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PRESIDENT YATES: The Regular Louisville Metro Council Meeting of April 27, 2017, will please come to order. Please rise for the Pledge of Allegiance to our 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 YATES: Mr. Clerk, a roll call, please.

MR. CLERK: Council Member Green.

COUNCIL MEMBER GREEN: Here.

MR. CLERK: Council Member Shanklin.

COUNCIL MEMBER SHANKLIN: Present.

MR. CLERK: Council Member Woolridge.

Council Member Sexton Smith.

COUNCIL MEMBER SEXTON SMITH: Present.

MR. CLERK: Council Member Bryant-Hamilton.

Council Member James.

COUNCIL MEMBER JAMES: Here.

MR. CLERK: Council Member Leet.

COUNCIL MEMBER LEET: Present.

MR. CLERK: Council Member Coan.

COUNCIL MEMBER COAN: Here.

MR. CLERK: Council Member Hollander.

COUNCIL MEMBER HOLLANDER: Here.

MR. CLERK: Council Member Mulvihill.

COUNCIL MEMBER MULVIHILL: Here.

MR. CLERK: Council Member Kramer.

COUNCIL MEMBER KRAMER: Here.

MR. CLERK: Council Member Blackwell.

Council Member Aubrey Welch.

COUNCIL MEMBER AUBREY WELCH: Here.

MR. CLERK: Council Member Fowler.

Council Member Butler.

Council Member Reed.

COUNCIL MEMBER REED: Here.

MR. CLERK: Council Member Stuckel.

COUNCIL MEMBER STUCKEL: Here.

MR. CLERK: Council Member Parker.

COUNCIL MEMBER PARKER: Here.

MR. CLERK: Council Member Denton.

Council Member Benson.

COUNCIL MEMBER BENSON: Present.

MR. CLERK: Council Member Johnson.

Council Member Engel.

COUNCIL MEMBER ENGEL: Present.

MR. CLERK: Council Member Peden.

Council Member Flood.

COUNCIL MEMBER FLOOD: Here.

MR. CLERK: Council Member Yates. Excuse me. President

Yates. I'm sorry.

PRESIDENT YATES: Here.

MR. CLERK: Council Member Ackerson.

Council Member Woolridge.

Council Member Denton.

Council Member Peden.

Mr. President, you have 23 in attendance and a quorum.

PRESIDENT YATES: Thank you, Mr. Clerk. Please cause the record to reflect that Councilman Johnson has an excused absence.

MR. CLERK: So noted.

PRESIDENT YATES: Colleagues, ladies and gentlemen in the audience, and those watching on Metro TV, each year by law the Mayor presents a budget for Metro Government no later than the Metro Council's second meeting scheduled in the month of April prior to the beginning of the fiscal year.

The Metro Council then has until the last day of June to review and pass the budget. We are honored today to have with us our Mayor who will present his proposed budget for Fiscal Year 2017-2018. Help me welcome Mayor Greg Fischer.

[APPLAUSE.]

MAYOR FISCHER: All right. Well, thanks, everybody. Appreciate you. I'm honored to be here and to serve alongside each of the folks on the Metro Council. I want to give a special thanks to our newest council members, Barbara Sexton Smith, Council Member Coan, Council Member Reed.

Welcome. Each of us made us here because we were campaigned and were elected, campaigns where we made promises and budgets are where we keep them.

When I campaigned for mayor, I promised to bring a business sensibility to Metro Government from my 30 years as an entrepreneur. I also promised to strengthen, preserve, and increase access to our tremendous quality of life. And when I was sworn in, I pledged three core values would guide my administration, a city of lifelong learning, a healthier city and an even more compassionate city. And our campaign promises and values when successfully executed all help build our economy and create opportunities for everyone.

With improved quality of life, it has easier to attract investment. Help our workforce grow more educated and it is easier to grow jobs. And to show more citizens the pathway to a satisfying career and a healthy life, it is certainly easier to create safer and healthier neighborhoods.

To the council, I want thank you all for contributing to the tremendous momentum that is taking place in Louisville, and when you take a look at the last six years, 63,000 new jobs have been created, 2,600 new businesses have opened. We have become a significant tourism destination with bourbonism, welcoming 24 million visits in a year. We have cut unemployment from 10.4% to 4.7%. Household incomes and median wages have gone up.

In 2015 alone more than 10,000 Louisvillians lifted themselves out of poverty and more than 7,000 Louisville families joined the middle class. Today more Louisvillians have a post secondary degree than at any time in our city's history. In 2011 we were even with the national average and now we are four points ahead. 55,000 degrees in the cradle-to-career system of lifelong learning are experiencing tremendous, tremendous results.

Our progress is also visible. In the cranes over downtown and elsewhere today, more than \$10 billion of capital construction is taking place in our city. And more is on the way. We are thrilled that after a lot of hard work from all involved, Louisville will be the next Google Fiber city.

[APPLAUSE.]

We are going to continue to work with Google Fiber and others to bring super fast Internet to our businesses and citizens, critical infrastructure for our city to grow properly. These services boost entrepreneurship and retain and attract talent to keep our economy growing. I want to say a special thank you to Council Members Hollander and Kramer for all y'all's assistance with the broadband efforts.

[APPLAUSE.]

To be successful, a city must have ambition, a global perspective, and a big caring heart. And it also has to embrace our interdependence on each other. We have become an

international leader in compassion through programs like give a day, which this year tallied a record 180,000 volunteers in acts of compassion. The council has been a significant partner in this mission, unanimously passing in 2011 a resolution making us the first large American city to sign the charter for compassion. And compassion has helped us in many ways. It builds our social muscles as part of our global brand, and as you have heard me say, computer share chose Louisville in part because of our city's emphasis on compassion. Computer Share's initial plans were to invest \$12 million in 250 new jobs in the city. They have increased those numbers and will now invest \$32 million in Louisville and add 1,100 jobs.

[APPLAUSE.]

So compassion is good for business. And while it doesn't have a line item in the budget, compassion informs the decisions behind each of the investments we make for our citizens.

The 2017-2018 Louisville recommended metro budget is fiscally balanced, as required by law. This budget has no new tax increases. And as we get into the actual dollars, I want to remind everybody that by new ordinance we are presenting this budget 30 days earlier than in previous years. So please note that in making this presentation four weeks earlier some of our estimates are a little less precise because the revenue from corporate taxes, for example, is still being collected.

But I look forward to working with you all and our citizens to pass a budget that keeps our promises, reflects our values, responds to the needs of today, and prepares us for the future.

And this budget places its greatest emphasis on the first and most basic promise we all as public servants have made to the citizens of Louisville, and that is to always work to preserve and protect the safety of the public.

Our city has tremendous momentum. We just went through that. But it is no secret that we, like most American cities, are seeing an unacceptable rise in gun violence and homicides, and we must deal with this thoughtfully and directly.

That is why 58%, or \$343 million of the over all \$593 million general fund operating budget, is devoted to expenses related to public safety: Police, fire, EMS, and corrections.

We anticipate in this budget \$23 million in new revenue. \$19 million of that is earmarked for LMPD and the office for safe and healthy neighborhoods. That is 83% of all new revenue devoted directly to public safety. Nearly \$18 million to LMPD and a little over \$1 million for the office of safe and healthy neighborhoods. Public safety is our top priority. It is our obligation to every citizen and every neighborhood. We know that most of the violent crime in the city

is connected to drug trafficking and is concentrated in a handful of neighborhoods.

So in this budget we are continuing commitments we made when we allocated mid year surplus funds last December to fund 28 new police officers and three civilian crime analysts.

