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LOUISVILLE METRO COUNCIL  
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APRIL 16, 2015

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PRESIDENT TANDY: The Metro Council meeting of April 16th, 2015, 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 call of the roll.

MR. CLERK: Councilwoman Green.

COUNCILWOMAN GREEN: Here.

MR. CLERK: Councilwoman Shanklin.

COUNCILWOMAN SHANKLIN: Present.

MR. CLERK: Councilwoman Woolridge.

COUNCILWOMAN WOOLRIDGE: Present.

MR. CLERK: President Tandy.

PRESIDENT TANDY: Here.

MR. CLERK: Councilwoman Hamilton.

COUNCILWOMAN BRYANT HAMILTON: Here.

MR. CLERK: Councilman James.

COUNCILMAN JAMES: Here.

MR. CLERK: Councilwoman Leet.

COUNCILWOMAN LEET: Here.

MR. CLERK: Councilman Owen.

COUNCILMAN OWEN: Here.

MR. CLERK: Councilman Hollander.

COUNCILMAN HOLLANDER: Here.

MR. CLERK: Councilman Magre.

Councilman Kramer.

COUNCILMAN KRAMER: Here.

MR. CLERK: Councilman Blackwell.

COUNCILMAN BLACKWELL: Here.

MR. CLERK: Councilwoman Welch.

COUNCILWOMAN AUBREY WELCH: Here.

MR. CLERK: Councilwoman Fowler.

COUNCILWOMAN FOWLER: Here.

MR. CLERK: Councilwoman Butler.

COUNCILWOMAN BUTLER: Here.

MR. CLERK: Councilman Downard.

COUNCILMAN DOWNARD: Yes, sir. Here.

>> Okay.

COUNCILMAN DOWNARD: Who did you think I was answering for?

Hey, I'm not here.

MR. CLERK: Councilman Stuckel.

COUNCILMAN STUCKEL: Here.

MR. CLERK: Councilwoman Parker.

COUNCILWOMAN PARKER: Here.

MR. CLERK: Councilwoman Denton.

COUNCILWOMAN DENTON: Here.

MR. CLERK: Councilman Benson.

COUNCILMAN BENSON: Present.

MR. CLERK: Councilman Johnson.

COUNCILMAN JOHNSON: Here.

MR. CLERK: Councilman Engel.

COUNCILMAN ENGEL: Present.

MR. CLERK: Councilman Peden.

COUNCILMAN PEDEN: Here.

MR. CLERK: Councilwoman Flood.

COUNCILWOMAN FLOOD: Here.

MR. CLERK: Councilman Yates.

COUNCILMAN YATES: Present.

MR. CLERK: Councilman Ackerson.

COUNCILMAN ACKERSON: Here.

MR. CLERK: Councilman Magre.

Mr. President, you have 25 in attendance and a quorum.

PRESIDENT TANDY: Thank you, Mr. Clerk.

Councilman Magre is present in the city hall to be here momentarily.

And I would like to ask our police officer in the back to make sure we do a check on the person who is sitting in Councilman Peden's chair. I don't know if that is in fact Councilman Peden or not.

>> Grizzly Adams went home.

PRESIDENT TANDY: We are used to a more bearded individual in that seat, and I don't know who that person is over there, so I just wanted to clarify that, if you would be so kind.

COUNCILMAN PEDEN: I took grief when I hadn't shaved, I take grief when I do shave. Oh, yeah. If I wanted to be treated like this, I could be with my wife.

>> Won't be needing to do that anymore.

COUNCILMAN PEDEN: By the way, my wife is at a soccer game and does not watch this channel, so we are good.

PRESIDENT TANDY: But this runs on a continuous loop.

Let the record reflect that the views expressed by Councilman Peden do not necessarily reflect those of all other married men on this council.

MR. CLERK: So noted.

PRESIDENT TANDY: Cover our bases.

>> Second.

PRESIDENT TANDY: Next item of business we have is introduction of pages.

Councilman Johnson, would you like to introduce your page?

COUNCILMAN JAMES: It is my pleasure to introduce the Metro Council Page Henry Escobar, a 13-year-old student who has lived in our district all of his life. Attends homestead academy north in the 7th grade and maintains a 4.0 grade point average.

[Applause.]

Henry is very active in the school's PTSA. He plays baseball in the PV elite program but plays basketball has a hobby. Henry and his parents, who have been in Louisville 20 years, are involved in our community. All of Henry's family are active members of the Iroquois Neighborhood Association and participate in Brightside cleanups. They are regular volunteers at the Little Loom House. Henry is one of the youngest storytellers at the Spinning Yarn Storytelling Festival at the Loom House. This year he will be introducing some of our guest story tellers.

He wants to attend Manuel Atherton High School to study in their STEM program. He wants to be a civil engineer. I'm very proud to introduce Henry Escobar as our page.

[Applause.]

PRESIDENT TANDY: Mr. Escobar, welcome. We are glad to have you. Councilwoman Leet heard that you will be a civil engineer, is that right? That's right up her alley. There may be a mentor if for you right there.

Next item of business we have are addresses to council.

Mr. Clerk, please call the first address to the council.

MR. CLERK: Daniel Cobble.

PRESIDENT TANDY: To all of those who are going to be addressing the council this evening, let me remind those of you to please refrain from using profanity or making derogatory comments or statements to council members. That's not directed to any one person. We say that at every council meeting that we have.

DANIEL COBBLE: Council Members, good evening.

PRESIDENT TANDY: Good evening.

DANIEL COBBLE: Americans cannot allow politicians to violate our most sacred value, the protection and honor of our service members. Please recall on my October 24th, 2013, message to you my flier describing Operation Service Member Wellness Maintenance. See that flier again attached. As explained, the maintenance addresses the epidemics of post traumatic stress, suicide, and sexual assaults, of which the US military has not been able to resolve.

This system is based on the sound premise of -- that our soldiers need preventive maintenance, same as everything else in nature. The wellness maintenance is comprised of two programs with very specific functions, to serve its members needs in the management program and the service members stress and anxiety reduction, SAR. The stress management program is based on the premise that all psychological crises begin with stressors. For repaired maintenance, stress and anxiety reduction utilizes a holistic therapeutic process called inflectional therapy, IT, to treat memory trauma, anxiety and grief. I developed IT back in 2002 for treating and actually curing my own manic depression within four months.

For these results, I conducted a small cursory study on other participants that proved IT works to cure psychological crises. I gave my research to the chief of staff. However, the general is refusing to give me an implementation status on wellness maintenance. Even worse, President Obama, Senator Mitch McConnell, Senator John McCain and other congressmen are refusing to require General Odierno to give a status. So it is apparent the government is trying to steal OWSM away from me.

See attached my July 19, 2012, solicitation. The army's August 12, 2012, acceptance of that solicitation, my September 11, 2013, transmittal of OWSM's final submission, and the first page of my July 17, 2014, letter to President Obama. See attached the first page of my April 14, 2015, letter to President Obama regarding China's new international investment bank, of which many of our closest allies have joined. We have to start being true to our values or the world will stop investing in the US dollar. And President Scott in that last attachment, the April 14th letter to President Obama which was just sent to him, you all have a copy of that full package that I turned over today to you. I suggest that after you read that it you start contacting other Metro Councils around the country on this matter.

PRESIDENT TANDY: Thank you, Mr. Cobble.

MR. CLERK: Kamal Bista. And I apologize if I have mispronounced your name.

KAMAL BISTA: It's all right. Thank you. Good evening, everybody. My name is Kamal Bista. I am a former refugee from Bhutan and a client of the refugee ministries. Now I'm a US citizen and working as a housing coordinator in a refugee resettlement agency.

Approximately our agency resettles about 1,100 people every year in Louisville. For my job, I secure safe, sanitary, and affordable

housing for those people. Refugees come with no money and they have no manage with limited amount of money given by the US government as our resettlement fund. When we get the arrival information from our national agency about a new family coming to Louisville, we start to search for a house right away, housing that is affordable, that is quality, that is close to services and close to transportation. And that search is hard. Housing that meets this standard is really difficult to find. Having no US experience or limited English, we secure entry level jobs to our clients which pays minimum rate. Once the resettlement money is finished, they hardly manage to pay rent and bills, hard working people are always struggling. Having the firsthand experience in a low income family and now working as a housing coordinator, I always had a question why no companies are investing in houses or apartments and renting to low income families. Shouldn't housing have everyone in mind? I'm so glad finally some people came up with the great idea, such as the affordable housing trust fund. The one percent insurance premium tax would not affect the family much, but the money collected could help build houses and apartments. We could renovate houses and apartments too. In one hand we are providing affordable homes to those who need them and the n the other program we are helping the housing market. We will spend the amount collected for loans and bring up other properties. Every family in Louisville would have affordable housing to live in. And it would be also easy for me to find a house. I will be grateful and thankful to Louisville government if the affordable housing trust fund is funded. I support the housing trust fund. Thank you.

