

Louisville Metro Government

601 W. Jefferson Street
Louisville, KY 40202



Action Summary - Tentative

Thursday, January 25, 2018

6:00 PM

Council Chambers

Metro Council

*Jessica Green (D-1), Barbara Shanklin (D-2), Mary C. Woolridge (D-3),
Barbara Sexton Smith (D-4), Cheri Bryant Hamilton (D-5), David James (D-6),
Angela Leet (R-7), S. Brandon Coan (D-8), Bill Hollander (D-9), Pat Mulvihill (D-10),
Kevin Kramer (R-11), Rick Blackwell (D-12), Vicki Aubrey Welch (D-13),
Cindi Fowler (D-14), Marianne Butler (D-15), Scott Reed (R-16), Glen Stuckel (R-17),
Marilyn Parker (R-18), Julie Denton (R-19), Stuart Benson (R-20),
Vitalis Lanshima (D-21), Robin Engel (R-22), James Peden (R-23),
Madonna Flood (D-24), David Yates (D-25), Brent Ackerson (D-26)*

*President: David James (D-6)
Pro-Tem: Cheri Bryant Hamilton (D-5)*

Call to Order

President James called the meeting to order at 6:07 PM and asked all to rise for the Pledge of Allegiance.

Members Roll Call

- Present:** 24 - Council Member Jessica Green (D-1), Council Member Barbara Shanklin (D-2), Council Member Mary C. Woolridge (D-3), Council Member Barbara Sexton Smith (D-4), Council Member Cheri Bryant Hamilton (D-5), Council President David James (D-6), Council Member Angela Leet (R-7), Council Member S. Brandon Coan (D-8), Council Member Bill Hollander (D-9), Council Member Pat Mulvihill (D-10), Council Member Kevin Kramer (R-11), Council Member Rick Blackwell (D-12), Council Member Cindi Fowler (D-14), Council Member Marianne Butler (D-15), Council Member Scott Reed (R-16), Council Member Glen Stuckel (R-17), Council Member Marilyn Parker (R-18), Council Member Stuart Benson (R-20), Council Member Vitalis Lanshima (D-21), Council Member Robin Engel (R-22), Council Member James Peden (R-23), Council Member Madonna Flood (D-24), Council Member David Yates (D-25) and Council Member Brent Ackerson (D-26)
- Excused:** 2 - Council Member Vicki Aubrey Welch (D-13) and Council Member Julie Denton (R-19)

President James called for a moment of silence in memory of those who lost their lives and were wounded during the Marshall County High School shooting on January 23, 2018.

In addition, President James called for a moment of silence in memory of Trent Haines, Public Works & Assets, who was killed in an accident while on the job.

Council Member Green took a point of personal privilege to thank those who wore black in honor of the #MeToo movement.

Supporting Staff

Sarah Martin and Paul Whitty, Jefferson County Attorney's Office
Nick Kouloungis, Metro Department of Information Technology

Clerks

H. Stephen Ott, CKMC
David B. Wagner, Assistant Clerk

Address to Council

1. [ID 18-0080](#)

Addresses to Council - January 25, 2018

Attachments: [1-25-18 Address to Council.pdf](#)

[Dunegan, Patrick Handout.pdf](#)

[Jesse, Amanda Handout.pdf](#)

[Marshall, Connie Handout.pdf](#)

[Hollander, Bill Handout.pdf](#)

The Clerk called forward the following speakers:

Patrick Dunegan
District 25
Topic: Medical Cannabis (For)

Russell Greear (No show)
District 9
Topic: Barden v. City of Sacramento - Public Sidewalks & ADA

Amanda Jessee
District 6
Topic: Union Negotiations for AFSCME Local Union 2629

Giles Scialdone
District 19
Topic: The Opioid Epidemic – #AcknowledgeTheEpidemic

Tom Rector
District 16
Topic: Cannabis Legalization (Support #2)

Susan Smith
District 10
Topic: Affordable Housing Trust Fund (Support #1)

Connie Marshall
District 3
Topic: Judges, Police, Collusion, and Corruption

Dan Seum, Jr.
District 13
Topic: Medical Cannabis (Support #3)

Guests

2. [ID 18-0037](#)

Council Member Fowler recognized Noah Richard Daniel for achieving the rank of Eagle Scout in Boy Scout Troop 377.

