

ORDINANCE NO. \_\_\_\_\_, SERIES 2014

**AN ORDINANCE OF THE LOUISVILLE METRO COUNCIL TO APPROVE THE ANNEXATION BY THE CITY OF ST. MATTHEWS OF A TRACT OF LAND KNOWN AS SPRINGWOOD SUBDIVISION. (As Amended)**

**Sponsored By: President King and Councilmembers Yates, Downard, Fleming, Kramer, and Woolridge**

**WHEREAS**, on December 10, 2013 the City of St. Matthews voted unanimously in favor of an ordinance to annex a tract of land with eleven (11) houses located on Springwood Lane and described hereafter as Springwood Subdivision;

**WHEREAS**, the boundaries of Springwood Subdivision are contiguous with the City of St. Matthews but not the former City of Louisville;

**WHEREAS**, a petition in support of the annexation by the City of St. Matthews was signed by all 11 homeowners of the Springwood Subdivision;

**WHEREAS**, KRS 67C.111(3) requires the City of St. Matthews to obtain approval of the annexation from Louisville Metro Council prior to the City of St. Matthews proceeding with the annexation requirements under KRS Chapter 81A;

**WHEREAS**, KRS 67C.111(3) gives Louisville Metro Council the authority to approve or deny annexation requests “by ordinance and within sixty (60) days of the receipt of the request” and if Louisville Metro Council does not act within “sixty (60) days, the request for a city to proceed with an annexation proposal shall be deemed to be approved”;

**WHEREAS**, the City of St. Matthews filed a request on January 29, 2014 with the Office of the Metro Council Clerk requesting that the Louisville Metro Council approve the annexation of the Springwood Subdivision (see attached);

**WHEREAS**, the Louisville Metro Council members support the annexation of the Springwood Subdivision by the City of St. Matthews for the following reasons: (1) there are a limited number of houses involved in the proposed annexation; (2) the Springwood Subdivision is a small tract of land completely surrounded by and contiguous with the City of St. Matthews;

(3) the Springwood Subdivision is not contiguous with the boundary of the former City of Louisville; (4) the Springwood Subdivision is an unincorporated portion of Jefferson County and is not included within the boundary of another incorporated city besides the City of St. Matthews; (5) all of the homeowners in the Springwood Subdivision signed a petition in favor of annexation; (6) the City of St. Matthews currently provides municipal services and plans to continue to provide municipal services to the homeowners of the Springwood Subdivision; ~~and~~ ~~(7) there is a minimal loss of tax revenue to Louisville Metro Government;~~ ~~(8) there could be a cost savings to Louisville Metro Government by no longer being legally responsible for municipal services in the Springwood Subdivision;~~ (7) the Springwood Subdivision is suitable pursuant to KRS 81A.410 for annexation by the City of St. Matthews;

**WHEREAS**, Louisville Metro Council has been advised by legal counsel that KRS 67C.111(3) bars annexations by the City of St. Matthews until January 2015; and

**WHEREAS**, for the reasons stated above Louisville Metro Council wishes to proceed with approval of the City of St. Matthews' annexation ordinance to become effective upon the date provided in KRS 67C.111(3).

**BE IT RESOLVED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (THE COUNCIL) AS FOLLOWS:**

**SECTION I:** Metro Council hereby approves the annexation of the parcel known as Springwood Subdivision and adopted by the City of St. Matthews in its ordinance number 10-07 on December 10, 2013 (attached hereto) pursuant to its authority under KRS 67C.111(3).

**SECTION II:** This ordinance shall take effect on the date provided in KRS 67C.111(3).

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H. Stephen Ott  
Metro Council Clerk

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Approval Date

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Jim King  
President of the Council

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Approval Date

**APPROVED AS TO FORM:**

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Michael J. O'Connell  
Jefferson County Attorney

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Approval Date

Ordinance re Approval of St Matthews Annexation ROCsjm REV 13 March 2014  
Ordinance re Approval of St Matthews Annexation ROCsjm/acb As Amended 21March 2014