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PRESIDENT PRO TEM WELCH: The Regular Louisville Metro Council Meeting of December 18, 2014, 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 roll call, please.

MR. CLERK: Councilwoman Scott.

COUNCILWOMAN SCOTT: Present.

MR. CLERK: Councilwoman Shanklin.

COUNCILWOMAN SHANKLIN: Present.

MR. CLERK: Councilwoman Woolridge.

COUNCILWOMAN WOOLRIDGE: Present.

MR. CLERK: Councilman Tandy.

COUNCILMAN TANDY: Here.

MR. CLERK: Councilwoman Hamilton.

COUNCILWOMAN HAMILTON: Here.

MR. CLERK: Councilman James.

COUNCILMAN JAMES: Here.

MR. CLERK: Councilman Fleming.

COUNCILMAN FLEMING: Present.

MR. CLERK: Councilman Owen.

Councilwoman Ward-Pugh.

COUNCILWOMAN WARD-PUGH: Here.

MR. CLERK: President King.

Councilman Kramer.

COUNCILMAN KRAMER: Here.

MR. CLERK: Councilman Blackwell.

COUNCILMAN BLACKWELL: Here.

MR. CLERK: Councilwoman Aubrey Welch.

PRESIDENT PRO TEM WELCH: Here.

MR. CLERK: Councilwoman Fowler.

COUNCILWOMAN FOWLER: Here.

MR. CLERK: Councilwoman Butler.

COUNCILWOMAN BUTLER: Here.

MR. CLERK: Councilman Downard.

COUNCILMAN DOWNARD: I'm here, Mr. Clerk.

MR. CLERK: Councilman Stuckel.

COUNCILMAN STUCKEL: Here.

MR. CLERK: Councilwoman Parker.

COUNCILWOMAN PARKER: Here.

MR. CLERK: Councilman Miller.

COUNCILMAN MILLER: Here.

MR. CLERK: Councilman Benson.

COUNCILMAN BENSON: Present.

MR. CLERK: Councilman Johnson.

COUNCILMAN JOHNSON: Here.

MR. CLERK: Councilman Engel.

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 Owen.

COUNCILMAN OWEN: Here.

MR. CLERK: Councilman Engel.

Madame President, there are 24 in attendance and you have a quorum.

PRESIDENT PRO TEM WELCH: Thank you, Mr. Clerk. And please cause the record to reflect that President King has an excused absence tonight.

MR. CLERK: So noted.

PRESIDENT PRO TEM WELCH: Mr. Clerk, are there any addresses to Council?

MR. CLERK: Yes, ma'am.

PRESIDENT PRO TEM WELCH: Let me remind those addressing the Council to please refrain from using profanity or from making derogatory statements to council members.

Please brings them forward.

MR. CLERK: Carolyn Jones.

Carolyn Jones.

Ivan English.

IVAN ENGLISH: To council members: Hello. My name is Ivan English. I am 15 years old and I'm in the ninth grade at Western High. I work part-time in the restaurant industry. My goal is to join the Army when I graduate from high school. Last summer when I started working, my mother wanted to teach me about becoming a financially responsible young man. Ever since I have started working, I have paid my tithes to church, bought clothes for school, paid my cell phone bill with the money I earned. My mother's teaching me how to spend money wisely.

This past fall my family's comfortable lifestyle changed. My mother was ill and could no longer work. Her social security claim is pending. Now my income is very important to the family. As a member of our family, my income is used to assist in meeting our most basic needs, going to the Laundromat or buying personal hygiene needs or making sure my mom has gas in the car for physical therapy appointments. I am glad to help my family during this difficulty time in my family's life.

I came to share with you my family's situation not for pity but to show you that I am one of the workers in the city who work to not buy high priced tennis shoes. Please do not exempt teens from the minimum wage ordinance. Please pass the minimum wage ordinance at \$10.10 an hour. Thank you for the opportunity for allowing me to speak before you tonight.

[Applause.]

MR. CLERK: Wes Grooms.

WES GROOMS: Hi, Council. Thank you for the opportunity to speak.

My friend and colleague, Dr. John Bloom, and I put together this testimony, and I think you have a copy of it. So either one of us would be happy to hear from you if you have any questions. And just to be sure

it is clear, this testimony is his and mine personally, not representative of the University of Louisville, which is where we work.

We agree with council members who have indicated they expect there would be a boom in the local community spending, with an additional \$86 million in new spending by roughly 65,000 residents in poor Louisville. There will be a lot of extra money flowing in the market. We urge you to make use of the highly regarded and award winning local university resources whose first mission is to serve the city and its residents instead of spending money on out of town consultants whose first mission is to make a profit. An example of this local resource is the Center for Sustainable Urban Neighborhoods, who has shown there is a direct correlation with wage increasing by the poor to increased spending on housing. Increased spending on housing means both owner and rental-occupied homes are better maintained higher property tax revenues, more investment from business entrepreneurs, and better living conditions. Moreover, local community spending would increase, benefitting small business owners. The center's analysis is based on objective rigorous research using state of the art statistical methods. The research results have never been challenged in the political or economic arena, rather, they have won awards. Bad data means bad decisions. We hope to make good decisions that will benefit the city of Louisville.

The US has an expectation of their citizens that if they are able to work they should sustain themselves and their families. As citizens we are told regularly that we need to have a cushion in case we lose a job. We just heard about a case where that would be handy, to save for retirement, put our kids through college, etc. Humans have physiological needs of safety, water, food, and housing and our market-based economy is designed they use funds for the goods and services that are required that humans need. People are to earn money and pay for the things they need. The current minimum wage is 7.25 cents an hour. That's 15,080 at 40 hours a week at 52 weeks. That's not even vacation. That's below the poverty line, which in 2013 for a family of three was 15,656, which its relevance is in dispute, but I don't want to talk about that much here.

In my thesis, which I did a couple years ago, in 1990 it was determined the poverty threshold was \$9,500 and the author of that study suggested it should be 15,000. If it were right at 9,500, it would be 18,000. And if it were right at 15, it should be almost 30,000 now. Various hourly rates here that other esteemed institutions have calculated as their estimates of minimum needs for a family of three to support themselves, including Michigan League for Public Policy and MIT.

PRESIDENT PRO TEM WELCH: Your time is up. Are you about finished?

WES GROOMS: I am. Yes. So I will skip this one paragraph. I will say Louisville has become a compassionate city, and that means both empathy and action to resolve the suffering that comes with that. I would also argue that the wage that is going to be 10.10 will be a misnomer. That will take many years to get there. You are not arguing about 10.10; you are arguing about something much less. So I support we raise it to 10.10 over time, whatever will get us there fastest. Thank you.

[Applause.]

MR. CLERK: E. Hoffman.

ELIZABETH HOFFMAN: Many of you know my name. I'm Elizabeth Hoffman, and I'm here to talk to you about something that is near and dear to my heart, becoming an organ and tissue donor.

How many of you signed the back of your driver's license? How many of you have signed up on the registry to donate online or told your family of your desires and wishes to become an organ donor? The thing is people don't make the time and they wait for something unforeseen to happen to have a conversation that should have happened a long time ago. I have the unique perspective of having been on both sides of the life-changing process and seen firsthand the hope it provides in even the direst of circumstances.

When my sister was two years old, she lost the sight in her left eye from an accident involving a stick. That was 30-plus years ago and technology wasn't what it is today. She had cataracts and scar tissue, atrophy in her eye, but thankfully about 15 years later thanks to an organ donor she received a cornea implant, and now she has peripheral vision, something she didn't have before.

This year I suffered the most devastating loss in my life when my brother suddenly died of a heart attack, leaving behind his wife and my 16-year-old niece. I will never be able to articulate the anguish that losing him as caused me. There is not a day goes by that I don't think about him or wish he were here.

It turns out even when you least expect it, sometimes some good can come out of something devastating. My brother was an organ donor. So when he died, the registry called. They wanted to know if we can donate the tissue. We didn't hesitate and said you can have whatever you like, whatever you can use. As luck would have it, they were able to harvest his corneas, tissues, and bones. A couple weeks ago my sister-in-law received a letter telling us his corneas were given to an 80-year-old woman and his bone and tissue was given to another recipient.

Somehow, the idea that while Ronnie was gone he was able to give something else a part of him let him live on in our lives and gave us a sense of comfort.

Finally, we have an extended member of the family who for 20 years suffered from cystic fibrosis, a debilitating disease that affects the lungs. Been in and out of the hospital many times, each time weaker than the next. There were so many times we thought we were going to lose her altogether but she pressed on. She is one of the most courageous, determined, strong women you will ever want to meet. She started a foundation called Julia's Dream Team, devoted to raising money and awareness about CF. Her goal is to use every resource so they can find a cure for herself and the 30,000 other people who suffer from the disease. Today, three years ago, today is her anniversary. She is stronger and healthier than she has ever been and I wanted to wish her a happy anniversary. She too was a beneficiary from an organ donor and received a double lung transplant.

Hope is a thing, and powerful at that. While we all experience dark times in our life, it is the one thing that always seems to offer encouragement. One of my favorite poems is by Emily Dickinson, and I would like to read a quick verse that I think sums it up.

