNCILWOMAN LEET.

>> THANK YOU, PRESIDENT JAMES.

I WANT TO GO ON RECORD TO SAY I HAVE TO ABSTAIN FROM  
THIS VOTE.

I HAVE A DIRECT CONFLICT, I FINANCIALLY BENEFIT  
PERSONALLY FROM THE GROWTH OF TOP GOLF.

>> PRESIDENT JAMES: THANK YOU.

COUNCILWOMAN FOWLER?

[OFF MIC.]

>> I JUST WANTED TO SEEK CLARIFICATION.

I APPRECIATE COUNCILMAN YATES POSITION ON THIS.

WHAT COUNCILWOMAN PARKER PROPOSED IN THE BINDING  
ELEMENT, INCLUDED IS A BOND THAT REQUIRES MONEY SET ASIDE TO  
TAKE DOWN THE POLES.

IF WE LEAVE THE BINDING ELEMENTS IN PLACE THAT  
REQUIRES THE POLES BE TAKEN DOWN SHOULD TOP GOLF GO BANKRUPT  
DOESN'T THAT ATTACH BACK TO THE PROPERTY OWNER AND THE PROPERTY  
OWNER WOULD BE REQUIRED TO TAKE THOSE POLES DOWN AT THE TIME THE  
BINDING ELEMENT REQUIRES.

HOW MUCH TIME DID WE LEAVE FOR TOP GOLF OR THE POLES  
TO COME DOWN IF THEY GO BANKRUPT?

>> IT'S IN THE BINDING ELEMENT THAT THE POLES HAVE TO COME DOWN WITHIN SIX MONTHS OR THE PROPERTY OWNER WOULD HAVE TO DO THAT.

>> I'M SORRY?

>> NO, [OFF MIC.]

>> I THINK THE BOND STILL HOLDS THE PROPER PEOPLE ACCOUNTABLE.

IT HOLDS TOP GOLF ACCOUNTABLE.

IF TOP GOLF SHOULD GO BANKRUPT AND IT FALLS BACK TO OXMOOR IT WILL BE MUCH MORE DIFFICULT FOR US TO GET OXMOOR TO DO THAT, VERSUS, IF THERE'S A BOND IN PLACE THAT ALREADY HAS THE MONEY SET ASIDE, ONCE THAT HAPPENS THEY WILL COME DOWN WITHIN SIX MONTHS AND WILL HAVE TO FIGHT THAT GOING FORWARD.

WHILE I APPRECIATE THE CLARITY FROM COUNCILMEMBER YATES, I STILL FEEL LIKE TOP GOLF SHOULD BE HELD ACCOUNTABLE FOR THIS.

>> PRESIDENT JAMES: COUNCILMEMBER MULVIHILL?

>> THANK YOU [OFF MIC.]

A COUPLE OF QUESTIONS, HAS THAT BEEN DISCUSSED WITH THE APPLICANT.

>> NOT TO MY KNOWLEDGE.

>> IT JUST SEEMS TO ME IT'S UNFORTUNATE.

I CAN'T VOTE FOR THE BINDING ELEMENT WITH THAT ADDITION.

IT SEEMS UNFORTUNATE FOR US TO BE ON THE FLOOR ADDING BINDING ELEMENTS WHICH HAVE NEVER BEEN DISCUSSED WITH THE APPLICANT.

IF THEY DO CHANGE THE BUSINESS MODEL TOP GOLF PROPOSES TO USE, USES IN OTHER CITY.

SO I ALREADY THINK THIS WAS DISCUSSED AT THE PLANNING AND ZONING COMMITTEE.

>> THE PLANNING COMMISSION, SOME TOP GOLFS LEAVE THEIR LIGHTS ON ALL NIGHT LONG PER TESTIMONY SO YOU CAN SEE IT FROM THE EXPRESSWAY.

IT'S GOOD ADVERTISE M.

BUT THE PLANNING COMMISSION MADE THEM TURN THEIR LIGHTS OUT TWO HOURS AFTERWARDS.

AND GIVEN THE CUMULATIVE EFFECT ON THE NEIGHBORHOOD, WE ARE TRYING TO MITIGATE FOR THE NEIGHBORHOOD A LITTLE OF THE INTRUSIVENESS AND ASK.

AN HOUR IS PLENTY OF TIME TO GIVE THEM TO CLEAN UP.

WE'RE NOT REALLY SUPPOSED TO BE TALKING TO THE ATTORNEYS FOR TOP GOLF PRIOR TO THE VOTE.

SO THAT'S WHY ONE OF THE REASONS IT'S NOT BEEN DISCUSSED THESE ARE VERY REASONABLE.

THEY AREN'T ASKING TOO MUCH.

THEY ARE COMING HERE.

I'M NOT ASKING FOR A YES OR NO VOTE.

I'M ASKING FOR PEANUTS TO TRY TO MITIGATE SOME OF THE EFFECT ON THE SURROUNDING NEIGHBORHOODS.

THEY AREN'T UNREASONABLE REQUESTS.

ESPECIALLY THE BOND FOR THE LIGHTING.

>> IF I COULD RESPOND.

>> PRESIDENT JAMES: YES.

>> MY QUESTION IS THAT PARTICULAR BINDING ELEMENT THAT THEY HAVE TO SHUT OFF THE LIGHTS WITHIN ONE HOUR OF CLOSURE, I DON'T RECALL DISCUSSING THAT AT OUR PLANNING AND ZONING COMMITTEE MEETING.

WE HAVE OUR OWN PROCESS.

IT DIDN'T EVEN ENTER THE DISCUSSION APPARENTLY IN OUR COMMITTEE MEETING.

I CAN'T SUPPORT IT WHEN IT COMES TO THE FLOOR.

>> WE DO THINGS OFF THE FLOOR ALL THE TIME, WE MAKE AMENDMENTS ON THE FLOOR, THAT'S NORMAL OPERATING PROCEDURE.

>> WELL I CAN'T SUPPORT A CHANGE THAT'S NOT BEEN CONSIDERED AT THE PLANNING AND ZONING COMMITTEE MEETING AND I THINK AFFECTS THE BUSINESS OPERATION AND BUSINESS MODEL OF TOP GOLF AND HASN'T BEEN DISCUSSED WITH THE APPLICANT.

THANK YOU.

>> MR. PRESIDENT?

SOME CLARIFICATION.

THE ONE HOUR SHUT OFF WAS DISCUSSED PRIOR TO PLANNING AND ZONING COMMITTEE.

>> PRESIDENT JAMES: THANK YOU.

COUNCILMEMBER DR. BLACKWELL?

>> [OFF MIC.]

I WILL TALK ABOUT BOTH, THE LIGHTING FIRST.

TRYING TO FOLLOW WHAT COUNCILMEMBER HOLLANDER SAID.

WE HAVEN'T HAD A DISCUSSION, THEY SAY AN HOUR IS  
PLENTY OF TIME TO FINISH UP WHAT THEY DO, IT MAY BE BUT WE DON'T  
KNOW THAT TO BE THE CASE.

[OFF MIC.]

I DO UNDERSTAND TALKING ABOUT HAVING TOP DOG BE  
RESPONSIBLE FOR TAKING THE POLES DOWN.

BUT THAT'S A DEAL THEY CUT WITH OXMOOR CENTER.

THAT'S THEIR DEAL.

OXMOOR CENTER IS OKAY WITH CUTTING A DEAL THAT  
ULTIMATELY PUTS THE RESPONSIBILITY BACK.

I'M NOT SURE WHY THAT IS OUR PREROGATIVE TO SAY.

THEY SHOULDN'T BE THE ONE.

EVEN THOUGH THAT'S THE DEAL YOU CUT, THEY SHOULD BE  
THE ONE.

[OFF MIC] I'M NOT SURE WHY THAT'S OUR ISSUE.

>> PRESIDENT JAMES: THANK YOU.

COUNCILMAN BENSON?

>> THANK YOU, MR. PRESIDENT.

I DON'T KNOW IF ANYBODY IN THIS COMMUNITY KNOWS THERE  
ARE THINGS OUR COMMUNITY CALLS BROWNFIELDS.

PEOPLE HAVE COMPANIES AND STUFF AND NOW THE LAND IS CORRUPT, THEY DON'T DO ANYTHING.

IT COULD BE VERY VALUABLE.

IF SOMEONE WOULD TAKE THE TIME TO CLEAN IT UP BUT YOU ARE TALKING ABOUT A LOT OF DOLLARS TO CLEAN UP SOME OF THOSE BROWNFIELDS.

SO WHATEVER BUSINESS MIGHT COME IN, THEY STILL HAVE THE POLES AND A LOT OF PEOPLE MIGHT THINK THOSE POLES UP THERE ARE NOT WHAT WE THINK IS A GOOD THING BUT WE DON'T HAVE TO MAKE THEM TAKE THEM DOWN BECAUSE IT'S \$400,000.

SO IF WE REALLY WANT -- IF YOU THINK, IF IT COSTS \$400,000 TO REMOVE THEM, MAYBE OUR GOVERNMENT SHOULD BE SMART LET US PAY \$4,000 A YEAR AND WE CAN MAKE SURE THEY ARE GONE IT THEY GO OUT OF BUSINESS.

I MEAN, THE GOAL IS, IF THEY AREN'T THERE, WE DON'T NEED THEM.

AND JUST LIKE, IF WE COULD DO SOMETHING IN OUR CODES AND REGULATIONS ABOUT BROWNFIELDS.

SOMETIMES YOU CAN PUT CONCRETE OVER A BROWNFIELD AND YOU COULD HAVE A COMPANY.

YOU JUST CAN'T GROW FOOD ON IT.

THERE ARE A LOT OF THINGS WE HAVE THAT CAUSES US NOT TO BE FUNCTIONAL.

WITH THOSE POLES 175 FEET TALL, 28 OF THEM, I DON'T KNOW IF WE DON'T HAVE TOP DOG THERE I DON'T THINK THAT'S VERY INSIGHTFUL.

BUT THEY DON'T HAVE TO TAKE THEM DOWN IF THEY SAY ANOTHER STORE MIGHT GO IN.

THEN JUST LEAVE THEM UP.

THEY WOULD HAVE SAID WE SHOULD HAVE DONE SOMETHING.

MAYBE WE SHOULD HAVE BUT WE WANT TO PROTECT THEM.

I DON'T KNOW IF WE NEED TO MAKE SURE WE HAVE AN AVENUE TO GET RID OF THE POLES.

I MEAN, I CAN GET RID OF THEM.

BUT YOU KNOW.

ORIGINALLY I THOUGHT WE WOULD HAVE TWO AMENDMENTS.

POLES ONE, AND LIGHTS THE OTHER.

I HAVE A LOT OF ZONING IN DISTRICT 20.

IF IT'S NOT BROUGHT UP IN THE PUBLIC HEARING, YOU CAN'T TALK ABOUT IT.

BUT SINCE IT WAS BROUGHT UP ABOUT THE TIME AND STUFF, YEAH, DEFINITELY.

NO ONE WOULD LIKE ANY REGULATIONS AT ALL.

I AGREE, I HATE A LOT OF REGULATIONS.

BUT IF THOSE PEOPLE IN THAT COMMUNITY ARE -- THAT'S AGAINST OUR CONSTITUTION.

INDIVIDUAL RIGHTS.



YOU MAKE SURE IF SOMEBODY IS GOING TO BE HURT, MAKE SURE THEY ARE COMPENSATED.

SOME WAY OR THE OTHER.

TO ME THAT'S A REAL TRAGEDY WE AREN'T CONSCIOUS OF EVERYBODY AND MAKE SURE, OH THIS WILL BE GOOD FOR THE COMPANY AND MAYBE PROMOTING OUR COUNTY, OR OUR CITY.

BUT WE HAVE TO BE CONSCIOUS OF THE NEIGHBORS WE HAVE TO HAVE SOMETHING WE CAN DO TO MAKE SURE WE CAN HELP OUT IN THE SITUATION TURNS OUT A LITTLE BIT DIFFERENT THAT WE HAVE NEGOTIATIONS THAT IT'S NOT EXACTLY RIGHT, CAN WE DO SOMETHING AND USUALLY A BUSINESS WANTS TO BE SUCCESSFUL.

THEY DON'T WANT TO HAVE A NEGATIVE.

SO THE NEIGHBORHOOD IS IMPORTANT.

THERE'S A LOT OF PEOPLE UPSET.

I THINK THE POLES IS ONE THING, THE LIGHTS ARE ANOTHER.

SO TO ME, I WOULD LIKE TO BREAK THEM UP, THAT WOULD BE UP TO COUNCILWOMAN PARKER TO MAKE THAT CHOICE.

BUT TO ME, WE ARE TALKING ABOUT TWO DIFFERENT THINGS AND WE SHOULDN'T BE MIXING THEM.

THANK YOU.

>> PRESIDENT JAMES: THANK YOU, .

COUNCILMEMBER LANSHIMA?

>> THANK YOU.

THIS ISN'T CONTROVERSIAL AT ALL.

IF THEY GO OUT OF BUSINESS ESSENTIALLY THOSE POLES  
COME DOWN, WHO PAYS FOR THEM?

SOME OF MY COLLEAGUES ARE SAYING THAT WILL BE ATTACHED  
TO OXMOOR SO OXMOOR WILL BE RESPONSIBLE.

WHAT IF OXMOOR DOESN'T HAVE THE FUNDS TO DO IT OR THEY  
DON'T WANT TO DO IT OR THEY ABANDON THE PROJECT, THEN WHAT?

LIKE COUNCILMEMBER BENSON SAYS WE HAVE A LOT OF  
BROWNFIELDS IN LOUISVILLE.

WE HAVE A LOT OF ABANDONED PROJECTS IN LOUISVILLE.

WHEN HE IS TALKING ABOUT 4,000, IS \$4,000 GOING TO  
BREAK THE BANK FOR A BUSINESS MOVING TO LOUISVILLE THEY  
SHOULDN'T MOVE TO LOUISVILLE.

I'M GOING TO SUPPORT THE AMENDMENT.

I SUPPORT TOP DOG.

-- TOP GOLF.

BUT THIS HAS BEEN A CONTENTIOUS CASE IN LOUISVILLE.

AND THE LEAST WE COULD DO FOR THE NEIGHBORS IS TO GIVE  
THEM A LITTLE PEACE OF MIND.

TALKING ABOUT THE LIGHTS AFTER CLOSING.

HOW MANY OF YOU WANT TO LIVE AT A PLACE WHERE LIGHTS  
ARE TURNED ON AT 1:00 IN THE MORNING?

NONE OF US WANT TO DO THAT.

SO, PLEASE.

LET'S THINK CAREFULLY ABOUT IT AS WE GO.

PUT YOURSELVES IN THE NEIGHBORS SHOES.

PUT YOURSELF IN OXMOOR'S.

LET US DO WHAT IS RIGHT.

>> PRESIDENT JAMES: THANK YOU.

COUNCILMAN YATES?

>> I JUST WANT TO MAKE SURE IT'S CLEAR IN THE  
TESTIMONY.

I THINK --

>> PRESIDENT JAMES: GO AHEAD.

>> I THINK IT'S BEEN STATED PREVIOUSLY THAT THE LIGHTS  
WILL BE DIMMED AT 50% AT CLOSING ALREADY.

SO I JUST WANT TO MAKE SURE -- OBVIOUSLY YOU WANT  
PUBLIC SAFETY ASPECT WHILE CLEANING UP.

AS OPPOSED TO MIAMI.

HERE THEY WILL BE DIMMED OFF THE BAT.

IT'S PART OF THE GIVE AND TAKE.

I KNOW IT SOUNDS LIKE WE HAVE TWO ISSUES.

I THINK WE WANT TO MAKE SURE WE UNDERSTAND IT'S A  
ZONING CHANGE.

>> I WOULD JUST LIKE TO ASK IF COUNCILMEMBER  
HOLLANDER -- A COUPLE MEMBERS WOULD PREFER FOR THE LIGHTS  
TURNED OFF AN HOUR, SEPARATED AND I JUST WANTED TO ASK, SEEM  
LIKE SUPPORT THE BOND WITH THE LIGHTS, NOT IN THAT.