This budget adds 16 additional sworn officers for LMPD on top of those 28. It also provides funding to help coordinate our efforts to fight drug and violent crime. Because reducing crime takes more than just adding more officers and making more arrests.

We will fund an additional prosecutor in the commonwealth attorney's office who will focus on violent criminals, putting and keeping them in jail. We will fund a new arraignment court prosecutor in the county attorney's office who will work with low-level non-violent offenders to resolve cases efficiently and judiciously, helping reserve limited bed space in corrections for the most violent offenders.

This budget also funds eight other new LMPD positions. Five crime scene telling in additions, a forensic firearms analyst, and two additional staff for the realtime crime center so we can solve crimes faster and get criminals off the streets sooner.

So that is a net gain of 55 LMPD positions compared to the budget that is council passed last June.

[APPLAUSE.]

That will bring LMPD's projected average strength up to 1293 positions in FY '18, the largest number of sworn officers since merger.

We have a good track record of providing our police officers with additional tools and resources to fight crime. In past budgets we have invested in body cameras that every LMPD patrol officer now wears. And in shot spotter and other technologies. We have hired more crime analysts and created the realtime crime center. This budget addresses other critical challenges that our public safety professionals face. In order to perform their critical work, they must have adequate facilities. This is particularly urgent at LMPD headquarters where plumbing problems forced us to vacate the second floor. This budget will give LMPD the resources to move to a new headquarters building.

The Louisville fire department headquarters also has a variety of structural and maintenance needs that we have to address. This budget does that and also includes funding for the critical relocation of our 911 backup center and funding to make urgently needed repairs to our aging jail.

We are also hiring 15 new corrections officers above the 45 officers who will fill expected openings, and in addition a recruiting class of 30 firefighters will fill open positions.

I know there is talk about hiring even more police officers above the 55 I'm recommending in this budget. And I am

open to those proposals so long as they include a recurring revenue source that also funds the hiring of additional training officer and is other investments in our training programs, equipment, and facilities. And I welcome constructive data-driven ideas about solutions that show results in reducing crime.

And as you, the members of the Metro Council, go through this budget process, if you see priorities that you think deserve extra resources, you have discretionary funds to make that happen. In this budget I maintain the council's request to provide funding for council-designated priorities as well as capital infrastructure funds and neighborhood development funds. Altogether, the Metro Council has \$6.5 million in undesignated funds to invest in public safety or other programs that you think would be of the greatest benefit to our citizens.

Looking at the big picture on crime. It is clear that the rise in certain types of crime that we are seeing in some neighborhoods and across the country doesn't have one cause or one solution. To better understand the national context, for some time we have been working with our federal law enforcement partners, the FBI, DEA, U.S. attorney's office, U.S. marshal's office, ATF and other agencies.

We are also working with the agencies to get the worst and most dangerous offenders off the street and get them tried

whenever possible in federal court, where they are more likely to face longer sentences.

So we have to work with the right partners and we have to take a holistic approach to fighting crime and preventing crime. We can't arrest our way out of this issue. We have to work our way out of it person by person day by day.

That is why this budget increases our investment in the office for safe and healthy neighborhoods. History shows that we are not going to solve violent crime by just locking people up after they have made a bad decision. We have to find them ways to help them make better choices, choices that prevent crime from happening in the first place.

Our programs do that. Programs like pivot to peace, where we work with victims of violence from our highest-crime neighborhoods and try to get them on the path to education and employment and a better life.

Reimage, where we identify young people who have had interaction with the justice system and connect them with mentors, education, and employment. Sons of hope, a partnership with the Urban League and interdenominational ministerial organization to decrease violence in five target neighborhoods.

Safe and healthy neighborhoods has also provided funding to 19 organizations serving the zones of hope neighborhoods to develop violence reduction programs for individuals aged 16-24.

The Louisville ambassador program provides community training and conflict resolution and other skills designed to help reduce violence.

And the one love Louisville youth idea challenge brings young people into the conversation about how to make our city a safer and healthier place.

In this budget we are also further investing in the cure violence program. This is an initiative that works to stop the spread of violence in communities by using strategies and methods associated with disease control. Violence is a public health issue. We detect and interrupt conflicts, identify and treat the highest-risk individuals, and change social norms. Some cure violence communities have seen 40% to 70% reductions in violence.

So to understand more about our comprehensive approach to violent crime reduction, there is a handout like this one with the rest of the budget materials that the council happens, and you'll see a real holistic plan here.

As I said, drugs are a major contributing factor to violent crime in our city and cities all across the country.

And like other cities, we are affected by the scourge of heroin and opioid addiction. So we are investing \$200,000 in our office for addiction services to hire additional staff who will work with our partners at Volunteers of America, which is expanding its addiction and recovery services to serve more

people. Through this partnership, we will triple our efforts to help people fight and beat addiction so they can live longer, better, healthier lives, and our streets can be safer.

Keeping our communities safe requires not only funding law enforcement and crime prevention initiatives, but investing in our children, our families, and our workforce so they have tools and opportunities that they need to succeed.

We can't expect children to show up at school excited and ready to learn if they are hungry. For years, dare to care has been feeding those in need. Dare to care has seen a downturn in their contributions from a major donor, so I propose we invest \$100,000 to ensure more of our citizens have enough to eat so they can focus on caring for themselves and their families. And I'm proud to say that as part of this year's give a day week of service, volunteers donated more than 30,000 pounds of food to dare to care just this past week.

So basic needs: Food, shelter. We can't expect people to thrive on the job if they are wondering where they will sleep that night or if they have to choose between paying for medicine for themselves, their kids, and having a safe place to stay.

That is why this budget invests heavily in affordable housing, with \$2.5 million going to the affordable housing trust fund and \$12 million to Louisville cares, a revolving loan program that provides financing to help develop affordable housing to low and moderate income families.

This \$14.5 million represents the highest level of city funding for affordable housing in a single year than any time in the past 50-year history of our city.

If enacted, it will mean that over the course of the past three years the council and I have put a historic \$29 million toward affordable housing, and I know there is need for more, and we will keep doing that.

Investing in affordable housing is investing in our future. And it is critical to keeping our communities safe.

For our families and for our children to thrive, not only do they need affordable housing, but they must be connected with resources, education, and opportunities. And one of the most effective vehicles for those connections is the Louisville free public library system. Showing our commitment to lifelong learning by upgrading our library systems was one of my first priorities when my first term started. Since we opened the beautiful new southwest regional library in 2014, the results have been extraordinary.

We have seen a 33% increase in materials checked out compared to the old southwest branch, a 50% annual increase in patron visits and the use of meeting rooms by citizens and organizations up 350%.

Our southwest library was also recognized last month by U.S.A. today as one of the 25 must-see buildings in Kentucky.

I anticipate that our new south central regional library will also set new records after it opens in July. We worked with the community to select features that would best serve south central Jefferson County. Designated areas for kids and teens. Plenty of windows and natural light. Expanded materials in multiple languages to support the growing and important immigrant community. And we are looking forward to launching our first-ever collider artists and residents program thanks to Councilwoman Madonna Flood. Thank you, Councilwoman.

[APPLAUSE.]

Today I am happy to announce that we are officially moving forward with the construction of the Northeast Regional Library. We need it because citizens in this service area check out more than 1 million materials a year. And the current branches fall well below state library standards on space per person. This library will be by the northeast YMCA on land that we the citizens of Louisville already own. It will feature 40,000 square feet of space and have a sustainable eco-friendly and cost-efficient design. The timing for this investment really matters. I am pleased to announce that we have been approved for a 20-year \$4.1 million debt service grant from the state to help make this library a reality.

So we have to take advantage of this opportunity now to leverage the state money. Otherwise, we risk not only losing

the grant but compromising any chance of future state awards as well.