Hope is a thing with feathers that sits in the soul and sings the tune without the words and never stops at all. As I have said, hope

is all we have to hold on to sometimes, and by signing up to be an organ donor, you are doing just that. I hope you will consider giving the gift of life and sign up to be an organ tissue donor at donatelifekentucky.org. Thank you.

[Applause.]

MR. CLERK: Reverend Maurice Blanchard.

PRESIDENT PRO TEM WELCH: And let me remind the audience that it is good to hold your signs, but please keep them at your head level so the people behind you are allowed to see what is going on in the chambers. Thank you.

REVEREND BLANCHARD: Council Members, I'm Reverend Blanchard. I lead True Colors Ministry at Highland Baptist Church. And as a minister I have had a front row seat to a type of violence that victimizes over and over again every minute of every day. It is poverty. And the injuries it inflicts will be far beyond its initial victims. It is a wound that never heals. When the fact that today's minimum wage is 7.25 and we know that it takes \$13.56 an hour to provide a two bedroom apartment for a family, this gap of a living wage is violence. As members of a compassionate city, a compassionate family, we are responsible for the well-being of our sisters and brothers. Their struggle is our struggle. Their poverty is our poverty, and their wounds are our wounds. I believe deeply that God calls us to do our best to eradicate poverty and the growing gap between the haves and have-nots. We must provide a living wage to all members of our community to all members of this family. For this reason I ask your support in raising the minimum wage to \$10.10 an hour. Thank you.

[Applause.]

MR. CLERK: Carolyn Jones. Carolyn Jones.

Madame President, that concludes the addresses to Council.

PRESIDENT PRO TEM WELCH: Thank you, Mr. Clerk. And please register Councilman Engel as being present.

MR. CLERK: So noted.

PRESIDENT PRO TEM WELCH: Next on the agenda are guests.

Councilman James, do you have guests?

COUNCILMAN JAMES: I do. I want to take this moment to recognize a very good friend of mine and a servant of the citizens of this

city, a servant to the police department, and a person that has dedicated their entire soul to protecting our community by this proclamation.

Deputy Police Chief Colonel Yvette Gentry served on the police department with Louisville Metro for 24 years, and now she is retiring and going on to bigger and better things. But after dedicating your life for 24 years we wanted to take this opportunity to say thank you. And so Metro Council has created a proclamation and I want to read it to you.

It says: To whom all these letters shall come, greetings. Know ye that Louisville Metro Council hereby proclaims Yvette Gentry a model public servant.

Whereas Deputy Chief Yvette Gentry is the deputy chief for the Louisville Police Department and whereas Deputy Chief Yvette Gentry is responsible for overseeing 1,286 sworn personnel in the Louisville Metro Police Department.

And whereas Deputy Chief Yvette Gentry directly supervised eight patrol commanders who oversaw patrol divisions.

And whereas Colonel Gentry helped coordinate crime control efforts and created centralized control for the domestic violence unit in order to coordinate investigations and provide victim assistance and reduced domestic violence fatalities.

And whereas Deputy Colonel Gentry has demonstrated her love for the Louisville Police Department and community time and time again by providing turkey dinners for elderly and shut-in citizens and by developing an air-conditioning program.

And whereas Deputy Colonel Gentry created the Gentlemen's Academy to aid young men in becoming better citizens.

And whereas Deputy Colonel Gentry joined the Louisville Metro Police Department July 9, 1990, where she served and became a sergeant, lieutenant, major, and then she became a deputy chief of the Louisville Metro Police Department January 2nd in 2011, the first African-American woman to ever serve in that position.

And whereas Deputy Colonel Yvette Gentry has liaised with many numerous community and government organizations and media interests for the police department. Colonel Gentry will be retiring from the

Louisville Metro Police Department after 24 years of service in our community.

Now therefore be it resolved that Louisville Metro Council, we hereby confer and pay tribute to her by way of this proclamation with all rights, privileges, and responsibilities thereunto appertaining. In testimony, we have caused these letters to be made and the seal of Metro Government to be hereunto affixed. Done in Louisville, Kentucky, this 18th day of December, 2014, and we want to say congratulations and thank you very much.

[Applause.]

COUNCILWOMAN BRYANT-HAMILTON: I couldn't let this opportunity go by without thanking Colonel Gentry. I first met her -- I guess it was around 2007. I became closely acquainted when we were applying for a wait and see grant for the Shawnee neighborhood. She was the major in the second division at that time and she jumped in with both feet because it was about making the community safer and doing something for our young people. Every Wednesday night she met with the young people in the neighborhood to try to bridge the gap between the police and the community, and we successfully did that for over four years. She goes and went over and above to make this community a better place, and I want to thank her and publicly acknowledge what you did. A lot of it on your own free time, not wearing the -- like she is casual tonight, you know what I mean, but she is just that kind of person. She will be sorely missed in this community, and we thank you.

DEPUTY COLONEL GENTRY: Thank you so much. I just want to say thank you. So many people you all could have recognized, but I appreciate all the support that I have gotten over the 24 years. I love this city. I will continue to pray for you all. We may not always agree -- everybody has an opinion, everybody has a stance, everybody has something -- but love never fails. So when we do things out of love, it will work out. God bless all of you.

[Applause.]

PRESIDENT PRO TEM WELCH: And, Councilman James, do you have another guest?

COUNCILMAN JAMES: I do. I do, Madame President. I would like to have Mark Bolton, Director of Corrections, come down, and I think you brought friends with you.

MARK BOLTON: I brought a lot of my team with me.

COUNCILMAN JAMES: All right.

>> That's a big team.

COUNCILMAN JAMES: It is.

I wanted to take this opportunity to represent President King, who is unable to be here tonight. He was going to present this to you. So I get to stand in for him. We are like brothers from another mother, so to speak. All right.

So recently our Metro Corrections Department was accredited, again, nationally accredited, because of you and your team and their direction they are going, and we wanted to take this opportunity to let you know how proud we are of the work you all do over there. So we have this proclamation for you.

It says: Louisville Metro Council, to whom all these letters shall come: Greetings. Know ye that the Louisville Metro Council hereby recognizes and honors Mark Bolton and Louisville Metro Corrections in recognition of his Louisville Metro Corrections Department's national accreditation for the core jail standards and for Mr. Bolton's exceptional leadership, commitment to the community, exemplary standards and measured improved living conditions for inmates, working conditions for personnel and increased attention to security procedures and accountability.

We hereby confer the honor of this proclamation, we hereby confer this recognition with all the rights, privileges, and responsibilities thereunto appertaining. Congratulations.

[Applause.]

MARK BOLTON: Well, just very, very quickly I want to thank Council and certainly the community for this opportunity to be here tonight. We started this, our push towards national accreditation for the entire department, about five years ago, and it kind of culminated in October when we had some national jail subject matter experts that are recognized over the entire country for really knowing their jail rules and regulations and starts. And they came to Louisville and they spent a

couple days really just seeing what we do, analyzing our standards, our staffing levels, inmate programs, classification, inmate levels, etc.

And what they came away with was really that the Louisville Metro Department of Corrections was really managing a topnotch jail system in a very difficult environment. And what they noted was that we are managing the local jail system in an environment with antiquated facilities, overcrowded, and they recognized us for that. And I just really wanted to have my team here, because this award is really about them. And five years of commitment and dedication that led to our accreditation, so I just really appreciate them. Just you all, thank you very much, and I appreciate your support. So thank you very much.

[Applause.]

PRESIDENT PRO TEM WELCH: I believe that concludes our guests.

Councilwoman Shanklin, did you want a point of personal privilege at this time?

COUNCILWOMAN SHANKLIN: Yes, I do. Thank you, Madame President.

I want to recognize Attica. Today is her last meeting with us and we just want to recognize her. We had a retirement for Tina Ward-Pugh, but we didn't get a chance to tell Attica good-bye. So we just wanted to recognize her. She is a hard working person. We don't always agree on everything, but you can always depend on her. She is really dedicated. So we just wanted to recognize her for that.

[Applause.]

And I want to recognize Dan Johnson and David Tandy. Would you please stand. Today is their birthday. They are both 35.

>> Thank you.

PRESIDENT PRO TEM WELCH: Thank you, Councilwoman.

COUNCILWOMAN BRYANT HAMILTON: Madame President.

PRESIDENT PRO TEM WELCH: Yes.

COUNCILWOMAN BRYANT HAMILTON: Point of personal privilege.

PRESIDENT PRO TEM WELCH: Certainly.

COUNCILWOMAN BRYANT HAMILTON: I think I already told Councilwoman Ward-Pugh how I feel about her last week, but I wanted to mention also to Councilwoman Attica Scott that I don't think the community

fully realizes all the contributions that you have made in District 1. She has planted a lot of seeds that will continue to blossom.

[Applause.]

If all of us knew we had a limited time at the council, she hit the ground running and just took no prisoners. She just got a lot done. And people will continue to see it for years to come. So thank you for everything you have done.

[Applause.]

PRESIDENT PRO TEM WELCH: Councilwoman Woolridge.