[Applause.]

MR. CLERK: Shelton McElroy.

SHELTON MCELROY: Once a Roman general brought peace to a rebellious province by killing all its citizens. Even the fellow Romans were worked. One of them wrote in that they create desolation and abolish peace. Those who are not funding the affordable housing trust fund in the name of conservatism would also create desolation and call it peace. They would allow the continued housing crisis to exist, turn away the children in the overfilled houses of Louisville. Don't you dare look the baby girl in the eye or the senior citizens living in subpar housing or the couple who works in retail and fast food and can't seem to make ends meet after both of them work 40 hours a week.

My favorite Republican from Lincoln's party, Virginia Rogers, brought me into her home when I was five years old. She was already in her sixties. As a ward of the state, I left the housing projects of Carter homes and moved to a rural community in Nicholasville, Kentucky. We lived with her adopted son in a three-bedroom shotgun home. My mom was to proud that she never would take food stamps, although she qualified. She taught me the value of hard work. By bringing in foster children, she taught me her religion.

Over time, the home that her deceased husband had built for her and paid for by his GI bill became very decrepit and uninhabitable. We were graced to have the community around us fund the building of a new home on the same property on which her home stood. As a child I was unaware that the home being built was what social welfare looked like in action. I understood and it was impressed on me the value of hard work, and my mom's refusal to accept welfare in the form of food stamps bore a heavy impression on me as a child. S. Scott Fitzgerald said the tact of a first-rate intelligence is the ability to hold two opposing ideas in mind at the same time and still retain the ability to function. Why did my mom

not accept food stamps but accepted that home? She is no longer alive for me to ask her that question, but I believe she did it for us children, to have a safe and secure home. Please, we value technology, innovation and the arts in our city. Please contribute to the housing crisis we suffer from. Thank you.

[Applause.]

MR. CLERK: Tatiana Smith.

TATIANA SMITH: Good evening, Council. I'm here today representing my family, representing the children of our community. I work for JCPS and also in Louisville and I had the chance to work with young children who have been impacted by homelessness, who have been impacted by being on the streets and not being able to go into a home where they are secure and where they feel safe. And when they come to school, they are scared and they are tired and they feel invisible. And I have to teach them. I have to let them know that they are visible. And I have to be that safe haven for them.

In the community I see a lot of children, and these children are really suffering. They need a home that is considered secure. When I was a teenager I grew up with my mom and my little brother and she was a single mom for a long time. And we actually lived in apartments for a while. It was a pretty decent apartment in a nice community, but it wasn't the best. It had its ups and it had its downs and the community wasn't the best. But she did her best and she believed in determination and she believed in instilling in me and my brother a sense of confidence and determination and hard work ethic and resilience. And she ended up being able to qualify for affordable housing where he was allowed to -- she was given an opportunity to have her own home, to have her own business within the home. So I grew up in a house where we had the

opportunity to see a woman who believed in social entrepreneurship and she was able to relay those types of messages. So many children need that. They need that opportunity to see their parents succeed so that they can have the same role model within their community within their home. There are about close to 7,000 students who are homeless who don't have that safe haven.

A lot of people in the community such as myself, we work with the young people who work in the housing projects with, for instance, roots and wings. We speak with these students. We speak with these young people. We speak with the parents and find out what is going on with the community, what is happening, what are some of the struggles, what are some of the issues that we are dealing with, what are some of the solutions, and they are saying that we need safe communities. We need opportunities to build our own homes and to be able to have our own businesses within our own home. I have seen it happen. I have a successful author and illustrator and I'm getting ready to pursue my doctorate degree at the University of Louisville and I know that it is just because I had a mother who believed in entrepreneurship. She believed in her children. She believed in her community. And she believed in me, and we need to also believe in our community and our children because we are affected indirectly and directly. Thank you.

[Applause.]

MR. CLERK: Mr. President, that concludes the addresses to Council.

PRESIDENT TANDY: Thank you, Mr. Clerk.

Next item of business is the approval of our council minutes of the March 26th, 2015, meeting.

Are there any corrections or deletions?

Seeing none, is there a motion to approve?

>> So moved.

>> Second.

PRESIDENT TANDY: Properly moved and seconded. The minutes are before us. All those in favor say aye. All opposed? The ayes have it. The minutes are approved as written.

Next we have the approval of the following committee minutes, all happening in 2015.

Regular: Committee of the Whole, March 26.

Regular: Public Works, Bridges and Transportation, March 31.

Regular: Planning/Zoning, Land Design and Development, March 31.

Regular: Appropriations, NDFs and CIFs Committee, March 31.

Regular: Public Safety Committee, April 1.

Regular: Budget Committee, April 2.

Regular: Committee on Contracts and Appointments, April 2.

Regular: Ad Hoc Committee on Land Development Code, April 13.

Are there any corrections or deletions? May I have a motion and Second for approval?

>> Motion.

>> Second.

PRESIDENT TANDY: The minutes have been properly moved and seconded. All those in favor say aye. Opposed? The ayes have it. These minutes are approved as written.

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

MR. CLERK: We do, sir.

PRESIDENT TANDY: Would you please read them?

MR. CLERK: I will, sir.

Dear President Tandy:

In accordance with the Parkland Neighborhood Plan Advisory Group Ordinance, I am appointing the following to the Parkland Neighborhood Plan Advisory Group.

Ameerah Granger, new appointment, term expires April 30, 2016.

Steven Kelsey, new appointment, term expires April 30, 2016.

Harvetta Ray, new appointment, term expires April 30, 2016.

Dwight Sweeney, new appointment, term expires April 30, 2016.

Michael Thomas, Sr., new appointment, term expires April 30, 2016.

Charles Weathers, new appointment, term expires April 30, 2016.

Kevin Wigginton, new appointment, term expires April 30, 2016.

Metro Council approval of this appointment is not required.

Sincerely, Greg Fischer, Mayor.

Read in full.

PRESIDENT TANDY: Those appointments needing Council approval will be forwarded to the Committee on Contracts and Appointments.

Our next order of business is the Consent Calendar. The Consent Calendar comprises Items 14-18.

Are there any additions or deletions to the Consent Calendar?

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

MR. CLERK: AN ORDINANCE APPROPRIATING \$10,000 FROM DISTRICT 18 NEIGHBORHOOD DEVELOPMENT FUNDS, THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE STERLING SPRINGS ESTATES RESIDENTS ASSOCIATION, INC., FOR RETENTION POND IMPROVEMENTS INCLUDING LAKE DREDGING, SILT REMOVAL AND EROSION REPAIR, IN PARTNERSHIP WITH LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT'S PILOT BASIN RE-ESTABLISHMENT PROGRAM.

AN ORDINANCE APPROPRIATING \$10,000 FROM DISTRICT 5 NEIGHBORHOOD DEVELOPMENT FUNDS, THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE PORTLAND MUSEUM, INC., FOR OPERATING EXPENSES.

AN ORDINANCE CLOSING A PORTION OF THE AVOCA ROAD RIGHT-OF-WAY THAT LIES WITHIN THE CSX RAILROAD RIGHT-OF-WAY CONTAINING 2,848 SQUARE FEET AND BEING IN LOUISVILLE METRO (CASE NO. 14STREETS1011).

A RESOLUTION REQUESTING THE PLANNING COMMISSION, THROUGH ITS STAFF IN LOUISVILLE METRO PLANNING AND DESIGN, TO: 1) EVALUATE THE TRADITIONAL NEIGHBORHOOD ZONING DISTRICT (TNZD) REGULATIONS, PARTICULARLY AS THOSE REGULATIONS RELATE TO SIGNAGE ON PROPERTIES WITHIN THE TNZD AND THE LIST OF LAND USES CURRENTLY SET FORTH IN THE "TRADITIONAL NEIGHBORHOOD ZONING DISTRICT PLAN REPORT FOR OLD LOUISVILLE/LIMERICK," APPENDIX 2B OF CHAPTER 2 OF THE LAND DEVELOPMENT CODE, TO DETERMINE WHETHER THE TNZD LAND USE REGULATIONS ARE EFFECTIVELY ACHIEVING THE PURPOSES ORIGINALLY OUTLINED IN THE TNZD PLAN AND WHETHER EXPANDING THE LIST OF LAND USES TO INCLUDE MORE COMMERCIAL USES TO PROMOTE ADDITIONAL ECONOMIC DEVELOPMENT AND OPPORTUNITIES IS BENEFICIAL TO THE TNZD; 2) EXAMINE THE CURRENT NEIGHBORHOOD CENTER BOUNDARY ON THE TNZD PLAN MAP TO DETERMINE WHETHER IT SHOULD BE EXTENDED TO INCLUDE PROPERTIES ON ITS PERIPHERY AND NEARBY THAT HAVE COMMERCIAL CHARACTER THAT WOULD WARRANT THEIR INCLUSION IN THE NEIGHBORHOOD CENTER; AND 3) HOLD A PUBLIC HEARING AND MAKE RECOMMENDATIONS TO THE LOUISVILLE METRO COUNCIL BASED UPON THE RECORD OF EVIDENCE ESTABLISHED FOR ENUMERATED REQUESTS 1 AND 2.

