



LOUISVILLE METRO GOVERNMENT
ETHICS COMMISSION

February 22, 2023

Hon. Markus Winkler
President, Louisville Metro Council
601 W. Jefferson Street
Louisville, KY 40202

**RE: Metro Council Resolution
Emergency Resolution #R016-23**

Dear President Winkler:

The Louisville Metro Ethics Commission is in receipt of the above-named resolution. The Commission met in formal, open session on February 22, 2023, and approved and adopted the following. The Commission is potentially prepared to act in this matter, but we must clarify our jurisdiction in the first instance.

The resolution requests that the Ethics Commission "review the actions of Council Member Piagentini in connection with the debate on and enactment of Ord. 182, Series 2022" and then to "issue a formal opinion following its review." Nowhere in this resolution is a request for an advisory opinion regarding future, contemplated action; nor a complaint in accordance with Ethics Commission procedures under the relevant ordinances.

Louisville Metro Ordinance Chapter 21 establishes the Ethics Commission. The Commission is empowered to do two primary things: (1) issue advisory opinions to Metro Officers regarding contemplated future actions; and (2) investigate and adjudicate complaints regarding completed alleged actions of Metro Officers.

The resolution in question does not, and indeed cannot, request an advisory opinion, because it does not speak to future contemplated action, but rather an alleged completed action or series of actions by a Metro Officer.

On the other hand, the Commission is empowered to investigate, and potentially adjudicate to completion, alleged violations of the Louisville Metro Ethics Ordinances. Such actions are invoked by the filing of a written, sworn complaint as set out in LMO § 21.06. "Any person" may file such a complaint. 21.06(A). Upon the receipt of such a complaint, the Ethics Commission will begin the process of review, and potential investigation and adjudication.

As is made clear the formal procedures for Ethics Commission actions are important to the Commission, both to protect the Due Process rights of all parties; and to ensure that the Ethics Ordinances are vigorously and fairly enforced on behalf of the public.

Sincerely,

A handwritten signature in black ink, appearing to read "Delores Pregliasco". The signature is fluid and cursive, with the first name being more prominent.

Delores "Dee" Pregliasco

Chair, Louisville Metro Ethics Commission

A handwritten signature in black ink, appearing to read "F. Todd Lewis". The signature is cursive and somewhat stylized.

F. Todd Lewis

Counsel, Louisville Metro Ethics Commission