



# Louisville Metro Government

601 W. Jefferson Street  
Louisville, KY 40202

## Action Summary - Final Government Oversight and Audit Committee

*Chair Brent Ackerson (D-26)*  
*Vice Chair Anthony Piagentini (R-19)*  
*Committee Member Barbara Sexton Smith (D-4)*  
*Committee Member Donna Purvis (D-5)*  
*Committee Member Brandon Coan (D-8)*  
*Committee Member Bill Hollander (D-9)*  
*Committee Member Kevin Kramer (R-11)*  
*Committee Member Rick Blackwell (D-12)*  
*Committee Member Cindi Fowler (D-14)*  
*Committee Member Stuart Benson (R-20)*  
*Committee Member Madonna Flood (D-24)*

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Tuesday, October 13, 2020

5:00 PM

Council Chambers

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### Call to Order

Chair Person Ackerson called the meeting to order at 5:05 p.m.

### Roll Call

Chair Person Ackerson introduced the committee members and non-committee members present. A quorum was established.

**NOTE: All committee members and non-committee members attended the meeting virtually, except Vice Chair Piagentini and Committee Member Coan, who attended in Chambers.**

**Present:** 11 - Chair Brent Ackerson (D-26), Vice Chair Anthony Piagentini (R-19), Committee Member Barbara Sexton Smith (D-4), Committee Member Donna L. Purvis (D-5), Committee Member Brandon Coan (D-8), Committee Member Bill Hollander (D-9), Committee Member Kevin Kramer (R-11), Committee Member Rick Blackwell (D-12), Committee Member Cindi Fowler (D-14), Committee Member Stuart Benson (R-20), and Committee Member Madonna Flood (D-24)

### Non-Committee Member(s)

Council President David James (D-6) and Council Member Markus Winkler (D-17)

### Support Staff

Hollie Hopkins, Jefferson County Attorney's Office  
Alice Lyon, Jefferson County Attorney's Office  
Althea Jackson, Mayor's Office

### Clerk(s)

Lisa Franklin Gray, Assistant Clerk  
Sonya Harward, Clerk

## Pending Legislation

1. [AP101320GD](#)

**APPOINTMENT OF GARY DRYDEN TO THE TRANSIT AUTHORITY OF RIVER CITY (TARC) BOARD. (TERM EXPIRES JUNE 30, 2023)**

**Attachments:** [APT Transit Authority of River City \(TARC\) Board 10.5.20.pdf](#)

[Gary Dryden 10.5.20.pdf](#)

[Applicants for Board - Transit Authority of River City Board \(TARC\)10.5.20.pdf](#)

[Current Board - Transit Authority of River City Board \(TARC\) 10.5.20.pdf](#)

A motion was made by Committee Member Sexton Smith, seconded by Committee Member Flood, that this Appointment be recommended for approval.

The following spoke to the item:

- Althea Jackson, Mayor's Office
- Gary Dryden, Appointee
- Chair Person Ackerson
- Vice Chair Piagentini

The following was discussed:

- The appointee is the Vice President and Chief Financial Officer for Jefferson Community and Technical College.
- The appointee is a District 16 resident.
- The appointee is an African American male.
- The appointee is a registered Republican.
- The appointee's interest in this appointment is related to the transportation efforts available to his students.
- The appointee has worked in partnership with the Transit Authority of River City (TARC) to offer Jefferson Community and Technical College (JCTC) students viable transportation option.
- The appointee also believes his economic background would be an asset on the TARC Board.
- There were questions surrounding board's role in oversight of the Executive Director.

The motion carried by a voice vote and the Appointment was sent to the Consent Calendar.

2. [RP101320ML](#)

**REAPPOINTMENT OF MARILYN LEWIS TO THE PLANNING COMMISSION. (TERM EXPIRES OCTOBER 1, 2023)**

**Attachments:** [APT Planning Commission 10.5.20.pdf](#)

[Marilyn Lewis 10.5.20.pdf](#)

[Applicants for Board - Planning Commission 10.5.20.pdf](#)

[Current Board - Planning Commission 10.5.20.pdf](#)

A motion was made by Committee Member Sexton Smith, seconded by Vice Chair Piagentini, that this Reappointment be recommended for approval.

