

Louisville Metro Government

601 W. Jefferson Street
Louisville, KY 40202



Action Summary - Final

Thursday, March 24, 2016

6:00 PM

Council Chambers

Metro Council

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

President: David Yates (25)

Pro-Tem: Bill Hollander (9)

Call to Order

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

Members Roll Call

Council Member Aubrey Welch arrived at 6:16; Council Member Engel arrived at 6:16; Council Member Denton arrived at 6:36.

Council Member Tandy left at 7:14; Council Member Peden left at 7:27.

Present: 25 - Council Member Barbara Shanklin (D-2), Council Member Mary C. Woolridge (D-3), Council Member David Tandy (D-4), Council Member Cheri Bryant Hamilton (D-5), Council Member David James (D-6), Council Member Angela Leet (R-7), Council Member Tom Owen (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 Vicki Aubrey Welch (D-13), Council Member Cindi Fowler (D-14), Council Member Marianne Butler (D-15), Council Member Kelly Downard (R-16), Council Member Glen Stuckel (R-17), Council Member Marilyn Parker (R-18), Council Member Julie Denton (R-19), Council Member Stuart Benson (R-20), Council Member Dan Johnson (D-21), Council Member Robin Engel (R-22), Council Member James Peden (R-23), Council Member Madonna Flood (D-24), Council President David Yates (D-25) and Council Member Brent Ackerson (D-26)

Excused: 1 - Council Member Jessica Green (D-1)

Support Staff

Deborah Bilitski, Jefferson County Attorney's Office

Clerks

H. Stephen Ott, CKMC , David Wagner, Assistant Clerk and Jess Helton, CKMC

Address to Council1. [ID 16-346](#)**Address to Council - March 24, 2016**

Attachments: [3-24-16- Address to Council Agenda](#)

The Clerk called forward the following speakers:

1. District of Self (NO SHOW)
District: 9
Topic: Littering Problem in Louisville
2. Roger Holloway
District: 15
Topic: Foreclosures
3. Christie McCravy, Executive Director
District 6
Topic: Louisville Affordable Housing Trust Fund
4. Ralph Thomas
District 3
Topic: Vacant and Abandoned Properties

Guests2. [ID 16-0104](#)

Council Member Hollander recognized Jeff Been and Neva-Marie Polley from the Legal Aid Society.

3. [ID 16-301](#)

Council Member Woolridge recognized the Butler High School Girls Basketball in honor of their State championship.

Council Minutes4. [ID 16-302](#)**Regular: Metro Council - March 10, 2016**

Attachments: [03-10-16 Action Summary.](#)

[03-10-16 UNEDITED Transcript](#)

[ADDRESS TO COUNCIL HANDOUT - Cooley 031016](#)

[ADDRESS TO COUNCIL HANDOUT - Lewis 031016](#)

[ADDRESS TO COUNCIL HANDOUT - Quick 031016](#)

[ADDRESS TO COUNCIL HANDOUT - Yates 031016](#)

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

Committee Minutes

5. [ID 16-298](#)
Regular: Intergovernmental Affairs and Annexation Committee - March 10, 2016
Attachments: [Intergov Affairs and Annex Action Summary 031016](#)
6. [ID 16-343](#)
Regular: Committee on Sustainability and Parks - March 10, 2016
Attachments: [3-10-16 Sustainability & Parks Action Summary](#)
7. [ID 16-303](#)
Regular: Committee of the Whole - March 10, 2016
Attachments: [03-10-16 COW Action Summary](#)
8. [ID 16-328](#)
Regular: Public Works, Bridges and Transportation Committee - March 15, 2016
Attachments: [PW Action Summary 031516](#)
[031516 2016 ROW Mowing Info and Work Plan](#)
[031516 2016 Tentative Mowing Schedule](#)
9. [ID 16-326](#)
Regular: Labor and Economic Development Committee - March 15, 2016
Attachments: [LED Action Summary 031516](#)
10. [ID 16-329](#)
Regular: Appropriations, NDFs and CIFs Committee - March 15, 2016
Attachments: [03-15-16 Appropriations Action Summary](#)
11. [ID 16-322](#)
Regular: Community Affairs and Housing Committee - March 16, 2016
Attachments: [3-16-16 Community Affairs and Housing Action Summary](#)
12. [ID 16-323](#)
Regular: Committee on Health and Education - March 16, 2016
Attachments: [3-16-16 Committee on Health & Education Summary](#)
13. [ID 16-331](#)
Regular: Government Accountability and Ethics Committee - March 16, 2016
Attachments: [GAE Action Summary 031616](#)

14. [ID 16-344](#)

Regular: Committee on Appointments - March 17, 2016

Attachments: [3-17-16 Committee on Appointments Action Summary](#)
[3.17.16 Appointments CAO Opinion Ltr](#)

15. [ID 16-341](#)

Regular: Ad Hoc Committee on Land Development Code - March 21, 2016

Attachments: [Ad Hoc LDC Action Summary 032116](#)

Council Member Flood corrected the Ad Hoc Committee on Land Development Code Action Summary to reflect her excused absence.