SO CAN I CLARIFY THAT?

>> IT SHOULD BE SEPARATED.

I WOULD SUPPORT A BINDING ELEMENT THAT THE POLES NEED TO COME DOWN.

I CAN'T DO ANY OF THAT IF IT'S TIED, TOTALLY SHUT OFF.

I AGREE WITH COUNCILMEMBER [OFF MIC.]

THEY ARE TWO DIFFERENT ISSUES.

>> WELL, JUST FOR POINT OF CLARIFICATION, IF THE COMPANY LEAVES SINGLE ENTITY L.L.C., THERE'S NO GUARANTY THEY WILL COME DOWN BECAUSE THEY ARE BANKRUPT, BECAUSE THE MONEY'S NOT THERE AND WE CAN'T FORCE THE MALL TO TAKE THEM DOWN BECAUSE WE DON'T KNOW IF THE MONEY WILL BE THERE OR NOT.

AND WE'RE NOT PRIVY TO THE ARRANGEMENT OR CONTRACT THEY HAD BETWEEN THOSE TWO ENTITIES.

AND WE GAVE THEM THE RIGHT TO PUT UP THE POLES IN THE FIRST PLACE.

SO I RESPECTFULLY ASK FOR SUPPORT ON THE VERY SMALL ASSURANCE THAT THE POLES COME DOWN SHOULD THEY LEAVE.

IT'S A MINISCULE ASK OF \$4,000 PER YEAR WITH A GREAT BENEFIT OR WORRY RELIEVED FROM THE SURROUNDING COMMUNITIES THAT ARE GOING TO HAVE THIS RIGHT NEXT TO THEIR PRIVATE RESIDENCES AND THEIR LIFE.

IT'S GOING TO AFFECT THE QUALITY OF THEIR LIFE AND ALSO THEIR PROPERTY VALUES.

IT'S NOT TOO MUCH TO ASK.

>> POINT OF LEGAL CLARIFICATION --

>> I WOULD LIKE TO ASK FOR THEM TO BE SEPARATED SO WE CAN VOTE ON THEM SEPARATELY.

SO THERE'S, SOME PEOPLE ARE UNCOMFORTABLE WITH THEM BEING GROUPED TOGETHER.

I WAS JUST DOING THAT REALLY FOR THE ESSENCE OF TIME. BUT NOW WE HAVE ALREADY DEBATED A WHILE SO I'M OKAY SEPARATING THEM OUT.

>> PRESIDENT JAMES: BEFORE WE DO THAT, I WANT TO GET LEGAL CLARIFICATION.

>> COUNCILMAN YATES IS CORRECT.

BINDING ELEMENTS GO WITH THE LAND AND BINDING ON THE PROPERTY OWNER.

SO IN THE TOP GOLF LEAVES IN THE MIDDLE OF THE NIGHT THE OWNER OF THE PROPERTY WOULD BE SUBJECT TO THAT BINDING ELEMENT WHICH WOULD BE ENFORCED PURSUANT TO THE BINDING ELEMENT.

>> PRESIDENT JAMES: THANK YOU.

BACK TO COUNCILMEMBER PARKER'S MOTION.

COUNCILMEMBER KRAMER?

>> THANK YOU, MR. PRESIDENT.

TWO QUICK THINGS.

FIRST, THE CONVERSATION HAS BEEN HAD ALREADY \$4,000 A YEAR IS THE BOND, IT COSTS SUBSTANTIALLY MORE THAN THAT TO TAKE THE POLES DOWN.

OXMOOR IS LOOKING TO PUT TOP GOLF BECAUSE THEIR ANCHOR STORES ARE LEAVING AND THEY ARE STRUGGLING.

THERE'S A POTENTIAL IF THEY LEAVE, OXMOOR MIGHT NOT BE FAR BEHIND AND THEY DON'T HAVE THE MONEY EITHER, THEY ARE LEFT WITH 28 POLE THAT'S WILL COST A LOT OF MONEY TO TAKE DOWN WHICH COULD MAKE IT MORE DIFFICULT TO SELL THAT PROPERTY AND ANYONE OF US IN THIS ROOM WHO HAS A BIG BOX STORE SITTING IN THEIR DISTRICT THAT'S EMPTY HAS TO KNOW WHAT IT FEELS LIKE TO HAVE A PLACE LIKE THAT SHUT THEIR DOORS AND SAY WE DON'T HAVE THE MONEY TO DO ANYTHING ELSE.

I THINK THAT'S A LEGITIMATE CONCERN.

WE ARE REALLY CONCERNED ABOUT BUSINESS MODELS AND DECISIONS THE BUSINESS OWNERS ARE MAKING AND WE ARE COMING IN AND CHANGING RADICALLY THE BUSINESS MODEL OR WHAT IT IS THAT'S BEEN AGREED TO, I THINK WE NEED TO CONSIDER, WE DON'T KNOW WHAT THE DEAL BETWEEN OXMOOR AND TOP GOLF IS.

IT'S NOT SAFE TO ASSUME OXMOOR ENTERED INTO THIS AGREEMENT WITH THE EXPECTATION THEY WOULD TAKE ON THE EXPENSE OF TAKING THOSE POLES DOWN SHOULD TOP GOLF GO BANKRUPT.

IF WE PUT THAT IN AS A BINDING ELEMENT AND WE DON'T REQUIRE A BOND WE ARE PUTTING AN EXCEPTIONAL BURDEN ON OXMOOR CENTER THEY MAY HAVE HAD NO INTENTION OF TAKING ON.

YOU TALK ABOUT INTERFERING WITH SOMEBODY'S BUSINESS PLAN.

YOU ARE ASKING OXMOOR TO TAKE ON A HUGE EXPENSE AND WE DON'T KNOW IF THAT'S IN THEIR PLAN.

AND I THINK COUNCILMAN LANSHIMA'S POINT, IT SEEMS PRETTY OBVIOUS, TOP GOLF IS THE ONE WHO WILL MAKE THE PROFIT AND THEY WANT TO PUT THE POLES UP, IF IT DOESN'T WORK AND THEY DECIDE TO LEAVE TOWN, THEY ARE THE ONES WHO SHOULD TAKE THEM DOWN.

PUTTING A BOND IN IS THE ONLY WAY TO ENSURE THAT HAPPENS.

IT'S PRETTY STRAIGHT FORWARD TO ME.

WE SHOULD SUPPORT THE BOND, IT REQUIRES TOP GOLF TO TAKE THEM DOWN SHOULD THEY GO BANKRUPT, OBVIOUSLY THEY AREN'T PLANNING ON GOING BANKRUPT.

>> PRESIDENT JAMES: THANK YOU, I THOUGHT BECAUSE YOU MADE THE MOTION-[OFF MIC.]

>> I WILL ACCEPT THAT AND CHANGE MY MOTION TO REFLECT THAT WE ARE TALKING EXCLUSIVELY ABOUT POLES.

>> PRESIDENT JAMES: THANK YOU.

COUNCILMEMBER ENGEL WOULD YOU SUPPORT THAT?

>> CLARIFYING QUESTION.

NOW A DISCUSSION ABOUT THE POLES, IS THAT CORRECT?

[OFF MIC.]

>> PRESIDENT JAMES: I'M STILL IN THE PROCESS OF SEPARATING IT.

>> OKAY.

>> PRESIDENT JAMES: ALL IN FAVOR OF SEPARATION OF THE ORDINANCE SAY AYE.

ALL OPPOSED?

OF THE AMENDMENT SAY AYE.

OPPOSED?

THANK YOU.

NOW WE ARE IN DISCUSSION OF THE POLES AND I'M STILL CONTINUING DOWN THE LIST OF PEOPLE HOLDING UP THEIR HAND AND NEXT PERSON IN LINE IS COUNCILMEMBER REED.

>> THANK YOU, MR. PRESIDENT.

WHAT WE ARE TALKING ABOUT ARE 24 17-STORY POLES THAT ARE FIVE FEET WIDE, MADE OF STEEL, AND YOU KNOW, I THINK ANYBODY WHO KNOWS ME, KNOWS AS A BUSINESS PERSON I TRY TO BE ANTI-REGULATION AND ANTI-RED TAPE AS I CAN, HOWEVER, IN THIS PARTICULAR SITUATION, THERE'S REALLY NO INCENTIVE TO ME TO MAKE OXMOOR TAKE THE POLES DOWN IN A REASONABLE TIME FRAME.

IF I'M A RESIDENT OF THAT AREA THAT WOULD BE A HUGE EYE SORE, SO I'M IN FAVOR, I WOULD HOPE MY COLLEAGUES WOULD PUT THEMSELVES IN A POSITION OF PEOPLE WHO ACTUALLY WENT THERE, I'M IN FAVOR OF TOP GOLF, THE CITY STARTS BRINGING BUSINESSES LIKE THIS SO THAT [OFF MIC.]

I'M IN FAVOR OF THIS, BUT ALSO, I THINK THIS IS A PRETTY GOOD IDEA.

SO THANK YOU.

>> PRESIDENT JAMES: COUNCILMEMBER DENTON.



>> ONE OF THE THINGS THAT HAS REALLY FRUSTRATED ME OVER THE LAST FOUR YEARS IS WE FEEL A NEED TO RUSH THINGS BECAUSE OF THE TIME LIMIT.

THAT'S UNFORTUNATE.

I THINK THAT'S SOMETHING WE SHOULD TAKE A LOOK AT AS A BODY GOING FORWARD BECAUSE THIS IS A BIG ISSUE.

I PERSONAL LIKE THE IDEA OF TOP GOLF.

I'VE GOT REAL CONCERNS ABOUT CERTAIN THINGS I WOULD LIKE TO SEE RESOLVED AND ONE WOULD BE THE POLES.

AND BECAUSE WE HAVE THIS TIME LIMIT TO DEAL WITH THESE THINGS, IT'S VERY FRUSTRATING.

WE'VE GOT MALLS THAT ARE STRUGGLING.

SOME SHOOT THEMSELVES IN THE FOOT.

FOR INSTANCE AT OXMOOR ON THE MACY'S END THEY HAVE REARRANGED HOW YOU CAN TURN IN AND OUT OF THE PARKING AREA RIGHT IN FRONT OF MACY'S.

IT DRIVES ME OVER THE EDGE, IT MAKES ME NOT EVEN WANT TO GO THERE.

THE MALL St. MATTHEWS.

THEY HAD A SECTION IN THE MIDDLE OF THE FRONT, IF YOU WANTED TO PARK THERE YOU HAD TO PAY A \$5 PREMIUM TO PARK THERE.

THOSE ARE THE KINDS OF THINGS THE CUSTOMER IS NOT ALWAYS RIGHT.

WE AREN'T DOING CUSTOMER SERVICE AND THESE MALLS ARE SHOOTING THEMSELVES IN THE FOOT.

I WANT TO BE ABLE TO HELP THE MALLS AND SUPPORT TOP GOLF, EVEN THOUGH I'M NOT A GOLFER.

I WOULD LIKE TO BE ABLE TO SUPPORT IT, BECAUSE I THINK IT COULD BE HELPFUL TO OXMOOR, SO THESE KIND OF AMENDMENTS THAT WOULD GIVE US MORE CLARITY AND MORE COMFORT FOR SOME OF US IN VOTING FOR THIS, I THINK IT'S IMPORTANT.

IF WE WANT TO SEE THIS PREVAIL AND WE ALL VOTE FOR IT AND IT PASSES, I THINK THESE ARE THE KINDS OF THINGS THAT ARE IMPORTANT.

WHETHER THE BIO DIGESTERS IN THE WEST END OR TOP GOLF IN THE EAST END.

THERE ARE THINGS WE JUST NEED TO BE VERY SENSITIVE ABOUT TO PEOPLE WHO LIVE AROUND THESE KINDS OF THINGS.

AND THE FOLKS WHO LIVE IN THIS AREA, I THINK IT'S IMPORTANT TO LOOK AT THIS LIGHTING.

YOU COULD TALK ABOUT THE TRAFFIC.

THERE'S TRAFFIC AT CHRISTMAS TIME, I GET ALL THAT.

I'M NOT WORRIED ABOUT THAT.

I'M WORRIED ABOUT THE LIGHTING ISSUE.

IF YOUR HOUSE BACKS UP TO THIS AREA, IF YOU LIVE THERE, WOULD YOU WANT THEM TO BE VERY CONSCIOUS ABOUT WHAT'S GOING ON WITH THE LIGHTING?

YES.

I THINK THAT'S A SMALL PRICE TO PAY, AS WELL AS THIS BOND ISSUE, WHICH MY UNDERSTANDING IS ABOUT \$4,000 A YEAR, WHICH IN THE BIG SCHEME OF THINGS IS NOTHING.

I THINK THAT'S WORTH IT SO WE CAN GET TOP GOLF TO COME AND FILL OUT THAT BIG BOX AREA THAT SEARS LEFT.

I WANT TO BE ABLE TO VOTE FOR THIS, BUT I WANT TO MAKE SURE WE ARE DOING SOMETHING RESPONSIBLE.

AND I THINK HAVING THIS BOND IS A VERY RESPONSIBLE THING.

AND THE NEXT THING WE WILL LOOK AT IS LIGHTING.

IF YOU LIVED THERE, WOULD YOU WANT THERE TO BE SOME TIME LIMIT ON LIGHTING.

WOULD YOU WANT IT TO BE DIMMED OR TURNED OFF AT SOME POINT?

THAT'S IMPORTANT.

LET'S TALK ABOUT THE QUALITY OF LIFE FOR PEOPLE WHO LIVE AROUND IT.

WE TALK ABOUT QUALITY OF LIFE FOR GREEN SPACE AND TREES AND ALL THESE OTHER THINGS.

LIGHTING IS A BIG QUALITY OF LIFE FOR PEOPLE WHO LIVE NEAR ENTITIES THAT ARE GOING TO HAVE A LOT OF LIGHTING.

THIS IS ALL NEW LIGHTING THEY'VE GOT, THEY HAVEN'T DONE AT OTHER TOP GOLF BASED ON WHAT I'VE READ IN THE FILE.

THIS IS A NEW KIND OF LIGHTING.

WE HAVE GIVEN THEM A WAIVER ON THE FIELDING.

FOR FIELDING ON THE INTERSTATE FOR YEARS AND YEARS,  
FOR OVER A DECADE.

I KNOW WHAT THE ISSUES ARE WITH FIELDING.

WE AREN'T DOING THAT BECAUSE THIS IS A NEW KIND OF  
LIGHTING.

LET'S MAKE SURE WE ARE BEING VERY CONSIDERATE OF THE  
PEOPLE WHO ALREADY LIVE AROUND THIS AREA.

ENABLE TOP GOLF TO COME IN AND DO WHAT THEY ARE GOING  
TO DO TO HELP SAVE THE MALL AT OXMOOR AND LET'S MAKE SURE WE ARE  
DOING IT RESPONSIBLY AS IF WE LIVE NEAR THEM.

LET'S PUT OURSELVES IN THOSE FOLKS SHOES AND MAKE SURE  
WE ARE DOING THIS RESPONSIBLY, BUT WE ARE ENABLING IT BY MAKING  
SURE THERE ARE SAFEGUARDS.

THE POLES ARE ONE, THE LIGHTING IS THE OTHER.

THANK YOU, MR. PRESIDENT.

>> PRESIDENT JAMES: JUST A POINT OF ORDER.

WE HAD A COLLEAGUE THAT ASKED WE DO ROLL CALL VOTES SO  
THEY COULD ABSTAIN, SO I WANT TO GO BACK AND DO THAT VOTE OVER  
AGAIN.

>> POINT OF ORDER.

DO I NEED TO STATE EACH TIME WHY I'M ABSTAINING OR IS  
IT CLEAR ON THE RECORD?

>> MR. CLERK: WE ALREADY HAVE IT DOWN AND RECORDED.

>> THANK YOU.

>> PRESIDENT JAMES: ALL RIGHT.

THE VOTING IS CLOSING AND VOTING IS CLOSED.

>> MR. CLERK: 23 YES VOTES.

ONE NO VOTE.

ONE ABSTENTION, ONE NOT VOTING.

ONE NO VOTE, HAMILTON, ONE ABSTENTION, COUNCILMEMBER  
LEET.

