

ROUGHLY EDITED COPY
LOUISVILLE METRO COUNCIL
REMOTE BROADCAST CAPTIONING
FEBRUARY 25, 2016

Services provided by:

QuickCaption
4927 Arlington Avenue
Riverside, CA 92504
Daytime Telephone - 951-779-0787
After-Hours Telephone - 951-536-0850
Fax Number - 951-779-0980
www.quickcaption.com

* * * * *

This text is being provided in a rough draft format. Communication Access Realtime Translation (CART) is provided in order to facilitate communication accessibility and **may not be totally verbatim record of the proceedings.**

* * * * *

PRESIDENT YATES: The Regular Louisville Metro Council Meeting of February 25, 2016, will please come to order.

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

Mr. Clerk, a roll call, please.

R. CLERK: Council Member Green.

COUNCILWOMAN GREEN: Here.

MR. CLERK: Council Member Shanklin.

COUNCILWOMAN SHANKLIN: Present.

MR. CLERK: Council Member Woolridge.

COUNCILWOMAN WOOLRIDGE: Present.

MR. CLERK: Council Member Tandy.

COUNCILMAN TANDY: Here.

MR. CLERK: Council Member Hamilton.

COUNCILWOMAN BRYANT HAMILTON: Here.

MR. CLERK: Council Member James.

COUNCILMAN JAMES: Here.

MR. CLERK: Council Member Leet.

COUNCILWOMAN LEET: Present.

MR. CLERK: Council Member Owen.

COUNCILMAN OWEN: Here.

MR. CLERK: Council Member Hollander.

COUNCILMAN HOLLANDER: Here.

MR. CLERK: Council Member Mulvihill.

COUNCILMAN MULVIHILL: Here.

MR. CLERK: Council Member Kramer.

COUNCILMAN KRAMER: Here.

MR. CLERK: Council Member Blackwell.

COUNCILMAN BLACKWELL: Here.

MR. CLERK: Council Member Aubrey Welch.

COUNCILWOMAN AUBREY WELCH: Here.

MR. CLERK: Council Member Fowler.

COUNCILWOMAN FOWLER: Here.

MR. CLERK: Council Member Butler.

COUNCILWOMAN BUTLER: Here.

MR. CLERK: Council Member Downard.

Council Member Stuckel.

COUNCILMAN STUCKEL: Here.

MR. CLERK: Council Member Parker.

COUNCILWOMAN PARKER: Here.

MR. CLERK: Council Member Denton.

Council Member Benson.

COUNCILMAN BENSON: Present.

MR. CLERK: Council Member Johnson.

COUNCILMAN JOHNSON: Here.

MR. CLERK: Council Member Engel.

COUNCILMAN ENGEL: Present.

MR. CLERK: Council Member Peden.

COUNCILMAN PEDEN: Here.

MR. CLERK: Council Member Flood.

COUNCILWOMAN FLOOD: Here.

MR. CLERK: President Yates.

PRESIDENT YATES: Here.

MR. CLERK: Council Member Ackerson.

COUNCILMAN ACKERSON: Present.

MR. CLERK: Mr. President, you have 24 in attendance and a quorum.

PRESIDENT YATES: Thank you. Also please cause the record to reflect that Council Members Downard and Denton have excused absences.

MR. CLERK: So noted.

PRESIDENT YATES: Councilman James, would you please introduce your guests?

COUNCILMAN JAMES: Thank you, Mr. President.

Hello, colleagues. I just wanted to take a moment to celebrate because something great has happened. And we have a proclamation to recognize somebody very special. And as these people are standing here, I

would like to introduce them. This is Lynn Johnson. She is the director of black achievers at the chestnut YMCA and this is Mr. and Mrs. Cooper, Caroline Cooper you may recognize as the director of the Human Relations Commission for the Louisville Metro. And the reason we are here to celebrate their daughter Rachael. Rachael was an intern in my office in the District six office and Rachael just recently became the 2016 black achiever of the year. And she is doing great things. So we wanted to take this time, and a lot of times we talk about kids who don't do great things. We have one here who is doing outstanding things and we have a proclamation to them.

To whom all these letters shall come, greetings. Know ye that the Louisville Metro Council proclaims Rachael Cooper as achiever of the year.

And whereas Rachael has excelled and advanced in college-level courses that have allowed her to soar beyond all expectations at her school. She has set a career goal of becoming a cardiologist in her very near future.

And whereas she has shown tremendous strength and leadership skills in the black achievers program she was also a summer intern in the District six Metro Council office.

Whereas she was honored on Saturday February 20th at the black achievers' 37th annual awards celebration for her excellence.

And whereas Rachael Cooper is being honored to w this proclamation as a 2016 black achiever of the year.

Now therefore be it resolved that Louisville Metro Council, we hereby confer and pay tribute to her by way of this proclamation with all rights, privileges, and responsibilities there unto appertaining in testimony we have caused these letters to be made and the seal of the Metro Government to be hereunto affixed. Done this day the 24th day of February, 2016, Louisville Metro Council.

Thank you very much for having such an awesome daughter.

[Applause.]

And, Ms. Johnson, I would like for you to say a few words about the program, if you don't mind. And Rachael.

GUEST SPEAKER: It is indeed an honor to accept this award for Rachael Cooper, who is not present today. Indeed an honor for the city to even recognize her. We are so thankful. And I know that she would be thankful of the great works that he has done that she has being recognized not only by the YMCA program but by the entire community. So we are deeply honored and thankful and grateful for you even looking at and recognizing her. We thank you and appreciate this great honor that you have given on behalf of the black achievers program and Rachael Cooper.

PRESIDENT YATES: Thank you.

GUEST SPEAKER: On behalf of my daughter, Rachael Cooper who could not be here because she is probably in class at western Kentucky right now, I would like to thank all of you for this honor. And look forward to her continuing with her achievements. Thank you very much.

[Applause.]

PRESIDENT YATES: Councilwoman Green, would you please introduce your guests?

COUNCILWOMAN GREEN: Good afternoon, colleagues. It is my distinct pleasure to introduce to you all a female attorney, philanthropist and mentor, Beth Hendrickson McMasters, who is a partner at McMasters, Keith and Butler. She is married to Dr. Kelly McMasters, the chairman of the department of surgery at the University of Louisville school of medicine.

Kelly and Beth are the proud parents of Austin, Stephen, and their beloved baby boy Owen Frederick passed away last week February 15th at the age of 16.