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A STATE GRANT OF \$25,000 FROM THE COMMONWEALTH OF KENTUCKY, TRANSPORTATION CABINET, OFFICE OF HIGHWAY SAFETY TO BE USED BY THE LOUISVILLE METRO POLICE DEPARTMENT FOR ROADSIDE DRUG TESTING PILOT PROGRAM.

Read in full.

PRESIDENT TANDY: Is there a motion to approve?

>> So moved.

>> Second.

PRESIDENT TANDY: Properly moved and seconded. The Consent Calendar is now before us. Madame Clerk, please open the voting. Without objection, the voting is closing. The voting is closed.

MR. CLERK: 26 yes votes, 0 not voting.

PRESIDENT TANDY: The Consent Calendar passes.

Our next item of business is Old Business. The first item is item number 19.

Mr. Clerk, a reading of this ordinance.

MR. CLERK: APPOINTMENT OF RYAN HELTON TO THE LYNDON FIRE PROTECTION DISTRICT BOARD. TERM EXPIRES JUNE 30, 2018.

Read in full.

>> Motion.

PRESIDENT TANDY: Motion to bring before us?

>> Motion.

>> Second.

PRESIDENT TANDY: Properly moved and seconded. Any discussion? Councilwoman Denton, this came from your committee.

COUNCILWOMAN DENTON: I'm going to pass this to Councilwoman Green because I wasn't at the last meeting.

PRESIDENT TANDY: Turn your mic on, please.

COUNCILWOMAN GREEN: Actually, we didn't have a quorum at that meeting, so this was the mayor's appointment to the Lyndon fire protection district for this individual.

PRESIDENT TANDY: Any discussion? This vote calls for a voice vote. All those in favor say aye. Opposed? The ayes have it and the appointment is approved.

Our next item of business is item number 20.

Mr. Clerk, a reading of item twenty.

MR. CLERK: A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL SOLE SOURCE CONTRACT - (INNOVATIVE INTERFACES INCORPORATED - \$300,000.00).

Read in full.

>> Motion.

>> Second.

PRESIDENT TANDY: Properly moved and seconded. We have the resolution before us.

Councilman Blackwell -- this is also coming out of contracts and appointments, so Councilwoman Green.

COUNCILWOMAN GREEN: President Tandy, this has to do with the library tracking system for their system of collection and other items. I have a library in particular. The contractor is already providing this particular service. So that was the reason for the sole source contract, to uninstall and reinstall it would affect about 200 individuals if we sent it to somebody else. That's what it was all about.

PRESIDENT TANDY: All right. Any further discussion? All right. Seeing none, this is a resolution that calls for a voice vote. All those in favor say aye. All opposed? The ayes have it. The resolution passes.

Our next item of business is item number 21.

Mr. Clerk, a reading of this ordinance.

MR. CLERK: AN ORDINANCE AMENDING ORDINANCE NO. 101, SERIES 2014 AND ORDINANCE NO. 102, SERIES 2014, RELATING TO THE FISCAL YEAR 2014-15 CAPITAL AND OPERATING BUDGET, RESPECTIVELY, FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, BY TRANSFERRING \$10,000 OF FUNDING FROM THE NEIGHBORHOOD DEVELOPMENT FUND (DISTRICT 12) TO THE METRO COUNCIL GENERAL OPERATIONS (DISTRICT 12), \$5,000 OF FUNDING FROM THE NEIGHBORHOOD DEVELOPMENT FUND (DISTRICT 13) TO THE CAPITAL INFRASTRUCTURE FUND (DISTRICT 13) AND \$12,500 OF FUNDING FROM THE CAPITAL INFRASTRUCTURE FUND (DISTRICT 6) TO THE NEIGHBORHOOD DEVELOPMENT FUND (DISTRICT 6) (AS AMENDED).

Read in full.

PRESIDENT TANDY: Is there a motion?

>> So moved.

>> Second.

PRESIDENT TANDY: Properly moved and seconded. This is now before us. This comes out of the Budget Committee.

Chairwoman Hamilton, do you wish to speak? If not, I can go to either Councilwoman Welch or Councilman James if they wish to address this.

Councilman Blackwell.

COUNCILMAN BLACKWELL: I can. You threw me a curve ball last time but I can address this.

This was originally an ordinance that transferred to the NDF I center for district 12 and the reason it is on bold business is because we also added just for the sake of the timing, we also added District 13 and District 6 changes as well. And if they want to speak to those, you can call on them.

PRESIDENT TANDY: Anybody else want to?

>> It is a timing issue.

PRESIDENT TANDY: You got it.

>> Inconvenient.

PRESIDENT TANDY: Very good. All right. Any further discussion? Seeing none, this is an amended ordinance that calls for a roll call vote.

So, Madame Clerk, please open the voting. Without objection, the voting is closing. The voting is closed.

MR. CLERK: There are 26 yes votes.

PRESIDENT TANDY: The ordinance as amended passes.

Our next item of business is item number 22. Mr. Clerk, a reading of this ordinance.

MR. CLERK: AN ORDINANCE APPROPRIATING (\$18,500) \$25,750 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$10,000 FROM DISTRICT 12; \$5,000 FROM DISTRICTS 11, 7; \$1,500 FROM DISTRICT 15; \$1,000 FROM DISTRICTS 14, 17; \$500 EACH FROM DISTRICTS 16, 9, 22, 20; \$250 FROM DISTRICT 18; THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE VOLUNTEERS OF AMERICA OF KENTUCKY, INC., FOR PHASE 2 RENOVATIONS TO THE FREEDOM HOUSE WHICH HOUSES THE WOMEN'S ADDICTION RECOVERY SERVICES (As Amended).

Read in full.

PRESIDENT TANDY: Is there a motion?

>> So moved.

>> Second.

PRESIDENT TANDY: Properly moved and seconded. We have the amended committee ordinance before us. Is there any discussion?

Councilman Blackwell.

COUNCILMAN BLACKWELL: Thank you, Mr. President. Volunteers of America's Jennifer Hancock came and spoke at our last meeting and talked a little bit about what they are doing in terms of heroin recovery, or I guess any drug recovery. Heroin just happens to be the issue we are dealing with at the present so much. And they had requested 131,616 in funding for their freedom house, the program that expands their residential recovery program for pregnant postpartum women. It will increase the number of drug-free babies born each year from 12 to 15 to approximately 25 to 30 and will lead to health care savings of up to seven and a half million dollars annually. I appreciate all of those who have joined in the effort and who try to help them and work with them on addressing this obviously very serious issue that we have in our community. And I also would like to move an amendment. We have an amendment for a couple people to add and it looks like we might have a few more to add on as well.

District 1, Councilwoman Green, the amendment would be for \$1,000 from District 1. \$1,000 from District 4, President Tandy. And \$10,000 from District 19. Councilwoman Denton. That's what I have at this point.

PRESIDENT TANDY: Okay.

COUNCILMAN BLACKWELL: Move that amendment or wait until we get all of them?

PRESIDENT TANDY: Because there are other people in the queue. Are there others wishing to add to the amendment?

Councilwoman Flood.

COUNCILWOMAN FLOOD: Thank you, Mr. President. District 24, a thousand dollars.

PRESIDENT TANDY: All right. Councilman Yates.

COUNCILMAN YATES: District 24 would like to add a thousand dollars.

PRESIDENT TANDY: All right. Councilwoman Welch.

COUNCILWOMAN AUBREY WELCH: District 13, a thousand dollars, please.

PRESIDENT TANDY: Councilman James.

COUNCILMAN JAMES: District 6, \$500, please.

PRESIDENT TANDY: Councilwoman Woolridge.

COUNCILWOMAN WOOLRIDGE: District 3, \$500.

PRESIDENT TANDY: Councilwoman Shanklin.

COUNCILWOMAN SHANKLIN: District 2, \$500.