When this library opens, we will have fulfilled our commitment under the library master plan to provide a full service library within five miles of 90% of Louisville's population.

[APPLAUSE.]

Enhancing our library system helps our citizens become lifelong learners and it contributes to one of our city's greatest assets, and that is our quality of life. We have to preserve and continue to invest in quality of life, because it makes us attractive for visitors and others to come to our city. It also sends a message to our citizens. Investments in our streets and libraries and parks are an investment in them and their future.

Last year the community and council spoke loud and clear on the need for more investment in paving. So in this budget you'll see a continued significant investment in paving our streets. In conjunction with our move Louisville plan and fix it first strategy, we are devoting \$25 million to paving our roadways and making street improvements. This year we are paving 162 Miles Of Roadway. Next year we plan to pave another 187 miles along with fixing sidewalks and creating more bike lanes. Some examples of these road projects are the West Market Streetscape. This work will begin after derby. The long-awaited

realignment at 18th and Broadway, which will be bid for contract this summer, and the sidewalk and ramp realignment at Dixie Highway and I-264. That work will begin this summer.

I know many of you all are breathlessly waiting to hear about our proposal for bike lanes as well. This budget invests \$500,000 in new bike lanes. For those of you keeping track of our bike lane investments, this year will constitute 6 1-hundredths of one percent of the city's budget. So enjoy the bike lanes. We invest in bike lanes because the knowledge workers we need to attract and retain tell us they want to ride their bikes to work and around the city. They want to live without a car. And our global competitors provide this amenity as well, and you see that whenever you travel all over the country. The same workers and their employers also need us to invest in Internet infrastructure. They want speeds and capacity beyond what we can offer now. Google Fiber, the great news yesterday will help with that. So will the Kentucky wired project. This is a state-run public-private partnership that is laying fiberoptic cable throughout the state.

We need to be involved with this partnership because our city's data demands are only going to increase. We have the opportunity to work with Kentucky wired to lay extra fiberoptic cable at a third of the normal cost. This has numerous benefits. We can add more cameras to the metro watch network, we can link more metro-owned buildings to the fiber optic network. It will

help us provide more smart transportation options on the new Dixie Highway. And Metro Government will have excess capacity on our fiberoptic network to lease to private Internet service providers which in turn will provide faster Internet speeds to our citizens.

We estimate that this Kentucky wired investment will pay for itself and actually start generating revenue for Metro Government.

We are also making investments to provide high speed Internet access to low income areas to advance our digital inclusion strategy. We want fast Internet and we want fast Internet everywhere. And we are also funding critical technology upgrades for Metro Government, like new software to improve our ability to collect revenue, as well as enhanced cybersecurity protections.

While we are investing in enhanced digital resources, we also have to invest in the great natural resources of our world-class park system. That is why this budget devotes \$1.7 million to metro parks upgrade and maintenance needs, including pools, playgrounds, spraygrounds and repairs. There is \$1 million for capital and maintenance needs at the Louisville zoo and funds to acquire more land for the Louisville Loop, build a new walking path and a new boat ramp at Shawnee Park.

[APPLAUSE.]

Louisvillians are blessed to have great parks like these along with Jefferson Memorial Forest, Iroquois, Cherokee, and the parklands at Floyds Fork, which isn't a part of metro parks but it is an example of tremendous community partnerships that offer great benefits to our citizens. Like the gathering of organizations across the city that came together to produce the community arts master plan. It is called imagine greater Louisville 2020, and it lays out equitable and innovative ways to use the arts to further enhance our quality of life, grow our economy, and address our city's greatest challenges and opportunities.

I believe in the power of arts to inspire, like many of you. The arts open our minds and our hearts and bring people together. And that is why we are also investing \$100,000 to this budget to implement imagine greater Louisville 2020.

Collaborations like these give us the chance to do more work for our citizens by smartly leveraging our budget dollars. We also aggressively pursue state, federal, and private grants to extend our capacity even further. In the last six years, we received millions of dollars in competitive grants from organizations like the Rockefeller foundation, Robert Johnson foundation, the Harvard graduate school of education, along with the James Graham brown, CENS, Humana, Norton and many other foundations.

And in most of these cases we are competing with the grants for cities around the country and around the world and we are winning, because these organizations along with various state and federal agencies see our city's momentum and they want us to help build on that and keep moving forward.

We have been awarded tens of millions of dollars in state and federal grants to help us hire new police officers, build the northeast library, create the new Dixie Highway, revitalize the historic Russell neighborhood through \$29.5 million choice neighborhood grant. This historical infusion of capital coming in to West Louisville today is truly, truly exciting.

And this budget includes the funding to begin the revitalization of Beecher Terrace in Russell. We will use the choice neighborhood grant to leverage more than \$200 million in public and private funds to transform Russell into a sustainable mixed-income mixed-use community offering citizens of West Louisville quality services and schools as well as better transportation and job opportunities.

These successes feed and build on each other, like people across our city. I'm happy to say that the years of work are now bearing fruit West Louisville. The West Louisville YMCA is happening. Passport health plan is moving its corporate headquarters to 18th and Broadway.

[APPLAUSE.]

We are moving forward with waterfront park phase four and we are seeing more businesses and opportunities expanding West Louisville, including today, interact, announced the news of moving their corporate headquarters to round street. Interact is a home-grown technology company that intends to create 250 jobs. They currently have 50 jobs.

[APPLAUSE.]

Other businesses West Louisville expanding and recently creating, Kentucky peerless distillery, over the nine, Heine brothers, sweet peaches, chef space and all the tremendous entrepreneurial work, the gigabit experience center, LCCC is also working with us to establish the Russell arts commercial and culture district, and the first families are moving in as part of the second phase of the Cedar Street market rate housing development.

Overall there is more investment West Louisville today than we have seen in a generation or longer, with more to come.

[APPLAUSE.]

But look at this budget as a whole, you'll see that it is balanced in more ways than one. This budget balances the needs to honor our past commitments with the need to invest in our future. In this budget we are investing most heavily in public safety, as we should, with most of our new revenue dedicated to our police. As officials who serve the entire city, we must look beyond short-term fixes and easy answers to

comprehensive long-term solutions. That is why our investments in public safety not only include an unprecedented number of new police officers, but also critical targeted investments to build our economy, provide affordable housing, promote lifelong learning, improve our quality of life, and create opportunities for our citizens in every neighborhood in our city.

And we are going to continue our emphasis on compassion. I'm tremendously proud of the work we have done to cultivate compassion in our city. And I look forward to the work ahead.

Because when I look around the community and our country, I see the need for more compassion, not less. Every person and every ZIP code needs to see how they fit in a positive way to a positive future.

So we will continue to reach out to our citizens, investing in them and their future so that every child in every neighborhood understands that the city cares about them, we care about them, and that we believe in them. We want them to know that they have a clear path to reaching their full potential right here in their hometown.

Doing all these things at once, it is a challenge and a delicate balance, but that is what we do every day in public service. We come together here to find ways to meet the diverse needs of 760,000 people in 26 districts in our growing city in a changing world.

It is an honor and privilege to serve our citizens alongside of you all. Thank you for your service and your commitment to the people of Louisville. And I look forward to working with you to pass a budget that honors both the promises of the past and the promises of our city's future. Thank you very much.

[APPLAUSE.]

PRESIDENT YATES: Colleagues, I'll entertain a motion to recess for approximately 30 minutes.

>> So moved.

>> Second.

PRESIDENT YATES: All in favor respond aye. The ayes have it. We are in recess.

[RECESS.]