He was a member of the Trinity High School class of 2017 where he was a recipient of several awards. Owen battled leukemia for four years until he ultimately succumbed last week. Owen had a brilliant mind, a quick wit, a heart of gold, and was a shrewd poker player who was known to break the brakes off of every adult that he encountered. Owen's journey was chronicled on Facebook since November of 2011. He never gave up hope.

Owen and his parents were tireless in their support for children's hospitals and a cure for leukemia. Owen's make a wish foundation wish was to stop the critical shortage of chemotherapy drugs so

they would be available to all patients who need them. His wish went viral, gained national media attention, and proved successful for thousands of cancer patients. He was honoree speaker of the bourbon and Botox fundraiser, keynote speaker at the snowball fundraiser, keynote speaker at northwestern annual sales meeting and spoke on numerous occasions to garner support for pediatric cancer patients and finding a cure for leukemia.

I signed up to be on the national merit donor list at a routine event held at the mall. Surprise, surprise, the summer before my first year after law school I had the opportunity to be a bone marrow donor for a teenaged girl who lived in Chicago. Although she passed seven months after the transplant that experience will be counted as one of the most transformative experiences of my life. Giving because you don't have to give for no other reason than just because is something that we as a compassionate city and as Louisvillians should do.

And as black history winds down, I also want to note that people tend to be a match with people who you share an ethnic match with. It is critical that people of color sign up because those folks who are racial minorities stand even less of a chance of finding a match than those from the majority population. This is part of the work that Owen did. If you click on this website, they can help you find out whether or not you are a match and they will send you a kit out immediately. So I have a proclamation here that I would like to read and present to Beth.

To all whom these letters shall come, greetings. Know ye that the Louisville Metro Council hereby recognizes and honors the life of Owen Frederick McMasters.

In recognition of his tireless support for children's hospitals, helping to register thousands as potential bone marrow donors in his tireless efforts to find a cure for leukemia.

He was a student at beloved Trinity High School where he was an inspiration to everyone he met.

Whereas Owen's strength and perseverance during his four-year battle with T-cell acute lymphoblastic leukemia can only be described as heroic.

Whereas often described as always smiling, brilliant, quick-witted and funny, who loved playing video games, snowboarding, basketball and tennis, he was also quite the poker player.

Whereas he inspired his fellow classmate as well as the entire community by bringing awareness to joining the bone marrow register city on deletebladdercancer.org.

Whereas his fight motivated everyone he came in contact with, including his classmates who established united for Owen, a foundation to raise \$10,000 for a team activity room at Louisville's Kosair children's hospital.

We convey our deepest condolences to his family and con if he ever this honor posthumously with all the rights, privileges, and responsibility there is unto appertaining. We cause these letters to be made and the seal of the Louisville Metro Government to be hereunto affixed done in the Commonwealth of Kentucky this 24th day of Kentucky. Councilwoman Green, first district councilwoman.

Would you like to say a few words?

GUEST SPEAKER: Thank you on behalf of Owen and on behalf of my husband and me. Owen did champion several causes, including the original cause, his make a wish wish. Instead of doing a make a wish where he went on a trip or got something for himself, he wished that the drug companies and the FDA would come to some type of agreement so that chemotherapy drugs that were critically low at that point, they were not being released, they were going to other countries but not within the US. And Owen actually championed that cause and was able to get methotrexate and other drugs released in the US. He partnered with sharing America's marrow, three young ladies from Louisville who went around the country signing up bone marrow donors and they worked with delete bladder cancer. And Owen made many people sign up as bone marrow donors.

And Jessica's correct. People of color, people who have interesting ethnicities, the young lady who was sharing America's marrow who has not found a match has a mother who is a Pacific Islander and a mother of northern European descent. There aren't those people. Last week at Owen's funeral we met some -- sorry -- people who just looked just my children. And came from California. Lovely young ladies. He is now

after the fact working with his classmates from trinity as well as students from the other Catholic schools who are doing an online fundraiser and they have also been selling T-shirts.

And it is the teen activity room on the oncology unit. Because having been at Kosair many, many, many days over four years, one thing that was very obvious was it was geared towards little kids. And teenagers who get stuck in there for weeks and sometimes months at a time don't really have something. So Owen made it one of his friends at trinity asked him last week what he wanted them to do and that's what he asked for. He said it is important for the teenagers have something specifically geared towards them. He was wonderful in a lot of ways but certainly with his philanthropy he stood out.

COUNCILWOMAN GREEN: Thank you.

[Applause.]

PRESIDENT YATES: And, Beth, on behalf of the Metro Council and the city as a whole, I think it is very sure that we will always be forever grateful for the leadership that your son put forward and his courage. Headphones hero. When I saw you come in today I didn't know what you were here for and my heart is just broken. I think a lot of my colleagues also sent out on the newsletters the request for donor match before and O'Brien had come to our office before. And I'm so sorry.

GUEST SPEAKER: Thank you.

PRESIDENT YATES: Thank you for being here today.

Next we have approval of Council minutes for the Regular Meeting of February 11, 2016. Any corrections or deletions?

>> Move approval.

>> Second.

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

Next we have approval of the following Committee minutes, all in 2016:

Regular: Committee on Sustainability and Parks, February 11.

Regular: Committee of the Whole, February 11.

Regular: Planning/Zoning, Land Design and Development Committee, February 16.

Regular: Public Works, Bridges and Transportation Committee, February 16.

Regular: Labor and Economic Development Committee, February 16.

Regular: Appropriations, NDF's and CIF's Committee, February 16.

Regular: Community Affairs and Housing Committee, February 17.

Regular: Committee on Health and Education, February 17.

Regular: Public Safety Committee, February 17.

Regular: Government Accountability and Ethics Committee, February 17.

Regular: Budget Committee, February 18.

Regular: Ad Hoc Committee on Land Development Code, February 22.

Regular: Committee on Committees, February 23.

Are there 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 say aye. Opposed? The ayes have it. The minutes are approved as written.

Mr. Clerk, do we have any communications from the Planning and Design Services?

MR. CLERK: We do, sir.

PRESIDENT YATES: Could you please read those into the record?

MR. CLERK: Dear President Yates: In accordance with the Landmarks Commission Ordinance, the Commission has appointed the following member of the Old Louisville Architectural Review Committee ARC.

Ms. Mary Frances Clark, resident, new appointment.

By ordinance, these are Landmarks Commission, not mayoral, appointments, and require Metro Council approval. Also by ordinance, committee members serve a three-year term. Your prompt action on this appointment is most appreciated.

Read in full.

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

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

MR. CLERK: We do, sir.

PRESIDENT YATES: Would you please read those into the record?