PRESIDENT TANDY: Are there any others wishing to add on? Councilman Johnson.

COUNCILMAN JOHNSON: -- (inaudible.)

PRESIDENT TANDY: All right. Are there any others? Councilman Magre.

COUNCILMAN MAGRE: Unfortunately, I'm going to have to abstain. I work with -- (inaudible.)

PRESIDENT TANDY: We will have that conversation offline about that. I don't believe you have to abstain as long as you disclosed that on your financial disclosure form, that you are a member of that organization, but that's all right.

COUNCILMAN MAGRE: I add \$2,000.

PRESIDENT TANDY: Okay. Are there any -- Councilman Owen.

COUNCILMAN OWEN: Yes, District 8, \$500.

PRESIDENT TANDY: Are there any others? Seeing none, we will take that in the form of a motion. Is there a second?

>> Second.

PRESIDENT TANDY: Properly moved and seconded. We have the amendment before us.

Councilman Blackwell, any further discussion?

COUNCILMAN BLACKWELL: I was just going to make sure. I think the grand total now is 45,250.

PRESIDENT TANDY: Is that right, Mr. Clerk?

So this is the first meeting after spring break, right? Everybody still a little hazy? Been down in Florida? Been away from kids? So we are going to reboot.

So we had 17,500 additional, or is that the total amount? Additional. So 17,500 added to the 18, 500. Correct? You have 43, 250.

>> There's more than 18,000. Well, just -- yeah, because in the --

PRESIDENT TANDY: Okay. So here's what we are going to do. So, Mr. Clerk, go ahead and read off the amendments, the amounts that were given in the amendment.

MR. CLERK: District 19, \$10,000, what you had just amended; District 24, 1,000; District 24, 1,000; District 205, 1,000; District 13, 1,000; District 6, 500 -- is that right, Councilman James, District 6 500?

COUNCILMAN JAMES: Correct.

MR. CLERK: -- District 3, 500 -- Councilwoman Woolridge. Did you just --

COUNCILWOMAN WOOLRIDGE: 500.

MR. CLERK: Yes, ma'am -- District 2, 500; District 21, 500; District 10, 2,000; District 8, 500.

>> Correct.

MR. CLERK: That is all I have written. Is there any others?

>> Yes, I have one and four.

MR. CLERK: One and four.

PRESIDENT TANDY: And a thousand from District four.

MR. CLERK: So that would be then 19,500. Is that the match now?

PRESIDENT TANDY: In the amendment. So what is our new total amount?

MR. CLERK: I have 45,250.

PRESIDENT TANDY: Okay. All right. Mr. Escobar, this is where your STEM skills would kick in here.

>> For the record, he already had it.

PRESIDENT TANDY: Very good. So now we have the amendment -- okay. So we voted on the -- we have the amendment before us. Is there any further discussion?

>> I can move the amendment.

PRESIDENT TANDY: We already did. We are at the point of discussion of the amendment.

Any further discussion of the amendment? Seeing none, all those in favor say aye. All opposed. The ayes have it. The amendment passes.

Now we have the amended amended committee version before us. Is there any discussion?

Councilwoman Denton.

COUNCILWOMAN DENTON: I just want to say that the Volunteers of America does a wonderful, wonderful job in our community with the programs that they have at Freedom House. And that I first became aware when they just had Grace House separate from Freedom House a number of years ago and saw they are saving our state a bundle of money. It is a quarter of a million dollars for every baby who is born with neonatal addiction syndrome, and it is just horrible for what these babies go through. And

the money we are giving them will help them get more mothers in the program, they are pregnant and addicted, they are able to wean off whatever drug or substance they are on so when the babies are born they are not addicted. And those babies have problems throughout their whole life. It is not just at birth. And what the bill is for the intensive care unit at a hospital, this is throughout their whole life. There are large issues they have, they have developmental issues many times, educational issues. This is crucial what we are doing here today and it is an investment in these children's lives and the families' lives so the families can stay together and mom can get her act together.

Along with Councilman Blackwell, I really want to thank everybody for pitching in and helping. This is such a worthwhile cause and I want to thank Jennifer for what they do at VOA. Thank you.

PRESIDENT TANDY: Councilman Magre.

COUNCILMAN MAGRE: -- (inaudible) this Freedom House, really spent more time touring the emergency shelter. But it was a property that was in great disrepair. It really needs work. And it is going to be able to get it thanks to several gifts that are coming through. I will point out that in the end this is really a capital campaign that is centered around the leadership of Jane Burkes, who is the long time president who just retired at the end of March and did a wonderful succession plan that allowed Jennifer to participate as president-elect for several months. In the course of my time on the board, I have been down here on the other side of that gate two or three times being able to speak on behalf of the 37 programs that are administered by the VOA. The one is a really, really critical one, especially right now with all the increase in heroin addiction. I have to close my comments in saying that the council has always been great to the VOA. It has always been appreciated. Rick has

been a strong leader on behalf of the council and so has Glen Stuckel. We have had strong leadership from both aisles and both parties. And I'm really pleased that the Jefferson County attorney's office allowed me to not have to abstain and I can make my comments, because I'm very, very proud of our council and its support. And I'm very proud of VOA, of course. Thank you.

PRESIDENT TANDY: Any further discussion? Seeing none, this is an amended ordinance calling for a roll call vote.

Madame Clerk, please open the voting. Without objection, the voting is closing. The voting is closed.

MR. CLERK: 26 yes votes.

PRESIDENT TANDY: The amended ordinance passes.

The next item of business is item 23.

Mr. Clerk, a reading of item 23.

MR. CLERK: AN ORDINANCE CHANGING THE ZONING FROM R-4 SINGLE FAMILY RESIDENTIAL TO R-5 SINGLE FAMILY RESIDENTIAL ON PROPERTIES LOCATED AT 7009 S. WATTERSON TRAIL AND 7909 GLASER LANE CONTAINING 8.533 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 14ZONE1040).

Read in full.

PRESIDENT TANDY: Is there a motion?

>> Motion to approve.

>> Second.

PRESIDENT TANDY: Properly moved and seconded. It is before us. Any discussion?

Councilwoman Flood.

COUNCILWOMAN FLOOD: Thank you, Mr. President. This is a change in zoning. People may recognize the property if you look on your maps, the old Wesleyan Camp meeting place on Glaser Avenue. It will be to allow

39 buildable lots that will be comparable to the surrounding new subdivisions in the area. And another good feature I think about this particular project is there are is a 20-foot strip that will run the entire length of the development down south Waterston trail that will be a bioretention basin. That is a good thing for the environment and area.

This is in Councilman James Peden's district, and he may want to be recognized at the time.

PRESIDENT TANDY: Councilman Peden.

COUNCILMAN PEDEN: Thank you. I do have a couple of comments in that there was some opposition from other properties. Most everything in the area is R-4, not R-5. There were two things that come up. With this one development there are two things that are coming up that I almost find is a flaw with our system.

Number one, the Wesleyan Camp was built in the early 1900s. It is historic. There is not a lot to it and not saying it needs to be preserved, but it is one of those things, it is a unique thing in that it was constructed back where I live now was the country. When the urban kids went to my neighborhood to get out of the city, I guess is the best way to put it. It has always been there since I was a kid surrounded by subdivisions. It is now going to get bulldozed. There was no real outcry by the preservation community, as they do in some events. And that is probably one of the things that causes us to question the fairness of that process. And while we may have changed it a few months or year or so ago.

The other thing is, and this is not necessarily even the fault of the developer. This is what our land development code requires. If you read the plan, there is a 34 percent coverage by tree canopy. We just did a major study to determine our tree issues in Louisville. They throw around terms like urban heat island and we created the tree commission and

we have the glorious plans. And Councilwoman Flood mentioned the tree preservation has to be in line with the land development code. Well, I'll go back. There is 34 percent tree coverage of canopy with old grandiose trees probably in disrepair and past their prime anyway but our code only requires them to replace that to 20 percent, which means I would ask our student to do the math because it is obvious we can't, but I did it ahead of time for us just in case. That is a 33 percent loss in trees.

So instead of a no net loss in trees, we are advocating, our code allows a 33 percent loss in trees. And I don't know how we can on one hand all of us elected officials stand up in the paper and go the loss of trees is unacceptable and yet we are really not doing a whole lot to fix the problem when we are the folks that do it. So it really has nothing to do with the development specifically but as a guy who tends to read all the line and is Ps and Is and so on, I just wanted to point that out. Again it is a planning and zoning case. There is nothing really wrong with it.

PRESIDENT TANDY: All right. Thank you.

Councilman Hollander.

COUNCILMAN HOLLANDER: I'm abstaining because of my previous practice with the representative.