COUNCILWOMAN WOOLRIDGE: Thank you, Madame President. And I would also like to take a personal point of privilege to congratulate Attica Scott on her retirement from the council, but this is what I would like to say to Attica. She was selected to represent District 1 on October 13th, 2011, and elected to represent District 1 on November 12th. She has represented District 1 with a vision, vitality, and true purpose to all the residents in District 1. Her mission was to address vacant and abandoned properties, projects like Cut it Out, Tear it Down, Build a Garden. It reached so many lives, Attica. She touched all generations in District 1 by delivering meals on wheels on her birthday every January and participated in Everyone Reads. All the schools in District 1 had a challenge. Attica came in with a bang, and she is leaving with a bigger bang. We have not heard the last of Attica, and I'm glad we have not.

Thank you, Madame President. Thank you, Attica. Thank you for all you do for this community. We certainly appreciate it.

[Applause.]

PRESIDENT PRO TEM WELCH: Did you want to say anything, Councilwoman Scott?

Next we have approval of Council minutes for the Regular Meeting of December 11, 2014.

Any corrections or deletions?

>> Motion.

>> Second.

PRESIDENT PRO TEM WELCH: The minutes have been properly moved and seconded. All those in favor say aye. Any opposed? Seeing none, the ayes have it. The minutes are approved as written.

Next we have approval of the following Committee minutes, all in 2014.

Regular: Committee on Sustainability, December 11.

Special: Budget Committee, December 15.

Regular: Labor and Economic Development Committee, December 15.

Special: Government Accountability and Ethics Committee,
December 16.

Special: Planning and Zoning, Land Design and Development
Committee, December 16.

Regular: Ad Hoc Committee on Annexation, December 16.

Special: Ad Hoc Committee on Animal Services, December 17.

Special: Appropriations, NDFs and CIFs Committee, December 17.

Are there any corrections or deletions?

>> Move approval.

>> So moved.

PRESIDENT PRO TEM WELCH: Was there a second?

>> Second.

PRESIDENT PRO TEM WELCH: Okay. Thank you. 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.

Do we have any communications from the mayor?

MR. CLERK: We do, Madame.

PRESIDENT PRO TEM WELCH: Please read those into the record.

MR. CLERK: Dear President King:

In accordance with the Commission on Public Art (COPA)
Ordinance, I am appointing the following to the COPA Board.

Robert Marino, new appointment, term expires January 30, 2019.

Your prompt action on this appointment is most appreciated.

Sincerely, Greg Fischer, Mayor.

Dear President King:

In accordance with the Police Merit Board Ordinance, I am
re-appointing the following to the Police Merit Board.

John Chakauya, new appointment, term expires June 1, 2018.

Your prompt action on this appointment is most appreciated.

Sincerely, Greg Fischer, Mayor.

Dear President King:

In accordance with the Volunteer Fire Districts Ordinance, I am appointing the following to the Fern Creek Fire Protection District Board.

Susan Pierce, new appointment, term expires June 30, 2015.

Douglas Sharp, new appointment, term expires June 30, 2018.

Your prompt action on these appointments is most appreciated.

Sincerely, Greg Fischer, Mayor.

Read in full.

PRESIDENT PRO TEM WELCH: Thank you, Mr. Clerk. These appointments will be forwarded to the Committee on Appointments.

Next we have special legislation.

Mr. Clerk, a reading of Item 16, please.

MR. CLERK: A RESOLUTION AMENDING RESOLUTION NO. 001, SERIES 2014 RELATING TO THE COUNCIL AND COMMITTEE MEETING SCHEDULE OF THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT FOR THE CALENDAR YEAR 2014, BY ADDING A REGULAR MEETING OF THE BUDGET COMMITTEE ON MONDAY, JANUARY 5, 2015 AT 9:45 AM.

Read in full.

>> So moved.

>> Second.

PRESIDENT PRO TEM WELCH: Is there any discussion on this item?

Seeing none, this is a resolution allowing a voice vote. All those in favor say aye. Any opposed? Seeing none, the ayes have it. The resolution passes.

Our next order of business is the Consent Calendar. The Consent Calendar comprises Items 17-22. Are there any additions or deletions?

Hearing none, Mr. Clerk, a second reading of these items, please.

MR. CLERK: AN ORDINANCE APPROPRIATING \$25,005 FROM DISTRICT 19 NEIGHBORHOOD DEVELOPMENT FUNDS, THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE EASTWOOD RECREATION CENTER, INC., FOR BUILDING REPAIRS TO THE EASTWOOD RECREATION CENTER (PHASE 2).

AN ORDINANCE APPROPRIATING \$12,000 FROM DISTRICT 19 NEIGHBORHOOD DEVELOPMENT FUNDS, TO THE METRO PARKS DEPARTMENT FOR IMPROVEMENTS AND MAINTENANCE OF THE LONG RUN GOLF COURSE.

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, BY TRANSFERRING \$50,000 FROM THE DISTRICT 18 NEIGHBORHOOD DEVELOPMENT FUND TO THE DISTRICT 18 CAPITAL INFRASTRUCTURE FUND.

AN ORDINANCE AUTHORIZING YEAR-END OPERATING BUDGET TRANSFERS BETWEEN VARIOUS AGENCIES FOR FISCAL YEAR 2013-2014 AND TO PROVIDE VARIOUS TRANSFERS AS DETAILED HEREIN.

AN ORDINANCE AMENDING ORDINANCE NO. 107, SERIES 2013 AND ORDINANCE NO. 101, SERIES 2014 PERTAINING RESPECTIVELY TO THE 2013-2014 AND 2014-2015 CAPITAL BUDGETS BY TRANSFERRING FUNDS FROM DISTRICT 9 STREETLIGHTS TO DRESCHER BRIDGE DISTRICT 9.

AN ORDINANCE AMENDING ORDINANCE NO. 90, SERIES 2009 AND ORDINANCE NO. 101, SERIES 2014 PERTAINING RESPECTIVELY TO THE 2009-2010 AND 2014-2015 CAPITAL BUDGETS BY TRANSFERRING REMAINING FUNDS FROM A COMPLETED PROJECT TO MIDDLETOWN EASTWOOD TRAIL TO BE ADMINISTERED BY PARKS AND RECREATION AND ESTABLISH A NEW PROJECT CALLED MIDDLETOWN/SHELBYVILLE RD BEAUTIFICATION PROJECT TO BE ADMINISTERED BY PUBLIC WORKS.

Read in full.

>> So moved.

>> Second.

PRESIDENT PRO TEM WELCH: Consent calendar has been properly moved and seconded. It requires a roll call vote.

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

MR. CLERK: 25 yes votes and one not voting.

MR. CLERK: The consent calendar passes.

Mr. Clerk, a reading of item 23, on Old Business.

MR. CLERK: AN ORDINANCE CHANGING THE ZONING FROM R-4 SINGLE FAMILY RESIDENTIAL TO C-1 COMMERCIAL ON PROPERTY LOCATED AT 8018-8102 OLD BARDSTOWN ROAD AND 9816 AND 9816-R HILLOCK DRIVE CONTAINING 1.40 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 14ZONE1027).

Read in full.

>> So moved.

>> Second.

PRESIDENT PRO TEM WELCH: The ordinance is before us. Is there any discussion?

Councilwoman Flood, I believe this came from your committee.

COUNCILWOMAN FLOOD: Thank you, Madame President.

This particular change in zoning involves four properties on Old Bardstown Road. And also there will be an area retained as right of way that will be reserved for the realignment of Old Bardstown Road. It will soften that area also and realign some intersections. This came out of our committee unanimously, so this is also in Councilman Robin Engel's district. He may want to be recognized.

PRESIDENT PRO TEM WELCH: Councilman Engel.

COUNCILMAN ENGEL: Thank you, Madame President.

This is a necessary rezoning for the construction of the newly proposed Zaxby's restaurant. My office has received less than 15 concerns about the traffic on the intersection and how development on Old Bardstown Road will impact traffic flow. The constituents are not necessarily opposed to the new restaurant being built, rather than the concerns about how traffic flow will be impacted at Old Bardstown Road and Hillock. My office is working with the planning department to look at new intersection improvements and I ask for your support. Thank you.

PRESIDENT PRO TEM WELCH: Thank you, Councilman Engel.

Do we have any other discussion?

Hearing none, this is an ordinance requiring a roll call vote. Mr. Clerk, please open the voting. The voting is closing. The voting is closed.

MR. CLERK: 25 yes votes and one not voting.

PRESIDENT PRO TEM WELCH: The ordinance passes.

Mr. Clerk, a reading of item 24.

COUNCILMAN OWEN: Madame President. Item 24 involves a rezoning of property where members of my family, while not directly involved in any ownership of the property that is involved, we do own property that is surrounded by this site as well as literally across the street from this site, and so for that reason I'm not going to only abstain, I will be leaving the floor for the discussion of this item and return after the vote is taken.

PRESIDENT PRO TEM WELCH: Thank you, Councilman, for that explanation.

Any other discussion before?

MR. CLERK: AN ORDINANCE CHANGING THE ZONING FROM M-2 INDUSTRIAL TO EZ-1 ENTERPRISE ZONE ON PROPERTY LOCATED AT 317-321 WINKLER AVENUE AND 2621 S. 4TH STREET CONTAINING .40 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 14ZONE1032).

>> So moved.

>> Second.

PRESIDENT PRO TEM WELCH: The ordinance is before us. Is there any discussion?

Councilwoman Flood.

