

Louisville Metro Government

601 W. Jefferson Street
Louisville, KY 40202



Action Summary - Final

Thursday, June 19, 2014

6:00 PM

Council Chambers

Metro Council

*(D) – Attica Scott (1), (D) – Barbara Shanklin (2), (D) – Mary C. Woolridge (3),
(D) – David Tandy (4), (D) – Cheri Bryant Hamilton (5), (D) – David James (6),
(R) – Kenneth C. Fleming (7), (D) – Tom Owen (8), (D) – Tina Ward-Pugh (9),
(D) – Jim King (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) – Jerry T. Miller (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: Jim King (10)

Pro-Tem: Vicki Aubrey Welch (13)

Call to Order

Members Roll Call:

Present: 25 - Council Member Attica Scott (D-1), Council Member Barbara Shanklin (D-2), Council Member Mary C. Woolridge (D-3), Council Member Cheri Bryant Hamilton (D-5), Council Member David James (D-6), Council Member Kenneth C. Fleming (R-7), Council Member Tom Owen (D-8), Council Member Tina Ward-Pugh (D-9), Council President Jim King (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 Jerry T. Miller (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 Member David Yates (D-25) and Council Member Brent Ackerson (D-26)

Excused: 1 - Council Member David Tandy (D-4)

Clerks:

H. Stephen Ott, CKMC & Jess Helton, CKMC

Introduction of Page(s)

Councilman Yates introduced Ethan Hodge as the Page from District 25

Address to Council

1. **ID 14-810** Addresses to Council - June 19, 2014

The Clerk called forward the following speakers:

1. Robert Zoeller
2. Ike Thacker
3. Mark Goeing (No show)
4. Tom Moffett
5. Dave Morse
6. Thomas Reed
7. Gen Howard

Guests

2. **ID 14-802** Councilwoman Aubrey Welch recognized Rob and Dana Sample - EMS and PRP Firefighters
3. **ID 14-805** Councilman James introduced LMPD, LTC. Kenton Buckner.

Council Minutes

4. **ID 14-799** Regular: Metro Council - June 5, 2014

A motion was made by Council Member Woolridge, seconded by Council Member James, that the June 5, 2014 Metro Council minutes be approved. The motion carried by voice vote.

Committee Minutes

5. ID 14-744 Special: Ad Hoc Committee on Vacant Properties - June 3, 2014
6. ID 14-795 Special: Committee on Health, Education and Housing - June 12, 2014
7. ID 14-796 Regular: Planning and Zoning, Land Design and Development Committee - June 10, 2014
8. ID 14-797 Special: Public Works, Bridges, and Transportation Committee - June 11, 2014
9. ID 14-798 Regular: Committee of the Whole - June 5, 2014
10. ID 14-806 Special: Appropriations, NDFs & CIFs Committee - June 11, 2014
11. ID 14-807 Special: Budget Committee - June 17, 2014
12. ID 14-809 Regular: Committee on Committees - June 17, 2014

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

Communication From the Mayor

The Clerk read the following appointments into the record.

13. ID 14-800 Louisville Zoo Foundation, Inc.: Mark Loyd, Rebecca Phillips (New Appointments)
14. ID 14-801 Tax Appeals Board: W. Clem Russell, Linda English, Mary-John Celletti,
Charles Diggs, Jr., Evelyn Pusateri, Sheila Price, James Baker, Lori O’Koon, Ed Allgier, Kathleen Wright, Judge Todd Hollenbach (Temporary).

Special Ordinances and Resolutions

15. R-150-14 A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL PROFESSIONAL SERVICE CONTRACT - (LOUISVILLE FEDERATION OF MUSICIANS LOCAL NUMBER 11-637 - \$30,000.00). (Action Required By: June 30, 2014)

Sponsors: Jim King (D-10)

A motion was made by Council Member Woolridge, seconded by Council Member

Peden, that this Resolution be adopted. The motion carried by voice vote.

Enactment No: Resolution 058-2014

Consent Calendar

Legislation forwarded from APPROPRIATIONS, NDFS AND CIFS

16. O-338-14 AN ORDINANCE APPROPRIATING \$9,771.25 FROM NEIGHBORHOOD DEVELOPMENT FUNDS, IN THE FOLLOWING MANNER: \$4,886.25 FROM DISTRICT 19; \$4,885.00 FROM DISTRICT 20, THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE 21ST CENTURY PARKS, INC. FOR THE PURCHASE OF AN ATV. (Action Required By: November 2014)

Sponsors: Jerry T. Miller (R-19) and Stuart Benson (R-20)

This Ordinance was passed on the Consent Agenda.