PRESIDENT TANDY: All right. Councilman Johnson.

COUNCILMAN JOHNSON: I just want to say I'm glad that the 21st district has 68 percent coverage.

PRESIDENT TANDY: Any further discussion? All right. Seeing none, this is an ordinance calling for a roll call vote.

So, Madame Clerk, please open the voting. Without objection, the voting is closing. The voting is closed.

MR. CLERK: There are 25 yes votes, one abstention, and the one abstention is Councilman Hollander.

PRESIDENT TANDY: The ordinance passes.

Our next item of business is item 24.

Mr. Clerk, a reading of this ordinance.

MR. CLERK: AN ORDINANCE CHANGING THE ZONING FROM C-1 COMMERCIAL TO C-2 COMMERCIAL ON PROPERTY LOCATED AT 9840 VON ALLMEN COURT CONTAINING 3.464 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 14ZONE1039).

Read in full.

PRESIDENT TANDY: Is there a motion?

>> Moved.

>> Second.

PRESIDENT TANDY: Properly moved and seconded. It is now before us.

Councilwoman Flood.

COUNCILWOMAN FLOOD: Thank you, Mr. President.

This is in the regional center four district which allows a mixture of higher intensity uses such as regional shopping center and a variety of storage and developments under one roof. This particular development will include the inclusion of a tavern. This is in Kelly Downard's district, and I will defer to him in a moment, but it came over from the planning commission unanimously and came out of our committee unanimously.

PRESIDENT TANDY: Is there any further discussion?

Councilman Downard.

COUNCILMAN DOWNARD: I will briefly say this is in a development. It is an incredibly wonderful and successful development and these things just keep on coming. The fact that there is a tavern should

not be objectionable. There are no less than seven restaurants that have drinking allowed within their restaurants, so it is not something unusual. Thank you.

PRESIDENT TANDY: All right. Any further discussion? All right. Seeing none, this is an ordinance calling for a roll call vote.

Madame Clerk, please open the voting. Without objection, the voting is closing. The voting is closed.

MR. CLERK: 26 yes votes.

PRESIDENT TANDY: Ordinance passes. Next item of business, item 25. A reading of this ordinance.

MR. CLERK: AN ORDINANCE CREATING CHAPTER OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES [LMCO] RELATING TO PUBLIC "POP-UP" PARTIES. (As Amended).

Read in full.

PRESIDENT TANDY: Is there a motion?

>> Motion.

>> Second.

PRESIDENT TANDY: Properly moved and seconded. We now have the amended committee ordinance before us. Is there any discussion?

Councilman Yates, this came out of your committee. Do you wish to address it first?

COUNCILMAN YATES: Thank you, Mr. President. This did come out. We went ahead and passed it out of committee with the agreement that a couple of the members would work together. I believe that Councilwoman Butler had been one of the original sponsors of this ordinance and had put a lot of great time and effort into it and worked with many of our law enforcement officers.

Councilwoman Green had made a statement that she had some objections and worried, which I think were very relevant. We were concerned about how some little leagues may be affected. I believe they have worked together to try to hammer out those details and I will defer to Councilwoman Butler if it pleases, Mr. President.

PRESIDENT TANDY: Councilwoman Butler.

COUNCILWOMAN BUTLER: Thank you. I do have two announcements. In section one, at the end of A where it says a person with prior commission to law enforcement experience from any federal, local, state jurisdiction occurring within five years within the date of application and add right there, excluding constables.

And then if you go down to section 2B we want to add a new section three, so the current three and four will become four and five and the new section three will say bona fide youth organizations or athletic teams registered with the state or national organization.

And I would like to move those two and then I'll talk about the ordinance as a whole.

PRESIDENT TANDY: Okay.

>> Second if that's a motion.

PRESIDENT TANDY: Amendment has been properly moved and seconded. We now have the amendment before us. Is there further discussion on the amendment?

Seeing none, all in favor say aye. All opposed? The ayes have it. The amendment passes. We now have the amended committee version before us.

Councilwoman Butler.

COUNCILWOMAN BUTLER: Yes. Thank you. I need to thank the county attorney's office and Sarah Martin. She has worked very hard on

this in the past six months, and also members of LMPD have as well, Major Harper, Lieutenant Schwab, Lieutenant Judo was here the other day. ABC has also been instrumental in helping this. Robert Kristoffer. This problem seems to be only west of 65 but it has happened in around six or seven different districts. And the problem is, as Councilman Peden stated in the committee meetings we had, everything that the police just told us is illegal, that's true, but they have no legal reason to go in there. This gives them a legal reason to go in and say, hey, do you have your permit and do you have your security in place? Can I see them? If they have them in place, they go. And if they don't, they shut them down.

And what we are having are the parties popping up in a warehouse used for storage. So we have two little bitty fire exits and you have got four or 500 kids in a building with two little doors to get out. If something happens, that's not good. We also had in my area shootings. In Councilman Yates' area we had, two, 300 kids go into the a store and just ransack a store when they left a facility when the police closed it down. Councilwoman Welch's area there was a huge drug bust after they had to watch this area for a couple weeks. And if this had been in place they could have gone in ahead of time and stopped that. So this is another tool for the police to use and for ABC to use. They are very supportive of this and I urge your support on this tonight. Thank you.

PRESIDENT TANDY: All right.

Councilwoman Welch.

COUNCILWOMAN WELCH: Yes. And I wanted to thank Councilwoman Butler too for her leadership on this.

This party was going on in a warehouse that was owned by a constituent in my district who knew about these parties going on, that were luring the young teens into the warehouse as a dance party so to

speaking. But when the police found out about it from a Facebook notice that went out, because the police do monitor Facebook, as we all know. Luckily went in there the day before the party was supposed to happen on the second occurrence and found some guys in there with guns, drugs, alcohol, everything possible that's illegal. And they are luring these kids into the drug culture. So this is a great ordinance for us to be passing here in our community to protect our young teenagers.

PRESIDENT TANDY: All right.

Councilwoman Green.

COUNCILWOMAN GREEN: I don't think that anyone would be against trying to protect our children. My concern is I know that on the record at the public safety meeting that I feel like there are going to be certain organizations that have unfortunately an unfortunate result, particularly West Louisville. We have numerous baseball teams and dance teams and I see the amendment, it does make it slightly palatable but it still gives me great concern because unfortunately all dance teams, all kid organizations, particularly in my area are not going to be registered with the national organization. So what you may have is -- I'm just mentioning a dance team -- a Young Diamonds dance team who was trying to raise money for let's say their trip, a spring break trip, and unfortunately these people are going to have to get a permit, they are going to have to pay three LMPD police officers off duty. That gives me great concern for my constituency and I want to publicly voice and note my main concern with this ordinance.

PRESIDENT TANDY: Councilwoman Woolridge.

COUNCILWOMAN WOOLRIDGE: I'm happy to have signed on to this ordinance. I'm glad that Councilwoman Butler took this on. There have been these pop-up dances in District 3, namely at 2501 Millers Lane, and

we need to protect our children. We want our children to go out and have a good time. We want them to get home safe. We don't want them to be lured into some of the things that the council members have expressed that are happening in their district. So I'm 110 percent in favor of the ordinance and hopefully we will have it in place in 60 days and then our officers can make sure our kids are safe this summer. Thank you.

PRESIDENT TANDY: Councilman Yates.

COUNCILMAN YATES: Thank you, Mr. President. In the public safety committee meeting we did have some discussion on the concerns and that I had as chair. We were called up for a vote. My colleagues worked together to sort out some of these issues. And I would like to present just a quick question to the county attorney, who is here. AAU teams who travel in tournaments, common with the baseball teams, you participate in it. Because they do go in the tournaments would they be excluded from this requirement? It is my understanding. And would that be an exclusion or would this require them to get permits as well.

SARAH MARTIN: Sarah Martin with the county attorney's office. The proposed language is intended to exclude the teams that you are mentioning.

COUNCILMAN YATES: Thank you. And I just wanted to put that on the record for anybody watching at home and also to address any concerns from my colleagues. Thank you.

PRESIDENT TANDY: All right. Any further discussion? All right. Seeing none, this amended ordinance calls for a roll call vote.

Madame Clerk, please open the voting. The voting is closing. And the voting is closed.

MR. CLERK: There are 25 yes votes, one abstention, and the one abstention is Councilwoman Green.

PRESIDENT TANDY: All right. The amended ordinance passes.

Next item of business is number 26.

Mr. Clerk, please read the ordinance.

MR. CLERK: MR. CLERK: AN ORDINANCE AMENDING SECTION 4.2.11 OF THE LAND DEVELOPMENT CODE RELATING TO BOARDING AND LODGING HOUSES.