COUNCILWOMAN FLOOD: Thank you, Madame President. As you see, Councilman Tom Owen left the room during the council meeting just now. He also did not participate by leaving the room during the committee meetings so there would be no perception of impropriety on his part.

This is a change in zoning to allow a mixed use development actually going to the EZ-1 zoning, which will allow retail uses and residential housing. Close to the University of Louisville campus. There was no opposition to this piece of property, and the committee asks for your support in this rezoning.

PRESIDENT PRO TEM WELCH: Any further discussion on this item? Hearing none, this is an ordinance requiring a roll call vote.

Mr. Clerk, please open the voting. The voting is closing. The voting is closed.

MR. CLERK: There are 24 yes votes and two not voting. Tom Owen is one of them and President King is the other.

PRESIDENT PRO TEM WELCH: The ordinance passes.

Mr. Clerk, a reading of item 25.

MR. CLERK: AN ORDINANCE CHANGING THE ZONING FROM R-7 RESIDENTIAL MULTI-FAMILY TO C-1 COMMERCIAL ON PROPERTY LOCATED AT 1201 DIXIE HIGHWAY CONTAINING .25 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 14ZONE1029).

Read in full.

>> So moved.

PRESIDENT PRO TEM WELCH: The ordinance is before us. Is there any discussion?

Councilwoman Flood.

COUNCILWOMAN FLOOD: Thank you, Madame President.

This is to allow the construction of a Dollar General store on this piece of property. There was also an alley that will be closed that will come before us at a later date in connection with this rezoning.

It is also in Councilman David James' district. He may want to add a few words.

PRESIDENT PRO TEM WELCH: Councilman James.

COUNCILMAN JAMES: I have nothing other to say than I support it.

PRESIDENT PRO TEM WELCH: Thank you.

Any other discussions? Seeing none, this is an ordinance requiring a roll call vote.

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

MR. CLERK: 25 yes votes and one not voting.

PRESIDENT PRO TEM WELCH: The ordinance passes.

Mr. Clerk, a reading of item 26.

MR. CLERK: AN ORDINANCE CHANGING THE ZONING FROM R-5 RESIDENTIAL SINGLE FAMILY DISTRICT TO R-5A RESIDENTIAL MULTI-FAMILY DISTRICT ON PROPERTY LOCATED AT 4014 ST. FRANCIS LANE CONTAINING 0.14 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 14ZONE1013) (AS AMENDED).

Read in full.

PRESIDENT PRO TEM WELCH: May I have a motion and second?

>> Motion.

>> Second.

PRESIDENT PRO TEM WELCH: The committee-amended ordinance -- okay -- is before us. Any discussion?

Councilwoman Flood.

COUNCILWOMAN FLOOD: Thank you, Madame President.

This is a change from R5 to R5-A with a conditional use permit to allow a day care to operate in a residential area. There was a binding element that we added, binding element number six because there was some

confusion. The plans show a six foot fence around the area that will be designated as a play area. Actually, the state requires it be an eight-foot fence. Since it is mentioned it was a six-foot fence, we felt it necessary to add the binding element that it has to be an eight-foot fence in the area. There was a concern raised by one of the commissioners because it is a tight property and changing this to an R5-A since people were concerned that it could develop into multifamily, but because it is only 6,000 square foot it would only allow one residential property on that piece of property.

This is in Dr. Barbara Shanklin's district, but she will not be speaking on this issue. She noticed the names are the same, but she is not blood-related to this woman, but it will be necessary for her to abstain from this. And if anyone has any questions or comments, I will let them talk now.

PRESIDENT PRO TEM WELCH: Any further discussion?

COUNCILWOMAN SHANKLIN: I will be abstaining because she at one time was married to my son. They are no longer married.

PRESIDENT PRO TEM WELCH: Thank you for that explanation.
This is an ordinance requiring a roll call vote.

COUNCILMAN ACKERSON: Madame Chair, I'm in the queue.

PRESIDENT PRO TEM WELCH: Okay. Mr. Ackerson. Councilman Ackerson.

COUNCILMAN ACKERSON: Thank you. Colleagues, I abstained at the zoning committee on this to put some more thought into my vote. Tonight I will be voting no. Not that this is a bad project, but if you look at the photos of this situation, what you have here is a very nice small residential street. An area where probably the people that live in the street the, greatest asset they own would be the home. And my concern is that when we open up residential areas to businesses, it takes away the integrity of the residential area. While this is a day care, nonetheless, it is a business. It will change the dynamics of the street.

Parking, there's a driveway. They have talked about that will be used for three spots for employees. And so we will have on this small street at various times of the day a lot of kids being dropped off and picked up. That means a lot of parking and traffic. It is a dead-end

street. At the end of the day, it is my opinion this zoning change will ultimately affect the integrity of this neighborhood over the long haul. And as such, I'm going to vote no.

And I would encourage you to think hard about situations like this in the future where the integrity of an area can be greatly impacted by allowing a business to come in on the street that is intended for residential. Thank you.

PRESIDENT PRO TEM WELCH: Councilwoman Woolridge.

COUNCILWOMAN WOOLRIDGE: Thank you, Madame President. I basically don't have a dog in the fight, Madame President, but I would like to know if there was any opposition to this zoning change. Thank you.

PRESIDENT PRO TEM WELCH: Councilwoman Flood, do you know that answer?

COUNCILWOMAN FLOOD: No one spoke in opposition at the planning commission. The only one who had any comments in reserve was one of the commissioners who actually abstained from the vote.

PRESIDENT PRO TEM WELCH: Thank you.
Councilman Yates.

COUNCILMAN YATES: Thank you, Madame Pro Tem President.

This is for people -- I know we have a large audience -- council gesture is we defer on issues of zoning, we look to the council member whose district it is in, and we assumed that council person knows their district better than everyone. It doesn't mean we always follow the recommendations, but there is a lot of weight given to that. In this particular incidence, Councilman, there is a conflict, or the perception of a conflict. I would urge any of my colleagues who have neighboring districts to give me your thoughts on this. I think this looks just from watching it from Councilman Ackerson's short explanation on the documents this is a close one. I think that you have to protect the integrity of a neighborhood. And I think that especially when there is no other business on there, I would urge my colleagues who have neighboring districts to speak up and tell me what their thoughts are in that particular area.

PRESIDENT PRO TEM WELCH: Councilwoman Flood.

COUNCILWOMAN FLOOD: One thing. Some of the concerns that were mitigated by the planning commission testimony and by staff members was that even though it has to change to an R5-A with a conditional use permit to allow a day care, it has to remain to look like a residential piece of property. It cannot have signage at all. It is almost considered a home occupation. When you open up a day care -- I'm not sure if it is six or eight children -- the state actually has authority over that property. And a CUP, while it stays with the property, if that CUP is abandoned for 12 months, then it would automatically, the CUP would be dissolved and it could not be used for anything but a residential property. And that's a lot of times what you see what happens with a day care, that they lose the CUP after 12 months because they have not operated the day care and it goes back to residential property. But again, it will have to look like just every other house in the block, other than the eight-foot fence area section for the children, and that is by law. Thank you.

PRESIDENT PRO TEM WELCH: Councilman Owen.

COUNCILMAN OWEN: I just wanted to remind the colleagues that about four years ago or five years ago -- I'm not sure -- but this council voted to remove the conditional use permits for day cares, if I recall correctly, from the responsibility of BOZA. You remember BOZA used to grant these conditional use permits. And now tonight we are the deciders by way of a much more intense, much more expensive, much more challenging process, literally a rezoning for a day care center.

I'm on the zoning committee. It looks like a house. It is surrounded by single family residences. The only -- I did hear anecdotally that there is some informal parking not too far at all from this site that might be used, but I understand from the committee that it is ten to 20 children that would be cared for there on a daily basis. So I'm going to vote for it, and my reason for voting for it, frankly is that there were signs posted on that property, and those residents had every opportunity to write, call, enter into the record.

I'm sure the council person's office would have directed them to the planning commission to get in the record. And since no one, not one resident of that dead-end street, apparently, expressed an opinion

negatively, I'm going to follow the planning commission's recommendation on this one. But it is tough.

PRESIDENT PRO TEM WELCH: Councilman Downard.

COUNCILMAN DOWNARD: Thank you, Madame President. You are president for the day. To heck with it.

So I also sit on the Planning/Zoning committee with Councilman Owen. And when Councilman Ackerson raised this issue, he has a point. If you look at the pictures, up and down the street, it is a nice street. I think the issue is ten to 20 children could be a lot. There is a requirement for a fenced in area back in the back where they will play but not in the front. There are three parking spaces that go up on the side of the home that allows for employees to park, and there is a drop-off area that pulls in front of the house. So they can have three cars dropping off without causing anything on the street. We are having an alert. Probably that amber alert that has been going off on everybody's phones. But it is I think probably a good use only because I think, like Councilman Owen said, no one complained. It is a nice home. And I think it works out pretty well. I will be voting in favor of it, as I did at committee. But I had to stop and think about it, because Councilman Ackerson has a point. It is a nice street. Thank you.

PRESIDENT PRO TEM WELCH: Thank you.

Any further discussion?

Seeing none, this is an ordinance requiring a roll call vote.

Please open the voting, Mr. Clerk. The voting is closing. The voting is closed.