Enactment No: Ordinance 093-2014

17. O-364-14 AN ORDINANCE APPROPRIATING \$13,548.62 FROM DISTRICT 11 NEIGHBORHOOD DEVELOPMENT FUNDS, THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO BLACKACRE CONSERVANCY, INC. FOR THE PURCHASE, CONSTRUCTION AND INSTALLATION OF SIGNAGE AND A HOOP HOUSE FOR THE COMMUNITY GARDEN AT BLACKACRE NATURE PRESERVE AND HISTORIC HOMESTEAD. (Action Required By: December 2014)

Sponsors: Kevin Kramer (R-11)

This Ordinance was passed on the Consent Agenda.

Enactment No: Ordinance 094-2014

18. O-368-14 AN ORDINANCE APPROPRIATING \$62,154.50 FROM DISTRICT 7 NEIGHBORHOOD DEVELOPMENT FUNDS, THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE CITY OF ST. MATTHEWS, PURSUANT TO LMCO 97.100 ESTABLISHING A METRO PARTNERSHIP PROGRAM WITH SUBURBAN CITIES FOR WARWICK PARK IMPROVEMENTS. (Action Required By: December 2014)

Sponsors: Kenneth C. Fleming (R-7)

This Ordinance was passed on the Consent Agenda.

Enactment No: Ordinance 095-2014

19. O-371-14 AN ORDINANCE APPROPRIATING \$6,750 FROM DISTRICT 26 NEIGHBORHOOD DEVELOPMENT FUNDS, THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE CITY OF MEADOWVIEW ESTATES, PURSUANT TO LMCO 97.100 ESTABLISHING A METRO PARTNERSHIP PROGRAM WITH

SUBURBAN CITIES FOR A SECURITY CAMERA SYSTEM. (Action Required By: December 2014)

Sponsors: Brent Ackerson (D-26)

This Ordinance was passed on the Consent Agenda.

Enactment No: Ordinance 096-2014

Legislation forwarded from BUDGET

- 20. R-114-14** A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW PROFESSIONAL SERVICE CONTRACT - (JEFFREY O'BRIEN - \$20,000.00). (Action Required By: November 2014)

Sponsors: Jerry T. Miller (R-19)

This Resolution was adopted on the Consent Agenda.

Enactment No: Resolution 059-2014

- 21. O-365-14** AN ORDINANCE AMENDING ORDINANCE NO. 112, SERIES 2006, AS AMENDED BY ORDINANCE NO. 168, SERIES 2009; AMENDING ORDINANCE NO. 106, SERIES 2013 AND ORDINANCE NO. 107, SERIES 2013 PERTAINING RESPECTIVELY TO THE 2013-2014 OPERATING AND 2013-2014 CAPITAL BUDGETS BY TRANSFERRING FUNDS FROM OPERATING TO CAPITAL AND BETWEEN CAPITAL PROJECTS. (Action Required By: December 2014)

Sponsors: Marianne Butler (D-15)

This Ordinance was passed on the Consent Agenda.

Enactment No: Ordinance 097-2014

- 22. O-366-14** AN ORDINANCE AMENDING ORDINANCE NO. 107, SERIES 2013 PERTAINING TO THE 2013-2014 CAPITAL BUDGET, ORDINANCE NO. 159, SERIES 2013, AND ORDINANCE NO. 160, SERIES 2013, BY AMENDING EXISTING AND ESTABLISHING NEW KENTUCKY TRANSPORTATION PROJECTS. (Action Required By: December 2014)

Sponsors: Marianne Butler (D-15)

This Ordinance was passed on the Consent Agenda.