MR. CLERK: Dear President Yates: In accordance with the Board of Health Ordinance, I am appointing the following to the Board of Health: Margaret Handmaker, new appointment, term expires July 31, 2018. Your prompt action on this appointment is most appreciated.

Sincerely, Greg Fischer, Mayor.

Dear President Yates: In accordance with the Citizens Commission on Police Accountability Ordinance, I am appointing the following to the Citizens Commission on Police Accountability Board: Scott Williamson, new appointment, term expires March 27, 2018. Your prompt action on this appointment is most appreciated.

Sincerely, Greg Fischer, Mayor.

Dear President Yates: In accordance with the Volunteer Fire Districts Ordinance, I am reappointing the following to the Fern Creek Fire Protection District Board:

Keith Jackson, new appointment, term expires June 30, 2019.

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 forwarded to the Committee on Appointments.

Our next order of business is the Consent Calendar. The Consent Calendar comprises item numbers 21-32. Are there any additions or deletions.

>> Can I move items 25 and 26 to Old Business?

PRESIDENT YATES: Without objection, items 25 and 26 moved to Old Business.

This Consent Calendar now comprises items 21-24 and items 27-32. Mr. Clerk, a second reading of these items.

MR. CLERK: AN ORDINANCE AMENDING THE FOLLOWING SECTIONS OF CHAPTERS 1 AND 4 OF THE LAND DEVELOPMENT CODE PERTAINING TO ATHLETIC FIELDS—APPLICABLE SECTIONS ARE MORE SPECIFICALLY SET FORTH BELOW IN EXHIBIT A (CASE NO. 15AMEND1004).

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

AN ORDINANCE APPROPRIATING \$7,800 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$7,000 FROM DISTRICT 22; \$500 FROM DISTRICT 20; \$200 FROM DISTRICT 6; \$100 FROM DISTRICT 19; THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO CHILDREN HAVE OPTIONS IN CHOOSING EXPERIENCES, INC. (C.H.O.I.C.E., INC.), FOR A "DARE TO DREAM" SPORTS LEADERSHIP AND MENTORING PROGRAM.

AN ORDINANCE APPROPRIATING \$7,500 FROM DISTRICT 11 NEIGHBORHOOD DEVELOPMENT FUNDS, THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE LOUISVILLE COMMUNITY DESIGN CENTER DBA THE CENTER FOR NEIGHBORHOODS, FOR ARTISTS AND CONTRACTORS TO DESIGN AND IMPLEMENT THE "PAINT HIKES POINT MURAL" PROJECT.

A RESOLUTION TO ENCOURAGE SURROUNDING COUNTIES, COMMUNITY AND SERVICE ORGANIZATIONS, AND CITIES THROUGHOUT JEFFERSON COUNTY TO JOIN LOUISVILLE METRO IN SUPPORTING THE CAPITAL FUND FOR THE HEALING PLACE.

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT FUNDING IN THE AMOUNT OF \$37,309 FROM THE ASSOCIATION OF PUBLIC HEALTH LABORATORIES (APHL) FOR EXPANDED ACCESS TO INTERFERON GAMMA RELEASE ASSAY (IGRA) TO BE ADMINISTERED BY PUBLIC HEALTH & WELLNESS.

A RESOLUTION SUPPORTING THE LOUISVILLE ZOO'S ADOPTION OF ITS 2015 MASTER PLAN.

A RESOLUTION DETERMINING ONE PARCEL OF REAL PROPERTY LOCATED AT 1827 DRESCHER BRIDGE AVENUE, LOUISVILLE, KENTUCKY OWNED BY LOUISVILLE/JEFFERSON COUNTY LOUISVILLE METRO GOVERNMENT AS SURPLUS AND NOT NEEDED FOR A GOVERNMENTAL PURPOSE AND AUTHORIZING ITS SALE.

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

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT \$390,650 OF FUNDING FROM THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET FOR DESIGN OF THE EXTENSION OF RIVER ROAD WEST FROM 7TH STREET TO NORTHWESTERN PARKWAY TO BE ADMINISTERED BY DEVELOP LOUISVILLE.

Read in full.

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

>> So moved.

>> Second.

PRESIDENT YATES: Consent Calendar has been properly moved and seconded, requiring a roll call vote. The voting is closing. The voting is closed.

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

PRESIDENT YATES: The Consent Calendar passes.

The next item of business is Old Business. Mr. Clerk, a reading 26.

MR. CLERK: 25 first.

PRESIDENT YATES: Mr. Clerk, we will keep them in order. A reading of item 25.

MR. CLERK: AN ORDINANCE AMENDING ORDINANCE NO. 104, SERIES 2015 AND ORDINANCE NO. 103, SERIES 2015 RELATING TO THE FISCAL YEAR 2015-16 CAPITAL AND OPERATING BUDGETS, RESPECTIVELY, BY TRANSFERRING \$20,000 FROM THE DISTRICT 5 CAPITAL INFRASTRUCTURE FUND TO THE DISTRICT 5 NEIGHBORHOOD DEVELOPMENT FUND.

PRESIDENT YATES: Councilwoman Butler.

COUNCILWOMAN BUTLER: This ordinance was before the Budget Committee and it passed. We have an amendment. Councilman Mulvihill would like to offer an amendment. That is why it has been moved over.

PRESIDENT YATES: Council Member Mulvihill.

COUNCILMAN MULVIHILL: If I may, I would like to move \$15,000 from the District 10 capital infrastructure fund to the District ten neighborhood development fund. I don't know if I need to read specifically the changes. The reason for that are to cover expenses for

past constituent communications and personnel cost prior to my taking office. And then also to allow for future constituent communication. So items 25 and 26 are basically for the same thing, moving from CIF to NDF and NDF to office.

>> Second.

PRESIDENT YATES: So I have a motion and second for that amendment. Is there any discussion? Hearing none, all those in favor please signify by saying aye. All those opposed? The ayes have it. The floor amendment passes.

Is there any further discussion? Hearing none, this is an ordinance requiring a roll call vote. Mr. Clerk, would you please open the voting. Without objection, the voting is closing. The voting is closed.

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

PRESIDENT YATES: The amended ordinance passes.

The next item of business is Old Business. Mr. Clerk, a reading of item 26.

MR. CLERK: AN ORDINANCE AMENDING ORDINANCE NO. 103, SERIES 2015, RELATING TO THE FISCAL YEAR 2015-16 OPERATING BUDGET FOR LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, BY TRANSFERRING \$20,000 FROM THE NEIGHBORHOOD DEVELOPMENT FUND (DISTRICT 5) TO LOUISVILLE METRO COUNCIL GENERAL OPERATIONS (DISTRICT 5).