MR. CLERK: 23 yes votes, one no vote, one abstention and one not voting. The one no vote is Councilman Ackerson. The one abstention is Councilwoman Shanklin.

PRESIDENT PRO TEM WELCH: The ordinance passes.

Mr. Clerk, a reading of item 27, please.

MR. CLERK: AN ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY TO C-2 COMMERCIAL ON PROPERTY LOCATED AT 436 ROBERTS AVENUE CONTAINING .45 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 14ZONE1009).

Read in full.

>> So moved.

PRESIDENT PRO TEM WELCH: The ordinance is before us. Is there any discussion?

Madame Flood.

COUNCILWOMAN FLOOD: Thank you, Madame President.

There is an existing business, Thomas Brothers Plumbing. It is a compliance issue, that is why they are in front of planning and design to have the zoning change.

PRESIDENT PRO TEM WELCH: This Roberts Avenue is a mixture of residences with a lot of industry in the back end of it and commercial properties in the back end of it. So I did not have any negativity on this, so I would be in favor of it and would encourage your votes for it. Thank you.

Do you have any other?

COUNCILWOMAN FLOOD: This is a very heavily mixed use area. Similar to the Towles Lane area.

PRESIDENT PRO TEM WELCH: Correct.

Councilman Yates.

COUNCILMAN YATES: I'm going to abstain from this vote. I went to school with Jacob Jesse Thompson and they are also a neighbor of mine as well, so I think just for the appearance of any type of impropriety I will abstain.

PRESIDENT PRO TEM WELCH: Thank you for your explanation.

Any other discussion? Seeing none, this needs to be a roll call vote also. Without objection, the voting is closing. The voting is closed.

Councilwoman Parker.

The voting is closed.

MR. CLERK: 24 yes votes one abstention and one not voting. The one abstention is Councilman Yates.

PRESIDENT PRO TEM WELCH: The ordinance passes.

Mr. Yates a reading of item 28, please.

MR. CLERK: AN ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY TO OR-1 OFFICE/RESIDENTIAL ON PROPERTY LOCATED

AT 4906 OUTER LOOP CONTAINING .284 ACRES AND BEING IN LOUISVILLE METRO
(CASE NO. 14ZONE1033).

Read in full.

>> Move.

>> Second.

PRESIDENT PRO TEM WELCH: The ordinance is before us. Is there
any more discussion?

Councilwoman Flood.

COUNCILWOMAN FLOOD: Thank you, Madame President.

PRESIDENT PRO TEM WELCH: You have been busy.

COUNCILWOMAN FLOOD: That's why the next issue is listed to go
to me. James Peden is going to handle it for me.

This is, as you stated a change in zoning for OR-1. This is an
existing house that will become a State Farm Insurance bureau. If you
have a chance to look at the record, please do so. They will use the
existing house and add on to it. It was a residential property that was
sandwiched between a Speedway gas station and a hair salon, so it is
fitting for the area. Highly OR in that section of outer loop. This is
also in my district, so we support this change in zoning?

PRESIDENT PRO TEM WELCH: Is there any other discussion? Seeing
none, please open the voting. This requires a roll call vote. Without
objection, the voting is closing. The voting is closed.

MR. CLERK: 25 yes votes and one not voting.

PRESIDENT PRO TEM WELCH: The ordinance passes.

Mr. Clerk, a reading of item 29, please.

MR. CLERK: AN ORDINANCE CHANGING THE ZONING FROM R-4
RESIDENTIAL SINGLE FAMILY TO PEC PLANNED EMPLOYMENT CENTER ON PROPERTY
LOCATED AT 3311 COLLINS LANE CONTAINING 2.35 ACRES AND BEING IN LOUISVILLE
METRO (CASE NO. 13ZONE1031).

Read in full.

>> So moved.

>> Second.

PRESIDENT PRO TEM WELCH: The ordinance is before us. Is there
any discussion?

Councilwoman Flood.

COUNCILWOMAN FLOOD: I was wrong. He is the next one in land development code. This is to allow a little bit over 14,000 square foot office warehouse area on Collins Drive. It is a planned employment development. Also in Councilman Glen Stuckel's strict, who may want to address the committee.

PRESIDENT PRO TEM WELCH: Councilman Stuckel.

COUNCILMAN STUCKEL: Yes. Thank you, Madame President.

This property is in close proximity to the Ford truck plant, which employs over 6,000 of our Louisvillians. I think we will see more of the properties around there. This will be a business that actually helps out the truck plant. So I'm very much in favor of it.

PRESIDENT PRO TEM WELCH: Thank you for that explanation.

Any other discussion? Hearing none, this is an ordinance also calling for a roll call vote. Please open the voting, Mr. Clerk. Without objection, the voting is closing. The voting is closed.

MR. CLERK: There are 25 yes votes and one not voting.

PRESIDENT PRO TEM WELCH: The ordinance passes.

Mr. Clerk, a reading of item 30, please.

MR. CLERK: AN ORDINANCE AMENDING SECTIONS 5.1.7, 5.1.10, 5.5.1 and 5.7.1 OF CHAPTER 5 OF THE LAND DEVELOPMENT CODE AS PART OF A CONTINUING EFFORT TO UPDATE THE ZONING REGULATIONS FOR LOUISVILLE METRO (CASE NO. 14AMEND1003).

Read in full.

>> So moved.

>> Second.

PRESIDENT PRO TEM WELCH: The ordinance is before us.
Discussion.

Councilman Peden.

COUNCILMAN PEDEN: Thank you. We are moving into the second act of this evening.

This is again just some more updates to the land development code. Actually discussed at the previous ad hoc land development code meeting, but due to scheduling issues and the fact that committees will be swapping over at the end of the year, we moved this to the Planning/Zoning committee for a final vote, which Councilwoman Flood did quite well. Just

for explanation's purposes, this particular section is cleanup language on foreign districts and those areas and I'm sure it was voted out unanimously. Two committees looked at it and everything is fine.

While I have the floor for a few seconds, I would truly ask everyone to start looking at maybe the agenda for the ad hoc land development code committee. I know the members may start changing, which is not really why I'm bringing this up, but there are issues coming up that interest lots of you. And we kind of did all the quick and easy ones, and this is the last of that. Some of them are from things that I hear you guys talking about for things that are coming up around town that everybody talks about. I have this case and I have that case and so on. I'm just telling you, some remedies could be had if more people looked at the potential changes that we could make in the upcoming sections. So I will get off my soap box. Thank you.

PRESIDENT PRO TEM WELCH: Thank you for that explanation. Is there any other discussion? Seeing none, it is an ordinance requiring a roll call vote.

Please open the voting. The voting is closing. The voting is closed.

MR. CLERK: 25 yes votes and one not voting.

PRESIDENT PRO TEM WELCH: Ordinance passes.

And at this time Councilman Benson has asked for a point of personal privilege.

MR. CLERK: Thank you, Madame President. Kind of hard.

We are losing four people off the council this year. Attica and Jerry have done a great job. But when we started 12 years ago, we have covered a lot of territory, 5,000 ordinances we processed. And I want to thank Tina, especially, for her listening to me and working with us. I have always felt that I could talk to her. And Kenneth Fleming, different people might think different things about Ken, but he is one of the greatest guys. He has been helpful to me. He has carried our water at times when sometimes I needed to step up and say something and I didn't. And we need to always make sure that everybody has a voice and that we work together. And I just want to thank those two for working with all

the ordinances we have dealt with. It has been a real privilege for me. And so thank you, guys.

PRESIDENT PRO TEM WELCH: Thank you, Councilman Benson.
Councilman Engel.

COUNCILMAN ENGEL: Very briefly. His lovely wife, Kenneth Fleming's lovely wife is in the audience. She is hiding but we want to say hi to her. Thank you.

COUNCILMAN FLEMING: You are in for it now.

PRESIDENT PRO TEM WELCH: Would you like to stand up so we can all see you? And thank you for being a spouse. Because we know all of our spouses have to take a lot of heat for us. And thank you for being here. That's great.

COUNCILMAN FLEMING: She is actually here for rebuttal for what Stuart said.

PRESIDENT PRO TEM WELCH: Okay.
Councilwoman Parker.

COUNCILWOMAN PARKER: Yes. Thank you, President Pro Tem.

I just also wanted to say that I'm very sad to see Councilman Fleming and Councilman Miller go. They have such a wealth of institutional knowledge and they are so data-driven. They will be sorely missed as resource people on this council.

PRESIDENT PRO TEM WELCH: Thank you, Councilwoman.
Next, Mr. Clerk, a reading of item 31.

MR. CLERK: AN ORDINANCE ADOPTING THE STATE WHISTLEBLOWER ACT AND AMENDING THE ETHICS CODE TO PROVIDE EXPANDED PROTECTION FOR LOUISVILLE METRO EMPLOYEES. (AMENDED BY SUBSTITUTION). (AS AMENDED).

Read in full.

>> Move approval.

>> Second.

PRESIDENT PRO TEM WELCH: The committee-amended ordinance is before us. Is there a discussion?

Councilwoman Ward-Pugh.

COUNCILWOMAN WARD-PUGH: Yes, ma'am. Thank you, Madame President.

It is my privilege and pleasure to bring to you all tonight a whistleblower ordinance that I think provides a level of assurance to our employees that they don't have now, another option, if you will. So I'm going to read you what I think are some of the points to be noted about it.