16. [ID 16-342](#)

Regular: Committee on Committees - March 22, 2016

Attachments: [03-22-16 COC Action Summary](#)

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

Communication From the Mayor

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

17. [ID 16-337](#)

Convention and Visitors Bureau Commission - Ed Hartless, (New Appointment).

Attachments: [APT CONVENTION AND VISITORS BUREAU COMMISSION 3.21.16](#)

18. [ID 16-339](#)

Middletown Fire Protection District Board - Jason Karrer, (New Appointment).

Attachments: [Jason Karrer 3.21.16](#)
[APT MIDDLETOWN FIRE PROTECTION DISTRICT BOARD 3.21.16](#)
[Applicants for Board 3.21.16](#)
[Current Board 3.21.16](#)

Consent Calendar

By request, Item 19 (O-069-16) was moved to Old Business and Items 38 (R-032-16), 39 (R-036-16) and 40 (R-037-16) were moved to the Consent Calendar.

Legislation forwarded from COMMITTEE ON APPOINTMENTS20. [AP021816BB](#)

APPOINTMENT OF BRANDON BURTON TO THE BUECHEL FIRE PROTECTION DISTRICT BOARD. TERM EXPIRES JUNE 30, 2016.

Attachments: [APT BUECHEL FIRE PROTECTION BOARD 2.8.16](#)

[Brandon Burton 2.8.16](#)

[Applicants for Board 3.3.16](#)

[Current Board 3.3.16](#)

This Appointment was approved on the Consent Agenda.

21. [RP021816SJ](#)

RE-APPOINTMENT OF SUE JOHNSON TO THE EXTENSION BOARD. TERM EXPIRES JANUARY 1, 2019.

Attachments: [RE-APT EXTENSION BOARD - SUE JOHNSON](#)

[Sue Johnson 2.8.16](#)

[Applicants for Board 3.3.16](#)

[Current Board 3.3.16](#)

22. [AP021816RP](#)

APPOINTMENT OF ROBERT PETERSON TO THE MIDDLETOWN FIRE PROTECTION DISTRICT BOARD. TERM EXPIRES JUNE 30, 2018.

Attachments: [APT MIDDLETOWN FIRE PROTECTION BD 2.8.16](#)

[Robert Peterson 2.8.16](#)

[Applicants for Board 3.3.16](#)

[Current Board 3.3.16](#)

This Appointment was approved on the Consent Agenda.

23. [AP021816MH](#)

APPOINTMENT OF MILTON HASKINS TO THE NULU OVERLAY DISTRICT COMMITTEE (ADVISORY). TERM EXPIRES FEBRUARY 26, 2017

Attachments: [APT MILTON HASKINS - NULU 2.8.16](#)

[Milton Haskins 2.8.16](#)

[Applicants For Board 3.3.16 - Haskins](#)

This Appointment was approved on the Consent Agenda.

24. [AP021816AT](#)

APPOINTMENT OF ANNA TATMAN TO THE NULU REVIEW OVERLAY DISTRICT COMMITTEE (ADVISORY). TERM EXPIRES FEBRUARY 26, 2018.

Attachments: [APT ANNA TATMAN -NULU 2.8.16](#)

[Anna Tatman 2.8.16](#)

[Applicants For Board 3.3.16 - Tatman](#)

This Appointment was approved on the Consent Agenda.

25. [AP021816JC](#)

APPOINTMENT OF JON CRUMBIE TO THE NULU REVIEW OVERLAY DISTRICT COMMITTEE (ADVISORY). TERM EXPIRES FEBRUARY 26, 2017.

Attachments: [APT JON CRUMBIE- NULU 2.8.16](#)

[Jon Crumbie 2.8.16](#)

[Applicants For Board 3.3.16 - Crumbie](#)

This Appointment was approved on the Consent Agenda.

26. [AP021816MT](#)

APPOINTMENT OF MARK TRIER TO THE NULU REVIEW OVERLAY DISTRICT COMMITTEE (ADVISORY). TERM EXPIRES FEBRUARY 26, 2017.

Attachments: [APT MARK TRIER - NULU 2.8.16](#)

[Mark Trier 2.8.16](#)

[Applicants For Board 3.3.16 - Trier](#)

This Appointment was approved on the Consent Agenda.

27. [AP021816JM](#)

APPOINTMENT OF JEFFREY MCKENZIE TO THE NULU REVIEW OVERLAY DISTRICT COMMITTEE (ADVISORY). TERM EXPIRES FEBRUARY 26, 2018.

Attachments: [APT JEFFREY MCKENZIE - NULU 2.8.16](#)

[Jeffrey McKenzie 2.8.16](#)

[Applicants For Board 3.3.16 - McKenzie](#)

This Appointment was approved on the Consent Agenda.

28. [AP021816JR](#)

APPOINTMENT OF JEFFREY RAWLINS TO THE NULU REVIEW OVERLAY DISTRICT COMMITTEE (ADVISORY). TERM EXPIRES FEBRUARY 26, 2018.