Read in full.

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

>> So moved.

>> Second.

PRESIDENT YATES: Moved and seconded. The ordinance is before us. Is there any discussion?

Councilwoman Butler.

COUNCILWOMAN BUTLER: Yes. Thank you again. This was at the Budget Committee last time and as we heard, Councilman Mulvihill needs to move \$15,000 from NDF to general operations to cover some expenses prior to his taking office as well as some future expenses. And so I make a motion for the 15,000 move.

PRESIDENT YATES: Do we have a second for that?

>> Second.

PRESIDENT YATES: Is there any further discussion on that? Hearing none, all those in favor please signify by saying aye. Those opposed? The ayes have it. The floor amendment passes. Is there any further discussion? 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: 23 yes votes and three not voting.

PRESIDENT YATES: The amended ordinance passes.

Clerk, a reading of item 33.

MR. CLERK: AN ORDINANCE AMENDING ORDINANCE NO. 103, SERIES 2015 RELATING TO THE FISCAL YEAR 2015-16 OPERATING BUDGET AS AMENDED BY ORDINANCE 220, SERIES 2015 (AS AMENDED).

Read in full.

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

>> So moved.

>> Second.

PRESIDENT YATES: The committee-amended ordinance is before us. Any discussion?

Councilwoman Butler.

COUNCILWOMAN BUTLER: This is another amendment that was in committee last week and it passed but it passed with an amendment. The amendment was to give an additional \$30,000 to Volunteers of America for the work they do in the community to help combat the heroin epidemic. So this particular amendment on this piece of legislation was upping the money for Volunteers of America and then the adjoining next piece of legislation is reducing going to the healing place by 30,000 so they are both getting the same amount.

PRESIDENT YATES: Thank you, Councilwoman. Is there any further discussion? Hearing none, this is an ordinance requiring a roll call vote. Will the clerk please open the voting. The voting is closing. Without objection, the voting is closed.

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

PRESIDENT YATES: The amended ordinance passes.

Mr. Clerk, a reading of item 34.

MR. CLERK: AN ORDINANCE AMENDING ORDINANCE 118, SERIES 2010 RELATING TO THE FISCAL YEAR 2010-11 CAPITAL BUDGET AND ORDINANCE 101, SERIES 2014 RELATING TO THE FISCAL YEAR 2014-15 CAPITAL BUDGET AND AMENDING ORDINANCE NO. 104, SERIES 2015 RELATING TO THE FISCAL YEAR 2015-16 CAPITAL BUDGET AS IT RELATES TO ASSOCIATED AMENDMENTS FROM ORDINANCE 103, SERIES 2015 AS AMENDED BY ORDINANCE 220, SERIES 2015 (AS AMENDED).

Read in full.

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

>> So moved.

>> Second.

PRESIDENT YATES: The committee-amended ordinance is before us. Any discussion?

Councilwoman Butler again.

COUNCILWOMAN BUTLER: This was at our committee last week as well and it passed. This is money going towards capital projects. Youth build is in here but there is an amendment reducing the amount going to the healing place by 30,000, which accompanied the previous piece of legislation.

PRESIDENT YATES: Is there any discussion? Hearing none, this is an ordinance requiring a roll call vote. Will the clerk please open the voting. Without objection, the voting is closing. Councilwoman Green, would you like to be registered as a yes vote? Please register Councilwoman Green as a "yes" vote.

MR. CLERK: So noted.

PRESIDENT YATES: The voting is closed.

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

PRESIDENT YATES: The amended ordinance passes.

Mr. Clerk, a reading of item 35.

MR. CLERK: A RESOLUTION HONORING THE LIFE AND LEGACY OF SENATOR GEORGIA MONTGOMERY DAVIS POWERS.

Read in full.

>> So moved.

>> Second.

PRESIDENT YATES: The resolution is before us. Is there any discussion?

Councilwoman Shanklin.

COUNCILWOMAN SHANKLIN: Thank you, Mr. President. It was read -- --

PRESIDENT YATES: Thank you, Councilwoman. And I know this resolution had been read in full before, and I think we just wanted to make it a permanent part of the record. I appreciate you doing that. Is there any further discussion on this? Hearing none, this is a resolution allowing for a voice vote. All those in favor respond by saying aye. Opposed? The ayes have it. The resolution passes.

Mr. Clerk, a reading of item 36.

MR. CLERK: A RESOLUTION HONORING THE LIFE AND LEGACY OF JUDGE BENJAMIN SHOBE.

Read in full.

>> So moved.

>> Second.

PRESIDENT YATES: The resolution is before us.

Councilwoman Shanklin.

COUNCILWOMAN SHANKLIN: This is the same. We read it in committee. Just wanted to bring it to the full committee to be read into the record.

PRESIDENT YATES: Is there any further discussion?

Councilwoman Butler.

COUNCILWOMAN BUTLER: I would like to be added as a sponsor, please.

PRESIDENT YATES: Without objection.

MR. CLERK: So noted.

PRESIDENT YATES: Is there any further discussion? Hearing none, this is a resolution allowing for a voice vote. All those in favor say aye. Opposed? Ayes have it. The resolution passes.

Mr. Clerk, a reading of item 37, please.

MR. CLERK: AN ORDINANCE APPROPRIATING A TOTAL OF (\$20,500) \$20,000 FROM (DISTRICT 21) NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$14,100 FROM DISTRICT 21; \$1,000 FROM DISTRICT 24; \$800 EACH FROM

DISTRICTS 12, 13, 14; \$500 FROM DISTRICT 3; \$250 EACH FROM DISTRICTS 2, 8, 9, 15, 25, 26; \$200 EACH FROM DISTRICTS 1, 5; \$100 FROM DISTRICT 6; THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO AMERICANA COMMUNITY CENTER, INC., FOR OPERATING EXPENSES SUCH AS SALARIES AND UTILITIES (As Amended).

Read in full.

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

>> So moved.

>> Second.

PRESIDENT YATES: The amended ordinance is before us. Is there any discussion?

Councilman Blackwell.

COUNCILMAN BLACKWELL: Thank you, Mr. President. This was amended in committee and that is why it is on Old Business. The total ask was 20,500, which has been reached, so there is no room for others to add on. Councilman Johnson is the primary response and may want to speak on this as well.

PRESIDENT YATES: Councilman Johnson.

COUNCILMAN JOHNSON: Americana has been doing a great service to our community for many years. It serves Louisville and the surrounding outside counties and I appreciate y'all supporting it.

PRESIDENT YATES: Is there any further discussion? 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: 24 yes votes and two not voting.