Read in full.

PRESIDENT TANDY: Is there an amendment to bring forward to Council?

>> Moved.

>> Seconded.

PRESIDENT TANDY: Properly moved and seconded and now before us. Councilman Peden.

COUNCILMAN PEDEN: Thank you, Mr. President. I'm going to talk about items 26 and 27 together in that they are two companion pieces so then you can address the sponsors directly.

26 is a change to the item code and 27 is a change to the Metro Code of Ordinances. Item 27 passes tonight, it becomes law immediately. Item 26, it has been recommended by attorney that it must go back through the planning and zoning process briefly for some public discussion, public meetings held by the planning commission. They will then send it back to us for readoption. So I just wanted to get that out front very closely so everybody knows what they are voting on.

Item 26, changes in land development code to create conditions for applying to become a lodging or boarding house through a CUP process allowing them in multiple residential zoning districts. But at the same time requiring transportation requirements, square footage requirements, etc. And you can read through those. It is very clearly labeled in the documentation.

Item 27 essentially puts boarding and lodging houses into the same requirements as homeless housing and transitional housing we readopted or amended, I guess would be the correct term, a few years ago when the old Holiday Inn was purchased to become a shelter right on Broadway. And everybody remembers those changes.

There's a permitting process involved. Councilman Blackwell was in the committee meeting and was very astutely. And for the first time ever, first time and not the last time we are doing it. We have a number of folks who tend to open business asks operate until they get caught without permits or proper zoning. Because we are now, at least with this one, and I'm going to continue to add that amendment. Thank you, Mr. Blackwell. If you get caught that is grounds to not grant you your zoning change and or your permit, and I really like that.

Those are the two amendments in a nutshell. I will say that Councilwoman Cheri Bryant-Hamilton worked a long time on this with the county attorney and Planning/Zoning staff. Her baby, and I'm sure she has things to say and I'll turn the discussion over to her.

PRESIDENT TANDY: Before we do that I want to be clear. Are you making an amendment now relative to what Council Member Blackwell's comments are?

COUNCILMAN PEDEN: I'm not. Councilman Blackwell may. I'm going to leave his comments to him in a moment. And Mr. Whitty may want to chime in on that. I would like to have Councilwoman Hamilton give further detail and the impassioned story behind it.

PRESIDENT TANDY: Councilwoman Hamilton.

COUNCILWOMAN BRYANT HAMILTON: Thank you, Mr. President. As Councilman Peden said, this has been a year in the making. I believe it was last April when I brought it before the council for a moratorium.

While we got a handle on the growing number of unlicensed and unregulated boarding and lodging houses in our communities. And come to find out it is not just boarding and lodging, it is all the non-owner-occupied properties that are springing up to be a problem. They seem to have operated outside of the watchful eye of Metro Government because they have been unregulated and unlicensed. So what we are doing under one of these ordinances, I believe it is the one amending section 115, is expanding the definition of shelter to include not just your homeless shelters and your transitional housing but to include boarding and lodging houses. So it expands the duties of operators of those facilities. It requires them to get a license, an annual license, and a lot of the people who come to these places don't have anywhere else to go, but we want -- when you are filing the application we want to know some parameters. Who is this facility going to serve? Are you serving disabled vets? Are you serving -- what is your client profile? Who is going to be here? Are they on probation and parole? Those kinds of things. Who is coming into the neighborhoods? And it is also protecting the residents because we have had instances where some people have been allowed to live in these facilities and there's not been water. There's not been electricity. But they are paying rent. So it is protecting the neighborhood and it is also protecting the individuals. And this is an instance that came to me from constituents in my neighborhood from Portland, from Chickasaw, from Shawnee. And a lot of these houses have been -- if you were in a residential zone, you had to get -- outside of R-7 and R-8A, in those multifamily districts it was a permissive use. But now we are treating all residentially zoned properties the same and requiring you to get a conditional use permit. It is also having the board of zoning adjustment to look at and ask certain questions. How many of these facilities are in

a neighborhood? Is it at a tipping point? We are not saying there has to be a spacing requirement like a thousand feet between them or anything like that, but we just have more questions to ask. You'll have 90 days to come into compliance. You have to get your license and you have to get a conditional use permit. So you are going to have to -- hopefully there will be a process and time for people to say I need to come into compliance, because you have been out there operating without anybody looking over your shoulder. Well, now big brother's looking over your shoulder. And I'm very happy that we were able to work with the planning and zoning staff. We were able to work with Mr. Whitty and the assistant county attorneys. We were able to work with the center for neighborhoods. And we had two educational sessions and residents came from all over the community last summer to find out more. We called it planning and zoning 101. And this is one of the topics that was covered. So I'm happy to see this come to fruition and I would appreciate your support tonight.

PRESIDENT TANDY: All right.

Councilman Blackwell.

COUNCILMAN BLACKWELL: Thank you, Mr. President. I want to thank Councilwoman Bryant Hamilton for her work on this. We did make one amendment, and the lawyer asked us to start the process of talking about non-owner-occupied and some of the issues, because some of the same issues occur kind of across the board with that, and we have had situations where this past winter where we had a renter who didn't have heat and was trying to heat her house with her stove on. And we all know that's not a good idea. So I just want to clarify too Councilman Peden's earlier comment. This is the first time that we are looking at the penalties, not the first time that I have been astute. The way he said it it wasn't quite clear. And then the last I would say, one of the questions I would like to pose

is for the planning commission to study these regular changes as they might apply to rehabilitation homes. I was kind of under the impression when we made this change they would be in that as well, and they are not. They are in their own separate area. But I'm particularly interested in having the planning commission look at this to look at specifically those areas where people are operating before they go through the proper channels. Were they going to? They had this home, they start this, don't go through the proper channels and then rather than shut them down we say to them, hey, you haven't gone through the proper channels. Continue to operate as if you have while you apply for a CUP, which is what you are supposed to do to begin with. That's just not a good way of doing business. You penalize the people doing it right and reward the people who aren't. So I talked to the county attorney's office and they said that this would be the proper thing to do, to put it on record that we also want them to look at how these regulatory changes could be applied to rehabilitation homes.

>> Second.

PRESIDENT TANDY: Okay. So that has been moved and seconded. Is there any further discussion on the amendment that Councilman Blackwell made?

Councilman Peden.

COUNCILMAN PEDEN: I'm just asking, Councilman Blackwell actually made a motion to amend this and as that as a line? Yes? There was a motion and a second. I heard a second. So I'm clarifying. And I guess this is where I'm going to turn it over to Mr. Whitty. He is going to give an opinion. I personally believe it would be better in writing because no one can argue exactly. If we added a line at the end that said we also request the planning commission study these exact changes as they

apply to rehabilitation homes, I think that would be a great line at the end because it is coming back to us anyway. Mr. Whitty has counter opinions, and he may express those now if he would like.

PRESIDENT TANDY: Mr. Whitty.

PAUL WHITTY: Paul Whitty, Jefferson County attorney's office. I think that what you are adding to this ordinance which relates to homeless shelters, transitional housing and boarding and lodging houses is going to be outside the scope of what the text of this amendment is. Now, we can get to the same place by simply on the record, as you have done, requested the planning commission consider that penalty to be added to the provisions with respect to those other forms of housing.

PRESIDENT TANDY: All right.

Councilwoman Hamilton.

COUNCILWOMAN BRYANT HAMILTON: I just have one question on that one. Because this is the one where we are asking the Planning/Zoning to look at this. But it doesn't say that. It says this ordinance shall take effect upon its passage and approval. So that would be a good place to say this will take effect after review of -- and then make the part go in there.

PAUL WHITTY: Yes, ma'am. We considered putting that language in there. However, the statute is clear that it has to go to the planning commission for a hearing before it can be adopted. So it just didn't seem necessary to state that. That is a fact under Kentucky law. So that will happen.

COUNCILMAN PEDEN: But I thought we made that an official motion, second, and we voted on an amendment to add those words at the end of that exact line?

PAUL WHITTY: We can add those words.

COUNCILMAN PEDEN: And that is in the record from the committee meeting, that the committee amended it and put it in there.

PAUL WHITTY: I understand, and we can add those words. I'm just telling you that it is not necessary. So I'm happy to add the words, but they have no effect.

COUNCILMAN PEDEN: I'm pretty sure we established that we wanted the words in there.

PAUL WHITTY: That's fine.