The following spoke to the item:

- Althea Jackson, Mayor's Office
- Marilyn Lewis, Appointee
- Chair Person Ackerson
- Vice Chair Piagentini

The following was discussed:

- The appointee is a retired civil engineer from the US Army Corps of Engineers.
- The appointee is a resident of District 19.
- The appointee is a registered Republican.
- The appointee believes her experience on active and reserve installations make her an ideal candidate for reappointment.
- The appointee continues to teach a class at the US Army Corps of Engineers.

The motion carried by a voice vote and the Reappointment was sent to the Consent Calendar.

3. [AP101320KJ](#)

**APPOINTMENT OF KEITH JOY TO THE AIR POLLUTION CONTROL DISTRICT BOARD. (TERM EXPIRES JUNE 30, 2023)**

**Attachments:** [APT Air Pollution Control District Board 10.5.20.pdf](#)

[Keith Joy 10.5.20.pdf](#)

[Applicants for Board - Air Pollution Control District Board 10.5.20.pdf](#)

[Current Board - Air Pollution Control District Board 10.5.20.pdf](#)

A motion was made by Committee Member Sexton Smith, seconded by Vice Chair Piagentini, that this Appointment be recommended for approval.

The following spoke to the item:

- Althea Jackson, Mayor's Office
- Keith Joy, Appointee
- Chair Person Ackerson
- Vice Chair Piagentini
- Committee Member Sexton Smith

The following was discussed:

- The appointee is the owner of the Derby City Brew Tours.
- The appointee is a District 4 resident.
- The appointee is an African American male.
- The appointee is a registered Independent.
- The appointee has past experience as an environmental health and safety engineer with a defense contractor.
- The appointee has always had a passion for environmental matters concerning air and water.
- The appointee has worked for a Title V facility, which means it must abide by Local, State, and Federal guidelines around air quality.
- There were questions regarding reformulated gas and air quality improvement.
- There were questions surrounding the Strategic Toxic Air Reduction (STAR) plan.
- There were questions surrounding air pollution and leakage reports.

The motion carried by a voice vote and the Appointment was sent to the Consent Calendar.

4. [AP101320RE](#)

**APPOINTMENT OF ROBYN EMBRY TO THE DOMESTIC VIOLENCE PREVENTION  
COORDINATING COUNCIL. (TERM EXPIRES APRIL 26, 2022)**

**Attachments:** [APT Domestic Violence Prevention Coordinating Council 10.5.20.pdf](#)  
[Robyn Embry 10.5.20.pdf](#)  
[Applicants for Board - Domestic Violence Prevention CC 10.5.20.pdf](#)  
[Current Board - Domestic Violence Prevention CC 10.5.20.pdf](#)

A motion was made by Committee Member Sexton Smith, seconded by Vice Chair Piagentini, that this Appointment be recommended for approval.

The following spoke to the item:

- Althea Jackson, Mayor's Office
- Robyn Embry, Appointee
- Chair Person Ackerson

The following was discussed:

- The appointee is fulfilling a seat as a representative of an agency or organization.
- The appointee works with the Court Ordered Battered Program.
- The appointee is a therapist with the Cleanse Clinic: New Beginnings Education and Counseling Center.
- The appointee is a District 15 resident.
- The appointee is an African American female.
- The appointee is a registered Democrat.
- Pursuant to Ordinance, most of this specific board's seats are proscribed by virtue of their job.
- The appointee has 17 years experience in Victim and Substance Abuse Intervention and Therapy.
- The appointee is eager to serve and bring awareness to this area of concern.

The motion carried by a voice vote and the Appointment was sent to the Consent Calendar.