>> PRESIDENT JAMES: THANK YOU.

IT PASSES.

>> MR. PRESIDENT?

>> PRESIDENT JAMES: YES?

>> CAN WE GET CLARIFICATION FROM THE COUNTY ATTORNEY'S  
OFFICE.

I THINK THIS IS OUR LAST OPPORTUNITY TO VISIT THIS  
MATTER.

90-DAY PERIOD DOESN'T EXPIRE UNTIL JANUARY 14th [OFF  
MIC.]

I ALMOST HATE TO TELL YOU THAT BECAUSE I DON'T WANT TO  
ATTENUATE THIS FURTHER, BUT JUST WANTED TO CLARIFY.

>> PRESIDENT JAMES: THANK YOU FOR YOUR POINT OF  
CLARITY.

>> THANK YOU, MR. PRESIDENT.

SEEMS A LOT OF QUESTIONS HAVE BEEN ASKED.

I DON'T KNOW [OFF MIC.]

SO I'M WONDERING WHY ARE WE ASSUMING THESE POLES AND  
THESE -- AREN'T VALUABLE TO TOP GOLF, THAT'S SOMETHING THEY

WOULD WANT TO TAKE DOWN, OR HAVE, OR RECYCLE AT ANOTHER LOCATION.

DO WE KNOW FOR A FACT THESE THINGS STAY, SOMEONE SAID THERE ARE 60 LOCATIONS AROUND THE NATION.

I DON'T KNOW WHETHER THAT'S TRUE OR NOT OR HOW LONG THEY HAVE BEEN IN BUSINESS.

BUT HAVE THEY LEFT OTHER LOCATIONS AND LEFT POLES UP? THIS AMENDMENT, THIS BINDING ELEMENT HERE -- I HAVEN'T HEARD ANY DISCUSSION.

ISN'T THAT SOMETHING THAT WOULD BE SOMETHING VALUABLE FOR THEM, IF THEY ARE GOING TO PUT UP 28 POLES, IS THAT SOMETHING THAT COULD GO TO ANOTHER LOCATION?

I WOULDN'T KNOW WHY THEY WOULDN'T WANT TO TAKE THOSE WITH THEM IF THEY CLOSE.

I THINK WE ARE MAKING A LOT OF ASSUMPTIONS HERE.

I DON'T MIND THE PART ABOUT MAKING THEM RESPONSIBLE TO TAKE THEM DOWN BUT I'M NOT IN FAVOR OF A BOND.

AND THAT'S ALL I HAVE TO SAY ON THIS ONE.

I HAVE A PROBLEM MAKING THEM CLOSE AT A CERTAIN TIME BEYOND THEIR BUSINESS MODEL.

SOMEONE SAID THEY WILL TURN THE LIGHTS DOWN 50% AND ANOTHER TWO HOURS TO DO WHAT NEEDS TO HAPPEN AS THEY WIND DOWN THEIR BUSINESS FOR THE NIGHT.

I DON'T THINK I WANT TO MICRO-MANAGE THE MODEL THEY HAVE IF THEY ARE SUCCESSFUL.

BUT IT SEEMS LIKE A REASONABLE ACCOMMODATION FOR THE RESIDENTS IN THE AREA.

>> PRESIDENT JAMES: THANK YOU.

COUNCILMEMBER FOWLER?

>> AND I WOULD ADD --

>> PRESIDENT JAMES: SORRY.

>> SINCE WE DID CLOSE ON THAT OTHER AMENDMENT RIGHT NOW, THIS WOULD BE AN APPROPRIATE TIME PURSUANT TO RULE 5.11 J THAT LIMITS DEBATE.

HOOR AND A HALF THAT COUNCILMEMBER FOWLER MENTIONED.

>> PRESIDENT JAMES: WE ARE STILL UNDER A MOTION.

>> WE SEPARATED THEM.

IS THAT OKAY?

>> PRESIDENT JAMES: STATE THAT AGAIN?

>> PURSUANT TO 5.11 J, LIMIT DEBATE TO AN HOUR AND A HALF.

>> PRESIDENT JAMES: ALL IN FAVOR SAY AYE?

OPPOSED?

MR. CLERK, COULD YOU PLEASE OPEN THE ROLL CALL.

VOTING ONLY ON THE DEBATE.

VOTING IS CLOSING.

VOTING IS CLOSED.

>> MR. CLERK: 18 YES VOTES, 5 NO VOTES, ONE ABSTENTION AND ONE NOT VOTING.

>> PRESIDENT JAMES: THANK YOU, MOTION PASSES.

>> MR. PRESIDENT?

I'M SOMEWHERE ON YOUR LIST ALREADY BUT I HAVE A QUESTION FOR THE COUNTY ATTORNEY.

WE NOW INVOKED THE RULE, WE HAVE THIS 90 MINUTE AND THE CLOCK IS TICKING.

ARE WE STILL ALLOWED TO CALL THE QUESTION, WHICH IS WHAT WAS GOING TO HAPPEN WHEN IT GOT DOWN TO MY NAME.

NOT ON THE WHOLE THING, I KNOW WE HAVE AN HOUR AND A HALF BUT WE COULD TALK ABOUT POLES FOR THE NEXT 90 MINUTES AND NEVER TALK ABOUT ANYTHING ELSE.

ARE WE ENDING DEBATE ON THIS TOPIC?

I'M ASKING FOR CLARIFICATION ON THE RULE.

>> PRESIDENT JAMES: SOUNDS LIKE A LEGAL QUESTION TO ME.

>> THE METRO COUNCIL HAS THE RIGHT TO INTERPRET ITS OWN RULES SO WE WILL START WITH THAT.

>> THAT ANSWERED THAT.

THANKS.

[ LAUGHTER.]

I'M GOOD WITH THAT.

I'M ALREADY INTERPRETING IT THE WAY I WANT TO AND WE WILL GO WITH IT.

>> PRESIDENT JAMES: ALL RIGHT.

>> SO DID YOU CALL THE QUESTION ON THE DEBATE?

>> PRESIDENT JAMES: IT'S NOT HIS TURN YET.



COUNCILMEMBER FOWLER.

>> IT IS MY TURN AND I WOULD LIKE TO CALL THE  
QUESTION.

>> PRESIDENT JAMES: A MOTION TO CALL THE QUESTION.

>> SECOND.

>> PRESIDENT JAMES: MOTION TO CALL THE QUESTION ON  
THIS AMENDMENT FOR THE BOND ISSUE.

WE WILL NEED TWO-THIRDS VOTE TO DO SO, WHICH IS 17.

CLERK, PLEASE OPEN THE VOTING.

CALLING THE QUESTION.

VOTING IS CLOSING AND VOTING IS CLOSED.

>> MR. CLERK: 17 YES VOTES.

7 NO, 1 ABSTENTION AND 1 NOT VOTING.

>> PRESIDENT JAMES: THANK YOU.

ALL RIGHT.

ON THE QUESTION OF POLES.

AND DOES ANYBODY NEED ANY CLARITY ON THE QUESTION ON  
THE POLES?

>> COULD YOU RESTATE IT, PLEASE?

>> PRESIDENT JAMES: COUNCILMEMBER PARKER, COULD YOU  
RESTATE THE QUESTION ON THE POLES?

>> [OFF MIC.]

>> PRESIDENT JAMES: THANK YOU.

MR. CLERK, PLEASE OPEN THE VOTING.

13 YES VOTES, 11 NO, ONE ABSTENTION AND ONE NOT  
VOTING.

SMITH HAMILTON COAN HOLLANDER, WELCH, MULVIHILL, FLOOD  
[OFF MIC.]

ONE ABSTENTION IS COUNCILMEMBER [OFF MIC.]

>> PRESIDENT JAMES: IT PASSES.

ALL RIGHT.

NEXT ITEM COUNCILMEMBER PARKER.

OKAY.

SINCE WE SEPARATED THESE OUT, THE NEXT AMENDMENT IS  
FIELD LIGHTING SHALL BE COMPLETELY SHUT OFF WITHIN ONE HOUR OF  
CLOSE OF BUSINESS AND TURNED ON NO EARLIER THAN 8:00 A.M.

SO JUST TO REFRESH YOUR MEMORY, THE LIGHTING WILL BE  
TURNED OFF THROUGH THE WEEK AT 1:00 A.M. AND ON THE WEEKEND AT  
3:00 A.M.

>> I WOULD LIKE TO MAKE A MOTION TO ADD THAT AS A  
BINDING ELEMENT.

>> SECOND.

>> PRESIDENT JAMES: THERE'S BEEN A MOTION AND A  
SECOND.

ALL THOSE IN FAVOR, WE WILL OPEN THE VOTING.

>> PRESIDENT JAMES: NEW ITEM FOR DISCUSSION.

WHY DON'T WE DO THIS.

WHY DON'T WE CLEAR OUT THE QUEUE.

>> POINT OF PRIVILEGE.

JUST FOR CLARIFICATION, THAT'S THE BAY LIGHTING, THE  
FIELD LIGHTING, THE VERY, VERY HIGH INTENSITY LIGHTING THAT  
POINTED DIRECTLY AT THE NEIGHBORHOOD.

THAT'S WHAT WE ARE TALKING ABOUT.

NOT THE PARKING LOT LIGHTING.

>> [OFF MIC.]

THE 60 PROPERTIES, ARE THERE VARIANCES -- I KNOW WE  
TALKED HAS IT BEEN DISCUSSED AND THEY DISAGREE BUT I WONDER IF  
SHE COULD COMMENT ON OTHER FACILITIES AT TOP GOLF AND FIELD  
LIGHTING.

TURNING IT OFF, THE QUESTION THE SPONSOR IF SHE MIGHT  
KNOW THAT, OF OTHER FACILITIES.

>> PRESIDENT JAMES: COUNCILWOMAN PARKER?

>> I DON'T KNOW THAT.

BUT THE REASON WE ARE ASKING FOR THIS IN THIS  
PARTICULAR ONE IS BECAUSE THIS PARTICULAR TOP GOLF IS PRETTY  
MUCH THE ONLY ONE THAT'S ACTUALLY FACING DIRECTLY AT A  
NEIGHBORHOOD.

>> JUST TO FOLLOW-UP.

>> SURE.

[OFF MIC.]

I REALLY DON'T.

I DON'T THINK SO.

BUT COUNCILMEMBER HOLLANDER, I DON'T WANT TO BE TOO INTRUSIVE ON HOW WE ALSO TELL A BUSINESS HOW THEY ARE GOING TO RUN THEIR BUSINESS.

WE HAVE TALKED ABOUT COMMERCIAL DEVELOPERS IN THIS TOWN TALKING ABOUT THE BUREAUCRACY IN LOUISVILLE AND HOW IT'S SO DIFFICULT WITH PERMITS AND THIS AND THAT VERSUS CHARLOTTE.

I DON'T WANT TO GET, THAT CONCERNS ME.

WE ARE ALSO TALKING TO FOLKS ABOUT A VERY UNIQUE FOOTPRINT.

I'VE BEEN TO THE ATLANTA FACILITY.

I LOVE TOP GOLF.

I'VE BEEN TO THE ATLANTA FACILITY.

I'VE PLAYED, IT'S FANTASTIC.

BUT NOWHERE NEAR A RESIDENTIAL SECTION.

SO I AM REALLY, I'M A LITTLE BIT TORN ON THIS PARTICULAR VOTE.

SO I WILL LISTEN TO FURTHER DISCUSSION BUT I THINK AT THE END OF THE DAY, WE HAVE TO ASK OURSELVES, IS THIS A DEAL BREAKER?

IS THIS A DEAL BREAKER TO PROTECT AN AREA OF OXMOOR CENTER.

OUR CONSTITUENTS, OUR RESIDENTS, WITH A SMALL LIGHTING.

THANK YOU, APPRECIATE YOUR TIME.

>> PRESIDENT JAMES: THANK YOU.

COUNCILMEMBER HOLLANDER?

>> THANK YOU, MR. PRESIDENT.

I WANT TO POINT OUT ON THE RECORD, I BELIEVE THERE IS ALREADY A BINDING ELEMENT LIGHTS WILL BE REDUCED TO HALF AT THE TIME THE FACILITY CLOSES BUT THAT'S ALREADY, WE WON'T HAVE FULL LIGHTING AFTER THE FACILITY CLOSES, IT WILL BE REDUCED TO HALF.

IN RESPONSE TO WHAT COUNCILMEMBER ENGEL SAID.

THAT'S NOT A DEAL BREAKER BUT NO ONE ASKED ANYBODY.

I WOULD HAVE PREFERRED SOMEONE MADE AN INQUIRY WHILE BRINGING THAT KIND OF AMENDMENT.

>> PRESIDENT JAMES: THANK YOU.

COUNCILMEMBER PEDEN?

>> I JUST HAVE A QUESTION FOR THE COUNTY ATTORNEY.

DISCUSSIONS ABOUT LIGHTING.

THAT WOULD BE REGARDLESS OF WHAT WE DO HERE, REGARDLESS WHAT THE COUNTY COMMISSION DID, WAIVERS, ETC., ETC.

EVEN IF WE PASSED A WAIVER THAT SAID EVERY LIGHT THAT SHINES ON THEIR YARD WOULD BE EQUIVALENT OF STANDING ON THE SUN, DO WE HAVE THE RIGHT, DOES THE PLANNING COMMISSION HAVE THE RIGHT TO SAY WE CURRENTLY HAVE A LAW THAT SAYS IF THESE ARE THE LIGHTS ON MY GARAGE, THIS IS THE PROPERTY LINE, THIS IS MY NEIGHBOR'S HOUSE, THE LUMENS FROM SECURITY LIGHTS ON MY GARAGE CAN'T BE GREATER THAN, FILL IN THE BLANK.

CAN'T BE GREATER THAN WHATEVER ON MY NEIGHBOR'S HOUSE, CORRECT?

>> I THINK MOST BINDING ELEMENTS IN THAT REGARD,  
LIGHTING SHALL BE DIRECTED DOWN.

>> AND I'M NOT TALKING BINDING ELEMENT.

I'M TALKING IN GENERAL.

PROPERTY MAINTENANCE CODE OR WHICHEVER CODE COVERS  
THIS.

I HAVE LIGHTS ON MY HOUSE.

I CAN'T JUST AIM THEM AT MY NEIGHBOR'S HOUSE, THERE'S  
A CERTAIN AMOUNT OF BLEED OVER LIGHT BUT THERE'S A VERY SPECIFIC  
LEVEL, CORRECT?

>> I'M NOT AWARE.

>> AND THE ONLY REASON I KNOW, I'VE HAD TWO DIFFERENT  
OCCASIONS FOR I.P.L. TO GO OUT TO A NEIGHBOR'S HOUSE AND STAND  
IN THEIR KITCHEN WINDOW WITH A LUMENS METER AND SAY YOU ARE  
RIGHT, THAT REALLY IS BRIGHT.

TRUST ME.

TWENTY YEARS IN OFFICE, WE GET EVERYTHING.

IT COMES DOWN TO, REGARDLESS, ARE WE ALLOWED TO PASS,  
WHETHER IT BE A BINDING ELEMENT HERE OR A WAIVER THERE, THAT  
GIVES ANY DEVELOPER, ANY BUSINESS COMING IN THE RIGHT TO VOLLEY  
THAT PART OF IT.

I GUESS ULTIMATELY WHAT IT COMES DOWN TO, CAN WE ALLOW  
A DEVELOPER TO BASICALLY SAY YEAH YOU CAN SHINE THAT FLOOD LIGHT  
INTO THE BACK OF THEIR NEIGHBOR'S PROPERTY?

OR ARE ALL THE WAIVERS THAT OCCURRED AND ALL OF THE BINDING ELEMENTS AND ALL THE RULES WE HAD HERE, ARE THEY STRICTLY LIMITED TO WHAT'S IN THE PROPERTY LINE AND THAT DEVELOPMENT, COUNCILMEMBER FLOOD --

>> WE OFTEN HAVE BINDING ELEMENTS AND CERTAINLY REGULATIONS THAT DICTATE THE EFFECTS OF ACTIVITY ON A PROPERTY ON AN ADJACENT PROPERTY.