3. [ID 18-0078](#)

Council Members Mulvihill, Kramer and Leet recognized St. Xavier High School Assistant Athletic Director, Nicklaus Baisch and coaches, for their multiple 2017 State Championship Athletic teams.

Special Proclamation4. [ID 18-0082](#)

President James stepped down from the Chair at 6:55 PM and President Pro Tem Hamilton presided over the meeting, in order for President James to recognize and present a special proclamation to Randy Coe of Kosair Charities.

President James resumed the Chair at 7:09 PM.

Council Minutes5. [ID 18-0079](#)

Regular: Metro Council - January 11, 2018

Attachments: [01-11-18 MC Action Summary.pdf](#)
[01-11-18 UNEDITED Transcript.pdf](#)

A motion was made by Council Member Woolridge, seconded by Council Member Sexton Smith, that the Council Minutes be approved. The motion carried by a voice vote.

Committee Minutes

A motion was made by Council Member Woolridge, seconded by Council Member Hamilton, that the following Committee Minutes be approved. The motion carried by a voice vote.

6. [ID 18-0057](#)

Special: Committee on Committees - January 24, 2018

Attachments: [012418 COC Action Summary.pdf](#)

Communication From the Mayor

The Clerk read the following appointment letters into the record. Those appointments requiring Council approval were assigned to the Appointments Committee.

7. [ID 18-0070](#)

Friends of Metro Animal Services (FOMAS) Board - Erica Steitz (New Appointment).
Metro Council approval is not required.

Attachments: [APT Friends of Metro Animal Services Board 1.25.18.pdf](#)

8. [ID 18-0071](#)

Board of Zoning Adjustment - Kimberly Leanhart (New Appointment).

Attachments: [APT Board of Zoning Adjustment 1.25.18.pdf](#)

9. [ID 18-0072](#)

COPA Board (Commission On Public Art) - Elmer Lucille Allen (New Appointment).

Attachments: [APT Commission on Public Art 1.25.18.pdf](#)

10. [ID 18-0073](#)

Waterfront Development Corporation - Theodore Nixon (New Appointment).

Attachments: [APT Waterfront Development Corporation Board 1.25.18.pdf](#)

11. [ID 18-0074](#)

KentuckianaWorks – Greater Louisville Workforce Development Board - Rebel Chreste, Lisa Kaminski, Mary Beard (New Appointments).

Attachments: [APT Kentuckiana Works - Greater Louisville Workforce Development Board 1.25.18.pdf](#)

12. [ID 18-0075](#)

Jeffersontown Fire Protection District Board - Anthony Lawson – Fire Fighter Elect Position (New Appointment).

Attachments: [APT Jeffersontown Fire Protection District Board 1.25.18.pdf](#)

13. [ID 18-0076](#)

Harrods Creek Fire Protection District Board - Richard Dattilo – Fire Fighter Elect Position (New Appointment).

Attachments: [APT Harrods Creek Fire Protection District Board 1.25.18.pdf](#)

14. [ID 18-0077](#)

Okolona Fire Protection District Board - Jason Tobbe – Fire Fighter Elect Position (New Appointment).

Attachments: [APT Okolona Fire Protection District Board 1.25.18.pdf](#)

Special Legislation

15. [R-011-18](#)

A RESOLUTION RATIFYING A PERFORMANCE BOND FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CLERK FOR THE 2018-2019 PERIOD.

Sponsors: Primary David James (D-6)

Attachments: [R-011-18 V.1 012518 Performance Bond for Council Clerk 2018.pdf](#)
[R-011-18 V.1 012518 ATTACH.pdf](#)

A motion was made by Council Member Woolridge, seconded by Council Member Hamilton, that this Resolution be approved. The motion carried by a voice vote and the Resolution was adopted.