It provides a local option, administrative option, through the ethics commission. Right now through KRS you only have a court legal option. And because a lot of folks are persuaded, perhaps, because they can't afford an attorney or can't go to court or take time off or some of those types of things, they might not step forward and file the complaint or offer a concern or correction about what is going on in the workplace. And so what we have tried to do is provide an affordable remedy for our everyday common workers. So even if the ethics commission does provide a ruling that they disagree with, they still have the KRS legal option in the future.

I think that one of the primary reasons that I'm particularly proud of what we have done is, while we had a policy in place, it was a policy that was governed by the executive branch. And while many of us, if not all of us, had similar policies in place about what to do in that environment, this whistleblower law puts in place that process that no matter who is serving in the executive branch or who is serving in the legislative branch, any change would require public notification, public debate, and another public vote. We included supervisors and we also included that the tip line operator would advise metro employees when they call alleging retaliation by a supervisor they may file a complaint with the ethics commission or pursue legal action. That is something they don't do today.

They will have this notification after we pass this. It does not include employees who are covered with collective bargaining agreements. And the committee amendment that we made that caused it to be on Old Business tonight is section 2107, now capital G. If you want to pull that up, I had it here and it is gone now. On page 24, G, the new G, I said I was going to read it, didn't I? Hang on. Can you find me that? December 2nd. Okay. There it is. Okay. The new G that is in red. If you are looking on your screen, that we made in committee was changed by

the ethics commission, Metro Government, including the executive and legislative branches, shall provide relevant records, except those records deemed confidential under federal or state law. Any records provided by Metro Government shall remain Metro Government records. The exchange of records or the sharing of information with the ethics commission does not constitute a waiver of the applicable open records exemption.

And that is what caused it to come before us. So I just wanted to say that's before us. I think that we have strong bipartisan support, unanimous support out of committee. We had a lot of cosponsors come on for this and have invited others if they hadn't yet to join us tonight. I think Councilwoman Butler mentioned earlier she wants to come on as a cosponsor. And if others want to speak to this, I would love for them to do that.

PRESIDENT PRO TEM WELCH: Thank you, Councilwoman.
Councilman Miller.

COUNCILMAN MILLER: Thank you, Madame President.

Every year -- and I have been on council four years -- every year I have been on Government Accountability and Ethics, and this has been on my mind from almost day one. Because in the first month I was in office I attended something at the Shawnee Community Center. And a gentleman came up to me later who had found out I was a councilman and he was an employee of metro. And he told me some things that just really bothered me. And I said, well, what's stopping you from reporting this? And he just said, I don't want to sue metro, but I'm just scared to report things. And over the years I have had metro employees in other areas do the same thing. They confided in me, but they didn't want their name out there. And why? It is because there was fear. They didn't want to sue metro, yet they were afraid to put their name out there because the repercussions that might fall to them.

Councilwoman Ward-Pugh and I have swapped off chairmanship, I think, during the four years that I have been on this. I think Councilwoman Flood this last year. In any event, I know Councilwoman Ward-Pugh and I have talked about this. And talked about getting something going on this. And it was really the work of Councilwoman Fowler and Councilman Downard that really got the impetus and focus for

that. I want to thank them for their hard work and the others who worked over the past months to get this working. I see Councilman Downard in the queue next, so I would be happy to turn it over to him and talk about it.

PRESIDENT PRO TEM WELCH: First Councilwoman Ward but needs another moment.

COUNCILWOMAN WARD-PUGH: Only because I forgot to add a couple critical amendments. I will read them out loud. One was to, under 2199A1, the ethics commission shall do one or more of the following penalties. The other one that I hope Councilman Downard speaks to, because it came about at our last meeting as a result of his interest as a part of G, what was added in there, they shall provide the relevant records deemed confidential, not deemed confidential under federal and state law as determined by the record holder and with a written explanation of the nature of confidentiality to the ethics commission. I think what we are looking for is not only someone saying we don't have the records, but also saying these are the records we are not releasing and this is why we are not releasing them. So thank you.

PRESIDENT PRO TEM WELCH: Now Councilman Downard.

COUNCILMAN DOWNARD: Thank you, Madame President. Couple of things. As this has been mentioned a couple times, first go to how this came about. Councilwoman Fowler and I did an exhaustive review of things that had been alleged in the animal services department and we worked hard. And what we found was very quickly was that many, many employees, number one, were not aware that they had any protection at all. And number two, if they did, they weren't going to do it anyway. They were scared. We literally had people that Councilwoman Fowler and I interviewed that we were required to use fake names in our notes. That's something when you have to write down. I remember Emmet in particular. That's kind of scary. We sort of determined that as an outcome of this, we should have a whistleblower law. One of the things that we pushed at. Councilwoman Ward-Pugh was on our committee and she jumped all over there. It was moving on the fast track at that point in time because there was no reason not to. Councilman Miller joined with her and they started into the process of taking it to their committee, which is where it should have been, and it worked well.

I can tell you we were told there was a policy in place and didn't need any help. I can tell you the employees didn't know that. The thing about a policy is, whoever writes the policy can change it. And this now becomes law that cannot be changed, and I think it is appropriate.

Speaking to the -- let me say one other thing. You will find out that on section one of this law it is created to be known as Sadie's law and reads as follows: For those of you who don't know -- and most of you don't -- Sadie was the animal that initiated this entire investigation that we did in animal services and had been euthanized. And then the information that came out was, I'm not going to get into that because we will talk an hour about it and I won't do it. Sadie's remembered for having died for people who were afraid to come up and talk about things.

On section G, we had this deal, a requirement that people had to provide records unless they were deemed confidential under state law. And the question I raised in committee, who deems them? Our experience had been that in many cases we had people who deemed items not subject to open records, when they were, after further examination, and people who had deemed there was nothing that had gone wrong when things had gone wrong. Our questions, the county attorney's office during the committee meeting with the attorney for the ethics commission to determine exactly how. And what we came up with, the person who is holding the record can deem it confidential under federal or state law but they have to tell the ethics commission why. Here is what I'm not going to give you and here is why and they can resolve that. It takes away the idea of the things we kept asking in our review, we don't know what else you didn't give us. We kept saying, what did you want? We don't know what you haven't given us. It changes us much for the better. I will thank Councilman Miller and Councilwoman Ward-Pugh and the whole committee to getting this done. There are now 7,000 employees in the government who are protected and weren't before, and I think that is a tribute to what you did, thank you, Madame President.

PRESIDENT PRO TEM WELCH: Councilwoman Scott.

COUNCILWOMAN SCOTT: Thank you, President Welch. I just have a clarifying question for you, Councilwoman Ward-Pugh. Can you explain why the ordinance excludes contractual workers and union employees?

COUNCILWOMAN WARD-PUGH: If I may, it only references collective bargaining if an employee has that protection under their collective bargaining agreement. If they don't have it, then this is applicable to them.

PRESIDENT PRO TEM WELCH: Councilman Fleming.

COUNCILMAN FLEMING: I just wanted to concur with Mr. Miller. Being here for 12 years, I have had quite a few comments over the years from employees saying this is going on and that's going on and there's no venue or avenue for them to express or report a particular situation and so forth. And being on the council for all these years, I have had a good, positive relationship with Councilwoman Ward-Pugh, and she is leading this charge when I talked to her several months ago about doing this. She was spot on and developed this. Thank you very much for doing that, as well as Councilman Miller and other individuals in particular, Councilwoman Parker and Councilman Downard.

COUNCILWOMAN HAMILTON: I would like to be added as a cosponsor, if I could, and I would also like to say that many employees have confided in us that they have been told not to talk to council members. We all know that. They have told us things and confided in us and we don't want to put them in a precarious position. I will appreciate the protection this will afford them to not just come forward to toast but come forward on other issues as well.

PRESIDENT PRO TEM WELCH: Thank you, Councilwoman Hamilton.
Councilwoman Woolridge.

COUNCILWOMAN WOOLRIDGE: I too would like to be added as a cosponsor to the legislation. Thank you.

PRESIDENT PRO TEM WELCH: Councilwoman Ward-Pugh.

COUNCILWOMAN WARD-PUGH: The last thing that I wanted to say was a hearty thank you, especially to Councilman Downard and Councilwoman Fowler for their work with the LMAS ad hoc committee. We wouldn't be here today and have this. I also want to thank my vice chair, Councilman Miller, for jumping on this with me as a sponsor early on. And all of

your graciousness in allowing this to happen before us exiting office, because this is a goal that we wanted to do. We think there may be tweaking that needs to be done down the road, and we have left that for you in very trustworthy hands, but I did want to thank all of you, especially Councilwoman Fowler and Downard and my vice chair, Mr. Miller, for the work in getting this done. And I guess the last thing I wanted to say was a special thank you to people who have helped me in regards to this issue. It has been a tough year on a number of levels, but for me personally with this issue I want to thank Debra Kent, council on the issue, who has provided incredible insight to the issues and processes and procedures that go on.

I want to thank my colleague and friend Vicki Marquel with the League of Women Voters who hasn't missed a meeting yet in years. Her insight and support with the League of Women Voters has been invaluable. And I want to thank Elizabeth Hoffman in our efforts to get this together and pull together all the information. She has been an invaluable asset to me. So I just wanted to thank them as well publicly. Thank you, Madame President.