PRESIDENT YATES: For purposes of metro TV and information of my colleagues, we will begin the meeting and come back in about one minute.

PRESIDENT YATES: May I have a motion and second to reconvene?

>> So moved.

>> Second.

PRESIDENT YATES: Without objection, we are in session.

Next we have approval of the regular council meeting of April April 13, 2017. Any corrections or deletions? May I have a motion and Second for approval?

>> So moved.

>> Second.

PRESIDENT YATES: The minutes have been properly moved and seconded. All those in favor please signify by saying aye. Opposed? The ayes have it. The minutes are approved as written.

Next we have approval of the following Committee minutes, all in 2017:

Regular: Committee of the Whole, April 13.

Regular: Planning/Zoning, Land Design and Development Committee, April 18.

Regular: Public Works, Parks, Sustainability and Transportation Committee, April 18.

Regular: Labor and Economic Development Committee, April 18.

Regular: Government Accountability, Ethics and Intergovernmental Affairs Committee, April 18.

Regular: Public Safety Committee, April 19.

Regular: Appropriations, NDFs and CIFs Committee, April 19.

Special: Community Affairs, Housing and Education Committee, April 20.

Regular: Contracts and Appointments Committee, April 20.

Special: Budget Committee, April 20.

Are there any corrections or deletions? Hearing none,
may I have a motion and second for approval?

>> So moved.

>> Second.

PRESIDENT YATES: The minutes have been properly moved
and seconded. All those in favor please signify by saying aye.
Opposed?

The ayes have it. The minutes are approved as written.

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

MR. CLERK: We do, sir.

PRESIDENT YATES: Please read those into the record.

MR. CLERK: Dear President Yates, In accordance with
the Code Enforcement Board, I am appointing the following to the
Code Enforcement Board:

Yvonne Wells-Hatfield, new appointment, term expires
February 9, 2019.

Your prompt action on this appointment is most
appreciated. Sincerely, Greg Fischer, Mayor.

Dear President Yates, In accordance with the
Metropolitan Sewer District Ordinance, I am appointing the
following to the Metropolitan Sewer District Board:

Marita Willis, new appointment, term expires June 30,
2019.

Your prompt action on this appointment is most appreciated. Sincerely, Greg Fischer, Mayor.

Dear President Yates, In accordance with the Waterworks Ordinance, I am reappointing the following to the Waterworks Board:

Creighton Mershon, reappointment, term expires April 30, 2020.

Your prompt action on this appointment is most appreciated. Sincerely, Greg Fischer, Mayor.

Read in full.

PRESIDENT YATES: Those appointments needing Council approval will be assigned to the Committee On contracts and appointments.

Our next order of business is the Consent Calendar. The Consent Calendar comprises item numbers 15-32. Were there any additions or deletions?

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

MR. CLERK: AN ORDINANCE APPROPRIATING \$10,000 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$3,500 FROM DISTRICT 1; \$2,500 FROM DISTRICT 5; \$2,000 FROM DISTRICT 6; AND \$1,000 EACH FROM DISTRICTS 2 AND 4; THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO RIVER CITY DRUM CORP CULTURAL ARTS INSTITUTE, INC. FOR EXPENSES ASSOCIATED WITH THE 11TH ANNUAL DA'VILLE CLASSIC DRUM LINE SHOWCASE.

AN ORDINANCE APPROPRIATING \$6,103.13 EACH FROM DISTRICTS 19, 18, AND 20 NEIGHBORHOOD DEVELOPMENT FUNDS, THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE CITY OF DOUGLASS HILLS, KENTUCKY, PURSUANT TO LMCO 97.100, FOR THE WALKING PATH REPAIR AND WIDENING PROJECT.

AN ORDINANCE APPROPRIATING \$12,722.62 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$6,361.31 EACH FROM DISTRICTS 19 AND 20; THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE EASTWOOD FIRE PROTECTION DISTRICT FOR AN ALL-TERRAIN RESPONSE VEHICLE.

AN ORDINANCE APPROPRIATING \$7,724 FROM DISTRICT 13 NEIGHBORHOOD DEVELOPMENT FUNDS, THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE JEFFERSON COUNTY PUBLIC EDUCATION FOUNDATION, INC., FOR THE INSTALLATION OF NEW PLAYGROUND EQUIPMENT AT CORAL RIDGE ELEMENTARY SCHOOL.

AN ORDINANCE APPROPRIATING \$2,900 EACH FROM DISTRICTS 20 AND 22 NEIGHBORHOOD DEVELOPMENT FUNDS TO THE LOUISVILLE METRO POLICE DEPARTMENT, 7TH DIVISION, FOR COSTS ASSOCIATED WITH THE PERFORMANCE OF THE LOUISVILLE CRASHERS AT "CRASHING THE PARKLANDS."

AN ORDINANCE APPROPRIATING \$13,500 FROM DISTRICT 11 NEIGHBORHOOD DEVELOPMENT FUNDS, THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE JEFFERSON COUNTY PUBLIC EDUCATION FOUNDATION, INC., FOR THE INSTALLATION OF NEW PLAYGROUND EQUIPMENT AT COCHRANE ELEMENTARY SCHOOL.

AN ORDINANCE AMENDING ORDINANCE NO. 102, SERIES 2016 AS PERTAINING TO THE FISCAL YEAR 2016-17 CAPITAL BUDGET AND AMENDING ORDINANCE NO. 32, SERIES 2010 AND AMENDING ORDINANCE NO. 101, SERIES 2016 AS PERTAINING TO FISCAL YEAR 2016-17 OPERATING BUDGET AND AMENDING ORDINANCE NO. 101, SERIES 2014 AS PERTAINING TO THE FISCAL YEAR 2014-2015 CAPITAL BUDGET FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT BY TRANSFERRING \$4,925 TO DISTRICT 20 NEIGHBORHOOD DEVELOPMENT FUND AND BY TRANSFERRING \$33,556.64 IN FUNDING BETWEEN CAPITAL PROJECTS RELATED TO DISTRICT 11 SIDEWALK PROJECTS.

AN ORDINANCE AMENDING ORDINANCE NO. 101, SERIES 2016 RELATING TO THE FISCAL YEAR 2016-2017 OPERATING BUDGET, TO AMEND THE TRANSIT AUTHORITY OF RIVER CITY'S FISCAL YEAR 2016-2017 BUDGET.

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A DONATION OF EVZIO, A PRE-FILLED, SINGLE USE AUTO-INJECTOR OF NALOXONE HYDROCHLORIDE VALUED AT \$80,000, FROM KALEO, INC., TO BE ADMINISTERED BY THE LOUISVILLE METRO DEPARTMENT OF PUBLIC HEALTH & WELLNESS.

APPOINTMENT OF ABBIE GILBERT TO THE AIR POLLUTION CONTROL DISTRICT BOARD. TERM EXPIRES JUNE 30, 2020.

RE-APPOINTMENT OF BRAD WALKER TO THE DOWNTOWN MANAGEMENT DISTRICT. TERM EXPIRES MARCH 23, 2018.

RE-APPOINTMENT OF RAY SCHINDLER TO THE URBAN RENEWAL COMMISSION. TERM EXPIRES JUNE 30, 2019.

RE-APPOINTMENT OF ROBERT FRAZIER TO THE URBAN RENEWAL COMMISSION. TERM EXPIRES JUNE 30, 2019.

A RESOLUTION RATIFYING AND APPROVING A COLLECTIVE BARGAINING AGREEMENT (MARCH 26, 2017 TO JUNE 30, 2023) RELATING TO WAGES, HOURS, AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT BETWEEN LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AND LOUISVILLE CORRECTIONS FRATERNAL ORDER OF POLICE, LODGE NO. 77, CONCERNING CERTAIN SWORN EMPLOYEES OF THE LOUISVILLE METRO CORRECTIONS DEPARTMENT IN THE CLASSIFICATIONS OF CORRECTIONS CAPTAIN AND CORRECTIONS LIEUTENANT.