PRESIDENT YATES: The amended ordinance passes.

Mr. Clerk, a reading of item 38.

MR. CLERK: AN ORDINANCE APPROPRIATING \$15,500 FROM DISTRICT NEIGHBORHOOD DEVELOPMENT FUND AS FOLLOWS: \$3000 EACH FROM DISTRICTS 14, 24, AND 25; \$1000 EACH FROM DISTRICTS 12, 2 AND 15; \$500 EACH FROM DISTRICTS 1, 17, 20, 21, 22, AND 23; \$250 EACH FROM DISTRICTS 5 AND 8, THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO SHIRLEY'S WAY, INC., FOR EXPENSES ASSOCIATED WITH THE SHIRLEY'S WAY FINANCIAL ASSISTANCE PROGRAM (As Amended).

Read in full.

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

>> So moved.

>> Second.

PRESIDENT YATES: The committee-amended ordinance is before us.
Is there any discussion?

Councilman Blackwell.

COUNCILMAN BLACKWELL: Thank you, Mr. President. This was amended in committee. The total request is 100,000, so unlike the others there is plenty of room for people to add on. Councilwoman Fowler is the primary sponsor and may want to speak to this as well.

PRESIDENT YATES: Councilwoman Fowler, would you like to speak?

COUNCILWOMAN FOWLER: Yes. Thank you, president. I just want to thank those who have so generously given to this. It is a wonderful way to support the people that are fighting cancer every day. It is so hard to financially -- on the families, financially, when they are stricken with cancer and one of the breadwinners is unable to work. So this is a way for us to be able to help them with utilities and other expenses in order for them to live the rest of their days or hopefully forever without the financial burden of cancer. So thank you.

PRESIDENT YATES: Thank you, Councilwoman.

Councilwoman Angela Leet.

COUNCILWOMAN LEET: Thank you, Mr. President. District 7 would like to add 500.

PRESIDENT YATES: 500 from District 7.

Councilwoman Welch.

COUNCILWOMAN AUBREY WELCH: 500 from District 13.

PRESIDENT YATES: 500 from District 13.

Councilwoman Woolridge.

COUNCILWOMAN WOOLRIDGE: 250 from District 3.

PRESIDENT YATES: 250 from District 3.

Is there any other discussion? Hearing none, Mr. Clerk, do you have a total of that for me?

MR. CLERK: An additional allocation is \$1,250. New total amount appropriated is 16,750.

>> So moved.

>> Second.

PRESIDENT YATES: Properly moved and seconded. All those in favor signify by saying aye. Opposed? The ayes have it. The amended ordinance is before us.

Do we have any discussion on the amended ordinance with the new amount? Hearing none, this is an ordinance requiring a roll call vote. Without objection, the voting is closing. The voting is closed.

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

PRESIDENT YATES: The amended ordinance passes.

Mr. Clerk, a reading of 39.

MR. CLERK: AN ORDINANCE CHANGING THE ZONING OF 117 PROPERTIES IN THE PORTLAND NEIGHBORHOOD, GENERALLY SITUATED NORTH OF W. MARKET STREET, WEST OF S. 10TH STREET, SOUTH OF THE OHIO RIVER, AND EAST OF THE INTERSECTION OF NORTHWESTERN PARKWAY AND BANK STREET, AND BEING IN LOUISVILLE METRO. (CASE NO. 15AREA1002).

Read in full.

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

>> So moved.

>> Second.

PRESIDENT YATES: The ordinance is before us. Is there any discussion?

Councilwoman Flood.

COUNCILWOMAN FLOOD: Thank you, Mr. President. This is an area-wide rezoning that happened in Cheri Bryant Hamilton's district. And I believe they have worked on this since 2010, so I'm sure that she would like to address the council, if you would please.

PRESIDENT YATES: Councilwoman, would you like to address?

COUNCILWOMAN BRYANT HAMILTON: Thank you, Mr. President. I would ask for your support. This is the latest in a series of area-wide rezonings for Portland's revitalization. We have one more coming but it has been a long time coming, so we ask for your support.

PRESIDENT YATES: Is there any further discussion on this item? Hearing none, this is an ordinance requiring a roll call vote. Mr. Clerk,

would you open the voting? Without objection, the voting is closing. The voting is closed.

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

PRESIDENT YATES: The ordinance passes.

Mr. Clerk, a reading of item forty.

MR. CLERK: AN ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY TO C-2 COMMERCIAL AND APPROVING A PARKING WAIVER TO REDUCE THE MINIMUM REQUIRED AMOUNT OF PARKING ON PROPERTY LOCATED AT 4901 HURSTBOURNE PARKWAY AND CONTAINING A TOTAL OF 2.40 ACRES, AND BEING IN LOUISVILLE METRO. (CASE NO. 15ZONE1017).

Read in full.

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

>> So moved.

>> Second.

PRESIDENT YATES: The ordinance is before us. Is there any discussion?

Council Member Flood.

COUNCILWOMAN FLOOD: Thank you, Mr. President. This is to allow an automobile dealership to go in the area. It is also in Councilman Robin Engel's district, who may want to address you in a minute. Binding element 11 was added and this is to disallow certain C-two uses on the site for in the future. This is in Council Member Engel's district.

PRESIDENT YATES: Council member, would you like to add to that?

COUNCILMA ENGEL: Thank you, Mr. President. I received no no votes or concerns here, so I would ask for your support. Thank you.

PRESIDENT YATES: Thank you, Councilman. Is there further discussion on this item? Hearing none, this is an ordinance requiring a roll call vote. Would the clerk please open the voting. Without objection, the voting is closing. The voting is closed.

MR. CLERK: 24 yes votes ask two not voting.

PRESIDENT YATES: The ordinance passes.

Mr. Clerk, a reading of item 41.

MR. CLERK: AN ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY TO PEC PLANNED EMPLOYMENT CENTER AND C-1

COMMERCIAL ON PROPERTY LOCATED AT 7300 S. HURSTBOURNE PARKWAY AND TAX BLOCK 636, LOT 155 CONTAINING A TOTAL OF 2437.840 ACRES.

>> That's a typo. I think it is 37.84.

MR. CLERK: 37.84?

>> Yes.

MR. CLERK: 37.84.

>> 37.84, which would be 24.4 plus 13.44.

MR. CLERK: Decimal point is two places off.

>> Two extra numbers in there. Eliminate.

PRESIDENT YATES: Councilwoman Flood, would you please address this?