>> THANK YOU.

>> THANK YOU, MR. PRESIDENT.

I JUST FIND IT ODD, I DON'T KNOW WHAT TOP GOLF DOES WITH THE PROPERTY BUT I HAVE A PROBLEM SAYING, LISTEN [OFF MIC.]

>> MR. PRESIDENT.

LET ME CLARIFY.

COUNCILMEMBER HOLLANDER SAID IT WASN'T DISCUSSED, IN FACT IT WAS DISCUSSED WITH THE APPLICANT PRIOR TO THE COMMITTEE AND THEY REJECTED IT.

>> PRESIDENT JAMES: THANK YOU.

COUNCILWOMAN SEXTON SMITH.

>> YES, THANK YOU, MR. PRESIDENT.

AS I LOOK AT THE ROBUST DISCUSSION THIS EVENING, IT MAKES ME THINK ABOUT WHO ARE WE AND HOW DO WE FEEL ABOUT OUR DEVELOPMENT AND OUR GROWTH AND WHAT DO WE WANT TO DO AS A BODY TO PROTECT ALL OF OUR CONSTITUENTS IN ALL 26 DISTRICTS AND I THINK THE ANSWER IS WE WILL DO EVERYTHING WE POSSIBLY CAN AND WE WILL HAVE TO HAVE GIVE AND TAKE CONVERSATIONS.

LOUISVILLE IS IN THE MIDST OF A ROBUST ECONOMIC DEVELOPMENT.

AND WE HAVE SEEN \$13 BILLION IN ECONOMIC DEVELOPMENT SINCE 2014 IN THIS COMMUNITY AND IT'S BEEN GIVE AND TAKE.

AND WE ARE SPREADING THE DISCOMFORT ACROSS THE COUNTY AND WE ARE SPREADING THE BENEFITS ACROSS THE COUNTY.

SO AS DIFFERENT NEIGHBORHOODS AND AREAS AND DISTRICTS ARE WELCOMING ECONOMIC DEVELOPMENT, THEY WANT THOSE JOBS AND THOSE BETTER-PAYING JOBS, THEY WANT TO BE ABLE TO RECRUIT PEOPLE HERE AND KEEP PEOPLE HERE, THEN EACH OF US IS GOING TO HAVE TO ASK OURSELVES WHAT AM I WILLING TO DO, IS THERE GIVE AND TAKE?

AND IS THERE SOMETHING WE COULD HAVE SOME WINS ON AND MAYBE SOME LOSSES ON?

BUT WE ARE ALL GOING TO HAVE TO SHARE IN THE GROWING PAIN.

I WANTED TO ANSWER SPECIFICALLY, COUNCILMEMBER ENGEL, I WAS THRILLED TO HEAR YOU SAY YOU WOULD LISTEN INTENTLY AS WE GO THROUGH THE CONVERSATION, BECAUSE YOU PIQUED MY INTEREST WHEN YOU SAID ARE WE GETTING INTO THE WEEDS.

I WANT TO ADDRESS THAT FOR A MOMENT.

I THINK AS A FORMER BUSINESS OWNER MYSELF AND OPERATOR OF PUBLIC CENTURY CUSTOMER SERVICE ORIENTED BUSINESS, WHEN I DEPENDED ON THE PUBLIC COMING IN AND OUT, WHEN THE LIGHTS WENT OUT, IT WAS SOMETIMES SEVERAL HOURS BEFORE ALL THE EMPLOYEES WENT HOME BECAUSE DEPENDING ON THE BUSINESS MODEL, DEPENDS HOW



MUCH CLEAN UP, RESETTING AND GETTING READY FOR THE NEXT DAY, I DON'T KNOW ANYONE IN THE CHAMBER TONIGHT IS WELL EQUIPPED AND KNOWLEDGEABLE ENOUGH TO KNOW EXACTLY WHAT IS THE OPERATING MODEL OF TOP GOLF.

WE WANT TO MAKE SURE WE AREN'T TYING THEIR OPERATING HANDS BEHIND THEIR BACK WHEN THEY MIGHT HAVE THAT TIME TO CLOSE OUT THEIR OPERATIONS IN A SAFE MANNER.

I DON'T KNOW IF WE KNOW THE ANSWER TO THAT RIGHT NOW BUT I KNOW IT TAKES TIME TO SAFELY CLOSE DOWN THE BUSINESS.

AND I WOULD LIKE TO GIVE THAT CONSIDERATION.

I THINK WE ALSO RUN ANOTHER RISK THIS EVENING IN DISCUSSION WHERE WE GOT INTO THE WEEDS OF THE MARKETING PLAN PIECE OF THE BUSINESS DEVELOPMENT PLAN AT TOP GOLF.

WE WERE HAVING THE CONVERSATION ABOUT WHAT THE OTHER COMMUNITIES ARE DOING AND FOLKS MADE STATEMENTS ABOUT THE LIGHTING ITSELF WAS USED IN MANY OTHER COMMUNITIES TO BE PART OF THE ATTENTION GRABBER, DEPENDING ON WHERE THAT FACILITY WAS, I GET THAT, I CAN UNDERSTAND THAT, BUT AT THE SAME TIME, I SURE DON'T WANT THOSE LIGHTS ON 24 HOURS A DAY IN ANYONE'S NEIGHBORHOOD.

I DO NOT WANT THAT.

IT SOUNDS LIKE WE'RE NOT GOING TO V THAT.

-- HAVE THAT.

THERE HAS ALREADY BEEN A LOT OF DISCUSSION BEFORE TONIGHT.

I WAS PLEASED TO HEAR WE ARE NOW LOOKING AT REDUCING THE LIGHTS BY 50%.

I THINK WE ARE MAKING A MISTAKE IF WE TAKE AWAY AN HOUR OF BUSINESS CLOSING TIME.

THAT'S A RISK WE ARE RUNNING.

I WANT TO BE ABLE TO SAY LOUISVILLE IS OPEN FOR BUSINESS.

I SAY THAT IN THIS CHAMBER ON MANY OCCASIONS.

AND THE LAST THING I WANT TO SAY ABOUT LIGHTS AND NEIGHBORHOODS.

I THINK I'M THE ONLY ONE IN THE CHAMBER THAT LIVES A COUPLE BLOCKS FROM WHERE WE ARE SEATED TONIGHT.

I LIVE ON THE BEAUTIFUL OHIO RIVER AND YOU MAY THINK THERE'S NO BIG LIGHTS AROUND HERE.

BUT WE HAVE NEVER DISCUSSED THE BARGE TRAFFIC ON THE OHIO RIVER.

AND THE LAST THING I WANT TO DO IS SET A PRECEDENT WHERE SOMEONE COMES IN AND SAYS THOSE TUG BOATS HAVE TO TURN THOSE SPOTLIGHTS OFF BECAUSE THEY USE THEM FACING SOUTH TO MAKE SURE THEY DON'T HIT THE EMBANKMENT.

AND WHEN THEY HIT MY WINDOW THEY LIGHT UP MY ENTIRE APARTMENT LIKE A HOLIDAY TREE AND IT SCARED ME WHEN I FIRST LIVED IN THAT SITUATION.

IT WAS JUST SOMETHING I LEARNED TO LIVE WITH.

IT'S NOT FOR EVERYONE.

I MADE THE DECISION TO LIVE THERE AND THERE ARE A LOT OF WONDERFUL THINGS ABOUT LIVING DOWNTOWN.

WE HAVE OUR CHALLENGES.

SO I ALSO WANT TO CLOSE BY APPLAUDING COUNCILWOMAN PARKER FOR YOUR INCREDIBLE PRODIGIOUS AMOUNT OF WORK AND LEADERSHIP YOU HAVE SHOWN FOR YOUR CONSTITUENTS AND THE FIGHT YOU HAVE PUT UP, IT'S BEEN WELL RESEARCHED, WELL REASONED AND WELL DELIVERED AND I APPRECIATED THAT TONIGHT.

AND I THINK BECAUSE OF YOUR LEADERSHIP AND RESEARCH AND THE WAY YOU PRESENTED IT, THIS HAS BEEN ONE OF THE BEST DEBATES I THINK I HAVE PARTICIPATED IN IN THE LAST 22 MONTHS.

SO I APPRECIATE YOUR GUIDANCE AS WE GOT HERE THIS EVENING.

HOWEVER, I CANNOT BE IN FAVOR OF VOTING FOR THE MOTION ON THE FLOOR.

TO TURN THOSE LIGHTS OFF SOONER WITH THE LIMITED INFORMATION WE HAVE BEFORE US.

THANK YOU, MR. PRESIDENT.

>> PRESIDENT JAMES: THANK YOU.

COUNCILWOMAN BUTLER?

>> THANK YOU.

WHEN WE TALK ABOUT LIGHTS, I THINK I HAVE A LITTLE BIT OF KNOWLEDGE HERE.

I'VE GOT CARDINAL STADIUM.

THE BASEBALL FIELD.

LITTLE TRACK CALLED CHURCHILL DOWNS.

AND NOT ONLY DO THEY ALL HAVE LIGHTS, ONE OF THEM HAS THE SECOND LARGEST 4K SCREEN IN THE WORLD RIGHT THERE.

WE DIDN'T PUT A BOND ON THEM TO REMOVE THESE THINGS.

AND WE DON'T LIMIT WHEN THEY CAN HAVE THEIR LIGHTS.

SOMETIMES DURING THE YEAR CHURCHILL DOWNS HAS A LOT OF STUFF GOING ON.

THOSE LIGHTS ARE ON FOR 5-6 HOURS AFTER THE RACES ARE OVER WHILE THEY ARE CLEANING UP.

WE DON'T KNOW WHAT'S GOING TO GO ON AT TOP GOLF.

WE WANT TO MAKE SURE THEY WILL HAVE A CLEAN FACILITY AFTER.

I'M SURE THIS IS NOT THE ONLY ONE IN CLOSE PROXIMITY TO SOME NEIGHBORHOODS.

FROM LOOKING AT THEIR WEBSITE IT APPEARS AT LEAST HALF, IF NOT MORE, ARE IN SOMEWHAT CLOSE PROXIMITY TO NEIGHBORS.

I'VE GOT FACILITIES THAT ARE IN NEIGHBORHOODS.

NOT CLOSE PROXIMITY.

IN.

I HAVE PEOPLE WHO LIVE RIGHT NEXT DOOR TO CHURCHILL DOWNS.

I HAVE PEOPLE WHO LIVE ACROSS THE STREET FROM THE CARDINAL STADIUM.

PEOPLE WHO LIVE NEXT DOOR AND ACROSS THE STREET FROM THE BASEBALL FIELD.

SO I CAN'T SUPPORT TELLING A BUSINESS THEY HAVE TO HAVE EVERYTHING CLEANED UP, PUT AWAY IN AN HOUR.

THEY ALREADY AGREED TO DOING HALF THE LUMENS AT CLOSING TIME IN ORDER TO ALLOW THEIR WORKERS TO SUFFICIENTLY CLEAN THEIR BUSINESS.

AND I CAN SUPPORT THAT.

BUT I CANNOT SUPPORT TELLING THEM THEY HAVE TO HAVE A HARD STOP ONE HOUR AFTER CLOSING.

>> PRESIDENT JAMES: THANK YOU, COUNCILWOMAN.

COUNCILMEMBER LANSHIMA?

>> THANK YOU, MR. PRESIDENT.

THE POLE WE USE AT HOME -- [OFF MIC.]

PARKING LOT HAS 20,000 LUMENS.

SO WE ARE TALKING ABOUT OVER THREE TIMES THAT.

FOR TOP GOLF.

I UNDERSTAND THEY WILL CUT IT IN HALF.

THAT IS STILL ABOUT 27,000.

ABOUT 7,000 MORE THAN THE AVERAGE PARKING LOT.

AGAIN, I ASK YOU TO PUT YOURSELF IN THOSE SHOES.

I LOVE COUNCILWOMAN BUTLER'S TESTIMONY AND THIS CONVERSATION.

THESE NEIGHBORS LIVE THERE ALREADY.

THEY AREN'T MAKING A DECISION TO MOVE TO THIS LOCATION.

THEY LIVE THERE.

THE LEAST WE CAN DO IS ENSURE THAT THEIR LIVES AREN'T  
[INDISCERNIBLE.]

TO ALLOW SOME OF OUR NEIGHBORS TO HAVE A GOOD NIGHT'S  
SLEEP.

I WANT TO ENCOURAGE MY COLLEAGUES TO SUPPORT THIS  
AMENDMENT.

IF I WAS LIVING THERE, I WOULDN'T BE HAPPY WITH IT.  
I LIVED IN LONDON FOR TWO YEARS AND I  
REMEMBER -- RIGHT IN MY WINDOW, I THOUGHT WHAT IS HAPPENING  
HERE.

>> [OFF MIC] CHURCHILL DOWN AND ANY OTHER SPORTING  
VENUES, COUNCILMEMBER BUTLER IN HER DISTRICT.

THOSE ARE SPORADIC.

NOT EVERY SINGLE NIGHT, ALL NIGHT LONG.

THERE'S A DIFFERENCE WHEN YOU KNOW YOU CAN NEVER EVER  
GET AWAY FROM IT.

AND PLANNING AND DESIGN COMMISSION, THEY ALREADY  
IMPOSED A BINDING ELEMENT THEY HAVE TO TURN THEIR LIGHTS OFF.

THEY CAN'T LEAVE THEM ON ALL NIGHT LONG.

THEY ALREADY MADE A DECISION.

SO IT WOULDN'T BE OUT OF THE ORDINARY FOR US TO FOLLOW  
ALONG THAT VEIN THE SAME AS THEY DID AND MAKE A DECISION BECAUSE  
THEY HAVE GIVEN A LOT OF WAIVERS AND VARIANCES AT TOP GOLF.

THEY HAVE GOTTEN ALMOST EVERYTHING THEY ASKED FOR.

JUST LIKE WHAT'S BEEN REITERATED BEFORE, I DIDN'T ASK THE COUNCIL, IF THIS IS YOUR HOME OR YOUR NEIGHBORHOOD, YOU KNOW, YOU HAVE TO PUT YOURSELF IN THAT POSITION.

ONE OF MY COLLEAGUES -- IF YOU ARE UPSET WITH THE HOUR LIMITATION GOING FROM TWO TO ONE.

I CAN CHANGE THIS AMENDMENT TO DIM THE LIGHTS TO 25% AND KEEP IT AT THE TWO HOURS.

IT WOULD BE DIMMING THE LIGHT TO 25% RATHER THAN 50% AND STAY AT THE TWO HOURS.

AND WE ARE STILL OVER WHAT WAS ORIGINALLY ALLOWED.

WE ARE STILL OVER FOUR TIMES WHAT THE LAND DEVELOPMENT CODE ALLOWS.

THAT SHOULD LEAVE PLENTY OF TIME AND PLENTY OF LIGHTING FOR THEM TO DO THEIR CLEAN UP.

>> PRESIDENT JAMES: THANK YOU, COUNCILWOMAN.

COUNCILWOMAN DENTON?

>> THERE ARE SO MANY UNKNOWNNS.

[OFF MIC.]

ASKING THE TOP GOLF FOLKS TO ASK TO EXPLAIN.

IT GOES BACK TO MY PREVIOUS STATEMENT.

THERE ARE A LOT OF QUESTIONS ABOUT THIS.

AND ONE OF THE THINGS, AND I'VE HEARD YOU SAY BEFORE THAT FRUSTRATES ME ABOUT METRO COUNCIL IS WE TEND TO RUSH THINGS.

WE HAVE ONE MEETING AND THEN BE DONE.

THAT'S FRUSTRATING.

WE'VE GOT TIME.

PAUL WIDDIE JUST SAID FROM THE COUNTY ATTORNEY'S OFFICE, WE HAVE TIME.

WE ARE TRYING TO RUSH THIS THROUGH AND YET THERE ARE STILL QUESTIONS TO BE ASKED.

WHAT COUNCILWOMAN PARKER SAID IS TRUE.

IF YOU DIMMED IT TO 25% THAT'S STILL OVER FOUR TIMES THE CODE REGULATION OF 3500 LUMENS.