COUNCILMAN PEDEN: And my other comment is, this would be for Mr. Whitty or Ms. Martin, one of the things that we are trying to expedite, I guess would be the right term, expedite Councilman Blackwell's request. He has a choice of putting it in here in words, making an official amendment, or in your case you are the suggesting the fact that he mentioned it here on television in the record of our meeting that gets the ball rolling for planning commission. So now let's go back, procedural speaking, he then wants to make an actual amendment to the land development code that includes rehabilitation homes. Are we on the council and specifically that committee going to be able to immediately amend the land development code or are we going to have to go back through the process that you are forcing Cheri Bryant Hamilton back through, which is another public hearing specifically on a specific change or has that process been taken care of?

PAUL WHITTY: No, it would have to be heard. It is a text amendment.

COUNCILMAN PEDEN: And I think that is what we are trying to say, that we want this text amendment to apply to rehabilitation homes as well. Study it now while you are doing this.

>> Let me be clear, Councilman Peden. You are saying that the penalty with respect to the board of zoning adjustment being able to consider the fact that they had operated illegally as grounds for denial of a conditional use permit, correct?

COUNCILMAN PEDEN: My impression of Councilman Blackwell's request is he wants a good chunk of the entire body of these changes to apply, not just the penalty phase. As far as application, location, etc. If I'm incorrect, feel free to let me know now. But I thought as far as he and the broad use of rehabilitation homes, he wanted a good chunk of what Councilwoman Bryant Hamilton had done to apply to the facilities, not just the penalty that we have referred to.

PRESIDENT TANDY: Councilman Blackwell, do you wish to clarify?

COUNCILMAN BLACKWELL: Yes. My astute observation was about the penalty phase, but yeah it seems to me that they are kind of all in the same category and so it would make sense that while they are looking at it they can look and see how any of these things would apply to and then come back with a recommendation in terms of how it would apply to a rehabilitation home. And they may have good reasons why some things don't apply, because it is a different category or they might just say, yeah, they all are basically the same thing but with different functions and scope, or the form.

PRESIDENT TANDY: Councilman Peden.

COUNCILMAN PEDEN: And I guess -- I thought we had stream lined this process a little bit. And now that Mr. Whitty is saying we are going to -- send this over to them for a public hearing and then we will come back and -- they will recommend a change or not recommend a change and then we are going to create a change and then it has to go back to a public hearing again.

>> No. We are sending this to them, referring this to the planning commission to hold a public hearing. They return it with their recommendation, then you can adopt it.

>> That's the Bryant-Hamilton portion. I'm talking specifically to the Blackwell amendment, let's call it -- I like naming things. If we want to apply this to rehab homes, that will have to, even though he is asking them to look at it now and hold the public hearing and have some public discourse on it, still going to have to go back to a public hearing with an exact text amendment.

>> Yes. And that can be done at the same time that this is considered by the planning commission as well at the same hearing. So it is not complicating or extending the process at all.

>> Thank you.

>> But provided Councilman Blackwell provides you or the commission with a text amendment before they hold the public hearing.

>> Sure.

>> Okay.

PRESIDENT TANDY: Everybody's clear.

>> Absolutely not, but we are going to go on it anyway.

PRESIDENT TANDY: Go ahead, Mr. Whitty.

PAUL WHITTY: If I may. Councilman Blackwell, you want your change with respect to rehabilitation homes is to add that consideration by BOZA to take into account if they had acted illegally that may be grounds for denial of their application for a conditional use permit.

COUNCILMAN BLACKWELL: Yes.

PAUL WHITTY: Okay. You are not proposing to adopt all of this other language with respect to rehabilitation?

COUNCILMAN BLACKWELL: Actually, I guess -- my initial was just in terms of making it harder for you to get a CUP if you are not following the law.

>> Right.

PRESIDENT TANDY: Councilwoman Hamilton.

COUNCILWOMAN BRYANT HAMILTON: I was going to ask, Mr. President, if it was possible for that to be submitted by a resolution asking the planning commission to -- a separate resolution we could. I know some of you have dealt with the zoning and planning commission on a more regular basis and I think the transmittals usually come by a resolution rather than the ordinance. We are at an ordinance phase at this point on this one. So if Mr. Blackwell would not mind and Mr. Peden would not mind, we just remove the rehab discussion from --

>> No, if we are to the point that he has to submit actual legislation, it doesn't even need to be any part of this. He has now made the official request on the record. He will follow it up with documentation and that will be that.

PRESIDENT TANDY: So that we are clear, therefore, Councilman Blackwell, you withdraw your -- well, the formal amendment that you made.

COUNCILMAN BLACKWELL: Right. But it is still on the record.

PRESIDENT TANDY: Yeah, but it is on the record.

>> And the county attorney's office is drafting as we speak a resolution for next time, or for whenever we can get it done.

PRESIDENT TANDY: Okay. Very good.

>> Because, Mr. Chairman, they will have 60 days to get back with the planning commission on this. So if we get the resolution over, they can take it into consideration while they are considering it.

PRESIDENT TANDY: Okay. So we have now had the amendment, Councilman Blackwell's amendment withdrawn. So now we have the --

>> And withdrawing the second.

PRESIDENT TANDY: And the second has been withdrawn. So we are back to the original committee-amended ordinance before us. Is there any further discussion on this ordinance?

Seeing none, this requires a roll call vote. So, Madame Clerk, please open the voting. The voting is closing. And the voting is closed.

MR. CLERK: 26 yes votes.

PRESIDENT TANDY: All right. The amended ordinance passes.

Our next item of business is item number 27.

Mr. Clerk, a reading of this ordinance.

MR. CLERK: AN ORDINANCE AMENDING SECTIONS 115.001 THROUGH 115.006 OF THE LOUISVILLE/JEFFERSON COUNTY METRO CODE OF ORDINANCES (LMCO) RELATING TO HOMELESS SHELTERS, AND TRANSITIONAL HOUSING TO INCLUDE BOARDING AND LODGING HOUSES.

As amended. Read in full

>> Moved.

>> Second.

PRESIDENT TANDY: Properly moved and seconded. It is now before us.

Councilwoman Hamilton, do you wish to say anything else?

COUNCILWOMAN HAMILTON: No further discussion.

PRESIDENT TANDY: Any further discussion by council members? Seeing none, this requires a roll call vote.

So, Madame Clerk, please open the voting. The voting is closing. And the voting is closed.

>> Thank you.

MR. CLERK: 26 yes votes.

PRESIDENT TANDY: The amended ordinance passes.

Next item of business is 28.

Mr. Clerk, a reading of this ordinance.

MR. CLERK: An ordinance amending 2.2.2, 2.2.3, 2.4.4, 2.5.1, 2.6.4, and 2.6.5 of the land development code pertaining to permit and conditional uses which are all part of a continuing effort to update the zoning regulations for Louisville Metro.

Read in full.

PRESIDENT TANDY: Is there a motion?

>> So moved.

>> Second.

PRESIDENT TANDY: Properly moved and seconded. We have the ordinance before us. Is there any discussion?

Councilman Peden.

COUNCILMAN PEDEN: This is back to the general routine from changing the Land Development Code from the massive amount of changes that were submitted to us. Just to cover some of the highlights, we are amending the definition of restaurant. Actually, I guess we are pulling out certain types of restaurants and throwing them in to a new definition of tavern, which has to do with when alcoholic beverage sales exceed receipts for food you can no longer be classified as a restaurant. It is talking -- certain restaurants may or may not be done in commercial neighborhood districts. And there is a few ands that include entertainment activity, indoor alcohol sales versus outdoor alcohol sales and package liquor stores are being added to some uses. And again as I said, taverns, bars and saloons and definition of contractor shops where we are --

I guess disallowing outdoor sales, displays, and other outdoor storage in certain areas. This was very quick and the boarding house discussion dominated most of our time.

PRESIDENT TANDY: Any further discussion? Seeing none, this is an ordinance calling for a roll call vote.

Madame Clerk, please open the voting. The voting is closing. And the voting is closed.

MR. CLERK: There are 26 yes votes.

PRESIDENT TANDY: The ordinance passes.

Next item of business is new business. I ask colleagues that as you leave the chambers please do so quietly so the clerk can read new business. For those members remaining in the chambers to make announcements, remain here and request to speak on our system once it has been made available for you to register. New Business comprises items 29 through 47.

Mr. Clerk, will you please read the items and the assignments to a committee.

MR. CLERK: AN ORDINANCE APPROPRIATING \$7,750 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$1,500 FROM DISTRICT 15; \$1,000 FROM DISTRICT 12; \$500 EACH FROM DISTRICTS 9, 25, 3, 2, 6, 4, 21; \$250 EACH FROM DISTRICTS 13, 8, 14, 26, 1, 5, 16; THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE LEGAL AID SOCIETY, INC., FOR COSTS ASSOCIATED WITH THE ANNUAL "BRUSH BOTTLE AND BARREL OF THE BLUEGRASS" FUNDRAISER.