COUNCILWOMAN FLOOD: Yes, thank you, Mr. President. Actually what happened was there was an amendment to the title because it did not reflect the breakdown. There is actually a total of 37.84 acres. 24.40 is from R4 to People's Exhibit EC and 13.44 is being changed from R-four to C-1. And that is the correct acreage and subdividing of those acreages.

PRESIDENT YATES: Mr. Clerk, do we have the correct form to fix the typographical error?

MR. CLERK: It has been corrected in the system.

PRESIDENT YATES: Now that we have that straightened out, is there any further discussion on the item knowing the correct acreage? Hearing none, this is an ordinance requiring a roll call vote. Mr. Clerk, would you please open the voting for this item? Excuse me.

>> Excuse me, Mr. President. This is a zoning change that is in Dr. Shanklin's district, and it should be noted that binding elements number ten and number 11. Number ten addresses truck transfer and freight terminals. Number 11 is for residential use with a density greater than R-4. Before those changes can occur it will have to go back to the Planning Commission and it will also have to come back to the Metro Council for final approval and that was done at the Planning Commission level. Dr. Shanklin may want to address the council.

PRESIDENT YATES: Dr. Shanklin, with that explanation, would you like to address the council?

COUNCILWOMAN SHANKLIN: With those amendments, I'm looking for a yes vote.

PRESIDENT YATES: Thank you, Councilwoman. Is there any further discussion? Hearing none, this is an ordinance still requiring a roll call vote. Mr. Clerk, would you open the voting?

COUNCILMAN KRAMER: Mr. President.

PRESIDENT YATES: Councilman Kramer.

COUNCILMAN KRAMER: This doesn't change the voting. I just want to make sure that the public is aware that the property touches mercy academy, which is a school that I teach. Again it is not a conflict of interest. I just want to make sure that should someone ask questions later, I did acknowledge that as I vote.

PRESIDENT YATES: Appreciate for the perceived conflict of interest.

COUNCILMAN KRAMER: And for some reason to tell the public as well. I didn't want to speak for my colleague from 12.

PRESIDENT YATES: The voting is closing. The voting is closed.

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

PRESIDENT YATES: The amended ordinance passes.

Mr. Clerk, a reading of item 42.

MR. CLERK: AN ORDINANCE CHANGING THE ZONING FROM R-6 RESIDENTIAL MULTI FAMILY TO EZ-1 ENTERPRISE ZONE AND OR-3 OFFICE RESIDENTIAL ON PROPERTY LOCATED AT 522 N. 34TH STREET, TAX BLOCK 11G, LOTS 53/54; TAX BLOCK 10D, LOT 29; AND TAX BLOCK 11J, LOT 136 CONTAINING A TOTAL OF 2.69 ACRES, AND BEING IN LOUISVILLE METRO (CASE NO. 15ZONE1031).

Read in full.

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

>> So moved.

>> Second.

PRESIDENT YATES: The ordinance is before us. Is there any discussion on this item?

Councilwoman Flood.

COUNCILWOMAN FLOOD: Thank you, Mr. President. This is actually to bring the property into compliance as what it has been operating at since 2000. This is in Councilwoman Cheri Bryant Hamilton's district.

There is also a binding element that was added that the applicant will remove gravel within the Park Avenue right of way and restore that area to grass. But Councilwoman Hamilton may want to address the council.

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

COUNCILWOMAN BRYANT HAMILTON: Thank you, Mr. President. I have no objection to the change and ask for your support.

PRESIDENT YATES: Thank you, Councilwoman. Is there any further discussion? Hearing none, this is an ordinance requiring a roll call vote. Mr. Clerk. The voting is closing. The voting is closed.

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

PRESIDENT YATES: This ordinance passes. Mr. Clerk, a reading of item 43.

MR. CLERK: AN ORDINANCE CHANGING THE ZONING FROM R-5B RESIDENTIAL TWO FAMILY TO CR COMMERCIAL RESIDENTIAL ON PROPERTY LOCATED AT 1741 FRANKFORT AVENUE CONTAINING A TOTAL OF 0.270 ACRES, AND BEING IN LOUISVILLE METRO (CASE NO. 15ZONE1049).

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

>> So moved.

>> Second.

PRESIDENT YATES: The ordinance is before us. Is there any discussion on this item?

Councilwoman Flood.

COUNCILWOMAN FLOOD: Thank you, Mr. President. This is a reuse of a historic building and the only change to that building actually is going to be where there's windows and putting a door. This is in Councilman Bill Hollander's district and I'm sure that he would like to talk because this sounds like a pretty exciting venue that is going into his district.

PRESIDENT YATES: Councilman Hollander.

COUNCILMAN HOLLANDER: Thank you very much. This is the Old James Lee Memorial Presbyterian Church. It was built in 1915. It has a historic dome on it if you go by the property. And in recognition of black history month and the great program we had today, this building was designed by Samuel Plato, the nationally recognized African-American

architect. And it started in 1915. The church ceased operations there at the end of 2014. It is now going to be split off as potentially future retail but mainly an office building. It's a great adaptive use and I move approval.

PRESIDENT YATES: Thank you, Councilman.

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

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

PRESIDENT YATES: The ordinance passes.

Mr. Clerk, a reading of item 44.

MR. CLERK: AN ORDINANCE IMPOSING A TEMPORARY MORATORIUM ON THE ISSUANCE OF PERMITS FOR ANAEROBIC DIGESTION FACILITIES FOR BIODEGRADABLE MATERIALS, ALSO KNOWN AS BIODIGESTERS, THROUGHOUT METRO LOUISVILLE PENDING THE STUDY, REVIEW AND RECOMMENDATION BY THE PLANNING COMMISSION OF LAND USE REGULATIONS TO ADDRESS SUCH FACILITIES (AMENDED BY SUBSTITUTION).

>> So moved.

>> Second.

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

COUNCILWOMAN FLOOD: Thank you, Mr. President. This was amended by substitution in committee. And what it does do is ask the Planning Commission to hold a public hearing as it relates to biodigesters and impose a 180-day moratorium on this unless it is repealed or extended. Because we haven't had an aerobic biodigesters in the city of Louisville, and there are maybe 200 in the whole United States. Even though there are thousands of them over in Europe. It is something new to this area. 200 over 50 states, that's not a lot of this type of industry out there. And we want to make sure that it is done right so that we protect residential areas and that we put it in an area where it can do what it is supposed to do without any harmful side effects to the rest of the community. So I think it is just a step back. We know they may be coming but let's put them in a category where they should be so we are not even coming up with

a situation where we have nonconforming rights on a piece of property we approve without any guidelines.

PRESIDENT YATES: Thank you for that explanation. Is there any further discussion on this item?