THAT WOULD BE 14,500 LUMENS IF YOU WENT TO 25% BETWEEN THE TIME THEY CLOSE AND THAT TWO HOUR LIMIT.

SO INSTEAD OF NO LIGHTS BETWEEN 1:00-2:00 OR 12:00-1:00 DEPENDING ON THE WEEKEND OR WEEK DAY YOU WOULD STILL HAVE THE FULL-TIME AT 25%.

I WOULD LIKE TO AMEND THE MOTION ON THE FLOOR OR SUBSTITUTE IT TO SAY 25% BETWEEN THE TIME THEY CLOSE AND TWO HOURS AFTER.

THAT'S STILL OVER FOUR TIMES THE CURRENT LUMENS THEY HAVE OUT THERE.

THAT WOULD GIVE THEM THE TWO HOURS THEY WANT TO CLOSE AND STILL BE ABLE TO HAVE THE LIGHT OUT THERE FOR THOSE TWO HOURS.

FOLKS, WE'VE GOT TO START THINKING ABOUT THE PEOPLE WHOSE LIVES WE ARE IMPACTING.



IF YOU LIVE NEXT TO THIS, IF YOURS WAS THE HOUSE THAT BACKS UP TO THIS, WHAT WOULD YOU WANT?

I WANT TO BE ABLE TO VOTE FOR THIS.

I'M TRYING TO FIND WAYS FOR ME TO VOTE FOR THIS, BECAUSE I'M VERY PRO-DEVELOPMENT.

I WANT THIS TO COME.

OXMOOR NEEDS IT, EVEN THOUGH THEY ARE HACKING OFF PEOPLE THE WAY THEY HAVE DONE SOME OF THEIR PARKING FLOW.

I WANT OXMOOR TO BE SUCCESSFUL.

NOT THAT THEY ARE HELPING THEMSELVES IN SOME INSTANCES BUT I DO THINK THIS WOULD BE HELPFUL TO THAT AREA.

I'M NOT THAT CONCERNED ABOUT THE TRAFFIC OR THE NOISE.

I THINK THOSE THINGS WILL RESOLVE THEMSELVES.

BUT IT'S THIS LIGHT ISSUE.

IF YOU LIVE THERE AND YOUR BEDROOM WAS IN THE BACK OF YOUR HOUSE BACKING UP TO THIS AND YOU'VE GOT THAT CONSTANT LIGHT THERE UNTIL 2:00 IN THE MORNING, HOW ARE YOU GOING TO FEEL?

LET'S BE COGNIZANT OF THAT AND BE THOUGHTFUL AS IF IT WERE US.

I WANT TO VOTE FOR THIS.

PLEASE HELP ME VOTE FOR THIS.

WE HAVE LOOKED AT ISSUES LIKE LIQUOR STORES BEING OPEN IN PARTS OF THE COUNTY.

WHETHER YOU WANT THOSE AS NUISANCES OR NOT.

THIS IS A NUISANCE.

AND WE HAVE LOOKED AT THOSE KINDS OF ISSUES.

LET'S BE VERY COGNIZANT OF THAT.

THE SHIELDING HAS BEEN REMOVED.

I'VE DEALT WITH FIELDING ISSUES FOR MORE THAN A DECADE  
ON STATE HIGHWAYS.

I KNOW THIS LIGHTING ISSUE IS VERY, VERY IMPORTANT FOR  
SOME FOLKS, WHOSE HOMES BACK UP TO CERTAIN AREAS.

LET'S CONSIDER THAT AS BEING PART OF US.

WE ARE GETTING READY TO LOOK AT AN ORDINANCE DEALING  
WITH SHORT-TERM RENTALS BECAUSE WE HAVE A HANDFUL OF SITUATIONS  
THAT ARE PROBLEMATIC BUT WE ARE GOING TO DO A MORATORIUM ACROSS  
THE COUNTY BECAUSE WE HAVE A HANDFUL OF SITUATIONS THAT ARE  
PROBLEMATIC.

YOU'VE GOT WAY MORE THAN A HANDFUL OF PEOPLE WHO WILL  
BE AFFECTED BY THIS.

IF WE ARE GOING TO GO TO THE EXTENT ON PUTTING  
MORATORIUM ON SHORT-TERM RENTALS ACROSS THE COUNTY BECAUSE OF A  
HANDFUL OF SITUATIONS WHY CAN'T WE BE COGNIZANT OF THIS  
SITUATION.

HELP ME VOTE FOR THIS.

I WANT THIS TO PASS.

BUT I WANT IT TO BE RESPONSIBLE.

SO PLEASE, I URGE YOU TO VOTE FOR THIS AND BE  
CONSISTENT WITH THE OTHER THINGS YOU ARE TALKING ABOUT ACROSS  
THE COUNTY.

THINK ABOUT THAT.

BE CONSISTENT.

>> PRESIDENT JAMES: THANK YOU, COUNCILWOMAN.

COUNCILMAN COAN?

>> THANK YOU, MR. PRESIDENT.

[OFF MIC.]

IT DOESN'T SEND A MESSAGE ABOUT THIS COMMUNITY.

I'VE TALKED ABOUT IT OVER AND OVER AGAIN.

THE MORE THIS BODY POLITICIZES LAND USE PROCESSES,  
WHICH HAS VERY SPECIFIC, VERY SPECIFIC LEGAL REQUIREMENTS, THE  
REASON WE HAVE A PLANNING COMMISSION, INSTEAD OF FIGHTING AND  
TRYING TO COMPROMISE AND COME UP WITH IDEAS ON THE FLY AT 9:00,  
IT'S WHY THERE'S THIS LENGTHY ADVERSE PROCESS IN FRONT OF AN  
ADMINISTRATIVE BODY WHOSE SOLE CHARGE AND EXPERTISE IS IN THESE  
AREAS.

WHO HAS A CHANCE TO CROSS-EXAMINE WITNESSES.

AND THAT'S ONLY AFTER ALL OUR REGULATORY AGENCIES HAVE  
APPROVED AND HAD ALL THEIR QUESTIONS ANSWERED.

BY THE TIME THESE GET TO US, WE SHOULD BE DEFERRING TO  
THE PLANNING COMMISSION UNLESS THERE'S A CLEAR ERROR IN FACT,  
UNLESS THEIR DECISION IS ARBITRARY OR CAPRICIOUS, OR SOME  
EXCEPTIONAL REASON FOR US NOT TO ACKNOWLEDGE THAT THE TIME AND  
EXPERTISE AND TESTIMONY THEY TOOK AND THEY CONSIDERED, THEY  
WEIGHED, INTO WHETHER THE MITIGATION OF LIGHTING OR ANY OTHER

POTENTIAL NOISE OR TRAFFIC MITIGATION OR ANY OTHER VARIANCE OR WAIVER OR ZONING CHANGE IS JUSTIFIED.

I'M GOING TO VOTE FOR TOP GOLF.

I DON'T THINK -- I'M NOT IN FAVOR OF THE BINDING ELEMENT FOR A VARIETY OF DIFFERENT REASONS.

BUT I THINK IT'S A MISTAKE FOR US TO TREAT THIS ANY DIFFERENT THAN ANY OTHER LAND USE CASE AND DEVIATE FROM THE LAW THAT GOVERN THESE CASES.

YOU TALK ABOUT NOT ENOUGH TIME TO HAVE OUR QUESTIONS ANSWERED.

ACTUALLY, YES.

WE ARE SUPPOSED TO MAKE OUR DECISIONS BASED ON THE CLOSED RECORD.

WE CAN TAKE THE TIME TO CREATE POLICY, THIS IS THE END OF THAT PROCESS.

I THINK THE MORE WE ABUSE THAT AND DON'T FOLLOW THE LAW AND POLITICIZE --

>> PRESIDENT JAMES: THANK YOU, COUNCILMEMBER COAN.

COUNCILMEMBER ACKERSON?

>> THANK YOU, MR. PRESIDENT.

MY COLLEAGUE FROM DISTRICT 8 [OFF MIC.]

ONE THING THAT'S UNIQUE ABOUT THIS, YOU TALK ABOUT A PROCESS IN PLACE THAT'S STANDARD.

THIS CASE IS DIFFERENT, YOU HAVE VARIANCE -- [OFF MIC.]

WE ARE TALKING ABOUT THE OUTSIDE LIGHTING, NOT THE INSIDE.

CLEANING UP THE RESTAURANT, THERE IS STILL THE ARGUMENT YOU GET THE OUTSIDE DONE.

I DON'T REALLY SEE A PROBLEM THERE WITH DIMMING THE LIGHTS.

WE ARE TALKING ABOUT ON WEEKENDS, WHAT'S BEING REQUESTED, THOSE LIGHTS TURN OFF AT 3:00 IN THE MORNING.

ON A SUNDAY THROUGH A THURSDAY, THOSE LIGHTS ARE TURNED OFF AT 1:00 IN THE MORNING, VERSUS 2:00 IN A RESIDENTIAL AREA.

I HOPE YOU WILL TAKE A LOOK AT THOSE CONSIDERATIONS. COLLEAGUE TALKED ABOUT CHURCHILL DOWNS.

I THINK IT WAS FOUR YEARS AGO MAYBE, YOU ASKED US TO ENTER A BINDING AGREEMENT ON THE FLOOR OF THE COUNCIL.

YOU ASKED THIS BODY TO LIMIT THE HOURS THAT TRUCKS COULD COME IN AND DELIVER PRODUCT TO THAT -- BECAUSE YOU WERE CONCERNED THE TRUCK LIGHTS.

THIS BODY SUPPORTED YOU IN YOUR DEFENSE OF THAT NEIGHBORHOOD AND PUT THOSE RESTRICTIONS ON THAT BUSINESS.

I WOULD ASK YOU TO THINK BACK TO THAT SITUATION. CONSIDER THIS A VERY SIMILAR SITUATION.

3:00-4:00 DOESN'T MATTER TO ME.

BUT WEEK NIGHTS, THE DIFFERENCE BETWEEN 1:00 AND 2:00, TO ME MATTERS.

I WILL SUPPORT MY COLLEAGUE.

I WILL VOTE YES.

BUT I DON'T THINK THIS IS AN UNREASONABLE RESTRICTION  
THIS BODY HAS THE AUTHORITY TO PLACE ON THIS.

THANK YOU, MR. PRESIDENT.

>> PRESIDENT JAMES: THANK YOU.

COUNCILMEMBER HOLLANDER?

>> THANK YOU.

I JUST WANT TO ECHO WHAT COUNCILMEMBER COAN SAID.

IF YOU WERE IN THE AUDIENCE YOU WOULD THINK THIS IS  
THE FIRST TIME ANYBODY HAS TALKED ABOUT LIGHTING AT TOP GOLF.

THERE'S EXTENSIVE RECORD THAT'S BEEN DISCUSSED AT THE  
PUBLIC HEARINGS.

THIS HAS BEEN DISCUSSED AD NAUSEAM.

SO, TO ME, TO ADD BINDING ELEMENTS HERE, AND I DON'T  
KNOW EXACTLY WHAT WE ARE VOTING ON HERE, I DID HEAR COUNCILWOMAN  
PARKER AND DENTON SAYING THEY WERE PROPOSING TO CHANGE THIS TO  
25% OF THE LIGHTING INSTEAD OF 50%.

SO I DON'T KNOW IF THAT'S GOING TO BE AN AMENDMENT.

IF IT IS, I DON'T THINK ANYBODY HAS DISCUSSED THAT  
WITH THE APPLICANT.

HAS COUNCILWOMAN PARKER DISCUSSED THAT WITH THE  
APPLICANT?

25% LIGHTING?

>> THAT'S WHY WE ARE HAVING THE DISCUSSION NOW.

PERSONALLY, NO DISRESPECT BUT I DON'T THINK YOUR POINT IS VALID.

I DID OFFER AN ALTERNATIVE OF 25%, DIMMING THE LIGHTS 25% FOR TWO HOURS.

I CAN MAKE THAT AS A MOTION NOW IF WE THINK WE WILL GARNER MORE SUPPORT FOR THAT.

I DON'T WANT THE DISCUSSION TO GO ON ANOTHER HOUR FOR THAT.

BUT IF SOMEONE WANTS TO SECOND THAT.

I'M OKAY WITH THAT.

>> I WOULD SECOND THAT.

>> PRESIDENT JAMES: STAND BY.

COUNCILMEMBER HOLLANDER?

>> MY POINT IS, I JUST ASK A QUESTION, WE ARE NOW TALKING ABOUT CHANGING THE BINDING ELEMENT TO SAY 25% LIGHTS INSTEAD OF HALF OF LIGHTS.

AND IF ANYBODY HAS DONE THIS, THE COUNTY ATTORNEY OR COUNCILWOMAN PARKER OR ANYBODY HAS DISCUSSED THIS WITH THE APPLICANT, PLEASE SPEAK UP.

THE COUNTY ATTORNEY HAS.

SO WE ARE TALKING ABOUT ADDING A BINDING ELEMENT THAT'S NEVER BEEN DISCUSSED WITH THE APPLICANT.

NONE OF US HAVE ANY IDEA HOW MUCH LIGHTING IT TAKES TO PICK UP THESE BALLS.

WE ARE JUST TALKING ABOUT DOING THIS ON THE FLY, I THINK THAT'S A SERIOUS PROBLEM POTENTIALLY INTERFERING WITH SOMEBODY'S BUSINESS MODEL AND NOT SOMETHING WE SHOULD DO ON THE FLOOR OF THE COUNCIL.

THANK YOU.

>> PRESIDENT JAMES: THANK YOU.

COUNCILMEMBER BUTLER?

>> THANK YOU, I JUST WANT TO CLARIFY SOME STUFF, THERE WERE COMMENTS MADE TO INSINUATE THE THREE FACILITIES I NAMED HAVE BEEN THERE FOREVER.

CARDINAL STADIUM HAS NOT.

IT'S BEEN BUILT WITHIN THE LAST 20 YEARS AND IT JUST HAD A MAJOR EXPANSION.

TWO EXPANSIONS.

WE WEREN'T THINKING ABOUT THE NEIGHBORS NEXT TO THEM WHEN WE ALLOWED THEM TO DO THAT.

AND YES, IT'S NOT EVERY SINGLE DAY, BUT DO YOU KNOW WHAT IT'S LIKE WHEN YOU HAVE 65,000 PEOPLE LEAVING AT ONE TIME OR COMING AT ONE TIME AND TAILGATING OUT IN THE PARKING LOT, LITERALLY 50-60 FEET FROM YOUR HOME ALL DAY LONG?

IT HAPPENS.

AND WHEN WE ARE TALKING ABOUT DELIVERIES TO FACILITIES IN MY AREA, I CAN GUARANTY A HOUSE IS WITHIN 20-50 FEET, IF YOU HAVE A SEMI IDLING 20-50 FEET IT WILL SHAKE THAT HOUSE AS WELL.

THAT'S THE DIFFERENCE HERE.



WE DON'T HAVE A RESIDENCE THAT IS WITHIN 50 FEET.

SO THERE'S A HUGE DIFFERENCE HERE.

AGAIN, WHEN WE ARE TALKING PLANNING AND ZONING, I KNOW WHENEVER I DID THAT, I ALSO TALKED TO THE APPLICANT THROUGH THE COUNTY ATTORNEY AND ASKED, CAN YOU LIVE WITH THIS, IF I REMEMBER CORRECTLY, WE WENT BACK AND FORTH.

THAT'S HOW WE WORK ON THESE THINGS.

YOUR OFFICE WORKS WITH THE COUNTY ATTORNEY WHO WORKS WITH THE APPLICANT SO NO ONE IS CAUGHT OFF GUARD WHEN WE GET HERE AND WE CAN USUALLY WORK THINGS OUT PRETTY EASILY.

AT THIS POINT, WITH THE APPLICANT ALREADY AGREEING TO 50% LIGHT REDUCTION, IT'S HARD TO SUPPORT ANYTHING ELSE.

THANK YOU.

>> PRESIDENT JAMES: THANK YOU.

COUNCILMEMBER ENGEL.

>> THANK YOU, MR. PRESIDENT, I WOULD LIKE TO POSE A QUESTION TO THE COUNTY ATTORNEY AND THEN A COUPLE OTHER COMMENTS.