Enactment No: Resolution 001-2018

16. [R-012-18](#)

A RESOLUTION APPROVING THE COUNCIL AND COMMITTEE MEETING SCHEDULE OF THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (THE COUNCIL) FOR THE CALENDAR YEAR 2018.

Sponsors: Primary David James (D-6)

Attachments: [R-012-18 V.1 012518 MC CALENDAR FOR 2018.pdf](#)
[R-012-18 V.1 012518 ATTACH DRAFT 2018 Metro Council Calendar.pdf](#)

A motion was made by Council Member Woolridge, seconded by Council Member Sexton Smith, that this Resolution be approved. The motion carried by a voice vote and the Resolution was adopted.

Enactment No: Resolution 002-2018

Old Business

17. [O-412-17](#)

AN ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY TO C-1 COMMERCIAL ON PROPERTY LOCATED AT 8107 BLUE LICK ROAD CONTAINING .65 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 17ZONE1028) (AS AMENDED).

Sponsors: Primary Madonna Flood (D-24)

- Attachments:** [O-412-17 V.2 CAM 120517 Rezoning from R4 to C1 at 8107 Blue Lick Rd 17ZONE1028.pdf](#)
[O-412-17 PROPOSED AMEND BY SUBSTITUTION.pdf](#)
[O-412-17 V.1 113017 Rezoning from R4 to C1 at 8107 Blue Lick Rd 17ZONE1028.pdf](#)
[17ZONE1028.pdf](#)
[MC Transmittal 17ZONE1028 PC Minutes.pdf](#)
[MC Transmittal 17ZONE1028 Other Minutes.pdf](#)
[MC Transmittal 17ZONE1028 Staff Reports.pdf](#)
[MC Transmittal 17ZONE1028 Applicant Boundary Survey.pdf](#)
[MC Transmittal 17ZONE1028 Legal Description.pdf](#)
[MC Transmittal 17ZONE1028 Approved Plan.pdf](#)

A motion was made by Council Member Woolridge, seconded by Council Member Benson, that this Ordinance be untabled. The motion carried without objection and the Ordinance was untabled.

Council Member Flood spoke to the item.

Enactment No: Ordinance 001-2018

A motion was made by Council Member Flood, seconded by Council Member Butler, that this Ordinance be amended by substitution (see attachment labeled, "O-412-17 PROPOSED AMEND BY SUBSTITUTION".

The motion to amend by substitution carried by a voice vote.

The motion to approve carried by the following vote and the amended Ordinance passed:

Yes: 22 - Green, Shanklin, Woolridge, Sexton Smith, Hamilton, James, Coan, Hollander, Mulvihill, Kramer, Blackwell, Fowler, Butler, Reed, Stuckel, Parker, Benson, Lanshima, Engel, Flood, Yates and Ackerson

Excused: 2 - Welch and Denton

Absent: 2 - Leet and Peden

Enactment No: Ordinance 001-2018

18. [O-413-17](#)

AN ORDINANCE CHANGING THE ZONING FROM OR-1 OFFICE/RESIDENTIAL AND R-7 MULTI-FAMILY RESIDENTIAL TO C-1 COMMERCIAL ON PROPERTY LOCATED AT 5024 AND 5026 SOUTH THIRD STREET AND 307 KINGSTON AVENUE CONTAINING .44 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 17ZONE1036).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-413-17 PROPOSED ABS - Rejects Zoning Change at 5024-5026 S Third St.pdf](#)
[O-413-17 V.1 113017 Rezoning from OR1 & R7 to C1 at 5024-5026 S Third St & 307 Kingston Ave 17ZONE1036.pdf](#)
[17ZONE1036.pdf](#)
[MC Transmittal 17ZONE1036 Approved PC Minutes.pdf](#)
[MC Transmittal 17ZONE1036 Other Minutes.pdf](#)
[MC Transmittal 17ZONE1036 Staff Reports.pdf](#)
[MC Transmittal 17ZONE1036 Legal Descriptions.pdf](#)
[MC Transmittal 17ZONE1036 Applicant Justification.pdf](#)
[MC Transmittal 17ZONE1036 Applicant Survey.pdf](#)
[MC Transmittal 17ZONE1036 Approved Plan.pdf](#)

A motion was made by Council Member Woolridge, seconded by Council Member Sexton Smith, that this Ordinance be untabled. The motion carried without objection and the Ordinance was untabled.