Attachments: [APT JEFFREY RAWLINS - NULU 2.8.16](#)

[Jeffrey Rawlins 2.8.16](#)

[Applicants For Board 3.3.16 - Rawlins](#)

This Appointment was approved on the Consent Agenda.

29. [AP021816KA](#)

APPOINTMENT OF KRISTI ASHBY TO THE NULU REVIEW OVERLAY DISTRICT COMMITTEE (ADVISORY). TERM EXPIRES FEBRUARY 26, 2019.

Attachments: [APT KRISTI ASHBY - NULU 2.8.16](#)

[Kristi Ashby 2.8.16](#)

[Applicants For Board 3.3.16 - Ashby](#)

This Appointment was approved on the Consent Agenda.

30. [AP021816NB](#)

APPOINTMENT OF NATALIA BISHOP TO THE NULU REVIEW OVERLAY DISTRICT COMMITTEE (ADVISORY). TERM EXPIRES FEBRUARY 26, 2019.

Attachments: [APT NATALIA BISHOP - NULU 2.8.16](#)

[Natalia Bishop 2.8.16](#)

[Applicants For Board 3.3.16 - Bishop](#)

This Appointment was approved on the Consent Agenda.

31. [AP021816WM](#)

APPOINTMENT OF WILLIAM MARZIAN TO THE NULU REVIEW OVERLAY DISTRICT COMMITTEE (ADVISORY). TERM EXPIRES FEBRUARY 26, 2019.

Attachments: [APT WILLIAM MARZIAN - NULU 2.8.16](#)

[William Marzian 2.8.16](#)

[Applicants For Board 3.3.16 - Marzian](#)

This Appointment was approved on the Consent Agenda.

32. [AP031716SR](#)

APPOINTMENT OF SUSAN RHODES TO THE ETHICS COMMISSION. TERM EXPIRES JUNE 30, 2018.

Attachments: [APT ETHICS COMMISSION 3.7.16](#)

[Susan Rhodes 3.7.16](#)

[Applicants For Board 3.7.16](#)

[Current Board- Susan Rhodes 3.7.16](#)

This Appointment was approved on the Consent Agenda.

33. [AP031716JU](#)

APPOINTMENT OF JEREMY UREKEW TO THE HARRODS CREEK FIRE PROTECTION DISTRICT BOARD. TERM EXPIRES JUNE 30, 2020.

Attachments: [APT HARRODS CREEK FIRE PROTECTION DISTRICT BOARD 3.7.16](#)
[Jeremy Urekew 3.7.16](#)
[Applicants For Board 3.7.16](#)
[Current Board 3.7.16](#)

This Appointment was approved on the Consent Agenda.

34. [AP031716MWM](#)

APPOINTMENT OF MELANIE WARREN MCCOY TO THE LIBRARY ADVISORY COMMISSION AS CHAIR. TERM EXPIRES DECEMBER 31, 2017.

Attachments: [APT LIBRARY ADVISORY COMMISSION AS CHAIR 3.7.16](#)
[Melanie Warren McCoy 3.7.16](#)
[Current Board 3.7.16](#)

This Appointment was approved on the Consent Agenda.

Legislation forwarded from COMMITTEE ON SUSTAINABILITY AND PARKS

35. [R-024-16](#)

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A NATIONAL LEAGUE OF CITIES (NLC) PLANNING GRANT OF \$25,000 TO BE USED BY THE LOUISVILLE METRO PARKS DEPARTMENT FOR THE CITIES CONNECTING CHILDREN TO NATURE PROGRAM.

Sponsors:Primary Cheri Bryant Hamilton (D-5)

Attachments: [\\$25K NLC Cities Child Nature Parks Grant](#)

Action Required By: September 2016

This Resolution was adopted on the Consent Agenda.

Enactment No: Resolution 29-2016

36. [R-029-16](#)

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

Sponsors:Primary Bill Hollander (D-9)

Attachments: [\\$76K Parks KY Heritage Butchertown Story Ave Project](#)

Action Required By: September 2016

This Resolution was adopted on the Consent Agenda.

Enactment No: Resolution 30-2016

Legislation forwarded from PUBLIC WORKS, BRIDGES AND TRANSPORTATION COMMITTEE

37. [R-035-16](#)

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT \$120,000 OF FUNDING FROM THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET FOR AN ENGINEERING STUDY REGARDING THE TYLER PARK/BAXTER AVENUE BRIDGE ADMINISTERED BY THE METRO PARKS DEPARTMENT.

Sponsors:Primary Tom Owen (D-8)

Attachments: [\\$120K KYTC LouMetro Tyler Park-Baxter Ave Bridge Contract](#)

This Resolution was adopted on the Consent Agenda.

Enactment No: Resolution 31-2016

38. [R-032-16](#)

A RESOLUTION APPROVING THE GRANTING OF LOCAL INCENTIVES TO JACK HENRY & ASSOCIATES, INC., ITS APPROVED AFFILIATE IPAY TECHNOLOGIES, LLC, AND ANY SUBSEQUENT ASSIGNEES OR APPROVED AFFILIATES THEREOF PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 32.