I WOULD LIKE TO ASK THE COUNTY ATTORNEY.

WE HAD A LIGHTING STUDY, I SUSPECT, I BELIEVE IT'S PART OF THE RECORD.

THAT WAS DONE BY THE DEVELOPER, I SUSPECT, CORRECT?

>> THAT LIGHTING STUDY WAS COMMISSIONED BY THE APPLICANT.

>> BUT THE NEIGHBORS DID NOT SUBMIT A LIGHTING STUDY,  
IS THAT CORRECT?

>> NO.

>> OKAY.

MR. PRESIDENT, I WOULD LIKE TO CONTINUE MY DISCUSSION  
HERE.

I THOROUGHLY ENJOY THE ELOQUENCY OF MY COLLEAGUE FROM  
DISTRICT FOUR, I REALLY DO.

AND HER BRINGING UP MY DIGGING IN THE WEEDS AND  
STRUGGLING WITH THIS ONE.

SHE MENTIONED GIVE AND TAKE.

THAT'S WHAT SHE IS ALL ABOUT, I THINK.

I THINK THAT'S WHAT WE ALL ARE.

ALL 26 OF US.

AND I REALLY, REALLY BELIEVE, THERE'S BEEN A LOT OF  
GIVE AND TAKE FROM THE BEGINNING OF THIS PROCESS, MR. PRESIDENT,  
BY THE DEVELOPER AND THE PLANNING COMMISSION.

THERE'S BEEN A LOT OF GIVE AND TAKE.

THERE'S BEEN A LOT OF GIVING.

AND WE WANT TOP GOLF.

AND I THINK IT'S HEADING THAT WAY.

WE JUST HAVE A FEW MORE DETAILS TO WORK OUT.

SO WHAT I WOULD LIKE TO DO IS THAT YES, THE DEVELOPER  
HAS AGREED TO 50% LIGHTING.

MY COLLEAGUE FROM DISTRICT FOUR, I WOULD LIKE TO THROW THIS GIVE AND TAKE OUT AND MOVE THE AMENDMENT, IF MY COLLEAGUE, WOULD AGREE TO THIS.

MOVE THE AMENDMENT TO 25% LIGHTING.

THAT'S THE GIVE AND TAKE, I BELIEVE, I HOPE MY COLLEAGUE WOULD AGREE TO.

IF THE DEVELOPER COULD AGREE TO 50%, ALREADY THE SPONSOR WHO WANTED TO MOVE MR. PRESIDENT TO CLOSING, SHUTTING THE LIGHTS DOWN A FULL HOUR IN ADVANCE, WHICH HAS BEEN REJECTED, I THINK IT'S A SMALL THING FOR US TO ASK TO AGREE TO, TO REDUCE THE LIGHTING TO 25% AND LET'S GET ON WITH THIS THING.

SO I MOVE THE 25%, IF I COULD.

DO I NEED TO ASK THE SPONSOR TO DO THAT, MR. PRESIDENT?

DO WE HAVE AN AMENDMENT ALREADY ON THE FLOOR?

I WOULD ASK FOR A FRIENDLY AMENDMENT TO MOVE THAT FROM THE LIGHTING THAT SHE PROPOSED TO A 25% REDUCTION IN LIGHTING.

I'M ASKING IF WE COULD GET THAT DONE?

>> PRESIDENT JAMES: COUNCILWOMAN, DO YOU ACCEPT THAT AS A FRIENDLY AMENDMENT?

>> I DO.

AND I THOUGHT I ALREADY DID THAT AND I THOUGHT -- ALREADY SECONDED IT.

IT WOULD STAY AT THE TWO HOURS, SO WE WOULDN'T CHANGE THE LIMIT OF THE HOURS, JUST CHANGING THE DIMMING OF THE LIGHT FROM 50% TO 25%.

SO THAT WOULD, WHAT PLANNING AND DESIGN HAD ALREADY PUT IN THEIR BINDING ELEMENT FOR THE TIME LIMIT, THAT STAYS.

WE WOULD JUST BE REQUESTING TO DIM THE LIGHTS TO 25%.

THANK YOU.

>> I DIDN'T KNOW YOU ACKNOWLEDGED.

BECAUSE COUNCILMEMBER HOLLANDER SAID HE DOESN'T KNOW IF THIS WAS ON THE TABLE OR NOT.

I WANTED TO MAKE SURE IT'S CLEAR IT HAS BEEN MOTIONED AND SECONDED.

THANK YOU.

>> PRESIDENT JAMES: THANK YOU.

COUNCILMEMBER LANSHIMA?

>> THANK YOU, MR. PRESIDENT.

QUICK QUESTION FOR --

>> PRESIDENT JAMES: SORRY, STAND BY.

>> MR. PRESIDENT, I JUST WANT TO FIGURE OUT WHERE WE ARE.

ARE WE NOW GOING OFF THE QUEUE?

AND DISCUSSING THIS AMENDMENT?

>> PRESIDENT JAMES: NO, I TAKE THAT BACK.

SHE ACCEPTED A FRIENDLY AMENDMENT TO HER ORIGINAL AMENDMENT.

COUNCILWOMAN DENTON SECONDED IT, IS THAT CORRECT?

>> COUNCILWOMAN PARKER MOTIONED LEAVING THE HOURS AND  
MOTIONED TO REDUCE IT TO 25% BINDING ELEMENT.

AND COUNCILMEMBER ENGEL SECONDED IT.

>> PRESIDENT JAMES: OKAY, SO WE ARE UNDER DISCUSSION  
UNDER THE NEW 25% PROPOSAL.

AS A FRIENDLY AMENDMENT.

YES?

IS IT A POINT OF ORDER?

WE STILL HAVE PEOPLE IN THE QUEUE FOR THE ORIGINAL  
AMENDMENT.

SINCE THE AMENDMENT FOR 25% IS ON NOW, I WANT TO LEAVE  
THE PEOPLE IN THE QUEUE WHO ARE IN THE QUEUE AND USE HAND  
SIGNALS FOR THE NEW AMENDMENT THAT'S BEEN PUT FORWARD.

COUNCILMEMBER YATES?

>> MR. PRESIDENT, FIRST OF ALL, IS THIS SOMETHING WE  
ARE JUST PULLING OUT OF THIN AIR?

HAS THIS BEEN DONE AT ANY OTHER FACILITY?

THE COUNTY ATTORNEY COMES IN, IS THIS CREATING A  
SAFETY ASPECT?

IN THE EVENT WE ARE SAYING -- I DON'T KNOW.

DOES IT MEAN TOTAL LIGHTING IN GENERAL.

IF YOU TURN OFF HALF OF THEM, OR JUST CERTAIN LIGHTS?

I'M LOOKING AT IT GOING, ARE WE JUST MAKING STUFF UP.

>> POINT OF PRIVILEGE.

CAN I ADDRESS THAT?

>> PRESIDENT JAMES: STAND BY.

>> IS IT STILL ENOUGH TO ILLUMINATE THE ENTIRE AREA,  
AND IS THIS DONE ANYWHERE ELSE?

WE DON'T HAVE TO REINVENT THE WHEEL.

IT'S BEEN DONE IN 60 OTHER CITIES, I DON'T KNOW IF  
ANYONE ELSE HAS HAD THESE ISSUES.

IN THOSE OTHER AREAS, DOES ANYBODY KNOW, HAS THIS  
HAPPENED ANYWHERE ELSE?

>> PRESIDENT JAMES: COUNCILMEMBER DENTON, WERE YOU  
RESPONDING TO HIS QUESTION?

>> YES.

MY UNDERSTANDING FROM THE WORK I'VE DONE ON THIS, THE  
MAJORITY OF TOP GOLF ARE IN AREAS THAT DON'T HAVE RESIDENTIAL.

THEY MAY HAVE MULTI-FAMILY BUT THEY DON'T HAVE SINGLE  
FAMILY DWELLINGS THAT ARE THAT CLOSE.

WHAT WE ARE TALKING ABOUT AT 25% IS 14,500 LUMENS  
COMPARED TO THE 3,500 LUMENS.

>> PRESIDENT JAMES: THAT'S NOT A RESPONSE TO THE  
QUESTION THAT WAS ASKED.

I JUST NEED THE RESPONSE --

>> YOU CAN SEE.

HIS QUESTION WAS CAN YOU SEE.

YOU CAN SEE.

BECAUSE RIGHT NOW THEY CAN'T BE MORE THAN 3,500 LUMENS UNSHIELDED.

SO THIS IS 14,500.

>> PRESIDENT JAMES: ALL RIGHT.

COUNCILWOMAN PARKER, DO YOU HAVE A RESPONSE TO THE QUESTION ASKED BY COUNCILMEMBER YATES?

>> IT WAS ALONG THE SAME VEIN THAT WE ARE THROWING THINGS OUT OF THIN AIR, IF THAT'S THE CASE THE PLANNING COMMISSION DID THE SAME THING BECAUSE THEY ARE MAKING THEM TURN THEIR LIGHTS OFF TWO HOURS AFTERWARDS.

THAT WAS A BINDING ELEMENT THEY PUT IN THERE.

THAT'S WHAT THEY MADE THEM DO IN THIS CITY RATHER THAN HAVING THE LIGHTS STAY ON ALL NIGHT LONG.

THAT'S WHY IT COMES TO THIS BODY AFTER PLANNING COMMISSION.

OTHERWISE THEY WOULD HAVE THE FINAL SAY.

THE LIGHTS ARE FOUR TIMES BRIGHTER THAN WHAT THE LAND DEVELOPMENT CODE ALLOWED AT 25%.

THEY JUST HAVE TO GO OUT ON THE FIELD.

WE ARE ONLY TALKING ABOUT FIELD LIGHT.

THEY JUST NEED THAT TO CLEAN UP THE GOLF BALLS THAT ARE OUT IN THE BAY.

ANYWAYS, IT'S NOT AN UNREASONABLE ASK.

I THINK WE BEAT IT TO DEATH AND I'M READY TO VOTE ON IT IF EVERYBODY ELSE IS.

>> IS THAT IN THE FORM OF CALLING THE QUESTION, OR JUST A STATEMENT?

>> IF BARBARA CAN SAY WHAT SHE NEEDS TO SAY IN 15 SECONDS OR LESS, WHICH IS CONTRARY TO HER PERSONALITY, THEN SHE CAN SAY IT.

[ LAUGHTER.]

>> PRESIDENT JAMES: COUNCILMEMBER -- DID YOU MAKE A MOTION OR NOT.

I JUST NEED TO KNOW.

>> I THINK THERE'S JUST TWO PEOPLE IN THE QUEUE.

I DON'T WANT TO DO WHAT'S BEEN DONE TO ME BEFORE, AND GOT CUT OFF AND NOT GET TO SAY WHAT I WANT TO SAY, SO I WON'T CALL THE QUESTION, BUT BE BRIEF.

>> PRESIDENT JAMES: COUNCILMEMBER LANSHIMA?

>> I WANT TO YIELD THE FLOOR TO COUNCILWOMAN SEXTON SMITH.

>> PRESIDENT JAMES: OKAY, SEXTON SMITH?

>> COULD WE ASK THE CLERK TO PUT THE CLOCK ON 15 SECONDS.

THREE THINGS, COLLEAGUES I THINK WE ARE MAKING A SERIOUS MISTAKE.

WE ARE IN NEGOTIATION AND WE ARE DOING FAIRNESS AS AN ISSUE AND CUTTING EVERYTHING 50/50.

TWO HOUR TO ONE HOUR.

GOING 50% TO 25%.



THIS IS WHERE WE LIKE TO THINK LET'S BE FAIR AND GIVE AND TAKE.

I THINK WE ARE GOING DOWN A SLIPPERY SLOPE, AND AT THE BOTTOM WE WILL CREATE A VERY UNSAFE.

THIS IS ABOUT OUR NUMBER ONE ISSUE AS ELECTED OFFICIALS, SAFETY OF THE COMMUNITY, OF THE RESIDENTS, SAFETY OF THE EMPLOYEES AND THE BUSINESS OPERATION.

SO NOW, THANK YOU, MADAM COUNCILWOMAN PARKER, I THINK THAT WAS A COMPLIMENT EARLIER BUT I WANT TO SAY SAFETY IS AN ISSUE AND THINK ABOUT HOW WE ARE MAKING OUR DECISIONS TONIGHT.

>> PRESIDENT JAMES: THAT'S 35 SECONDS.

>> WELL, THAT'S PRETTY GOOD.

>> PRESIDENT JAMES: COUNCILWOMAN PARKER, YOU ARE IN THE QUEUE, DID YOU WANT TO SPEAK AGAIN?

>> NO.

>> PRESIDENT JAMES: THANK YOU.

COUNCILMEMBER ACKERSON?

>> THANK YOU, MR. PRESIDENT.

>> TO ME WHEN THIS WAS BROACHED BY COUNCILWOMAN PARKER, IT MADE SENSE TO SHUT THE LIGHTS OFF.

IF WE CAN'T GET ALL THE GOLF BALLS UP, PICK THEM UP THE NEXT DAY.

WHAT I DON'T LIKE IS NOW THIS IS MORPHING AND NOW IT'S GONE FROM SHUT IT OFF AT 1:00 IN THE MORNING, NOW TO UNDER TWO

BUT REDUCING THE LIGHTS 25%, I DON'T KNOW A DAMN THING ABOUT LUMENS.

AT THIS POINT I WILL PULL MY SUPPORT FROM THIS.

BECAUSE I DON'T LIKE THE WAY WE ARE JUMPING FROM HERE TO THERE.

IF THIS WAS THE ONE HOUR I WOULD BE COOL SAYING, SHUT IT OFF AT 1:00.

3:00 ON WEEKENDS.

BUT THE CRAZINESS THAT ALMOST APPEARS A NEGOTIATION, I'M NOT LOOKING TO NEGOTIATE, I'M LOOKING TO DO THE RIGHT THING.

I'M NOT LOOKING TO ALLOW SOMETHING I DON'T THINK IS THE RIGHT THING BUT TO A LESSER DEGREE, AT THIS TIME IN THIS SITUATION, SO COUNCILMEMBER PARKER, I WAS SUPPORTING YOUR AMENDMENT BUT I WON'T BE SUPPORTING IT AT THIS POINT.

>> PRESIDENT JAMES: THANK YOU, COUNCILWOMAN PARKER.

>> YES, PLEASE REMEMBER WE ARE JUST TRYING TO PROTECT THE RESIDENTS HERE.

THERE'S TYPICALLY MORE THAN ONE WAY TO SKIN A CAT.

SO WHETHER IT'S TURNING THEM OFF AN HOUR, OR DIMMING THE LIGHTS 25%, JUST LIKE YOU WOULD WANT TO DO IF THIS WAS IN ONE OF YOUR NEIGHBORHOODS YOU WOULD WANT TO TRY TO PROTECT YOUR RESIDENTS.

SO IF WE ARE READY TO VOTE, I'M READY TO VOTE.

DO YOU NEED TO CLARIFY THE LANGUAGE?

OKAY.

>> PRESIDENT JAMES: THE TIME IS 37 MINUTES, 28 SECONDS.

THAT DOESN'T MEAN WE NEED TO USE IT.

ALL RIGHT.

THANK YOU.

I SEE NO FURTHER DISCUSSION.

MR. CLERK, WOULD YOU PLEASE OPEN THE VOTING?

MR. CLERK, COULD YOU READ THE AMENDMENT?

>> MR. CLERK: THE FIELD LIGHTING WILL STAY ON FOR TWO HOURS AFTER CLOSING AND DIMMED 25%.

AND TURNED ON NO EARLIER THAN 8:00 A.M.

THAT PART I CLARIFIED WITH THE SPONSOR AND COUNTY ATTORNEY.

TURNED ON NO EARLIER THAN 8:00.

>> PRESIDENT JAMES: CLARIFICATION, YES, SIR?

>> IT WILL BE DIMMED 50% IMMEDIATELY AT CLOSING?

>> MR. PRESIDENT?

>> PRESIDENT JAMES: YES.

>> MR. CLERK: IF I RESTATE THE BINDING ELEMENT AS I BELIEVE IT'S INTENDED.