That legislation and the following legislation will be assigned to the appropriations, NDFs and CIFs Committee.

AN ORDINANCE APPROPRIATING \$15,000 FROM DISTRICT 8 NEIGHBORHOOD DEVELOPMENT FUNDS TO DEVELOP LOUISVILLE - LOUISVILLE FORWARD AS A MATCHING

GRANT TO CONDUCT AND PRODUCE A COMPREHENSIVE NEIGHBORHOOD PLAN FOR THE DEER PARK NEIGHBORHOOD.

AN ORDINANCE APPROPRIATING \$30,000 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$10,000 EACH FROM DISTRICTS 18, 17; \$2,000 FROM DISTRICT 7; \$1,000 EACH FROM DISTRICTS 19, 22, 16, 11, 8, 24; \$500 EACH FROM DISTRICTS 23, 14, 15, 13; THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE DUCHENNE RESEARCH, EDUCATION & MIRACLE FOUNDATION, INC., (DREAM FOUNDATION) FOR THE PURCHASE AND INSTALLATION OF A PLAYGROUND FULLY ACCESSIBLE TO DISABLED CHILDREN ON THE KOSAIR CHARITIES EAST CAMPUS.

AN ORDINANCE APPROPRIATING \$5,900 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$2,000 FROM DISTRICT 9; \$500 FROM DISTRICT 10; \$300 EACH FROM DISTRICTS 5, 2, 25, 14, 21, 15, 8; \$250 EACH FROM DISTRICTS 17, 6; \$200 FROM DISTRICTS 20, 3, 12, 13; THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE LOUISVILLE INDEPENDENT BUSINESS ALLIANCE, INC., FOR PROGRAMMING COSTS OF THE SEVENTH ANNUAL BUY LOCAL FAIR 2015.

AN ORDINANCE APPROPRIATING \$14,281.45 NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$7,140.73 FROM DISTRICT 24; \$7,140.72 FROM DISTRICT 13; THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE OKOLONA FIRE PROTECTION DISTRICT FOR TABLES, CHAIRS, STORAGE CARTS AND A CHAIR DOLLY IN A COMMUNITY ROOM.

The following legislation will be assigned to the Budget Committee.

AN ORDINANCE AMENDING ORDINANCE NO. 102, SERIES 2014 RELATING TO THE FISCAL YEAR 2014-15 OPERATING BUDGET, TO AMEND THE TRANSIT AUTHORITY OF RIVER CITY'S FISCAL YEAR 2015 BUDGET.

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

A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL PROFESSIONAL SERVICE CONTRACT - (UNIVERSITY OF LOUISVILLE RESEARCH FOUNDATION, INC. - \$31,000.00).

A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL SOLE SOURCE CONTRACT - (HEALTHY COMMUNITIES INSTITUTE CORPORATION - \$32,000.00).

The following legislation will be assigned to the Community Affairs Committee.

A RESOLUTION HONORING THE SERVICE, LEADERSHIP AND LEGACY OF REV. ARTHUR SMITH.

A RESOLUTION HONORING THE SERVICE, LEADERSHIP, AND LEGACY OF CHARLES EDWARD KIRBY.

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

A RESOLUTION OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, KENTUCKY, AMENDING AND SUPPLEMENTING RESOLUTION NO. 123, SERIES 2014, RELATING TO THE PRELIMINARY APPROVAL OF THE ISSUANCE OF ONE OR MORE SERIES OF INDUSTRIAL BUILDING REVENUE BONDS FOR THE BENEFIT OF BROWN-FORMAN CORPORATION'S WHISKEY ROW PROJECT.

The following legislation will be assigned to the Planning/Zoning, Land Design and Development Committee.

AN ORDINANCE CHANGING THE STREET NAME CHANGE OF TATTON DRIVE TO PITON WAY AND BEING IN LOUISVILLE METRO (CASE NO. 15STREETS1000).

AN ORDINANCE CHANGING THE STREET NAME OF ROCK BLUFF DRIVE TO RIVER ROCK DRIVE AND BEING IN LOUISVILLE METRO (CASE NO. 15STREETS1004).

AN ORDINANCE CLOSING THE REMAINING PORTION OF GLENWOOD CIRCLE AT ITS INTERSECTION WITH EXPORT DRIVE CONTAINING 5,490 SQUARE FEET AND BEING IN LOUISVILLE METRO (CASE NO. 15STREETS1002).

AN ORDINANCE CHANGING THE ZONING FROM R-5 SINGLE FAMILY RESIDENTIAL TO OR OFFICE/RESIDENTIAL ON PROPERTY LOCATED AT 2125/2127 BASHFORD MANOR DRIVE AND 3506 BARDSTOWN ROAD CONTAINING 0.500 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 14ZONE1041).

AN ORDINANCE CHANGING THE ZONING FROM C-3 COMMERCIAL TO EZ-1 ENTERPRISE ZONE ON PROPERTY LOCATED AT 117-119 WEST MAIN STREET CONTAINING 0.132 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 14ZONE1050).

AN ORDINANCE APPROVING THE DETAILED DISTRICT DEVELOPMENT PLAN ON PROPERTY ZONED R-8A MULTIFAMILY AND LOCATED AT 1418 AND 1426 WILLOW AVENUE AND BEING IN LOUISVILLE METRO (CASE NO. 17822).

The following legislation will be assigned to the Public Safety Committee.

AN ORDINANCE APPROVING A NEEDLE EXCHANGE PROGRAM TO BE CREATED BY LOUISVILLE METRO PUBLIC HEALTH AND WELLNESS.

The following legislation will be assigned to the Public Works, Bridges and Transportation Committee.

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A DONATION OF THE USE OF A TOYOTA PRIUS AS PART OF THE RECYCLE AND WIN PROGRAM WHICH IS A PROGRAM TO PROMOTE AND CREATE AWARENESS OF RECYCLING FROM COCA COLA OF CHARLOTTE, NC (CCBCC OPERATIONS, LLC) VALUED UP TO \$5,479 TO BE ADMINISTERED THROUGH THE DEPARTMENT OF PUBLIC WORKS AND ASSETS.

Read in full.

PRESIDENT TANDY: All right. Thank you, Mr. Clerk. Without objection, this will conclude our official business of the Metro Council.

At this time we will have announcements, and we will have announcements from our own Councilman Tom Owen.

Councilman Owen.

COUNCILMAN OWEN: Thank you, Mr. President. I have a few quick announcements. Just a reminder that the mayor's week of volunteer activity week of compassion really begins formally Saturday and goes more than a week -- eight days, at least. And part of the kickoff is the community-wide operation Brightside litter cleanup in neighborhoods and everywhere else. I do know in the eighth district the commerce guilds is that sponsors a special cleanup. We meet at Mid City Mall on 8:30 and we pick up litter as best we can for three others and we are treated to free pizza as the pizza houses, but that is just a part of what will be going on for the community throughout the eight day people. And I just wanted to make sure I mentioned and talk about the fact.

And the talk with Tom will be at 9 to 11 at come if I cow chis cream store, there's coffee there too, 9 to 11 on the 25th. Very informal. Stop by and I will be sitting at a coffee table inside or out. It is a very informal thing. Finally that same day will be the Cherokee Triangle old time fair, Saturday the 25th and Sunday 26th they are in the Cherokee Triangle focused on Cherokee Parkway and that is always a good time for the community so we become folks to attend that.

So those are the announcements that I wanted to make. Thank you.

PRESIDENT TANDY: Thank you so much. That concludes our meeting for this evening. We want to thank all of you for watching. We want to kick off thunder season or the derby season with thunder over Louisville this Saturday. We want to make sure everyone is safe to go out as they enjoy the beginning of our festivities throughout the community. Be

mindful of all of the street closures that are going to take place as a result of thunder as well as the routing into and out of downtown once the fireworks have concluded. So if you want to get more information about that, go and Google Louisville Metro police. Once you find that, that initial link, the link to the LMPD's web page. You will then click on derby festival, icon, you will find the information there listed as to all the street closures and the maps of how traffic will be routed. Going into and out of downtown once the thunder has concluded.

With that being said, we will see you Thursday April 23rd at 6:00 p.m. for our next council meeting. At that meeting you will probably see a lot of little ones running around here because on the 23rd it is bring your son or daughter to work day so we are going to be observing that at that council meeting as well as in anticipation of the stopping domestic violence, all of us will be wearing denim in some various form that having as well.

We look forward to seeing you on April 23rd for our next council meeting. Until then, God bless, and we will see you again real soon.