Enactment No: Ordinance 098-2014

- 23. O-374-14** AN ORDINANCE AMENDING AND RESTATING ORDINANCE NO. 87, SERIES 2012, AUTHORIZING THE ISSUANCE OF UP TO \$7,000,000 PRINCIPAL AMOUNT OF AN INDUSTRIAL BUILDING SOLID WASTE DISPOSAL REVENUE NOTE (RECAST ENERGY LOUISVILLE, LLC PROJECT), SERIES 2014, FOR THE PURPOSE

OF FINANCING CERTAIN COSTS RELATING TO CAPITAL IMPROVEMENTS AND EQUIPPING OF FACILITIES LOCATED AT 4200 BELLS LANE, LOUISVILLE, JEFFERSON COUNTY, KENTUCKY; APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT AMONG THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, RECAST ENERGY LOUISVILLE, LLC AND PRESIDENTIAL BANK, FSB AND RELATED DOCUMENTS; AUTHORIZING THE NEGOTIATED SALE OF THE NOTE; AND TAKING OTHER RELATED ACTION. (Action Required By: December 2014)

Sponsors: David Tandy (D-4)

This Ordinance was passed on the Consent Agenda.

Enactment No: Ordinance 099-2014

Legislation forwarded from COMMITTEE ON HEALTH, EDUCATION, AND HOUSING

- 24. R-131-14** A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT FUNDING FROM THE NATIONAL ASSOCIATION OF COUNTY AND CITY HEALTH OFFICIALS (NACCHO) IN THE AMOUNT OF \$15,000 TO ASSIST NACCHO IN THE HEALTH-IN-ALL-POLICIES LEADERSHIP ACADEMY TO BE HELD IN LOUISVILLE, KENTUCKY, TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC HEALTH AND WELLNESS.

Sponsors: Vicki Aubrey Welch (D-13) and Mary C. Woolridge (D-3)

This Resolution was adopted on the Consent Agenda.

Enactment No: Resolution 060-2014

- 25. R-132-14** A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT FUNDING FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES OFFICE OF MINORITY HEALTH RESOURCE CENTER IN THE AMOUNT OF \$2,500 TO CREATE COMMUNITY AWARENESS OF INFANT MORTALITY IN LOUISVILLE METRO AND TO ORGANIZE A BABY BUGGY WALK IN THE PARK TO TAKE PLACE ON SEPTEMBER 13, 2014, TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC HEALTH AND WELLNESS.

Sponsors: Vicki Aubrey Welch (D-13) and Mary C. Woolridge (D-3)

This Resolution was adopted on the Consent Agenda.

Enactment No: Resolution 061-2014

- 26. R-133-14** A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A GRANT OF UP TO \$30,000.00 FROM THE FUND FOR CITIES OF SERVICE, INC. CONCERNING IMPACT VOLUNTEERING.

Sponsors: Glen Stuckel (R-17) and Mary C. Woolridge (D-3)

This Resolution was adopted on the Consent Agenda.

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 - Scott, Shanklin, Woolridge, Hamilton, James, Fleming, Owen, Ward-Pugh, King, Kramer, Blackwell, Welch, Fowler, Butler, Downard, Stuckel, Parker, Miller, Benson, Johnson, Engel, Peden, Flood, Yates and Ackerson

Excused: 1 - Tandy

Old Business

- 27. O-298-14** AN ORDINANCE CHANGING THE ZONING FROM M-2 INDUSTRIAL AND R-6 RESIDENTIAL MULTI-FAMILY TO C-M COMMERCIAL MANUFACTURING AND APPROVING A PARKING WAIVER TO REDUCE THE AMOUNT OF REQUIRED PARKING SPACES FROM 63 TO 20 ON PROPERTY LOCATED AT 1800 AND 1810 R PORTLAND AVENUE CONTAINING 0.64 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 19042) (AS AMENDED). (Action Required By: July 3, 2014)

Sponsors: Madonna Flood (D-24)

Without objection Councilwoman Hamilton was added as a Co-Sponsor.

A motion was made by Council Member Woolridge, seconded by Council Member Johnson, that this Ordinance be approved. The motion carried by the following vote:

Yes: 24 - Scott, Shanklin, Woolridge, Hamilton, James, Fleming, Owen, Ward-Pugh, Kramer, Blackwell, Welch, Fowler, Butler, Downard, Stuckel, Parker, Miller, Benson, Johnson, Engel, Peden, Flood, Yates and Ackerson

Absent: 1 - Tandy

Abstain: 1 - King

Enactment No: Ordinance 100-2014

- 28. O-377-14** AN ORDINANCE RELATING TO THE 2014-15 CAPITAL BUDGET FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT INCLUDING APPROPRIATIONS AND AUTHORIZATIONS OF FUNDS FOR GENERAL CONSTRUCTION, MAINTENANCE, REPAIR AND IMPROVEMENT OF THE FACILITIES AND ASSETS OF THE GOVERNMENT OF LOUISVILLE/JEFFERSON COUNTY AND OTHER LOUISVILLE METRO-SUPPORTED ACTIVITIES FOR 2014-15. (AS AMENDED)

Sponsors: Marianne Butler (D-15)

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

A motion was made by Council Member Butler, seconded by Council Member Scott, that this Ordinance be amended. The motion carried by voice vote.