FIELD LIGHTING SHALL BE SHUT OFF TO 25% WITHIN TWO HOURS OF CLOSE OF BUSINESS AND TURNED ON NO LATER THAN 8:00 A.M.

>> MR. WIDDIE, ARE YOU SAYING, I JUST WANT TO BE CLEAR.

YOU ARE SAYING AFTER CLOSING SOMETIME BETWEEN THAT  
2-HOUR PERIOD THEY HAVE TO DIM TO 25%.

>> AT CLOSING IT DIMS TO 25%.

AND SHUT OFF AFTER TWO HOURS.

>> PRESIDENT JAMES: COUNCILMEMBER PARKER, IS THAT  
CORRECT?

COUNCILMEMBER PEDEN?

>> AGAIN, THIS IS A GUY WHO WORKED IN THE BUSINESS  
WHEN HE WAS MUCH YOUNGER AND ENERGETIC.

THE TERM CLOSING, IN THIS KIND OF INDUSTRY IS FLEXIBLE  
AND SO MY QUESTION IS, INSTEAD OF THE WORD CLOSING, CAN WE SAY  
WHEN THE LAST CUSTOMER LEAVES BECAUSE CLOSING MAY BE AT 1:00 BUT  
THEY AREN'T KICKING EVERYBODY OUT AT 1:00.

THEY ARE GOING TO FINISH WHAT THEY ARE DOING AND LAST  
CALL AND HANGING OUT FOR A WHILE.

AGAIN, I'M NOT OPPOSED TO THE PRINCIPLE BUT BARS MAY  
HAVE A CLOSING TIME BUT RESTAURANT BAR, FUN FACILITY, CLOSING IS  
WHEN THE CUSTOMERS GO.

>> PRESIDENT JAMES: IS THAT A MOTION YOU ARE MAKING?

>> I DON'T EVEN KNOW WHAT MOTION TO MAKE, EXCEPT  
IMMEDIATELY AFTER THE LAST CUSTOMER GOES.

>> PRESIDENT JAMES: IS THAT THE FORM OF A MOTION.

>> POINT OF PRIVILEGE.

YOU BASICALLY SAID THEY COULD STAY OPEN UNTIL 4:00  
A.M.?

>> THAT'S WHY I'M NOT MAKING IT THE FORM OF A MOTION,  
IF WE ARE GOING TO BASE IT ON CLOSING HOURS, YOU ARE BASICALLY  
SAYING LAST CALL AND THE CLOSING HOURS ARE AT THE EXACT SAME  
TIME AND I'M NOT SURE I SUPPORT THAT EITHER, SO.

>> PRESIDENT JAMES: COUNCILWOMAN PARKER, THIS IS YOUR  
AMENDMENT.

MR. CLERK, PLEASE OPEN THE VOTING.

THE VOTING IS CLOSING.

THE VOTING IS CLOSED.

>> MR. CLERK: 11 YES VOTES, 12 NO VOTES, ONE  
ABSTENTION AND TWO NOT VOTING.

THE YES VOTES ARE COUNCILMEMBERS GREEN, SHANKLIN,  
KRAMER, REED, STUCKEL PARKER DENTON, BENSON, LANSHIMA, ENGEL  
AND --

>> PRESIDENT JAMES: THANK YOU, AND THE MOTION FAILED.  
ALL RIGHT.

I HAVE A SMALL TECHNICAL ERROR TO DEAL WITH ON THE  
POLE ISSUE.

I VOTED YES.

I WAS IN THE AFFIRMATIVE BUT THAT WAS A MISTAKE.

I DIDN'T PAY ATTENTION TO WHAT I WAS HITTING ON THE  
SCREEN.

I AM MAKING A MOTION FOR RECONSIDERATION SO I CAN PASS  
MY PROPER VOTE.

>> SECOND.

>> PRESIDENT JAMES: THANK YOU.

>> MR. PRESIDENT?

I APPRECIATE THE DISCUSSION.

WE ARE DOWN A COUNCILMEMBER.

HOW DOES THAT AFFECT THE VOTE COUNT?

>> PRESIDENT JAMES: IT WILL BE ONE VOTE.

I DON'T THINK COUNCILMEMBER FOWLER VOTED.

BUT WE STILL HAVEN'T VOTED ON THE MOTION TO RECONSIDER  
YET.

>> THANK YOU.

>> MR. PRESIDENT, WHY ARE WE RECONSIDERING THIS?

>> PRESIDENT JAMES: BECAUSE I ACCIDENTALLY VOTED YES,  
WHEN I MEANT TO VOTE NO WHEN WE CAST OUR VOTE.

>> OKAY.

>> PRESIDENT JAMES: MR. CLERK, PLEASE OPEN THE VOTING.

>> POINT OF ORDER.

I AM CONFUSED WHY WE ARE REVISITING THE POLE ISSUE.

COULD YOU STATE THAT FOR THE RECORD?

>> PRESIDENT JAMES: BECAUSE I ACCIDENTALLY VOTED YES,  
WHEN I INTENDED TO VOTE NO.

I WOULD LIKE TO BE ABLE TO COUNT MY VOTE.

>> THANK YOU.

>> PRESIDENT JAMES: THANK YOU.

SO, MR. CLERK.

>> COULD YOU STATE YOUR REASON WHY?

>> PRESIDENT JAMES: I JUST DID.

>> YOU NEVER MADE A COMMENT EITHER WAY ON WHAT YOUR FEELINGS WERE.

>> HE CAN'T.

>> PRESIDENT JAMES: I CAN'T.

>> ALL RIGHT.

>> PRESIDENT JAMES: SO THIS IS ON THE MOTION TO RECONSIDER.

MR. CLERK, PLEASE OPEN THE VOTING FOR THE MOTION TO RECONSIDER.

VOTING IS CLOSING AND VOTING IS CLOSED.

>> MR. CLERK: FIVE NO VOTES ARE COUNCILMEMBERS STUCKEL, DENTON, BENSON, LANSHIMA AND ACKERSON AND ABSTENTION IS COUNCILMEMBER LEET.

>> PRESIDENT JAMES: THANK YOU.

>> POINT OF PRIVILEGE.

WHAT DID WE JUST VOTE ON?

>> PRESIDENT JAMES: WE VOTED ON THE MOTION TO RECONSIDER.

>> OKAY, I WANT TO CHANGE MY VOTE TO NO THEN.

I WANT TO DO THE SAME THING YOU JUST DID.

>> PRESIDENT JAMES: WE ALREADY VOTED.

>> YOU ALREADY VOTED TOO.

>> PRESIDENT JAMES: I KNOW.

I DID A MOTION TO RECONSIDER.

>> MR. CLERK: MR. PRESIDENT, THE MOTION TO RECONSIDER HAS BEEN APPROVED, EVEN IF THERE WAS A CHANGE IN THE VOTE.

I THINK IT WOULD BE IMPORTANT TO CLARIFY WHAT TO RECONSIDER.

>> PRESIDENT JAMES: WE ARE RECONSIDERING THE VOTE ON THE POLE.

THE FIRST BINDING ELEMENT.

THANK YOU.

ALL RIGHT.

>> POINT OF ORDER, MR. PRESIDENT.

HAS THE CLERK, HAVE YOU COUNTED THE VOTE FOR MOTION TO RECONSIDER.

HAVE YOU ALREADY ANNOUNCED THE VOTE?

IS IT IN THE RECORD?

>> MR. CLERK: I HAVE.

>> THANK YOU.

>> PRESIDENT JAMES: THE CLERK ANNOUNCED WHAT THE VOTE WAS.

>> FOR THE LOVE OF GOD, JUST LET HER VOTE, IT'S NOT GOING TO CHANGE HOW THE OUTCOME IS.

>> PRESIDENT JAMES: COUNCILMEMBER PARKER, PLEASE VOTE.

THE VOTING IS CLOSED.

COULD YOU PLEASE READ AGAIN MR. CLERK?

>> MR. CLERK: 17 YES VOTES, 6 NO VOTES, ONE ABSTENTION, TWO NOT VOTING.



THE SIX NO VOTES STUCKEL, PARKER, DENTON, BENSON,  
LANSHIMA AND ACKERSON AND ABSTENTION IS COUNCILMEMBER LEET.

>> PRESIDENT JAMES: THANK YOU.

NOW ON THE FLOOR, WE HAVE THE MOTION OF THE BINDING  
ELEMENT RELATED TO THE POLE.

WOULD YOU PLEASE READ THAT, MR. CLERK?

>> MR. CLERK: WHERE DID IT GO?

>> POINT OF ORDER HERE.

YOU ARE THE ONLY ONE CHANGING YOUR VOTE ON THIS,  
RIGHT?

>> PRESIDENT JAMES: I DON'T KNOW.

I KNOW I AM.

>> BUT WHEN YOU DO A MOTION TO RECONSIDER, WE CAN'T  
DISCOUNT COUNCILWOMAN FOWLER'S VOTE.

>> YOU HAVE TO.

>> MR. PRESIDENT, POINT OF -- IYIELD TO THE COUNTY  
ATTORNEY FOR THAT.

>> THAT'S MY QUESTION.

>> THIS VOTE IS ON THE MEMBERS ON THE FLOOR OF THE  
BODY.

>> THIS IS TO RECONSIDER THAT VOTE.

>> COUNCILMEMBER FOWLER HAS LEFT THE CHAMBERS.

SO SHE WAS NOT HERE FOR THE RECONSIDERATION.

[OFF MIC.]

>> PRESIDENT JAMES: THANK YOU.

ALL RIGHT.

MR. CLERK, WOULD YOU PLEASE OPEN THE VOTING.

>> MR. CLERK: DID YOU WANT ME TO READ THE --

>> PRESIDENT JAMES: OH, I'M SORRY.

PLEASE READ IT.

>> MR. CLERK: APPLICANT SHALL POST BOND WITH SUFFICIENT SURETY AS DETERMINE BY DEPARTMENT OF PUBLIC WORKS TO ENSURE REMOVAL OF ALL POLES WITHIN SIX MONTHS OF TERMINATION OF THE BUSINESS UNLESS A SIMILAR TENANT IS SECURED, THAT WILL BE RENEWED AS NECESSARY TO ENSURE COMPLIANCE WITH THIS BINDING ELEMENT.

>> MOTION TO APPROVE.

>> WE ALREADY GOT THAT.

>> PRESIDENT JAMES: THANK YOU.

NOW WE ARE VOTING.

MR. CLERK, PLEASE OPEN THE ROLL.

VOTING IS CLOSING.

VOTING IS CLOSED.

>> MR. CLERK: 12 QUESTION, 11 NO, ONE ABSTENTION AND TWO NOT VOTING.

11 NO, SEXTON SMITH, BRYANT HAMILTON, JAMES, COAN, HOLLANDER, MULVIHILL, BLACKWELL, WELCH, BUTLER, FLOOD AND YATES.

ONE ABSTENTION.

COUNCILMEMBER LEET.

>> PRESIDENT JAMES: THANK YOU.

THE MOTION STILL PASSES.

ALL RIGHT.

NOW, WE NEED TO VOTE ON THE ENTIRE ORDINANCE.

>> MR. CLERK: NOPE.

WE HAVE A BINDING ELEMENT WITH RESPECT TO CLOSURE.

IT'S A THIRD BINDING ELEMENT THAT THE FACILITY SHALL  
CLOSE TO THE PUBLIC NO LATER THAN 12:00 A.M.

>> PRESIDENT JAMES: ALL RIGHT.

WE NEED A MOTION AND A SECOND.

THANK YOU.

>> I'VE GOT A QUESTION.

ARE YOU READY FOR QUESTIONS?

AREN'T THEY OPEN UNTIL 2:00 A.M. ON THE WEEKEND.

>> PRESIDENT JAMES: I THOUGHT YOU HAD A QUESTION ABOUT  
PROCESS.

>> THE MOTION IS UNTIL 12:00.

>> PRESIDENT JAMES: WE ARE UNDER DISCUSSION, GO AHEAD.

>> IF IT'S DURING THE WEEK?

>> PRESIDENT JAMES: COUNCILMEMBER PARKER?

>> POINT OF ORDER.

>> ACROSS-THE-BOARD 12:00 A.M.

THAT WAS DUE TO THE LIGHTS AND DRINKING.

WE HAVE PASSED ORDINANCES FOR LIQUOR STORES,  
ESTABLISHMENTS TO HAVE EARLIER CLOSING TIMES IN THE CITY.

WE HAVE DONE THAT BEFORE.

AND TOP GOLF, THEY TOUT THEMSELVES AS VERY FAMILY-ORIENTED, BUT I DON'T THINK YOUR FAMILY WILL BE OUT SHOOTING GOLF BALLS UNTIL 1:00 A.M.

>> THEY MAY.

>> THAT'S WHY WE ARE ASKING FOR A 12:00 A.M. CLOSING TIME.

THE LATEST ESTABLISHMENT IN OXMOOR MALL, B.J.'S RESTAURANT, THEY CLOSE AT 12:00 A.M. AND ALL THE OTHER RESTAURANTS CLOSE AT 10:00 P.M.

SO THAT WOULDN'T BE OUT OF THE ORDINARY FOR THE ESTABLISHMENT THAT STAYS OPEN UNTIL 12:00 A.M. AT OXMOOR MALL.

>> MR. CLERK: I NEED TO CLARIFY WHO MOTIONED AND WHO SECONDED?

>> I MADE THE MOTION [OFF MIC.]

>> PRESIDENT JAMES: THANK YOU.

GO AHEAD.

YOU WERE DONE?

THANK YOU.

COUNCILWOMAN SEXTON SMITH?

>> YES, THANK YOU MR. PRESIDENT.

I'M HAVING TROUBLE WITH THE PROPOSAL TO CLOSE AT 12:00 A.M. MIDNIGHT WHEN WE JUST FINISHED SPEAKING FOR A COUPLE HOURS ABOUT LIGHTING AT 1:00 A.M., 2:00 A.M., 3:00 A.M. AND POSSIBLY 4:00 A.M.

MR. PRESIDENT, I'M SOMEWHAT CONFUSED AS BEST.

AND I WON'T BE ABLE TO SUPPORT THIS PROPOSED CHANGE IN CLOSING TIME.

WE ARE REALLY NOW IN THE WEEDS OF THE BUSINESS PLAN AND TELLING THEM WHAT THEIR REVENUES WILL BE AND NOT BE TAKING TIME OUT OF WHAT THEY HAVE DONE THEIR PROJECTION ANALYSIS ON REVENUE AND EXPENSES BASED ON A DIFFERENT CLOSING TIME.

THIS CHANGES THE ENTIRE CONVERSATION.

I THINK WE RUN THE RISK OF LOSING THE ENTIRE OPERATION, WHICH I HAVEN'T HEARD ANYONE SAY THEY DO WANT THAT TO HAPPEN.

MR. PRESIDENT, I CANNOT BE IN SUPPORT OF THIS PARTICULAR MOTION, THANK YOU.

>> PRESIDENT JAMES: THANK YOU, COUNCILWOMAN.

COUNCILMEMBER PEDEN.

>> CONSIDERING THAT MOST OF THE PREVIOUS DISCUSSION INVOLVES CLOSING HOURS, I CALL THE QUESTION ON THIS.

WE BEAT THIS HORSE ENOUGH.

>> PRESIDENT JAMES: SECOND?

ALL THOSE IN FAVOR?

PLEASE OPEN THE ROLL CALL FOR VOTING.

CALLING THE QUESTION.

THE VOTING IS CLOSING, THE VOTING IS CLOSED.

>> MR. CLERK: 20 YES, 2 NO VOTES, ONE ABSTENTION, THREE NO VOTING, TWO NO VOTES ARE KRAMER AND PARKER.

>> PRESIDENT JAMES: THANK YOU.

THE MOTION FAILS.

I MEAN PASSED.

PASSES FOR CALLING THE QUESTION.

NOW WE HAVE THE ENTIRE ORDINANCE -- OR THE BINDING  
ELEMENT IN FRONT OF US.

>> 12:00 A.M. CLOSING?

>> PRESIDENT JAMES: YES, 12:00 A.M. CLOSING IS BEFORE  
US AS AN AMENDMENT.

MR. CLERK?