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A GRANT FROM THE COMMONWEALTH OF KENTUCKY, KENTUCKY AGRICULTURAL DEVELOPMENT FUND IN THE AMOUNT OF \$100,000 TO BE ADMINISTERED BY ECONOMIC DEVELOPMENT FOR THE LOUISVILLE FARM TO TABLE PROGRAM.

AN ORDINANCE CLOSING THE NORTH/SOUTH ALLEY BETWEEN WOODBINE AND JACKSON STREETS CONTAINING 4,684 SQUARE FEET AND BEING IN LOUISVILLE METRO (CASE NO. 16STREETS1010).

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT \$4,823,960 FROM THE KENTUCKY TRANSPORTATION CABINET FOR A PROJECT FOR COMPRESSED NATURAL GAS VEHICLES AND COMPRESSED NATURAL GAS FUEL DISPENSERS TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC WORKS & ASSETS.

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT \$500,000 OF FUNDING FROM THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET FOR THE OLMSTED PARKWAYS BICYCLE AND PEDESTRIAN

IMPROVEMENTS PLANNING FOR EASTERN PARKWAY PROJECT TO BE
ADMINISTERED BY THE METRO PARKS DEPARTMENT.

Read in full.

PRESIDENT YATES: May I have a motion and second for
approval?

>> So moved.

>> Second.

PRESIDENT YATES: The Consent Calendar has been
properly moved and seconded, requiring a roll call vote. Would
the clerk please open the voting.

Without objection, the voting is closing. The voting
is closed.

>> There are 25 yes votes and one not voting.

PRESIDENT YATES: The Consent Calendar passes.

The next item of business is Old Business. Mr. Clerk,
we will go out of order, please. A reading of item 35.

MR. CLERK: AN ORDINANCE CHANGING THE ZONING FROM C-1
COMMERCIAL TO M-2 INDUSTRIAL ON PROPERTY LOCATED AT 9205 OLD
BARDSTOWN ROAD CONTAINING 11.049 ACRES AND BEING IN LOUISVILLE
METRO (CASE NO. 16ZONE1069).

Read in full.

PRESIDENT YATES: May I have a motion and second for
approval, please.

>> So moved.

>> Second.

PRESIDENT YATES: The ordinance is before us.

Is there any discussion?

Councilwoman Flood.

COUNCIL MEMBER FLOOD: Thank you, Mr. President. This is actually a business expansion for Jacoby sales and services on Old Bardstown Road. This is in Councilman Robin Engel's district, and I will hand it over to him in just a second. But the binding elements that were added were for protection of the neighborhood. Binding element number 15, hours are restricted from 6:00 a.m. to 9:00 p.m. and also binding element number 16 states that if Kentucky transportation suggests or meets the standards that there should be signalization at this intersection, the developer will have to pay \$7,500 as a part of signalization. That was added as a binding element.

This is in Councilman Engel's district. I would like you to recognize him.

PRESIDENT YATES: Thank you for the explanation.

Councilman Engel, the floor is yours, if you like.

COUNCIL MEMBER ENGEL: Thank you, Madam Chair. You do a fine job.

And I want to mention that Jacoby Sales has been operating in District 22 for 20 years. They are in their twentieth season.

And they simply have run out of space. So the M-2 request has been made by the developer to accommodate this

expansion of services to include equipment repairs and maintenance. Couple other of those binding elements but no overnight idling of trucks will be permitted, business hours 6:00 to 9:00 p.m. and the developer will install sidewalks along Old Bardstown Road along the property.

And as a reminder, the M-2 industrial zone prohibits me the adult entertainment establishment. I know we are always concerned about that. So I would ask for your support tonight for this project. Thank you.

PRESIDENT YATES: Thank you for that explanation, councilman. Is there any further discussion? Hearing none, this is an ordinance requiring a roll call vote.

Without objection, the voting is closing. The voting is closed.

MR. CLERK: There are 24 yes votes and two not voting.

PRESIDENT YATES: The ordinance passes.

We will jump back to item 33, Mr. Clerk, please.

MR. CLERK: AN ORDINANCE APPROPRIATING \$14,800 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$8,000 FROM DISTRICT 14; \$2,000 FROM DISTRICT 9; \$1,000 EACH FROM DISTRICTS 12 AND 25; \$500 EACH FROM DISTRICTS 2, 6, AND 15; \$300 FROM DISTRICT 21; AND \$250 EACH FROM DISTRICTS 1, 4, 10, AND 23; THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO LOUISVILLE ASSET BUILDING COALITION, INC., FOR OPERATING EXPENSES ASSOCIATED WITH

COORDINATING THE VOLUNTEER INCOME TAX ASSISTANCE PROGRAM (VITA).

Read in full.

PRESIDENT YATES: May I have a motion and second for approval?

>> So moved.

>> Second.

PRESIDENT YATES: The ordinance is before us.

Discussion?

Councilman Blackwell, please.

COUNCIL MEMBER BLACKWELL: (Off mic).

There we go. Speak into the microphone. Heard in committee and passed unanimously. But was asked by the primary sponsor to put on Old Business for other additions. Councilwoman Fowler is the primary sponsor, and I believe she has an amendment for us.

PRESIDENT YATES: Councilwoman Fowler, would you like the floor?

Council MEMBER FOWLER: I appreciate that. Several council members have signed on since the ordinance was introduced, and I need to make an amendment to add those. They are as follows: District three, \$250. District five, \$500. District 11, \$750. District 13, \$1,000. District 17, \$250. District 22, \$300. District 24, \$500. District 26, \$300. So the total amendment is \$4,100 for a new appropriated amount of \$18,900.

And also just at your desk there are these figures on what was generated through the VITA tax program this year. And I thought it was very informational. So if you see one of the sites that is close to your home or your district, you'll understand what good it does for the low income people of the area. Basically there was over \$11 million worth of federal refunds and 1.764 -- over \$1.7 million of savings to the clients for their preparation costs. So I would appreciate anyone else who would like to add on to this.

>> Motion to amend.

PRESIDENT YATES: Before that, we have councilman Stuart Benson in the queue, if that would be appropriate.

Councilman Benson.

COUNCIL MEMBER BENSON thank you, Mr. Chairman. Mr. President. Cindi, I thought I told you \$250. Was it on there?

COUNCIL MEMBER FOWLER: We can certainly add it. I thought you signed. I don't know. I'm sorry if I missed that.

COUNCIL MEMBER BENSON: \$250. Thank you.

PRESIDENT YATES: So Councilman Kramer has made a motion to amend. What is the total amount now.

>> So with Councilman Benson's, it is --

PRESIDENT YATES: We have another one in the queue. Councilwoman Leet.

COUNCIL MEMBER LEET: Thank you, Mr. President.

District seven would like to add \$500.

PRESIDENT YATES: \$500 from district seven.

COUCNIL MEMBER FOWLER: So that makes the total amendment \$4,950. So it would be \$19,650, if I have done my math correctly.

PRESIDENT YATES: Mr. Clerk, do you have the amount?

MR. CLERK: I have just something a little bit different.

COUNCIL MEMBER FOWLER: Okay, well I didn't have my calculator.

MR. CLERK: And I'm very fortunate to have one. I have an advantage. I'm sorry. I have a total amount of \$4,600, including Councilman Benson's \$250. That is a total amount appropriated, the new total amount appropriated is \$19,400.