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

Yes: 23 - Scott, Shanklin, Woolridge, Hamilton, James, Owen, Ward-Pugh, King, Kramer, Blackwell, Welch, Fowler, Butler, Downard, Stuckel, Parker, Miller, Benson, Johnson, Engel, Peden, Flood and Yates

No: 2 - Fleming and Ackerson

Excused: 1 - Tandy

Enactment No: Ordinance 101-2014

29.O-378-14

AN ORDINANCE RELATING TO THE 2014-2015 OPERATING BUDGET FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT INCLUDING APPROPRIATIONS AND AUTHORIZATIONS FOR OPERATION, MAINTENANCE, SUPPORT, AND FUNCTIONING OF THE GOVERNMENT AND ITS VARIOUS OFFICERS, DEPARTMENTS, COMMISSIONS, INSTITUTIONS, AGENCIES, AND OTHER METRO-SUPPORTED ACTIVITIES. (AS AMENDED)

Sponsors: Marianne Butler (D-15)

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

A motion was made by Council Member Butler, seconded by Council Member Downard, that this Ordinance be amended. The motion carried by voice vote.

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

Yes: 19 - Scott, Shanklin, Woolridge, Hamilton, James, Owen, Ward-Pugh, King, Kramer, Blackwell, Welch, Fowler, Butler, Downard, Stuckel, Johnson, Peden, Flood and Yates

No: 6 - Fleming, Parker, Miller, Benson, Engel and Ackerson

Excused: 1 - Tandy

Enactment No: Ordinance 102-2014

New Business

The Clerk read the New Business items and their respective Committee assignments into the record.

Legislation assigned to BUDGET

30. O-388-14 AN ORDINANCE AMENDING ORDINANCE NO. 106, SERIES 2013 AND ORDINANCE NO. 107, SERIES 2013 RELATING TO THE FISCAL YEAR 2013-14 OPERATING AND CAPITAL BUDGET, RESPECTIVELY, BY TRANSFERRING \$25,000 FROM THE DISTRICT 7 NEIGHBORHOOD DEVELOPMENT FUND TO THE

DISTRICT 7 CAPITAL INFRASTRUCTURE FUND. (Action Required By: December 2014)

Sponsors: Kenneth C. Fleming (R-7)

- 31. O-389-14** AN ORDINANCE AMENDING ORDINANCE NO. 106, SERIES 2013 AND ORDINANCE NO. 107, SERIES 2013 RELATING TO THE FISCAL YEAR 2013-14 OPERATING AND CAPITAL BUDGET, RESPECTIVELY, BY TRANSFERRING \$30,000 FROM THE DISTRICT 16 NEIGHBORHOOD DEVELOPMENT FUND TO THE DISTRICT 16 CAPITAL INFRASTRUCTURE FUND. (Action Required By: December 2014)

Sponsors: Kelly Downard (R-16)

Legislation assigned to COMMITTEE ON HEALTH, EDUCATION, AND HOUSING

- 32. R-135-14** A RESOLUTION SUPPORTING THE AMENDMENT OF THE KENTUCKY CONSTITUTION §145 TO RESTORE VOTING RIGHTS TO PERSONS CONVICTED OF FELONIES AT THE EXPIRATION OF PROBATION OR FINAL DISCHARGE FROM PAROLE OR MAXIMUM EXPIRATION OF SENTENCE. (Action Required By: December 2014)

Sponsors: Rick Blackwell (D-12), Marianne Butler (D-15), Cheri Bryant Hamilton (D-5), David James (D-6), Attica Scott (D-1), Barbara Shanklin (D-2), David Tandy (D-4), Tina Ward-Pugh (D-9), Mary C. Woolridge (D-3) and Jerry T. Miller (R-19)

- 33. R-139-14** A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT FUNDING FROM THE MARCH OF DIMES GREATER KENTUCKY CHAPTER IN THE AMOUNT OF \$16,040 TO PROVIDE HEALTHY START CENTERING PREGNANCY SERVICES, TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC HEALTH AND WELLNESS. (Action Required By: December 2014)