VOTING IS CLOSING.

VOTING IS CLOSED.

>> MR. CLERK: THREE YES, 20 NO, ONE ABSTENTION, TWO  
NOT VOTING.

THREE YES VOTES ARE PARKER, DENTON AND BENSON.

ONE ABSTENTION IS COUNCILMEMBER LEET.

>> PRESIDENT JAMES: THANK YOU.

THE MOTION FAILS.

NOW WE ARE ONTO THE ENTIRE ORDINANCE, THE AMENDED  
ORDINANCE.

IS THERE ANY DISCUSSION ON THE AMENDED ORDINANCE?

ALL RIGHT.

MR. CLERK, WOULD YOU PLEASE OPEN THE ROLL CALL FOR  
VOTING.

THREE NO, PARKER, DENTON AND BENSON.

ONE ABSTENTION IS COUNCILMEMBER --

>> PRESIDENT JAMES: THANK YOU.

THE ORDINANCE PASSES.

THE AMENDED ORDINANCE PASSES.

MR. CLERK, A READING OF ITEM 59.

>> MR. CLERK: AN ORDINANCE CHANGING THE ZONING FROM  
R-4 SINGLE FAMILY RESIDENTIAL TO C-1 COMMERCIAL ON PROPERTY  
LOCATED AT 12910 FACTORY LANE CONTAINING 1.29 ACRES AND BEING IN  
LOUISVILLE METRO (CASE NO. 18ZONE1022).

-- --

>> PRESIDENT JAMES: THANK YOU.

THE ORDINANCE PASSES.

MR. CLERK, A READING OF ITEM SIXTY.

[ READING ORDINANCE 60 ]

READ IN FULL.

>> PRESIDENT JAMES: IS THERE ANY DISCUSSION?

COUNCIL MEMBER FLOOD.

>> THANK YOU, MR. PRESIDENT.

THIS ONE AND THE NEXT ONE ARE COMPANION ITEMS.

WE ARE CONSIDERING A CHANGE IN ZONING.

THIS BACKS UP TO THE RAMP OF THE JEFFERSON FREEWAY.

THIS IS FOR -- I'M SORRY.

WHEN THEY BOUGHT MY PARENTS' PROPERTY TO BUILD THAT  
ROAD, IT WAS JEFFERSON FREEWAY SO I HAVE A HARD TIME  
REMEMBERING.

BUT I'M SURPRISED THAT YOU ALL REALIZED WHAT I WAS TALKING ABOUT.

>> DAVID, YOU ARE VERY YOUNG, BUT IT USED TO BE CALLED THE JEFFERSON FREEWAY.

>> BACK IN THE '70S WHEN THE STATE AND THE FEDERAL GOVERNMENT DECIDED TO BUILD IT.

IT DOES BACK UP TO THE RAMP OF THE GENE SNYDER FREEWAY.

THIS IS FOR A MIXED USE DEVELOPMENT.

19,000 SQUARE FEET.

TWO STORIES.

THE SECOND FLOOR WILL BE OFFICES AND THE FIRST FLOOR WILL BE RETAIL.

THIS IS IN COUNCILWOMAN JULIE DENTON'S DISTRICT BUT I WANTED TO POINT OUT THAT BINDING ELEMENT NUMBER 14 IS ALLOWING A CROSSOVER ACCESS EASEMENT IF AN ADJACENT PROPERTY IS REDEVELOPED FOR NON-RESIDENTIAL USE.

THAT IS WHAT THE PLANNING COMMISSION PUT ON FOR CHANGE SO THAT DOES GIVE ACCESS TO THAT PROPERTY.

>> PRESIDENT JAMES: THANK YOU.

COUNCILWOMAN DENTON.

>> THIS IS NOT CONTROVERSIAL.

SO WE SUPPORT THAT.

>> PRESIDENT JAMES: ALL RIGHT.

THANK YOU.



IS THERE ANY FURTHER DISCUSSION? HEARING NONE,  
MR. CLERK, WOULD YOU PLEASE OPEN THE ROLL CALL FOR VOTING? THE  
VOTING IS CLOSING.

THE VOTING IS CLOSED.

>> MR. CLERK: THERE ARE 21 YES VOTES, FOUR NOT VOTING.

>> PRESIDENT JAMES: THANK YOU.

THE ORDINANCE PASSES.

MR. CLERK, A READING OF ITEM NUMBER 61.

[ READING ORDINANCE 61.]

>> PRESIDENT JAMES: COUNCILWOMAN FLOOD.

>> THIS WASN'T CONTROVERSIAL.

IT WAS A PIECE OF RIGHT OF WAY THAT NEEDS TO BE  
CLOSED.

>> PRESIDENT JAMES: THANK YOU.

IS THERE ANY FURTHER DISCUSSION? HEARING NONE,  
MR. CLERK, PLEASE OPEN THE ROLL CALL FOR VOTING.

THE VOTING IS CLOSING.

THE VOTING IS CLOSING.

>> [ OFF MIC ].

>> PRESIDENT JAMES: THANK YOU. THE ORDINANCE PASSES.

MR. CLERK, A READING OF ITEM NUMBER 62.

[ READING ORDINANCE 62 ]

READ IN FULL.

>> PRESIDENT JAMES: THANK YOU.

MAY I HAVE A MOTION AND SECOND? THE ORDINANCE IS  
BEFORE US.

COUNCILWOMAN FLOOD.

>> THANK YOU, MR. PRESIDENT.

THIS IS WHAT IS CALLED FREDDY'S MARKET NOW.

THEY ARE CLOSING.

AND THERE IS NO CHANGE TO THE ACTUAL EXTERIOR OF THE  
BUILDING.

THERE WAS A WAIVER THAT WAS GRANTED DUE TO THE FACT  
THIS IS AN EXISTING BUSINESS WHEN IT CAME TO BUFFERING.

ALSO, A CERTIFICATE OF OCCUPANCY WILL BE NEEDED ONCE  
INTERIOR RENOVATIONS ARE COMPLETED.

SO THAT MEANS THAT THE APPROPRIATE AGENCY WILL HAVE TO  
ACTUALLY GIVE THEM A CERTIFICATE OF OCCUPANCY BEFORE THEY CAN  
OPEN FOR BUSINESS.

THIS IS IN COUNCILWOMAN BARBARA SEXTON SMITH'S  
DISTRICT SO I'M SURE SHE WOULD LIKE TO SAY SOMETHING ABOUT THAT.

>> PRESIDENT JAMES: COUNCILWOMAN SEXTON SMITH.

>> YES.

THANK YOU, MR. PRESIDENT.

COLLEAGUES, THIS IS GOING TO BE A NEW BUSINESS REMODEL  
THERE IN THE HISTORIC BUTHCERTOWN AREA, AND I JUST ASK FOR YOUR  
SUPPORT.

THANK YOU VERY MUCH.

12 SECONDS.

>> PRESIDENT JAMES: YEAH.

THAT IS A RECORD.

>> CONGRATULATIONS.

>> PRESIDENT JAMES: ALL RIGHT.

ANY FURTHER DISCUSSION? HEARING NONE, MR. CLERK,  
PLEASE OPEN THE ROLL CALL FOR VOTING.

WITHOUT OBJECTION, THE VOTING IS CLOSING.

AND THE VOTING IS CLOSED.

>> THERE ARE 23 YES VOTES AND THREE NOT VOTING.

>> PRESIDENT JAMES: THANK YOU.

THE ORDINANCE PASSES.

MR. CLERK, A READING OF ITEM 63.

>> AN ORDINANCE CHANGING THE ZONING FROM R-5 SINGLE  
FAMILY RESIDENTIAL TO C-ONE COMMERCIAL ON PROPERTY LOCATED AT  
1039 ASH STREET CONTAINING .12 ACRES AND BEING IN LOUISVILLE  
METRO, CASE NUMBER 18 ZONE 1043.

READ IN FULL.

>> PRESIDENT JAMES: THANK YOU.

THE ORDINANCE IS BEFORE US.

COUNCILWOMAN FLOOD.

>> THANK YOU, MR. PRESIDENT.

THIS ORDINANCE, THERE WAS A TECHNICAL CHANGE.

THE ORIGINAL ORDINANCE, I BELIEVE, MISTAKENLY SAID R-5  
TO C-2.

IT IS CHANGING TO C-ONE AND THAT IS WHAT WE HAVE  
DISCUSSED IN COMMITTEE.

SO THIS IS TO ALLOW A RESTAURANT.

THERE WAS OVERWHELMING SUPPORT IN THE NEIGHBORHOOD FOR  
THIS.

THIS IS IN COUNCILMAN PUT MULVIHILL'S DISTRICT.

AND I ABSTAINED DURING THE COMMITTEE MEETING BECAUSE I  
ACTUALLY KNOW THE OWNERS THAT ARE BUYING THIS.

>> PRESIDENT JAMES: THANK YOU.

>> THIS IS IN COUNCILMAN MULVIHILL'S DISTRICT.

>> PRESIDENT JAMES: THANK YOU.

COUNCILMAN MULVIHILL.

>> YES.

I SUPPORTED THIS IN COMMITTEE AND I SUPPORT IT NOW.

THIS WILL BE THREE OF THE FOUR CORNERS THAT WILL BE A  
COMMERCIAL ESTABLISHMENT SO IT IS ACCIDENT WITH THE  
NEIGHBORHOOD.

I URGE YOUR SUPPORT.

>> PRESIDENT JAMES: THANK YOU, COUNCILMAN MULVIHILL.

IS THERE ANY FURTHER DISCUSSION? HEARING NONE, THIS IS  
AN ORDINANCE REQUIRING A ROLL CALL VOTE.

MR. CLERK, PLEASE OPEN THE ROLL CALL FOR VOTING.

WITHOUT OBJECTION, THE VOTING IS CLOSING.

THE VOTING IS CLOSED.

>> THERE ARE 22 YES VOTES, ONE ABSTENTION, AND THREE NOT VOTING.

THE ONE ABSTENTION IS COUNCIL MEMBER FLOOD.

>> PRESIDENT JAMES: THANK YOU.

THE ORDINANCE PASSES.

AND NOW THE NEXT ITEM OF BUSINESS IS NEW BUSINESS.

AS YOU LEAVE, PLEASE DO SO QUIETLY SO THE CLERK MAY READ NEW BUSINESS.

I WOULD ASK THOSE COUNCIL MEMBERS THAT WISH TO MAKE ANNOUNCEMENTS PLEASE REMAIN UNTIL AFTER NEW BUSINESS IS READ INTO THE RECORD.

NEW BUSINESS COMPRISES OF ITEMS NUMBER 64-103.

>> MR. PRESIDENT.

>> PRESIDENT JAMES: YES.

>> WITH THE EXCEPTION OF ITEM NUMBER 69.

>> PRESIDENT JAMES: YES, THAT IS CORRECT.

WITH THE EXCEPTION OF ITEM 69, WHICH BRINGS IT FROM 104 TO 103.

[ NEW BUSINESS READ ]

READ IN FULL.

>> PRESIDENT JAMES: THANK YOU, MR. CLERK.

NEXT WE HAVE ANNOUNCEMENTS.

AND THE ONLY PERSON THAT WE HAVE HERE FOR ANNOUNCEMENTS IS THE ONE AND ONLY COUNCILWOMAN CHERI BRYANT-HAMILTON.

>> THANK YOU, MR. PRESIDENT.

IF EVERYONE HAS NOT STARTED BUYING YOUR CHRISTMAS PRESENTS, YOU MIGHT WANT TO GO TO CJ'S CHRISTMAS ART PARTY.

SOME OF YOU KNOW CJ FLETCHER AS AN ARTIST WHO HAS BEEN IN THE BUSINESS FOR ABOUT 25 YEARS.

SHE HAS AN ANNUAL ART SALE AT HER HOME AT 1028 SOUTH SIXTH STREET.

AND THIS WILL BE SATURDAY DECEMBER 1ST FROM 1:00 TO 6:00 P.M. YOU CAN GET PRINTS FOR AS LOW AS \$20 AND LIGHT SWITCHES.

JUST A LOT OF UNIQUE ARTWORK.

ONE OF A KIND.

SO THAT IS SATURDAY DECEMBER 1ST FROM 1:00 TO 6:00 P.M. AT 1028 SOUTH SIXTH STREET.

MONDAY DECEMBER 3RD THE FRIENDS OF THE SHAWNEE LIBRARY WILL HOLD THEIR ANNUAL CHRISTMAS PARTY AT THE SHAWNEE BRANCH, 3912 WEST BROADWAY.

THAT STARTS AT NOON AND THERE WILL BE FUN FOR PEOPLE OF ALL AGES.

ON TUESDAY DECEMBER 4TH FROM 6:00 TO 8:00 P.M. THERE WILL BE A TREE CANOPY MEETING AT THE PORTLAND LIBRARY AT 4305 NORTHWESTERN PARKWAY.

THE LOUISVILLE METRO PLANNING COMMISSION WITH THE ASSISTANCE OF THE PLANNING AND DESIGN SERVICES STAFF HAS

INITIATED THE PROCESS OF UPDATING THE LAND DEVELOPMENT CODE BY MEETING WITH THE COMMUNITY.

THE FIRST STEP IN THIS PROCESS IS TO CONDUCT A SERIES OF MEETINGS THROUGHOUT THE CITY.

SO THE ONE IN OUR PORTION OF THE COMMUNITY WOULD BE AT THE PORTLAND LIBRARY TUESDAY DECEMBER 4TH FROM 6:00 TO 8:00 P.M.

ON SATURDAY, DECEMBER 8TH, JCPS PTA WILL HAVE A CLOTHING ASSISTANCE PROGRAM ANNUAL TAKE WHAT YOU CAN TOTE CLOTHING GIVEAWAY.

THAT IS FROM 10:00 TO 2:00 P.M. AT 319 SOUTH FIFTEENTH STREET.

ALL ITEMS WILL BE DISTRIBUTED FOR FREE.

THAT IS MEN AND WOMEN'S PANTS, SHOES, SHIRTS, BELTS, JACKETS AND MORE AND THINGS FOR THE WHOLE FAMILY.

ON SATURDAY, LMPD FIRST DIVISION PUBLICS AUXILIARY WILL HOLD THEIR ANNUAL CHRISTMAS PARTY, DECEMBER THE EIGHTH FROM 11:00 TO 3:00 P.M. AND THAT IS LOCATED AT 640 NORTH 27TH STREET AT THE MOLLY LEONARD PORTLAND COMMUNITY CENTER.

THIS IS FOR CHILDREN TEN AND UNDER AND EVERY CHILD WILL HAVE A CHANCE TO VISIT WITH SANTA AND MRS. CLAUS AND WILL RECEIVE TOY, FOOT, CANDY, TOBOGGAN AND GLOVES.

SATURDAY FOR THE THIS 43RD ANNUAL CHRISTMAS PARTY.

THAT EVENING FROM 4:00 TO 7:00 THE SHAWNEE NEIGHBORHOOD ASSOCIATION AND CHURCHES IN THE AREA ARE SPONSORING THE FIRST LIGHT UP SHAWNEE.

THAT IS FROM 4:00 TO 7:00 P.M., 222 AMY AVENUE.

THERE WILL BE CHOIRS, CHRISTMAS MUSIC, FOOLED, FOOD, GAMES, CRAFTS, AND AT 5:00 SANTA ARRIVES.

YOU'LL GET THE OPPORTUNITY TO TAKE PICTURES AND GET YOUR TRICKS YOUR TREAT AND IS AT 5:30 THERE WILL BE THE LIGHTING OF THE CHRISTMAS TREE.

THAT IS AT 222 AMY AVENUE.

THANK YOU SO MUCH, HOPE TO SEE YOU AT SOME OF THESE EVENTS.

>> PRESIDENT JAMES: THANK YOU.

THAT CONCLUDES OUR MEETING.

THE NEXT COUNCIL MEETING IS THURSDAY DECEMBER 13TH, 2018, AT 6:00 P.M. AND IT WILL BE THE LAST METRO COUNCIL MEETING FOR THE YEAR.

WITH NO FURTHER BUSINESS TO BE DISCUSSED, WITHOUT OBJECTION, WE STAND ADJOURNED.