>> Madame President, I would like to suggest if it is appropriate if you ask if all of us would like to be cosponsors and if so without objection then we wouldn't have to go through one after another suggesting it.

PRESIDENT PRO TEM WELCH: Very good suggestion. Without objection, does everyone want to be cosponsor on this legislation? Thank you.

Mr. Clerk and Madame Clerk, please add everyone to that.

MR. CLERK: So noted.

PRESIDENT PRO TEM WELCH: So if that's what you wanted, you can unclick out of the queue.

Councilman Miller.

COUNCILMAN MILLER: The last thing I would like to say on the matter, that's to any metro employee who is watching, as chair and vice chair of government accountability and ethics, we get a report on the ethics tip line. And every year every month we get that there are anonymous complaints. And, unfortunately, certain ones of those anonymous

complaints can't be investigated because they are against metro officers. Well, I just want to say to you you now have a protection. So thank you, Metro Council, for taking this matter before you and cosponsors it.

PRESIDENT PRO TEM WELCH: Councilwoman Parker.

COUNCILWOMAN PARKER: Yes. Thank you, Madame President. Since so much work went into this, I just wanted to put a call out for the powers that be, whether it is the deputy mayor, to make sure for all the different agencies that this makes it in their policy and procedure manual. And hopefully if they have a new employee handbook that it makes it into their new employee handbook so that it is not forgotten five years from now, and you are 18 and you get a job and you have no idea that you have this recourse. So I think that's something that we need to make sure happens. Thank you.

PRESIDENT PRO TEM WELCH: Councilman Johnson.

COUNCILMAN JOHNSON: I would just like to call the question.

PRESIDENT PRO TEM WELCH: Well, I would like to give Councilwoman Fowler the chance to speak. She is the last one in the queue, and she had a lot to do with this.

Councilwoman Fowler.

COUNCILWOMAN FOWLER: Thank you. I would just like to say that I am thrilled that everyone has decided on a unanimous front with the Metro Council to bring this ordinance to pass. And I'm just so happy that the people that work for Metro Government now have a voice without fear. So thank you all.

PRESIDENT PRO TEM WELCH: Okay. With no further names in the queue, I think we are ready for a roll call vote, please. The voting is closing. The voting is closed.

MR. CLERK: 25 yes votes and one not voting.

PRESIDENT PRO TEM WELCH: The ordinance as amended passes.

Mr. Clerk, a reading of item 32.

COUNCILWOMAN WARD-PUGH: Madame President, could I have a point of personal privilege.

PRESIDENT PRO TEM WELCH: Certainly.

COUNCILWOMAN WARD-PUGH: I see a surprise in the back of the room, and I too wanted to recognize my bride, my wife, Laura in the back of the room.

[Applause.]

Would it not for her faithful companionship and love over the last 15 years, I can promise you this job would have been much, much more difficult. And I'm doing this now so that she can leave before we get into the other issues, but I did want to recognize her and thank her for showing up tonight. Thank you.

[Applause.]

Okay, Mr. Clerk, a reading of item 32, please.

MR. CLERK: AN ORDINANCE OF THE LOUISVILLE METRO COUNCIL TO APPROVE THE ANNEXATION BY THE CITY OF ST. MATTHEWS OF THREE PROPERTIES. (AS AMENDED).

Read in full.

>> Motion to approve.

>> Second.

PRESIDENT PRO TEM WELCH: The committee-amended ordinance is before us. Is there discussion?

Councilman Downard.

COUNCILMAN DOWNARD: Yes, thank you, Madame President. This one was voted out of committee unanimously, but it was amended because of a communication gaffe in its drawing. What happened is that we have three properties. It is unusual that one of the properties was approved in our very first annexation approval in the summer, and that was when 17 homes, a hundred percent of them wanted to become part of St. Matthews and they were listed and approved. And when the ordinance was passed a second time and the survey was included, it didn't include one lot. Although we approved it, that lot wasn't on the survey, only on the ordinance, so they came back and said can we approve that. In doing so, there are two properties owned by the same person at the corner of the street that got included. And they asked their two properties be included. That's why it came to us. It is actually one new home and one new lot. And the existing one we approved last time, so we went through and discussed it at committee and it was voted on unanimously and I ask that you support that.

If you want to see the one, at the very last page of all the data, shows the original signature page for all 17 homes. And that's where the problem came, because they included that and just squared into the one we are trying to redo this time. And we didn't get the communication between myself and the county attorney's office, and so it looked like all 14 of them and it wasn't. It was just one of them. I'm not going to talk anymore. This is going to be kind of easy. Thank you.

PRESIDENT PRO TEM WELCH: Any other discussion on this item? Seeing none, this is an ordinance requiring a roll call vote.

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

MR. CLERK: 25 yes votes and one not voting.

PRESIDENT PRO TEM WELCH: The ordinance as amended passes.

Mr. Clerk, a reading of item 33, please.

MR. CLERK: AN ORDINANCE OF THE LOUISVILLE METRO COUNCIL TO APPROVE THE ANNEXATION BY JEFFERSONTOWN OF CHENOWETH HILLS ESTATES.

Read in full.

>> Motion to approve.

>> Second.

PRESIDENT PRO TEM WELCH: The ordinance is before us. Is there a discussion?

Councilman Downard, this was also in your committee.

COUNCILMAN DOWNARD: Thank you, Madame President. This one was not unanimous. So let me just go through, and I will make it kind of short. I think we went through this pretty heavily, but let me give you the salient points and let it go, because we have a lot to do tonight.

This is a plat of 143 homes, 136 of which signed individually a document saying they wanted to be annexed and came to Jeffersontown and said please annex us. They had a meeting and they complied with all of our rules that we have in the law, complied with all the rules in the state law. They have then gone through and I met with some of the people involved here. And what they had said is we have 143 homes. We are in a subdivision called Chenoweth Hills. Chenoweth Hills is in Jeffersontown, but Chenoweth Hills Estates, these 143 homes, which is on the backside of the subdivision, was built after Chenoweth Hills went into J-Town. So it

became a situation of the person here didn't have the same services as the person across the street, literally, on one of the long streets, the main street, and the ones in the back didn't, and they wanted to, and they were willing to pay for it. They came and said to do that. This came to a discussion that I had in early summer with President King and the mayor of Jeffersontown, mayor of St. Matthews, where we just approved the St. Matthews one for 17 and we at that point in time said we are still developing rules. Remember we didn't have the rules yet. Figured that since a hundred percent of them wanted to do it, we would let them, but we didn't want to do anymore until we had the rules set. So since Chenoweth asked to be annexed, they held it, and so did everybody else until, as they were told, the end of the year.

We then have the situation come in, it was the end of the year, they filed it, and we have had this discussion, an ongoing discussion with the committee. The president and I met with the firm called Strossman and company and asked them to do a study that said what is the actual effects of these things? We can do ten houses here and a hundred here, but if we do 70,000 homes, we need to know what we are doing before we get started. We asked them to do that study. Also to find out if we are dealing with any issues of expense being taken over by someone or income not coming to metro but going somewhere else, how much is that? How can we best try to determine it? And if so, how much of it is really coming from commercial properties? Especially in the downtown area. I look at some of these big buildings and I have to think the insurance premiums on those is a whole lot more than my home, but I don't know that.

And we asked to go through the revenue commission, and I asked them because I sat on it, to look into the ZIP codes. It can tell us a lot about how many residences are included. If there is an effect. And there is. I can tell you this particular annexation involves the provision of services that all the people in my district who are not in an incorporated area don't have. This city of J-Town provides their own ambulance service. When I talked to Doug Hamilton to try to verify how all that worked, he said, Kelly, if it comes in and it is part of a Jeffersontown number, we call them. They are not on GPS, they are not the closest ever that will go to something. So you have some of those e-mails

that you get from people that said people across the street had an unfortunate situation because the ambulance never got there and the person passed away. We got two of them. I read them more because I had to read all of those things. But those things happen. So they have asked to do this.

I will tell you what I have done. We had a bunch of discussions at the committee meeting. And following that committee meeting, I have asked for and received a letter from Mayor Dieruf, who is also the president of the league of cities. And it says as we work through the process of the annexation request, we have heard the concerns raised by members of council as they look to responsibly deal with concerns. We stand ready and willing to work with you and all members of the members of council to revisit protocol and procedures which will better equip Metro Council in its procedures. Nice statement. Doesn't say anything yet. One thing that I have taken into account is have the time to bring experts on board to make economic evaluations, as the president of Jefferson County League of Cities I will ask my colleagues, 82 mayors, to withhold any further annexation requests until March the first, 2015. Also we understand the difficulty presented to members by the delay of receiving materials after they have filed with the clerk. We are committed to working in cooperation with you, the county attorney, and the clerk to develop future strategies to directly provide our materials to each member before our at the time of officially filing our request with the clerk. In the interim we hope we can continue to work jointly for the good of our community from border to border on all matters.

One of the things we talked about today, and several members were in the room when I did it, something that Councilwoman Hamilton raised. 60 days isn't enough. We get them with 30 days by the time it goes through first reading and etc. There is an offer to provide the council with prenotice that something would be filed 30 days before it is filed so you don't have the 60 days, you have 90 days, and that is in direct response to the question they heard that night.