Council Members Flood and Lanshima spoke to the item.

A motion was made by Council Member Lanshima, seconded by Council Member Ackerson, to amend by substitution to reject the recommendations by the Planning Commission and maintain the current zoning status (see attachment labeled, "O-413-17 PROPOSED ABS - Rejects Zoning Change at 5024-5026 S Third St"). A voice vote was taken, however, President James then called for a roll call vote. The motion to amend by substitution carried by the following vote:

Yes: 18 - Green, Shanklin, Woolridge, Sexton Smith, Hamilton, James, Hollander, Mulvihill, Blackwell, Fowler, Butler, Reed, Parker, Benson, Lanshima, Engel, Yates and Ackerson

No: 3 - Coan, Kramer and Stuckel

Excused: 2 - Welch and Denton

Absent: 3 - Leet, Peden and Flood

Enactment No: Ordinance 002-2018

Paul Whitty, Jefferson County Attorney's Office, spoke to the item.

A motion was made by Council Member Stuckel to send the item back to the Committee. The motion failed due to the lack of a second.

A motion was made by Council Member Fowler, seconded by Council Member Yates, to call the question. The motion to call the question carried by a voice vote.

The motion to approve carried by the following vote and the amended Ordinance passed:

Yes: 18 - Green, Shanklin, Woolridge, Sexton Smith, Hamilton, James, Hollander, Mulvihill, Kramer, Blackwell, Fowler, Butler, Reed, Parker, Benson, Lanshima, Engel and Yates

No: 2 - Coan and Stuckel

Excused: 2 - Welch and Denton

Absent: 4 - Leet, Peden, Flood and Ackerson

Enactment No: Ordinance 002-2018

New Business

The Clerk provided a first reading of the New Business items and their respective Committee assignments into the record.

Legislation assigned to APPROPRIATIONS COMMITTEE**19. [O-013-18](#)**

AN ORDINANCE APPROPRIATING \$17,750 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$5,000 FROM DISTRICT 13; \$3,500 FROM DISTRICT 14; \$3,000 FROM DISTRICT 25; \$1,000 EACH FROM DISTRICTS 12, 15, 23, AND 24; \$500 EACH FROM DISTRICTS 10, 17, AND 22; AND \$250 EACH FROM DISTRICTS 4, 8, AND 20; TO THE LOUISVILLE METRO PARKS DEPARTMENT FOR FOREST FEST 2018, THE ANNUAL BLUEGRASS FESTIVAL TO BE HELD AT THE JEFFERSON MEMORIAL FOREST.

Sponsors: Primary Vicki Aubrey Welch (D-13), Primary Cindi Fowler (D-14), Primary David Yates (D-25), Primary Rick Blackwell (D-12), Primary Marianne Butler (D-15), Primary James Peden (R-23), Primary Madonna Flood (D-24), Primary Pat Mulvihill (D-10), Primary Glen Stuckel (R-17), Primary Robin Engel (R-22), Primary Barbara Sexton Smith (D-4), Primary S. Brandon Coan (D-8) and Primary Stuart Benson (R-20)

Attachments: [O-013-18 V.1 012518 NDF to MP for Forest Fest 2018.pdf](#)
[Forest Fest NDF 2018.pdf](#)

20. [O-016-18](#)

AN ORDINANCE APPROPRIATING \$7,800 FROM NEIGHBORHOOD DEVELOPMENT FUNDS BY APPROPRIATING \$600 EACH FROM DISTRICTS 25, 1, 4, 5, 6, 9, 10, 12, 13, 14, 15, 21, AND 26, THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE CENTER FOR WOMEN AND FAMILIES, INC. FOR SPONSORSHIP OF THE 2018 CELEBRATION OF SERVICE AND SURVIVAL.