## Special Discussion

5. [ID 20-1382](#)

**SPECIAL DISCUSSION: PURSUANT TO ORDER 003, SERIES 2020, TO INVESTIGATE THE ACTIONS AND INACTION OF THE ADMINISTRATION SURROUNDING THE DEATH OF BREONNA TAYLOR, THE DEATH OF DAVID MCATEE, AND RELATED PROTESTS IN LOUISVILLE METRO**

Attachments: [OR-003 2020.docx](#)

A motion was made by Committee Member Coan, seconded by Vice Chair Piagentini, that this Special Discussion Item be untabled. The motion to untable carried by a voice vote.

The following spoke to the item:

- Chair Person Ackerson
- Vice Chair Piagentini
- Committee Member Hollander
- Committee Member Coan
- Committee Member Purvis
- Committee Member Sexton Smith
- Council Member Winkler
- Hollie Hopkins, Jefferson County Attorney's Office

The following was discussed:

- This discussion item is a continuation of the investigation of the response to protests spawning from the Breonna Taylor shooting, the subsequent shooting of David McAtee, and policing on Elliott Avenue.
- All Professional Standards Unit and Public Integrity Unit investigative documents have been released.
- Discussion on outstanding Administrative action on the officers involved which bars the Committee from taking further investigative action.
- Questions surrounding Elliott Avenue and Code Enforcement aggression towards residents.
- Questions regarding the Police Union contract and officers involved in the Breonna Taylor case, etc.
- Questions regarding certain investigations that would bar the Committee from entering into further investigation.
- Discussion on requesting independent Counsel to participate in Committee meetings going forward.
- Discussion on a consensus of all Committee Members on topics of discussion going forward.
- Discussion on current Police Union contract details and parameters.
- Questions surrounding the legality of discussions in violation of open Public Integrity Unit investigations.
- Questions on limitations of discussion as it pertains to State law versus Contract provisions.
- Questions regarding unfair labor practice filings.
- Questions regarding Open Meetings violations in relation to email discussions.
- Questions on clarity surrounding the David McAtee shooting.
- Discussions on inviting Mary Ellen Weiderwohl, Jeff O'Brien and Robert

Kirchdorfer to further investigate Code Enforcement aggression at future meetings.

6. [ID 20-1366](#)

**SPECIAL DISCUSSION: A DISCUSSION CONCERNING POTENTIAL CONFLICTS OF INTEREST OR UNETHICAL CONDUCT BY LIMITING COUNCIL MEMBERS' EMPLOYMENT IN THE EXECUTIVE BRANCH OR AFFILIATED AGENCIES OF LOUISVILLE METRO GOVERNMENT**

- Chair Person Ackerson gave a brief update on this Special Discussion item surrounding the hiring of Council Member Mulvihill as the Transit Authority of River City (TARC) General Counsel.
- Chair Person Ackerson stated this item will not be discussed at this meeting, but will be broached in the future.
- Chair Person Ackerson stated that the topic would be held and not discussed until a response was received from an Open Records request that had been submitted.
- Chair Person Ackerson stated that upon receipt, the results of the Open Records request would be forwarded to all Committee Members.

The following spoke to the item:

- Chair Person Ackerson
- Committee Member Sexton Smith
- Committee Member Blackwell
- Committee Member Fowler
- Committee Member Kramer

The following was discussed:

- Several questions regarding the scope of the topic and investigation.
- Questions regarding the parameters of the Open Records request.
- Questions regarding the submission of the request, whether independently or on behalf of the Committee.
- Questions regarding Open Records requests on other members concerning dual responsibility.
- Questions regarding incompatible offices.
- Discussions on Government transparency.

Committee Member Fowler made a motion to overrule the Chair and have a discussion on the present item. No second was received and the motion failed.

The item was held in Committee.

## Adjournment

Without objection, Chair Person Ackerson adjourned the meeting at 6:19 p.m.

\*NOTE: Items sent to the Consent Calendar or Old Business will be heard before the full Council at the Metro Council Meeting on October 22, 2020.