Councilwoman Woolridge.

COUNCILWOMAN WOOLRIDGE: Thank you, Mr. President. The only comment I would like to make is I would like to see this entire council sign on to this. It is a study. We are asking for a moratorium. We are asking the entire council to sign on to it. We are business-friendly but we want to make sure the businesses are put in the right neighborhoods for this study. And I guess on the facetious side, Mr. President, the folks that would like to have this, I would like to suggest we put it in their areas. We don't want them West Louisville. And we are going to do everything and we have done everything we can to keep these biodigesters out of neighborhoods.

Mr. President, this would set a precedent if this was put in a neighborhood because nowhere else in this country are these in residential areas. And I would like to thank the chair of this committee for putting it so eloquently about only 200 of them being in this country. So that's a very slim amount of biodigesters in the United States. So for the folks who don't think we need to move on and not hinder business and things like that, I will make a motion any day of the week that we put it in your district. Thank you, Mr. President.

PRESIDENT YATES: Their district.

Councilman Blackwell.

COUNCILMAN BLACKWELL: Thank you, Mr. President. I have a very simple and I think friendly amendment that I would like to propose. In section three, toward the bottom where it says that we want to take a look at the facilities as they relate to other surrounding land uses, comma, especially residential. If it is okay with the sponsors I would like to add also after residential, comma, schools and parks. Because the issue is really -- let me propose that and I will say what the issue is.

>> Second.

PRESIDENT YATES: Properly moved and seconded. Is there any discussion on the amendment?

>> So what I'm thinking there, part of the issue with this whole piece is the place where industrial is right next to residential. But we also as know we have lots of places where the industrial is right next to schools and parks. I think we need to broaden it a little bit to think about the effects it might have on those entities as well.

PRESIDENT YATES: Is there any discussion on that?

Councilwoman Woolridge.

COUNCILWOMAN WOOLRIDGE: I'm not in the queue. I would move that motion. I thought it had been moved.

PRESIDENT YATES: I have two in the queue but I don't believe it is on the motion. Any discussion on the amendment? All those in favor.

COUNCILWOMAN WOOLRIDGE: It is right after -- especially residential, comma, schools and parks.

>> Just also I'm concerned about houses of worship as well. And so maybe if we could add that language as well.

PRESIDENT YATES: What was the additional language?

>> Houses of worship. Schools, houses of worship, and parks, is the amendment.

>> Second.

PRESIDENT YATES: May we have a motion? Properly moved and seconded.

>> Very good.

PRESIDENT YATES: So do we have any further discussion on this? So the floor amendment's properly moved and seconded. All those in favor and opposed? In the opinion of the president, the ayes have it. Is there any discussion on the ordinance as a whole?

Councilwoman Woolridge.

COUNCILWOMAN WOOLRIDGE: For the folks that voted no I'm going to vote to put it in their neighborhoods in their district. Thank you.

PRESIDENT YATES: Councilwoman Leet.

COUNCILWOMAN LEET: Yes. I have been working in the environmental area for over 20 years. I do agree that we have to be thoughtful on location and use, but I believe a moratorium is a little too extreme as a response. Therefore, I will be voting no.

PRESIDENT YATES: Thank you, Councilwoman.

Councilwoman Welch.

COUNCILWOMAN AUBREY WELCH: I would like to be added as a sponsor, please.

PRESIDENT YATES: Without objection, Councilwoman Welch is added as a sponsor.

Councilman Benson.

COUNCILMAN BENSON: Thank you, Mr. President. To me when I think about a moratorium I think we are going to study the issue and try to let the people who are studying it come up with the rules, kind of, instead of -- we could just say no biodigesters in the county and just give it over with right now. Or let them come up with something that may be okay. At that point that's when we vote on what we are going to do. And that's why the moratorium sounds okay to me but when you start adding all the other stuff, it is not going to happen anyway then so we might as well vote and have it over with. Maybe no distilleries because they give off a lot of stuff and there is a lot of soot and they shouldn't be in our community. There are a lot of things that we need to let somebody else study and bring it back to us and understand what all the problems are instead of saying we don't want it and here's all the things. We want to make sure you are not going to do it. So why have a study? Thank you.

PRESIDENT YATES: Thank you, Councilman.

Councilwoman Flood.

COUNCILWOMAN FLOOD: Thank you, Mr. President. I for one always hate moratoriums. I just think it is a bad way. But, however, we have never dealt with biodigesters. This is something new. And we have seen before, I hear the things about the distilleries. And yes the distilleries do, but the distilleries have been here for a lot longer than the Cornerstone 202 and the Land Development Code was written. And we have an obligation to protect the things that are already here. Nobody is saying we don't want them. We just want to make sure they go into the right category, just like we did when we passed the adult entertainments on and put those in their own category in three, I believe, just so that there are no mistakes, as have been in the past with some of the zoning categories. This is not saying we are not going to do it. Before we do

guidelines with every other type of industry, where should it go? Thank you.

PRESIDENT YATES: Councilman Johnson.

COUNCILMAN JOHNSON: I would like to be asked as a sponsor.

PRESIDENT YATES: Without objection.

Councilman David James.

COUNCILMAN JAMES: Thank you, Mr. President. I just would like to respond to the councilman that spoke about whether or not we really want this or not. I believe that the digester is great technology, and I think that we should utilize them. However, as has been repeated by my other colleagues, where we put them is important to our citizens and businesses who have them. I went to one in Ohio and I guarantee you you don't want one in front of 125 feet in front of your front door because they smell horrendous. I think we should have them in Jefferson County, but the issue is where we should have them and who should regulate them and where they should be. And I think this study allows that to take place. Thank you.

PRESIDENT YATES: Thank you.

Councilwoman Fowler.

COUNCILWOMAN FOWLER: Thank you, president. I would like just to say that I don't see any reason not to study it. I wish that a study has been made on the crematorium that is in the heart of valley station right now next to Valley High School. And I just don't see any reason why we don't take that extra time and effort to study and find out the exact repercussions. Now we are living with that crematorium and it is not pleasant. Thank you.

PRESIDENT YATES: Thank you, Council Member.

Councilman Peden.