Sponsors:Primary Cheri Bryant Hamilton (D-5)

Attachments: [iPay Technologies, LLC-Jack Henry & Associates, Inc. Louisville support letter](#)
[iPay Technologies, LLC-Jack Henry & Associates, Inc. prelim board summary](#)

This Resolution was adopted on the Consent Agenda.

Enactment No: Resolution 32-2016

39. [R-036-16](#)

AN INDUCEMENT RESOLUTION OF LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (THE "ISSUER") GIVING PRELIMINARY APPROVAL TO THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF A NEW MANUFACTURING FACILITY TO BE LOCATED IN THE 700 BLOCK OF EAST JEFFERSON STREET, LOUISVILLE, KENTUCKY; SUCH FACILITY TO BE OPERATED BY RABBIT HOLE SPIRITS, LLC, AND USED FOR THE DISTILLING AND PRODUCTION OF BOURBON AND OTHER SPIRITS; GIVING PRELIMINARY APPROVAL TO THE ISSUANCE OF TAXABLE AND/OR TAX-EXEMPT INDUSTRIAL BUILDING REVENUE BONDS AT THE APPROPRIATE TIME TO PAY THE COST OF ACQUISITION, CONSTRUCTION AND EQUIPPING OF SAID PROJECT; AND TAKING OTHER PRELIMINARY ACTIONS.

Sponsors:Primary David Tandy (D-4)

This Resolution was adopted on the Consent Agenda.

Enactment No: Resolution 33-2016

40. [R-037-16](#)

A RESOLUTION APPROVING AN AMENDED AND RESTATED INTERLOCAL COOPERATION AGREEMENT AMONG LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AND THE COUNTIES OF BULLITT, HENRY, OLDHAM, SHELBY, SPENCER AND TRIMBLE RELATING TO WORKFORCE DEVELOPMENT.

Sponsors:Primary Cheri Bryant Hamilton (D-5)

Attachments: [Amended InterLocal Agreement January 25 2016.pdf](#)

This Resolution was adopted on the Consent Agenda.

Enactment No: Resolution 34-2016

Approval of the Consent Agenda

A motion was made by Council Member Woolridge, seconded by Council Member James, to approve the Consent Agenda. The motion carried by the following vote:

Yes: 25 - Shanklin, Woolridge, Tandy, Hamilton, James, Leet, Owen, Hollander, Mulvihill, Kramer, Blackwell, Welch, Fowler, Butler, Downard, Stuckel, Parker, Denton, Benson, Johnson, Engel, Peden, Flood, Yates and Ackerson

Excused: 1 - Green

Old Business

By request, Item 19 (O-069-16) was moved to Old Business and Items 38 (R-032-16), 39 (R-036-16) and 40 (R-037-16) were moved to the Consent Calendar.

19. [O-069-16](#)

AN ORDINANCE APPROPRIATING (\$14,983.54) \$17,983.54 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$1,000 EACH FROM DISTRICTS 4, 8, 26, 9; \$963 EACH FROM DISTRICTS 16, 21, 1, 24, 13; \$962 EACH FROM DISTRICTS 20, 12; \$961.54 FROM DISTRICT 2; \$961 EACH FROM DISTRICTS 5, 22, 6; \$900 FROM DISTRICT 17; \$500 EACH FROM DISTRICTS 3, 7, 14, 15, 25; THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE LEGAL AID SOCIETY, INC. FOR COSTS ASSOCIATED WITH "PROJECT H.E.L.P. (HOMELESS EXPERIENCE LEGAL PROTECTION) (AS AMENDED).

Sponsors: Primary David Tandy (D-4), Primary Tom Owen (D-8), Primary Robin Engel (R-22), Primary Kelly Downard (R-16), Primary Dan Johnson (D-21), Primary Stuart Benson (R-20), Primary Glen Stuckel (R-17), Primary Rick Blackwell (D-12), Primary Mary C. Woolridge (D-3), Primary Barbara Shanklin (D-2), Primary David James (D-6), Primary Brent Ackerson (D-26), Primary Jessica Green (D-1), Primary Madonna Flood (D-24), Primary Vicki Aubrey Welch (D-13) and Primary Cheri Bryant Hamilton (D-5)

Attachments: [O-069-16 LAS](#)

A motion was made by Council Member James, seconded by Council Member Woolridge, that this Ordinance be approved.

Enactment No: Ordinance 45-2016

A motion was made by Council Member Leet, seconded by Council Member Hamilton, that this Ordinance be amended by the following:

**Add -
\$1,000 from District 9
\$500 each from Districts 7, 14, 15, and 25**

For a new total allocated of \$17,983.54

The motion to amend carried by a voice vote.