>> Okay.

COUNCIL MEMBER FOWLER: I know what the problem is. Thank you.

>> That was including Councilwoman Leet's as well.

PRESIDENT YATES: So I have a motion from Councilwoman Fowler for an amendment for a new total of \$19,400. Do we have a second?

Councilman Kramer. Moved and seconded.

>> And Mary Woolridge is in the queue.

PRESIDENT YATES: Councilwoman Woolridge.

COUNCIL MEMBER WOOLRIDGE: Mr. President, I was just wondering what the ask was. I have already signed on.

COUNCIL MEMBER FOWLER: It was \$25,000.

COUNCIL MEMBER WOOLRIDGE: Just want to make sure. Thank you.

COUNCIL MEMBER FOWLER: Thank you.

PRESIDENT YATES: Thank you. The ayes have it. The floor amendment passes. Is there any further discussion on the amendment?

Hearing none, is there any further discussion on the ordinance? Hearing none, this is an ordinance requiring a roll call vote. Will the clerk please open the voting. Without objection, the voting is closing. The voting is closed.

MR. CLERK: There are 23 yes votes and three not voting.

PRESIDENT YATES: The amended ordinance passes.

Mr. Clerk, a reading of item 34, please.

MR. CLERK: AN ORDINANCE AMENDING SECTION 5.12.2 OF THE LAND DEVELOPMENT CODE PERTAINING TO OUTDOOR AMENITIES/ FOCAL POINT(S) - APPLICABLE SECTIONS ARE MORE SPECIFICALLY SET FORTH BELOW IN EXHIBIT A (CASE NO. 16AMEND1003) (AS AMENDED).

Read in full.

PRESIDENT YATES: May we have a motion and second.

>> So moved.

>> Second.

PRESIDENT YATES: The ordinance is before us.

Councilwoman Flood.

COUNCIL MEMBER FLOOD: Thank you, Mr. President. I will try my best. This is a carryover from last year, and the amendments that were proffered in the past in committee came from the planning staff. What they were finding is we added industrial uses for outdoor amenities and focal points last year and they found the Planning Commission waiving the requirements because we were basing it on the square footage of the land. And land varies from district to district and area to area how much it is worth so it wasn't an equitable amount being charged. They came up with a different formula that states that for applicable non-industrial developments the fee in lieu will be multiplied by \$5 for applicable industrial developments the fee in lieu shall be calculated based on the square footage required for outdoor amenity area multiplied by \$10. What they were also finding is someone was coming in and building a 200,000-square foot warehouse, they may have an office area of 200 square feet with only two employees and maybe three people in the warehouse and they were being forced to either pay an exorbitant amount to go for the fee in lieu of for the -- actually it is for the Louisville public space art fund or they were having to build sidewalks or picnic areas for two or three people and it just didn't seem like an equitable they think for them to do.

This came out of committee with a vote of 6-2 and is in front of us.

PRESIDENT YATES: Thank you for the very detailed explanation, Councilwoman.

Councilman Peden.

COUNCIL MEMBER PEDEN: Thank you. The amendments, again, they were in our committee last. I knew they were coming down the pike. And I agree. But I think it is actually short an amendment, and I don't mean that. It is one that I'm just going to point out it is kind of -- item four, the fee in lieu of that Councilwoman Flood mentioned. Didn't give any criteria for what justifies using the fee if lieu of. And for instance, if you are building a subdivision and you don't want to build a sidewalk and you want to pay into the fee in lieu of, you have to give a reason. It is too steep, rocky, it is in the middle of nowhere and doesn't connect anything. There has to be some reason. For item four there is no reason. It is I would rather just write a check than have to do this. And the reason I bring that up is that it goes back to -- the requirement is a beautification requirement, for lack of a better description. And I guess what I would point toward is if anybody you go through J-Town industrial park, you start over on the Hurstbourne lane side, go to the older section, looks way different than the newer stuff they have put off Blankenbaker and it looks aesthetically pleasing rather than the really old industrial area by Gilmore

lane over by the post office. It is totally different. This is the kind of thing that allows that.

So again, I am not opposed to the amendment regarding the fee in lieu of. We always have to give those options, and that is great. But I do believe that we need to have some sort of clause in here that says if you can demonstrate one of those hardships that I mentioned, not just I would rather not build this, because it is the sidewalks and the plazas. And I will go to the other one, trees, if we will allow them to stretch out a giant parking lot and probably the warehouse roof she was talking about and let them pay for the only section they might have put a tree, I just take issue with that. And I'm throwing that out there.

It is kind of last-minute because I'm not on this committee anymore. But that is an argument I have made in committee prior to this moment last year when we discussed this at length. But I just wanted to let everybody know. So if anybody else wants to kind of understand where I'm coming from, I will second any amendment someone else wants to make. But all I'm really looking for in request of support is you just can't do it because you don't want to.

PRESIDENT YATES: Thank you, Councilman.

Councilman Brent Ackerson.

COUNCIL MEMBER ACKERSON: Thank you, Mr. President.

During committee I spoke out about this also. And the idea was

this. I voted for it because it is confusing. On one hand we are talking about providing outdoor accommodations for employees to have lunch and for patrons to sit around and maybe there is a picnic bench. That is something that ought to be driven by the business. If they want to entice employees or if they want to entice patrons, they can make that decision. I don't think it is government's job to say you have to put a picnic space or some sort of space for people to sit around and have lunch or that sort of thing.

On the flip side, I hear what James is saying, if this is about beautification, trying to have some green space, well that has value, to me.

So on one hand if that is about providing lunchroom space or outdoor lunch space for employees, then what we are doing here is essentially neutering that provision because we are reducing the square footage, we are making it so it is really extra cheap. If you have a factory, what we are taking is from the square footage of the factory to the square footage of your offices.

For those of you who are familiar with UPS off of Outer Loop, those are massive factory buildings. Very little office space, if any at all. What they have is the supervisors, they have folks out there making \$80,000, \$90,000 a year who have a desk in the middle of a warehouse floor so that their staff is around them. So if it is about lunchroom space, I see

no problem supporting this because the end result is someone will gladly pay pittance to avoid having to deal with it. If it is about beautification and we decide this is really about beautification, then I don't think that I can support this because ultimately what we are doing is taking away dollars that could force you to put it into beautification. If it is cheaper to put in a little bit of grass and trees that would look good versus pay the fee in lieu of, then we have missed the mark. So I don't think that we as a body, certainly I don't, anyway, fully understand what our purpose is, and maybe that is one of the things we are voting on today, what are our intent from this?

If our intent is beautification, we ought to vote against this and keep encouraging businesses, the factories to put out something beautiful, try to make it nice. If it is about providing an outdoor lunchroom or combination space for their patrons, then I would be voting for this because I think that is not our role to be forcing such on folks. Unless someone wants to clarify, I think it is outdoor lunchroom space. Unless someone has the direction for this to go in, I would vote yes. I would vote no if the body wants to make the emphasis on the outdoor beautification. Thank you.

PRESIDENT YATES: Councilwoman Flood.

COUNCIL MEMBER FLOOD: I think one of the issues, the reason we pulled industrial out of our retail office and mixed

use developments, because their threshold is different, because if you look at some of the transport places that have huge warehouse areas and they have nothing but 15 or 20 truck slots for trucks to go into, do you really want someone out there near that area or walking around where you have massive semitractor-trailer traffic coming out?

That is one of the other issues that you have to think about when you try to lump everybody together, and that is why it was pulled out and they were given some leeway. As I said, they were waiving this at the Planning Commission level. This is probably not the end-all discussion on this because this is just a first or second time go-around at this, and it will surely change just as the Land Development Code changes year after year. They will try something in best practice and find that it doesn't work or it is not working the way the intent of the law was, so we have to go back and change it.