Sponsors: Mary C. Woolridge (D-3)

Legislation assigned to COMMITTEE ON SUSTAINABILITY

- 34. R-144-14** A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT \$5,000 OF FUNDING FROM LG&E AND KU ENERGY LLC FOR THE PLANTING OF 700 HARDWOOD TREES AT JEFFERSON MEMORIAL FOREST TO BE ADMINISTERED BY THE PARKS DEPARTMENT. (Action Required By: December 2014)

Sponsors: Tom Owen (D-8)

- 35. R-146-14** A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A GRANT FROM COMMONWEALTH OF KENTUCKY, KENTUCKY HERITAGE LAND CONSERVATION FUND BOARD, IN THE AMOUNT OF APPROXIMATELY \$300,000.00 FOR THE ACQUISITION AND MANAGEMENT OF LAND NEAR THE JEFFERSON MEMORIAL FOREST KNOWN AS THE BEAUCHAMP

AND GREENWELL PROPERTIES. (Action Required By: December 2014)

Sponsors: Tom Owen (D-8)

Legislation assigned to PLANNING/ZONING, LAND DESIGN and DEVELOPMENT

- 36. O-382-14** AN ORDINANCE AMENDING SECTIONS 32.251, 32.253, 32.256 AND 32.257 OF THE LOUISVILLE/JEFFERSON COUNTY METRO CODE OF ORDINANCES TO ENABLE ACCESSORY STRUCTURES TO BE APPROVED BY STAFF, TO PROVIDE A METHOD TO PROMOTE QUORUMS TO BE AVAILABLE FOR ARCHITECTURAL REVIEW COMMITTEE MEETINGS AND TO ADD AN APPEAL RIGHT OF STAFF DECISIONS. (Action Required By: December 2014)

Sponsors: Tina Ward-Pugh (D-9), Rick Blackwell (D-12) and Tom Owen (D-8)

Legislation assigned to PUBLIC WORKS, BRIDGES & TRANSPORTATION

- 37. O-392-14** AN ORDINANCE AWARDED A COMMUNICATIONS SERVICES FRANCHISE TO BGN NETWORKS LLC PURSUANT TO THE TERMS AND CONDITION IN CHAPTER 116.70 - 116.99 OF THE LOUISVILLE METRO CODE OF ORDINANCES (Action Required By: December 2014)

Sponsors: Marianne Butler (D-15) and Kevin Kramer (R-11)

- 38. R-151-14** A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET TO DESIGNATE THEIR DEPARTMENT OF HIGHWAYS AS LEAD AGENCY ON THE FAIRDALE VILLAGE ROUNDABOUT PROJECT FOR ALL ACTIVITIES RELATED TO RIGHT OF WAY, UTILITIES AND CONSTRUCTION. (Action Required By: December 2014)

Sponsors: Vicki Aubrey Welch (D-13)

- 39. O-394-14** AN ORDINANCE AWARDED A COMMUNICATIONS SERVICES FRANCHISE TO SIFI NETWORKS LOUISVILLE LLC PURSUANT TO THE TERMS AND CONDITION IN CHAPTER 116.70 - 116.99 OF THE LOUISVILLE METRO CODE OF ORDINANCES (Action Required By: December 2014)

Sponsors: Marianne Butler (D-15) and Kevin Kramer (R-11)

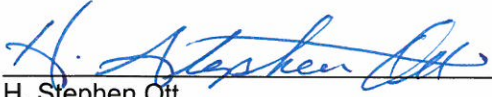
- 40. O-395-14** AN ORDINANCE AWARDED A COMMUNICATIONS SERVICES FRANCHISE TO FIBER TECHNOLOGIES NETWORKS, LLC PURSUANT TO THE TERMS AND CONDITION IN CHAPTER 116.70 - 116.99 OF THE LOUISVILLE METRO CODE OF ORDINANCES (Action Required By: December 2014)

Sponsors: Marianne Butler (D-15) and Kevin Kramer (R-11)

A motion was made by Council Member Owen, seconded by Council Member Hamilton, that the meeting be adjourned. Without objection the meeting adjourned at 7:50 PM.

Announcements

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



H. Stephen Ott
Clerk of the Louisville Metro Council



Louisville Metro Council President Pro-tem

5-29-2015

Date