COUNCILMAN PEDEN: Thank you. I wasn't going to say anything until the crematorium thing came up. Because I want to agree with everyone for just a second. And I'm going to sit over here and be snide for a moment and say I told you so. Every one of us have a story about some use somewhere, and I have been trying to stand on my soap box and say we need to take more control of this and we need to recategorize the uses and we need to understand that something more than C-one and C-two is

probably apropos for our city now. And with the committee that we have I have been begging for suggestions. I don't want to be the one that suggests it because suddenly it becomes another one of my things. I want it to be our thing. But we have the legal ability to take the entire list of uses, all hundreds of them, and recategorize them and create new buffers so that the 125 feet that Councilman James was just referring to, we can put it where it needs to go. But when you truly only have C-one, C-two and a few things for C-three that are downtown and you truly only have M-one and M-two and there are very few in-betweens, Councilwoman Shanklin has the transfer station that is 50 feet from somebody's backward they just built. Completely inappropriate place. We had the whole boarding house issue in District five. Every one of us have a story. And I'm like if we all sit down and work together to just redo the list -- it is now open season on the Land Development Code. We have a committee just for that. They have opened the door, not even us. So all we have today to do is all kind of get together, rewrite it the way that we want to submit it, let them argue about it, you know they are going to. Let the development community have a fit, you know they are going to. And then we put out there what we want. So I just wanted to rant for a second. Thank you.

PRESIDENT YATES: Thank you, Councilman.

Councilwoman Flood.

COUNCILWOMAN FLOOD: Thank you, Mr. President. You know, when they first started talking about putting the biodigester downtown, I got a phone call from an attorney stating that they were looking at putting one in councilwoman Barbara Shanklin's district but it is going to back up close to my district right up against residential. He said what do you feel about that? No comment. But I'm just saying if I'm getting a phone call just because somebody may have gotten one approved in the west end, they are going to put it in Dr. Shanklin's district right up against residential, that to me is a cause to pause for a second. And a lot of people don't know that there are different types of biodigesters. There's wet, dry. And most of them that are in the United States, my understanding, they are used on farms, not in the middle of a residential area. Thank you, Mr. President.

PRESIDENT YATES: Thank you, Councilwoman.

Before us we have the amended ordinance. Is there any further discussion on that? Hearing none, Mr. Clerk, will you open the voting? Without objection, the voting is closing. The voting is closed.

MR. CLERK: 19 yes votes, four no votes, and three not voting. The no votes are Council Members Leet, Stuckel, Parker, and Engel.

PRESIDENT YATES: The amended ordinance passes.

The next item of business is new business. As you leave the chambers, please do so quietly so the clerk may read the new business. I would ask those council members who wish to make announcements to remain in chambers and ask to speak on your system.

New business comprises 45-54. Would the clerk please read those and their assignments to the committee.

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

AN ORDINANCE APPROPRIATING \$23,000 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$15,500 FROM DISTRICT 18; \$7,500 FROM DISTRICT 11; THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE JEFFERSON COUNTY PUBLIC EDUCATION FOUNDATION, INC., TO PURCHASE PLAYGROUND EQUIPMENT FOR ALEX R. KENNEDY ELEMENTARY SCHOOL AND THE SURROUNDING COMMUNITY.

AN ORDINANCE APPROPRIATING \$13,000 FROM NEIGHBORHOOD DEVELOPMENT FUNDS, IN THE FOLLOWING MANNER: \$2,000 EACH FROM DISTRICTS 6, 14, 23, 17, 10, 5; \$1,000 FROM DISTRICT 9; THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE KENTUCKY SHAKESPEARE FESTIVAL, INC., TO FUND COSTS ASSOCIATED WITH PERFORMANCES OF "SHAKESPEARE IN THE PARKS."

The following legislation will be assigned to the Budget Committee.

AN ORDINANCE AMENDING ORDINANCE NO. 104, SERIES 2015 PERTAINING TO THE 2015-2016 CAPITAL BUDGET PERTAINING TO A COUNCIL DISTRICT 10 SIDEWALK PROJECT.

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

APPOINTMENT OF MARGARET HANDMAKER TO THE BOARD OF HEALTH. TERM EXPIRES JULY 31, 2018.

APPOINTMENT OF SCOTT WILLIAMSON TO THE CITIZENS COMMISSION ON POLICE ACCOUNTABILITY BOARD. TERM EXPIRES MARCH 27, 2018.

APPOINTMENT OF KEITH JACKSON TO THE FERN CREEK FIRE PROTECTION DISTRICT BOARD. TERM EXPIRES JUNE 30, 2019.

APPOINTMENT OF MARY FRANCES CLARK TO THE OLD LOUISVILLE ARCHITECTURAL REVIEW COMMITTEE TERM EXPIRES AFTER A THREE-YEAR TERM.

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

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A KENTUCKY HERITAGE COUNCIL AND INDIANA DIVISION OF HISTORIC PRESERVATION AND ARCHAEOLOGY GRANT OF \$76,721 AWARDED UNDER THE LOUISVILLE-SOUTHERN INDIANA OHIO RIVER BRIDGES HISTORIC PRESERVATION AND ENHANCEMENT FUND TO BE USED BY THE LOUISVILLE METRO PARKS DEPARTMENT FOR THE BUTCHERTOWN STREETScape/STORY AVENUE PARK PROJECT.

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

AN ORDINANCE CHANGING THE ZONING FROM R-6 MULTI-FAMILY RESIDENTIAL TO C-1 COMMERCIAL AND APPROVING A PARKING WAIVER ON PROPERTY LOCATED AT 1201 PAYNE STREET CONTAINING 0.106 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 15ZONE1026).

AN ORDINANCE CHANGING THE ZONING FROM R-6 MULTI-FAMILY RESIDENTIAL TO PEC PLANNED EMPLOYMENT CENTER AT 2609 SHINING WATER DRIVE CONTAINING 4.76 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 15ZONE1034).

Read in full.

PRESIDENT YATES: Thank you, Mr. Clerk. Next we will have some announcements. Mr. Owen.

COUNCILMAN OWEN: Oh, Mr. President. This is a solitary announcement. One single announcement in hopes that I may reach years of at least -- reach the ears of one District eight resident.

This Saturday is the Talk With Tom. 9:00 to 11:00 -- actually, I need to qualify that. 9:00 to 10:34 a.m. The reason is I'm going to pedal off real fast and run down the street to an annual meeting of the Bonnycastle homestead association, which I told them that I would be in the room by 10.39. So I'm going to pedal down the street real fast. So it is really 9:00 to 10:34 a.m. Talk With Tom this Saturday,

February 27th, at Heine Brothers at the loop. I'm just going to be sitting there. And if anyone stops the boy get ahold of my ear, they are welcome to do it. That's Talk With Tom, this Saturday February 27th. Thank you, Mr. President.

PRESIDENT YATES: Thank you, Councilman.

That concludes our meeting. Without objection, we are adjourned.

[Regular Meeting adjourned.]