Sponsors: Primary David Yates (D-25), Primary Brent Ackerson (D-26), Primary Rick Blackwell (D-12), Primary Marianne Butler (D-15), Primary Cindi Fowler (D-14), Primary Jessica Green (D-1), Primary Cheri Bryant Hamilton (D-5), Primary Bill Hollander (D-9), Primary David James (D-6), Primary Vitalis Lanshima (D-21), Primary Pat Mulvihill (D-10), Primary Barbara Sexton Smith (D-4) and Primary Vicki Aubrey Welch (D-13)

Attachments: [O-016-18 V.1 012518 CONDF to Center for Women and Families.pdf](#)
[Center for Women & Families - Service & Survival Event - \\$3,000 Sponsorship - SIGNED.pdf](#)

Legislation assigned to BUDGET COMMITTEE21. [O-014-18](#)

AN ORDINANCE AMENDING ORDINANCE NO. 114, SERIES 2017, RELATING TO THE FISCAL YEAR 2017-18 OPERATING BUDGET FOR LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, BY TRANSFERRING \$25,000 FROM THE NEIGHBORHOOD DEVELOPMENT FUND (DISTRICT 5) TO LOUISVILLE METRO COUNCIL GENERAL OPERATIONS (DISTRICT 5).

Sponsors: Primary Cheri Bryant Hamilton (D-5)

Attachments: [O-014-18 V.1 012518 D5 Budget Transfer NDF to Gen Operations.pdf](#)

22. [O-017-18](#)

AN ORDINANCE AMENDING ORDINANCE NO. 114, SERIES 2017 RELATING TO THE FISCAL YEAR 2017-18 OPERATING BUDGET AND AMENDING ORDINANCE NO. 115, SERIES 2017 RELATING TO THE FISCAL YEAR 2017-18 CAPITAL BUDGET BY TRANSFERRING \$25,000 FROM THE PARKS & RECREATION OPERATING BUDGET TO THE PARKS & RECREATION CAPITAL BUDGET FOR A COUNCIL DISTRICT 15 CAPITAL PROJECT FOR WYANDOTTE PARK IMPROVEMENTS.

Sponsors: Primary Marianne Butler (D-15)

Attachments: [O-017-18 V.1 012518 Budget Amendments for D15 Capt Proj Wyandotte Park Improvements.pdf](#)

Legislation assigned to GOVERNMENT OVERSIGHT, AUDIT AND ETHICS COMMITTEE23. [R-013-18](#)

A RESOLUTION URGING THE GENERAL ASSEMBLY AND THE GOVERNOR OF THE COMMONWEALTH OF KENTUCKY TO INCREASE THE HISTORIC TAX CREDIT CAP FROM FIVE MILLION DOLLARS TO TEN MILLION DOLLARS.

Sponsors: Primary Angela Leet (R-7), Additional Marilyn Parker (R-18) and Additional Kevin Kramer (R-11)

Attachments: [R-013-18 V.1 012518 Res Increase Historic Tax Credit Cap.pdf](#)

24. [R-016-18](#)

A RESOLUTION URGING THE KENTUCKY GENERAL ASSEMBLY TO AMEND KRS 67C.143 TO ITS PRE-2017 AMENDMENT LANGUAGE.

Sponsors: Primary Cheri Bryant Hamilton (D-5), Primary Brent Ackerson (D-26), Primary Marianne Butler (D-15), Primary Bill Hollander (D-9) and Primary David James (D-6)

Attachments: [R-016-18 V.1 012518 Res to Ky General Assembly Amend KRS 67C.143 .pdf](#)

Legislation assigned to HEALTH AND EDUCATION COMMITTEE25. [R-010-18](#)

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A GRANT FROM THE WILLIAM R. KENAN, JR. CHARITABLE TRUST IN THE AMOUNT OF \$1.2 MILLION TO BE ADMINISTERED BY THE OFFICE FOR SAFE & HEALTHY NEIGHBORHOODS (OSHN).