Enactment No: Ordinance 45-2016

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

Yes: 24 - Shanklin, Woolridge, Tandy, Hamilton, James, Leet, Owen, Hollander, Mulvihill, Kramer, Blackwell, Welch, Fowler, Butler, Downard, Stuckel, Parker, Denton, Benson, Johnson, Engel, Peden, Flood and Yates

Excused: 1 - Green

Absent: 1 - Ackerson

Enactment No: Ordinance 45-2016

41. [R-033-16](#)

A RESOLUTION AMENDING RESOLUTION 145, SERIES 2012 APPROVING THE GRANTING OF LOCAL INCENTIVES TO LOUISVILLE PROCESSING & COLD STORAGE, INC. FORMERLY KNOWN AS ABILENE TX FOODS, INC., AND ANY SUBSEQUENT ASSIGNEES OR APPROVED AFFILIATES THEREOF PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 32.

Sponsors:Primary Cheri Bryant Hamilton (D-5)

Attachments: [Abilene TX Foods, Inc. prelim board summary October 27, 2011](#)

[Local Resolution to be revised- Abilene TX Foods, Inc.](#)

A motion was made by Council Member James, seconded by Council Member Owen, that this Resolution be approved.

A motion was made by Council Member Hamilton, seconded by Council Member Butler, that this Resolution be referred back to the Labor and Economic Development Committee. The motion carried by a voice vote.

42. [O-066-16](#)

AN ORDINANCE APPROPRIATING (\$5,001) (\$6,000) \$7,000 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$2,501 \$2,500 FROM DISTRICT 15; \$1,000 EACH FROM DISTRICTS 13, 25, 12, 14; \$500 FROM DISTRICT 21; THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE SOUTH LOUISVILLE COMMUNITY MINISTRIES, INC. (SLCM) FOR EXPENSES ASSOCIATED WITH THE SLCM "FAMILIES HELPING FAMILIES" FUNDRAISING PROJECT AND TO SUPPORT THEIR EMERGENCY FINANCIAL ASSISTANCE PROGRAM (As Amended).

Sponsors:Primary Marianne Butler (D-15), Primary David Yates (D-25), Primary Vicki Aubrey Welch (D-13), Primary Dan Johnson (D-21) and Additional Rick Blackwell (D-12)

Attachments: [O-066-16 SLCM](#)

A motion was made by Council Member Woolridge, seconded by Council Member Shanklin, that this Ordinance be approved.

Enactment No: Ordinance 46-2016

A motion was made by Council Member Fowler, seconded by Council Member Butler, that this Ordinance be amended by adding \$1,000 from District 14 and making the new total allocation \$7,000. The motion to amend carried by a voice vote.

Enactment No: Ordinance 46-2016

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

Yes: 25 - Shanklin, Woolridge, Tandy, Hamilton, James, Leet, Owen, Hollander, Mulvihill, Kramer, Blackwell, Welch, Fowler, Butler, Downard, Stuckel, Parker, Denton, Benson, Johnson, Engel, Peden, Flood, Yates and Ackerson

Excused: 1 - Green

Enactment No: Ordinance 46-2016

43. [R-249-15](#)

A RESOLUTION AMENDING THE LOUISVILLE METRO COUNCIL POLICIES AND PROCEDURES CONCERNING ACCOUNT BALANCES OF NEIGHBORHOOD DEVELOPMENT FUNDS AND COUNCIL COST CENTER FUNDS DURING FISCAL YEARS IN WHICH A NEW COUNCIL MEMBER TAKES OFFICE. (AMENDMENT BY SUBSTITUTION)

Sponsors: Primary Pat Mulvihill (D-10) and Additional Madonna Flood (D-24)

Attachments: [R-249-15 PROPOSED AMEND BY SUB Mulvihill AO 031616](#)

[R-249-15 PROPOSED AMEND BY SUB Leet AO 031616](#)

[R-249-16 PROPOSED AMEND BY SUB](#)

[ACTUAL VS PROPOSED COMPARISON 12112015 draft 2](#)

[030216 Handout from Beth Stenberg](#)

A motion was made by Council Member Woolridge, seconded by Council Member Shanklin, that this Resolution be adopted. Although the Resolution allows for a voice vote, a Roll Call vote was taken. The motion carried by the following vote and the Resoluituon was adopted:

Yes: 17 - Tandy, Leet, Owen, Hollander, Mulvihill, Kramer, Blackwell, Welch, Fowler, Butler, Stuckel, Parker, Benson, Engel, Peden, Flood and Yates

No: 8 - Shanklin, Woolridge, Hamilton, James, Downard, Denton, Johnson and Ackerson

Excused: 1 - Green

Enactment No: Resolution 35-2016

44. [O-071-16](#)**AN ORDINANCE FOR LOUISVILLE METRO GOVERNMENT TO REJECT LG&E'S BID FOR NATURAL GAS FRANCHISE.**

Sponsors: Primary Bill Hollander (D-9)

Attachments: [O-071-16 ATTACH Signed Bid Letter](#)

[O-071-16 ATTACH Franchise Agreement \(01-15-16\)](#)

A motion was made by Council Member Woolridge, seconded by Council Member Shanklin, that this Ordinance be approved.

Julie Hardesty, Jefferson County Attorney's Office, responded to questions from the Council.