And the county attorney may have a better explanation than I do. I'm not sure.

PRESIDENT YATES: While we are waiting for the county attorney, Councilman Peden.

COUNCIL MEMBER PEDEN: I'm not focused on the industrial portion of it. I'm fully supportive of that amendment. I'm going to vote yes on this whole thing anyway. It is actually a needed amendment because of everything that Council Member Flood said about you have a 500,000 square foot

industrial park with six employees, you don't need 50,000 square feet, necessarily, of connectivity and amenity.

All I'm saying is if we are going to allow the fee in lieu of, I just don't think that it should be because you don't want to. Again, I go back to the sidewalk issue. It is written into the public works law. If you don't want to build a sidewalk, it better be because you can't. Or it just doesn't make sense to do it here. And even then I'll go a step further. I have a gentleman who has a very isolated development where it will never connect to a sidewalk, he asked can I pay the fee in lieu of, and he said can you build it somewhere else?

And now he has agreed to build about three quarters of the distance hopefully saving him a little money. But at the same time we the city are getting a sidewalk used in a much better location. So that is kind of the same. I guess my point is you have to have some reasoning. That's all I'm asking for here. I'm not questioning the industrial part or the square footage or anything having to do with the primary amendment. It is going back to the fee if lieu of clause which has existed long before this amendment came along.

There is no criteria as to when you goat use it. And that is my only issue. Thank you.

PRESIDENT YATES: Thank you, Councilman. I have two other colleagues in the queue. But I do think the county

attorney wanted to comment. I think Sarah had gestured and also whoever wants to comment on it.

PAUL WHITTY: Paul Whitty, office of Jefferson County attorney.

Let me say a few things first. This is not a new regulation. This has been on the books since 2003. To Council Member Ackerson's point, it sounds like he wants to debate the merits of the whole thing. It is clearly not a beautification program. That might well be one of the consequences or the effects of providing some of the amenities, but the purpose of this is to provide amenities for employees and to give them a dedicated space where they eat lunch or take their breaks, smoke, etc.

And there is a number, as you can see, A-F, of things that can be included in that kind of amenity.

But its purpose is not beautification, although it might have that impact on any given development.

So in terms of requiring a justification, I guess there is precedent in that in that for the sidewalk fee in lieu there is generally a justification made that it is impractical or topography doesn't allow for it.

So if Councilman Peden would like to make the floor amendment, you can perhaps sort of -- well, that is fine. I'll turn it over to Debra, if she would like to comment further.

DEBRA BILITSKI: With permission.

PRESIDENT YATES: Please.

DEBRA BILITSKI: I just wanted to give a little bit of background too on this outdoor amenity fee in lieu. It is truly just intended to be an option to give the maximum flexibility to the developer or the ultimate university, if they want to provide that amenity onsite or they want to go ahead and pay a fee in lieu. It is a little different than the sidewalk waiver in that the sidewalks are intended to be public sidewalks. We are talking about a public sidewalk. These outdoor amenity areas, you don't even have to be able to see them from the public. It could be totally internal to the site. And we wanted to leave it to the discretion of the end user or developer whether or not they pay a fee or provide the amenities. So it is a little bit different than the sidewalk fee in lieu.

PRESIDENT YATES: And while we are on this.

DEBRA BILITSKI: Debra Bilitski, director of develop
Louisville.

PRESIDENT YATES: Councilman Benson and Councilman
Stuckel.

COUNCIL MEMBER BENSON: Thank you, Mr. President. In the last 14 years we have had a lot of zoning cases. I have had a lot in my district. And one of the things some of the people would say, they want me to build a sidewalk in front of my place. And it might be 40 years before there is a complete sidewalk. We just got a sidewalk. It would be better if they

take this money and use it in a pile and build a sidewalk someplace where they need it and possibly come back later when that time is better used. I think we should use a little more common sense times. Just because we have a law that says you have to put a sidewalk, if you know how much, the government knows how much it would cost to put the sidewalk in front of that place and say here is how much it costs, you can get this much money, I think it is a great idea and it is a better source of revenue to put sidewalks in completely and at one time. If you put in a sidewalk and it is not completed for 20 years, that sidewalk was there, it is probably deteriorated. Now you need to do it all over again.

So we just need to use more common sense. Sometimes that is kind of unusual. Thank you.

PRESIDENT YATES: Thank you, Councilman Benson.

Councilman Stuckel.

COUNCIL MEMBER STUCKEL: As you may know, I sit on the commission of public art. And the fee in lieu is used to generate the funds for the public art. So that money is going to be used for art that is going to be placed on public land. And it does have a beautification significance to that.

The unfortunate thing is when it was first put into ordinance, 100,000 square feet was the size. And I think James Peden was the one that reduced it to 60,000, is that right, James?

You reduced it for industrial down to 60,000, which has generated some money. It hasn't generated the money we thought primarily because the downturn in the economy. And it is now beginning to do it. Costco out on Bardstown Road was the first major building we had that generated money. There is a positive to it, and that is being used to beautify our city.

PRESIDENT YATES: Thank you, Councilman. Any further discussion?

Councilman Coan.

COUNCIL MEMBER COAN: Thank you, Mr. President. I just wanted to briefly explain myself because I sat on the planning and zoning committee, and I voted no on this in committee for a couple reasons. And it does seem that I am sort of focusing on the merits of it. Whether that is right or wrong, I need to articulate it. And Councilman Peden said he wasn't focused on the industrial portion of this law before us. I am focused on the industrial application. And it didn't make sense to me for a couple reasons. One is that even though I'm a big advocate for public art and would love to see a dedicated funding stream for public art, I didn't think public art was sort of really directly related to these industrial properties, and I worried if we imposed a charge for the purpose of public art it jeopardized the ability to try to ask industrial properties to direct money to other things that might be more proper and higher-use mitigation such as a green roof or white roof,

something that really relates to the impact their property has on the landscape and community.

Another reason is that even with the new formula for how much outdoor space needs to be created, if it is for the purpose of providing an spent for the employees, even though a factory office might be very small, so as a result the developer would only have to create a small green space, factories can employ lots and lots of people. So then you have sort of a very small space for potentially lots of people, and it just didn't make sense to me.

So even though usually I think that you should defer to the Planning Commission, it is a group of experts who move through the public meeting process, I just found a lot of flaws in the details of the policy and voted no and expect to vote no again today for those reasons.

PRESIDENT YATES: Thank you for the explanation.

Councilman Reed.

COUNCIL MEMBER REED: Thank you, Mr. President. I also am on the Planning/Zoning committee and voted no. I did vote no based on the merits, because if I am a business owner, I am probably going to want to take this money and spend it more on capital improvements, new equipment, higher wages, attracting better people for your business. So this seems to me to be, again, I was never part of the original law, butt it seems to me

to be a cure without a real problem. So I'm kind of on the fence now, but I probably am going to vote no again.

PRESIDENT YATES: Thank you, Councilman.

Is there any further discussion on this ordinance?
Hearing none, this is an ordinance requiring a roll call vote.

Without objection, the voting is closing. The voting is closed.

MR. CLERK: There are 18 yes votes, five no votes, and three not voting. The no votes are Council Members Leet, Coan, Reed, Parker, and Benson.

PRESIDENT YATES: The amended ordinance passes.

Mr. Clerk, a reading of item 36.