Sponsors: Primary James Peden (R-23)

Attachments: [R-010-18 V.1 012518 Grant William R Kenan Jr Admin by Office for Safe and Healthy Neighborhoods.pdf](#)

Legislation assigned to LABOR, ECONOMIC DEVELOPMENT AND CONTRACTS COMMITTEE26. [R-009-18](#)

A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED SOLE SOURCE CONTRACT - (CEPHEID - \$25,000.00).

Sponsors: Primary Marianne Butler (D-15)

Attachments: [R-009-18 V.1 012518 \\$25K Contract to Cepheid.pdf](#)
[R-009-18 V.1 012518 ATTACH Agreement.pdf](#)

Legislation assigned to PARKS AND SUSTAINABILITY27. [R-015-18](#)

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT \$30,300 OF FUNDING FROM THE METROPOLITAN SEWER DISTRICT FOR A GREEN INFRASTRUCTURE PROJECT AT VICTORY PARK TO BE ADMINISTERED BY THE METRO PARKS DEPARTMENT.

Sponsors: Primary David James (D-6)

Attachments: [R-015-18 V.1 012518 MSD Funding for Victory Park Project.pdf](#)
[R-015-18 V.1 012518 ATTACH MSD Funding for Victory Park Project.pdf](#)

Legislation assigned to PLANNING, ZONING AND ANNEXATION COMMITTEE**28. [O-015-18](#)**

AN ORDINANCE CHANGING THE ZONING FROM C-1 COMMERCIAL TO C-2 COMMERCIAL ON PROPERTY LOCATED AT 1764 FRANKFORT AVENUE CONTAINING 0.19 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 17ZONE1051).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-015-18 V.1 012518 Rezoning from C1 to C2 at 1764 Frankfort Ave 17ZONE1051.pdf](#)
[17ZONE1051 - Legal Description.pdf](#)
[17ZONE1051 - Plan.pdf](#)
[17ZONE1051 - Pre-App Staff Report.pdf](#)
[17ZONE1051 - Public Materials.pdf](#)
[17ZONE1051 - 2017.12.14 LD&T Minutes.pdf](#)
[17ZONE1051 - 2017.12.14 LD&T Staff Report.pdf](#)
[17ZONE1051 - 2018.01.04 PC Minutes.pdf](#)
[17ZONE1051 - 2018.01.04 PC Staff Report.pdf](#)
[17ZONE1051 - Justification Statement.pdf](#)

Legislation assigned to PUBLIC SAFETY COMMITTEE**29. [R-014-18](#)**

A RESOLUTION SUPPORTING AN AMENDMENT TO KRS 65.870 BY THE KENTUCKY GENERAL ASSEMBLY REGARDING LOCAL REGULATION OF FIREARMS AND AMMUNITION BY CONSOLIDATED LOCAL GOVERNMENTS.

Sponsors: Primary S. Brandon Coan (D-8), Primary Cheri Bryant Hamilton (D-5), Primary David James (D-6) and Primary Bill Hollander (D-9)

Attachments: [R-014-18 V.1 012518 Supporting Amendment to KRS 65.780 for Local Regulation of Firearms & Ammunition by Consolidated Local Governments.pdf](#)
[65.870 Local firearms control ordinances prohibited -- Exemption from immunity.pdf](#)
[HB189.pdf](#)

Announcements

The following Council Member made announcements: Mary Woolridge (D-3)

Adjournment

Without objection President James adjourned the meeting at 7:57 PM.

Approval Signatures

The above Action Summary has been approved by the Metro Council.

H. Stephen Ott

Clerk of the Louisville Metro Council

David James

President of the Council

Date