The motion carried by the following vote and the Ordinance passed:

Yes: 22 - Shanklin, Woolridge, Hamilton, James, Leet, Owen, Hollander, Kramer, Blackwell, Welch, Fowler, Downard, Stuckel, Parker, Denton, Benson, Johnson, Engel, Peden, Flood, Yates and Ackerson

Excused: 1 - Green

Absent: 1 - Tandy

Abstain: 2 - Mulvihill and Butler

Enactment No: Ordinance 47-2016

Legislation for Reconsideration

President Yates made the following statement:

"In accordance with Rule 5.12 which states, 'A motion to commit or reconsider any matter shall be considered without debate. A motion to reconsider a vote shall not be made after the next meeting of the Council at which such vote was adopted.' Therefore, the following items are being reconsidered from the March 10th Metro Council Meeting."

President Yates then provided the explanation for the following Reconsideration:

During the last Metro Council Meeting all Metro Council Members that had agreed to fund the NDF were not included, this reconsideration is to allow those to do so.

45. [O-058-16](#)

AN ORDINANCE APPROPRIATING (\$13,000) (\$18,500) (\$24,000) \$26,000 FROM NEIGHBORHOOD DEVELOPMENT FUNDS, IN THE FOLLOWING MANNER: \$2,000 EACH FROM DISTRICTS 6, 14, 23, 17, 10, 5, 7, 8, 1, 2; \$1,500 FROM DISTRICTS 16, 20; \$1,000 FROM DISTRICT 9; \$500 EACH FROM DISTRICTS 13, 15, 21, 25; THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE KENTUCKY SHAKESPEARE FESTIVAL, INC. TO FUND COSTS ASSOCIATED WITH PERFORMANCES OF “SHAKESPEARE IN THE PARKS” (As Amended Upon Reconsideration).

Sponsors: Primary David James (D-6), Primary Cindi Fowler (D-14), Primary James Peden (R-23), Primary Glen Stuckel (R-17), Primary Pat Mulvihill (D-10), Primary Cheri Bryant Hamilton (D-5), Primary Bill Hollander (D-9), Additional Kelly Downard (R-16), Additional Angela Leet (R-7), Additional Tom Owen (D-8), Additional Stuart Benson (R-20), Additional Barbara Shanklin (D-2) and Additional Jessica Green (D-1)

Attachments: [O-058-16 KSF](#)
[O-058-16 NDF Application & Checklist](#)

A motion was made by Council Member James, seconded by Council Member Woolridge, that this Ordinance be reconsidered. The motion carried by a voice vote.

Enactment No: Ordinance 42-2016

A motion was made by Council Member James, seconded by Council Member Woolridge, that this Ordinance be amended as follows:

Add \$500 each from Districts 13, 15, 21 and 25 for a new total allocation of \$26,000.

The motion to amend carried by a voice vote:

Enactment No: Ordinance 42-2016

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

Yes: 24 - Shanklin, Woolridge, Hamilton, James, Leet, Owen, Hollander, Mulvihill, Kramer, Blackwell, Welch, Fowler, Butler, Downard, Stuckel, Parker, Denton, Benson, Johnson, Engel, Peden, Flood, Yates and Ackerson

Excused: 1 - Green

Absent: 1 - Tandy

Enactment No: Ordinance 42-2016

President Yates provided the explanation for the following Reconsideration:

During the last Metro Council Meeting the following two ordinances were amended to include \$2.8 million from both the Public Works Salt Account and the Quality Care Charity Trust (QCCT). In the opinion of the Jefferson County Attorney, Louisville Metro Government does not have the authority to retrieve the projected \$2 million from the QCCT at this time. Upon termination of the Quality Care Charity Trust (QCCT) any remaining balance shall be retained for a period of one year as stated in the Trust agreement. Meaning, if we do not renew the Trust at the end of FY16, then any remaining balance will be proportionally appropriated to the four parties respectively -- University of Louisville, Commonwealth of Kentucky, University Medical Center and Louisville Metro. Therefore, Louisville Metro would not be eligible for any funding until FY17 under the Trust agreement. Only an amendment to the Trust agreement by all parties would allow Louisville Metro access to any remaining balance before FY17. I also reached out to Daniel Frockt, Louisville Metro Chief Financial Officer, after the last meeting to verify the outstanding balance of the Public Works Salt Account, I was then informed that only \$764,965.94 remained in the account. Therefore, leaving a shortfall of \$35, 034.06 from the amended \$800,000. As such, I have requested these items to be reconsidered by the entire Council.

46. [O-038-16](#)

AN ORDINANCE APPROPRIATING FROM THE GENERAL FUND FOR MID-YEAR OPERATING NEEDS BY AMENDING ORDINANCE NO. 103, SERIES 2015 RELATING TO THE 2015-2016 OPERATING BUDGET FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT. AS SUBMITTED BY COUNCIL MEMBER BUTLER (AMENDED BY SUBSTITUTION - AS AMENDED UPON RECONSIDERATION).