MR. CLERK: AN ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY TO C-2 COMMERCIAL AND CHANGING THE FORM DISTRICT FROM NEIGHBORHOOD TO SUBURBAN MARKETPLACE CORRIDOR ON 15 PROPERTIES WITH A PRINCIPAL LOCATION OF 4700 COOPER CHAPEL ROAD CONTAINING 33.826 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 16ZONE1070) (AS AMENDED).

Read in full.

PRESIDENT YATES: Motion and second for approval.

>> So moved.

>> Second.

PRESIDENT YATES: The motion has been properly moved and seconded.

Councilwoman Flood.

COUNCIL MEMBER FLOOD: This is to allow Menards to be built on Cooper chapel road and Preston expressway. This is right across from my district. And I added a portion to a binding element number five, and the reason I did this was because you'll seal in just a second all the traffic issues that it could cause if we didn't put this in. And that was on binding element number five that prior to receiving, it just said the certificate of occupancy, but a lot of types, and especially when it is commercial, they can get a temporary certificate of occupancy. So I changed it to read prior to receiving a temporary or permanent certificate of occupancy, the following road improvements shall be constructed, and those were as follows.

A right-turn lane for Preston Highway to Maple Springs Drive, a right-turn lane from Cooper Chapel Road to the main side entrance across the street from Preston crossings, a left-turn lane from Cooper Chapel Road to the main entrance, across the street from Preston crossings, and all striping and signal head and signal modification costs are to be the responsibility of the developer.

But then again it will be triggered that they cannot open with a temporary certificate of occupies at all without all of the road construction being completed.

And I would like for you to please recognize Councilman James Peden.

PRESIDENT YATES: Before so, is that in the form of an amendment.

COUNCIL MEMBER FLOOD: It was already in there. Just making sure that the committee knew it wasn't any certificate of occupancy, even a temporary would be triggered.

PRESIDENT YATES: Thank you, Councilwoman.

Councilman Peden.

COUNCIL MEMBER PEDEN: Thank you. This should be a really nice addition to the area. Going right across the street from Lowe's, so that will be interesting. Nonetheless, with Lowe's on one side of the street and Menards on the other, we have a really good focal point for NASCAR competition. Big sponsors. Thank you. I appreciate your support.

PRESIDENT YATES: Thank you, Councilman.

Is there any further discussion?

Hearing none, this is an ordinance requiring a roll call vote. The clerk will please open the voting.

Without objection, the voting is closing. Still closing. Record Councilman Stuckel as a yes. The voting is closed.

MR. CLERK: 23 yes votes and three not voting.

PRESIDENT YATES: The amended ordinance passes.

Thank you, colleagues.

Next item of business is new business. As you leave the chambers, please do so quietly so the clerk may read new

business. I would ask those council members that wish to make announcements to please remain in the chambers and request to queue in the queue.

New business comprises of items 37-47. Will the clerk read those and the assignments to committee.

MR. CLERK: The following legislation will be assigned to the appropriations, NDFs and CIFs committee.

AN ORDINANCE APPROPRIATING \$13,222 FROM DISTRICT 8. NEIGHBORHOOD DEVELOPMENT FUNDS, THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO FRIENDS OF BEECHWOOD PARK, INC., FOR CAPITAL EXPENDITURES ASSOCIATED WITH PHASE I OF THE BEECHWOOD AVENUE PARK.

AN ORDINANCE APPROPRIATING \$17,250 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$5,000 FROM DISTRICT 4; \$1,500 EACH FROM DISTRICTS 10 AND 15; \$1,000 EACH FROM DISTRICTS 5, 16, AND 17; \$500 EACH FROM DISTRICTS 1, 2, 3, 6, 9, 12, 13, 14, 18, 24, AND 25; AND \$250 EACH FROM DISTRICTS 20, 21, AND 22; THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO ICE HOUSE OF LOUISVILLE, INC., FOR PROGRAMMING EXPENSES ASSOCIATED WITH HOSTING MONTHLY DANCES AND PURCHASING RECOVERY LITERATURE AND CAPITAL EXPENDITURES ASSOCIATED WITH REPAIRING AND IMPROVING THE MEETING CENTER.

AN ORDINANCE APPROPRIATING \$10,000 FROM DISTRICT 1 NEIGHBORHOOD DEVELOPMENT FUNDS, THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE JEFFERSON COUNTY PUBLIC EDUCATION FOUNDATION,

INC., FOR THE INSTALLATION OF PLAYGROUND EQUIPMENT AT MAUPIN ELEMENTARY SCHOOL.

The following legislation will be assigned to the Budget Committee.

AN ORDINANCE AMENDING ORDINANCE NO. 102, SERIES 2016 AND ORDINANCE NO. 101, SERIES 2016 RELATING TO THE FISCAL YEAR 2016-17 CAPITAL AND OPERATING BUDGETS, RESPECTIVELY, BY TRANSFERRING \$15,000 FROM THE DISTRICT 6 CAPITAL INFRASTRUCTURE FUND TO THE DISTRICT 6 NEIGHBORHOOD DEVELOPMENT FUND.

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

A RESOLUTION AMENDING RESOLUTION NO. 53, SERIES 2012, REGARDING THE GRANTING OF LOCAL INCENTIVES TO KINDRED HEALTHCARE, INC. PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 32, TO CHANGE THE APPROVED COMPANY NAME TO KINDRED HEALTHCARE OPERATING, INC., TO MODIFY THE PROJECT, AND TO ADD APPROVED AFFILIATES AND ASSIGNEES.

A RESOLUTION AUTHORIZING THE MAYOR AND LOUISVILLE FORWARD TO APPLY TO THE COMMONWEALTH OF KENTUCKY FOR AN ECONOMIC DEVELOPMENT GRANT FOR THE BENEFIT OF RESTAURANT SUPPLY CHAIN SOLUTIONS, LLC IN THE AMOUNT OF \$500,000 AND TO ACCEPT SAID GRANT IF AWARDED A RESOLUTION APPROVING THE GRANTING OF LOCAL INCENTIVES TO GENERATION TUX, INC., FORMERLY KNOWN AS ZTUX, INC., AND ANY SUBSEQUENT ASSIGNEES OR APPROVED AFFILIATES THEREOF PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 32.

A RESOLUTION APPROVING THE GRANTING OF LOCAL INCENTIVES TO CLARIANT CORPORATION AND ANY SUBSEQUENT ASSIGNEES OR APPROVED AFFILIATES THEREOF PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 32.

The following legislation will be assigned to the Planning/Zoning, land design, and development committee.

AN ORDINANCE CHANGING THE ZONING FROM R-5A RESIDENTIAL MULTI-FAMILY TO PRD PLANNED RESIDENTIAL DEVELOPMENT ON PROPERTY LOCATED AT 6635 WOODS MILL DRIVE CONTAINING 13.18 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 16ZONE1053).

AN ORDINANCE CHANGING THE ZONING FROM R-5A RESIDENTIAL MULTI-FAMILY TO R-6 RESIDENTIAL MULTI-FAMILY ON PROPERTY LOCATED AT 1111 ROSE HILL LANE CONTAINING 3.04 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 16ZONE1077).

AN ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY TO R-6 RESIDENTIAL MULTI-FAMILY ON PROPERTY LOCATED ON THE SOUTH SIDE OF STONESTREET ROAD CONTAINING 3.820 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 16ZONE1078).

Read in full.

PRESIDENT YATES: Thank you. Without objection, we are adjourned for our meeting.

However -- no, there are no additional speakers, so we are adjourned.

Can we go back on the record just one second?
Metro TV, are you still with me? There we are.

I just wanted to say on record a very special thank you to Nick Colunges and Troy Overton, the executive support team for working with the technical issues that we had and getting the projection screens up for us today. We are very appreciative. So thank you very much.

[Regular Meeting adjourned]