Sponsors: Primary Marianne Butler (D-15)

Attachments: [JCAO Opinion Ltr - QCCT Funds](#)

[O-038-16 PROPOSED FLOOR AMEND MID YEAR OPERATING NEEDS](#)

[O-038-16 COMM AMEND MID YEAR OPERATING NEEDS](#)

[O-038-16 Copy of Revised REBOUND VAP Proposed Budget](#)

[O-038-16 Handout from Zoo 030316](#)

[O-038-16 Handout from Public Works 030316](#)

A motion was made by Council Member James, seconded by Council Member Shanklin, that this Ordinance be reconsidered. The motion carried by a voice vote.

Enactment No: Ordinance 40-2016

A motion was made by Council Member James, seconded by Council Member Downard, that this Ordinance be amended as follows:

Increase Public Works Operating Budget by \$100,000 reflected in Section VIII: Part I., D., 6., a (1)

The motion to amend carried by a voice vote.

Enactment No: Ordinance 40-2016

A motion was made by Council Member Ackerson, seconded by Council Member Blackwell, that this Ordinance be amended.

President Yates relinquished the Chair to Council President Pro-Tem, Bill Hollander in order to voice his concern. Once completed President Yates re-established the Chair of the meeting.

Matt Golden, Jefferson County Attorney's Office responded to questions from the Council.

Although a Voice Vote is allowed, a Roll Call vote was taken. The motion failed by the following vote:

Yes: 8 - Shanklin, Woolridge, Hamilton, James, Blackwell, Butler, Johnson and Ackerson

No: 14 - Leet, Owen, Hollander, Mulvihill, Kramer, Welch, Fowler, Downard, Parker, Denton, Benson, Engel, Flood and Yates

Excused: 1 - Green

Absent: 3 - Tandy, Stuckel and Peden

Enactment No: Ordinance 40-2016

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

Yes: 23 - Shanklin, Woolridge, Hamilton, James, Leet, Owen, Hollander, Mulvihill, Kramer, Blackwell, Welch, Fowler, Butler, Downard, Stuckel, Parker, Denton, Benson, Johnson, Engel, Flood, Yates and Ackerson

Excused: 1 - Green

Absent: 2 - Tandy and Peden

Enactment No: Ordinance 40-2016

47. [O-040-16](#)

AN ORDINANCE APPROPRIATING FROM THE GENERAL FUND FOR MID-YEAR CAPITAL NEEDS BY AMENDING ORDINANCE NO. 107, SERIES 2013 RELATING TO THE 2013-2014 CAPITAL BUDGET AND AMENDING ORDINANCE NO. 101, SERIES 2014 RELATING TO THE 2014-2015 CAPITAL BUDGET AND ORDINANCE NO. 104, SERIES 2015 RELATING TO THE 2015-2016 CAPITAL BUDGET FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT. as submitted by Council Member Butler. (amended by substitution AS AMENDED UPON RECONSIDERATION)

Sponsors:Primary Marianne Butler (D-15)

Attachments: [JCAO Opinion Ltr - QCCT Funds](#)

[O-040-16 PROPOSED FLOOR AMEND MID YEAR CAPITAL NEEDS](#)

[O-040-16 COMM AMEND MID YEAR CAPITAL NEEDS](#)

A motion was made by Council Member James, seconded by Council Member Shanklin, that this Ordinance be reconsidered. The motion carried by a voice vote.

Enactment No: Ordinance 41-2016

A motion was made by Council Member Downard, seconded by Council Member Butler, that this Ordinance be amended as follows:

In Seciton V: Part I. - decrease Project 14, Metro Street Improvements by \$100,000 and add the following language:

"\$2,000,000 of the \$7,700,000 is restricted until the remaining funds from the \$5,000,000 appropriation in Fiscal Year 2014-15 to the Quality Charity Care Trust are received."

The motion to amend carried by a voice vote.

Enactment No: Ordinance 41-2016

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

Yes: 23 - Shanklin, Woolridge, Hamilton, James, Leet, Owen, Hollander, Mulvihill, Kramer, Blackwell, Welch, Fowler, Butler, Downard, Stuckel, Parker, Denton, Benson, Johnson, Engel, Flood, Yates and Ackerson

Excused: 1 - Green

Absent: 2 - Tandy and Peden

Enactment No: Ordinance 41-2016

New Business

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

Legislation assigned to AD HOC COMMITTEE ON LAND DEVELOPMENT CODE48. [O-81-16](#)

AN ORDINANCE AMENDING SECTIONS 1.2.2, 4.2.20 AND 5.8.4 OF THE LAND DEVELOPMENT CODE PERTAINING TO TRANSPORTATION AND PERMITTED/CONDITIONAL USES—APPLICABLE SECTIONS ARE MORE SPECIFICALLY SET FORTH BELOW IN EXHIBIT A—WHICH IS PART OF A CONTINUING EFFORT TO UPDATE THE ZONING REGULATIONS FOR LOUISVILLE METRO (CASE NO. 14AMEND1003).

Sponsors: Primary James Peden (R-23)

Attachments: [O-081-16 \(PCUP Items 27; trans items # 8 and 12\) - 03-21-16](#)

Action Required By: September 2016

Legislation assigned to APPROPRIATIONS, NDFS AND CIFS COMMITTEE49. [O-79-16](#)

AN ORDINANCE AMENDING ORDINANCE NO. 005, SERIES 2016 WHICH APPROPRIATED A TOTAL OF \$63,800 IN NEIGHBORHOOD DEVELOPMENT FUNDS, THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE CENTER FOR ACCESSIBLE LIVING, INC. FOR MATERIALS TO CONSTRUCT WHEELCHAIR ACCESSIBLE RAMPS, STAIR RAILINGS AND GRAB BARS, BY ADDING \$1,400 FROM DISTRICT 10 NEIGHBORHOOD DEVELOPMENT FUNDS FOR A NEW TOTAL APPROPRIATION OF \$65,200.

Sponsors: Primary Pat Mulvihill (D-10)

Attachments: [O-79-16 CFAL AMENDMENT](#)

[O-268-15 CFAL](#)

Action Required By: September 2016

Legislation assigned to BUDGET COMMITTEE50. [O-77-16](#)

AN ORDINANCE AMENDING ORDINANCE NO. 103, SERIES 2015 RELATING TO THE FISCAL YEAR 2015-16 OPERATING BUDGET, TO AMEND THE TRANSIT AUTHORITY OF RIVER CITY'S FISCAL YEAR 2016 BUDGET.

Sponsors: Primary Marianne Butler (D-15)

Legislation assigned to COMMITTEE ON APPOINTMENTS**51. [AP033116EH](#)**

APPOINTMENT OF ED HARTLESS TO THE CONVENTION AND VISITORS BUREAU COMMISSION. TERM EXPIRES AUGUST 16, 2017.

Attachments: [APT CONVENTION AND VISITORS BUREAU COMMISSION 3.21.16](#)
[Ed Hartless 3.21.16](#)
[Applicants for Board 3.21.16](#)
[Current Board 3.21.16](#)

52. [APO33116JK](#)

APPOINTMENT OF JASON KARRER TO THE MIDDLETOWN FIRE PROTECTION DISTRICT BOARD. TERM EXPIRES JUNE 30, 2018.

Attachments: [APT MIDDLETOWN FIRE PROTECTION DISTRICT BOARD 3.21.16](#)
[Jason Karrer 3.21.16](#)
[Applicants for Board 3.21.16](#)
[Current Board 3.21.16](#)

Legislation assigned to COMMITTEE ON CONTRACTS**53. [R-44-16](#)**

A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW PROFESSIONAL SERVICE CONTRACT - (UNIVERSITY OF LOUISVILLE - \$40,000.00).

Sponsors:Primary Dan Johnson (D-21)

Attachments: [PSC FOR U OF L ACTING MEDICAL DIRECTOR](#)

Action Required By: September 2016

Legislation assigned to COMMITTEE ON SUSTAINABILITY AND PARKS**54. [R-038-16](#)**

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A NATIONAL RECREATION AND PARK ASSOCIATION GRANT OF \$22,500 TO BE USED BY THE LOUISVILLE METRO PARKS DEPARTMENT FOR THE SENIOR WELLNESS PROGRAM.

Sponsors:Primary Cindi Fowler (D-14)

Attachments: [\\$22K PARKS NRPA Humana Senior Programming Grant docs](#)

55. [R-045-16](#)

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT \$86,400 OF FUNDING FROM THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET FOR THE IROQUOIS PARK RUNDILL ROAD MULTI-USE PATH PROJECT ADMINISTERED BY THE METRO PARKS DEPARTMENT.

Sponsors:Primary Marianne Butler (D-15)

Attachments: [\\$86K Parks Iroquois Rundill Road MU Path KYTC](#)

Legislation assigned to PLANNING/ZONING, LAND DESIGN AND DEVELOPMENT COMMITTEE

56. O-78-16

AN ORDINANCE CHANGING THE ZONING DISTRICT FROM R-4 RESIDENTIAL SINGLE FAMILY TO OR-1 OFFICE RESIDENTIAL ON 3.01 ACRES AND THE ZONING DISTRICT FROM R-4 RESIDENTIAL SINGLE FAMILY TO EZ-1 ENTERPRISE ZONE AND THE FORM DISTRICT FROM NEIGHBORHOOD TO SUBURBAN WORKPLACE ON 8.50 ACRES ON PROPERTY LOCATED AT 7205 JOHNSONTOWN ROAD CONTAINING A TOTAL OF 11.51 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 15ZONE1053).

Sponsors:Primary Madonna Flood (D-24)

Attachments: O-78-16 ATTACH CM Blackwell email requesting BE #12 for 15ZONE1053
15zone1053
15ZONE1053 Approved Plan
15ZONE1053 PH Minutes
15ZONE1053 Other Minutes
15ZONE1053 Staff Reports
15ZONE1053 Legal Description
15ZONE1053 Justification Statement
15ZONE1053 Booklets
O-78-16 ORDINANCE (15Zone1053) Changing zoning and form R4 to OR1 and EZ1 and Neighborhood to Subworkplace

Adjournment

Without objection Presient Yates adjourned the meeting at 8:15 PM.

Approval Signatures

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

H. Stephen Ott

Clerk of the Louisville Metro Council

David Yates

President of the Council

Date