I'm going to tell you that, colleagues, I will ask you to support this. And I'm going to ask you to support it because of the integrity of them following through with what they have been told. And

number two, they reached out and said we heard you the other night and we will work with you to solve every single one of those issues you raised. But to have the 143 homes hostage in the negotiation after they thought they were included and they waited four months and then they filed and found out there was another question, they didn't know there was another question. It wasn't in the rules that we sent to them. So it came up later. And I think the ability to not have these things happen, and in the president's memo he said let's put the brakes on. If you want to put the brakes on it's okay with me. And what we are hearing is we agree with you the capacity to put the brakes on, but not on this one because we have already gone there. You can't put the brakes on going down the hill with no brakes. I would ask you to please consider that. And I'm not going to talk any more, but I will ask you to please be thoughtful. There are people who have raised their hands in the United States who have said I want services and I will pay for them and I am only allowing you me to do so. Thank you.

PRESIDENT PRO TEM WELCH: Councilman Ackerson.

COUNCILMAN ACKERSON: Thank you, Madame President.

With all due respect to my colleague from District 16, we have a disagreement on this. And what I would like you to consider is looking at this from the opposite situation. We know that we saw that the president's e-mail talking about the need to put on the brakes. There has been discussion, in fact we are already working with a CPA firm to get a full understanding of what the economic impact of these annexations are upon Metro Louisville. And we don't know those answers yet. So to proceed without knowledge is foolishness.

I respect Mayor Dieruf tremendously, and when he tells me he will attempt to get the things done as president of the League of Cities, I believe he will attempt to do these things, but there aren't any certainties that come from that. A no vote on this tonight does not tell these residents that they can never do this. They have to start the process again. It is not -- they don't even have to start the process again, I'm being told. Nonetheless, the brakes are -- they are not going down the hill to where the brakes can't be put on. Essentially, it is a delay. A no vote tonight does not mean this can't happen in the future.

There is not a time preclusion of coming back, but this body needs to think about what the long term impacts are financially. There is a loss of tax revenues from the City of Louisville that will now go to the City of Jeffersontown. There is a number of implications involved not just for this parcel of land but other areas that want to be annexed, that being, what is the condition and investments that we as the city have put into the areas? Have we recently paved the roads? Did we put a capital investment in but just give it away to another small city? Those are factors to consider.

We as a city, we are a business, and we are in the business of providing societal services to the people that reside here in Metro Louisville. So we have to look at this from an economic situation. We need to wait for the financial reports to come back and tell us what the long term implications are. We need to examine that and consider those as criteria. Because we don't have those right now, we should not just say, all right, we will let this one go, but the next one we will stop. That doesn't make sense.

I would encourage us to vote against this, empower ourselves with the knowledge, and once we have that knowledge, we can vote on issues like this. We might disagree still. We might say move forward on some and not others -- I don't know -- but at least I know my vote would be an intelligent vote, vote based on logic rather than emotions. I would encourage you to put the brakes on this and any other annexation requests that will come forward until we get what we need to make responsible choices as a body when it comes to an annexation issue. So I will be voting no and I would ask you to do the same and remember a no vote tonight doesn't mean that a few months down the road or six months down the road you will deny this subdivision to go to Jeffersontown. You still have the option. Thank you.

PRESIDENT PRO TEM WELCH: Councilman Benson.

COUNCILMAN BENSON: Thank you, Madame President.

I don't want to muddy the water. This is in my district. And if anybody's been in the city of J-Town, to get to this property, you have to drive a mile through J-Town to get to the property. There is only one way into the property and one way out. This is bordered by Chenoweth

Park. And so when you look at a map and say this person on the outside wants to be annexed, if you have to go all the way through J-Town to get to this property, if you want to know how many times it may be a problem, there might be people in the 7th division might not know this is down there because it is so far into J-Town to get to it. Just like ambulance service. Whose jurisdiction? Where are you coming from? And with J-Town having the service, I have been to every one of those houses probably four times. They thought that some of them when they built there they were in J-Town. And they were surprised they weren't. So if you would drive out there and see where they have to go to, how far you have to go into J-Town to get to this property, and then say, oh, you can't be part of J-Town because there is no other way to get to it, you have to go through J-Town about a mile or maybe farther to get to the property, it is unusual. And like I said, it is all bordered around the park and only one way into it, and that's through the heart of J-Town.

So I think this is to me -- I would appreciate you all voting for this because I think this is a good situation. Because it is a good situation. Thank you.

PRESIDENT PRO TEM WELCH: Councilwoman Bryant Hamilton.

COUNCILWOMAN HAMILTON: Thank you, Madame President. I serve on the Ad Hoc Committee For Annexation, and over the past few months we have been trying to get our procedures together and writing it as we go along. And I raised the question about the financial impact on Metro of all these annexations. And we haven't had them since merger. And now the floodgates are opened and everybody's rushing through, all those that are coming aboard. And it was like, wait a minute, wait a minute. Suppose Metro wanted to annex somebody's area? It was like we need to have some study done. So when I voted no against this in committee, it was not personal to J-Town. It was a friendly denial asking for a delay until we finish this when we get that study done, and when we get that report back, which I anticipate will be in the next few weeks.

As Councilman Ackerson said, it is not like they have to go back through the process. Basically just on hold, even though they will refile. So I will continue to vote no on this and hopefully they will refile later after the first of the year.

PRESIDENT PRO TEM WELCH: Councilman Miller.

COUNCILMAN MILLER: Thank you, Madame President. In the United States Constitution, there is a prohibition against ex post facto laws. And while that relates to criminal -- what it means is we can't change the rules -- we shouldn't change the rules on someone and then they have to suffer the consequences in this case we set the rules for 2014. This subdivision followed those rules. And this isn't like a case of Middletown annexing Lake Forest. This is the case this little community is surrounded by Jeffersontown. Very valid reason. 97 percent of the people in that subdivision responded to the survey and every single one of them said, please let me be annexed by J-Town so I can have the services that everyone else at the end of Chenoweth has. It is just not fair for someone to start running a hundred yard dash -- they have trained all the year for it and then halfway through the race say you have to run 120 yards. Don't change the rules on these people. Let's go on and get these 143 families, be considerate of the 143 families and allow J-Town to pass this, annex them, and then come spring you can change the rules again, if you would like, and those will be the 2015 rules. But let's not at this late date, December 18th, change the rules that we had established back in the summer, please.

And Madame President, I would like to call the question.

PRESIDENT PRO TEM WELCH: Okay. Do we have a second?

>> Second.

PRESIDENT PRO TEM WELCH: All those in favor to call the question, say aye. Any opposed? The ayes have it. I think we are ready to vote on this ordinance.

This requires a roll call. Please open the voting. The voting is closing. The voting is closed.

MR. CLERK: 18 yes votes, six no votes, and one not voting. The no votes are Council Members Woolridge, Bryant-Hamilton, Ward-Pugh, Butler, Yates, and Ackerson.

PRESIDENT PRO TEM WELCH: The ordinance passes.

>> Thank you, colleagues. Appreciate it.

MR. CLERK: Mr. Clerk, a reading of item 34.

MR. CLERK: AN ORDINANCE RELATING TO MINIMUM WAGE TO BE PAID TO EMPLOYEES BY EMPLOYERS IN LOUISVILLE METRO.

Read in full.

>> Move approval.

>> Second.

PRESIDENT PRO TEM WELCH: I would like to remind those in the audience that any loud, boisterous behavior during this discussion will not be tolerated, and if you do not refrain from such behavior, you will be asked to leave and be escorted out by one of the officers.

Those that are in the back. Please respect the legislative process so we council members can hear the conversation to be able to make up our minds on this vote. Thank you.

>> Madame President. Just a point of personal privilege. My system has been disconnected. Y'all tried last week like. You really poured it on this week.

PRESIDENT PRO TEM WELCH: Councilman Tandy, would you like to start?

COUNCILMAN TANDY: Thank you, Madame President.

This item came out of the Labor and Economic Development Committee meeting on a 3-2 vote, as was original written and presented by the cosponsors. We get to this point where we are this evening following four committee hearings in the Community Affairs Committee starting in February of 2014 through July of 2014. And then in the Labor and Economic Development committee we picked the issue up with regard to raising the minimum wage here locally on September 23rd. We have had eight hearings on this matter over four months. We have heard from four economists, both for and against it. We have heard from two attorneys espousing their various opinions for and against. We have heard from over nine businesses and non-profits in the community speaking in favor of and against this particular ordinance. We allowed for community comment not only through the various e-mails that have been presented to council members directly, but then also through a community forum that we had on November 10th as well. So needless to say this issue has been heard and been vetted, I believe, thoroughly by all sides. And the whole point of my wanting to do

that was to allow for our community to engage in a very thoughtful and deliberate debate and discussion as it relates to this particular issue.

So to that point, I want to thank not only the committee members and the council members who participated in this, but I also want to thank the public at large for being engaged citizens with regard to this particular issue. We all recognize in our community that there are times when we have to make decisions on a matter where we may not agree on them, and ultimately we may not know where the outcome might be.

What I want to do here is to do two things. One is I want to encourage us as council members to be able to and willing to take a courageous vote and be willing to try things even though we may not know completely where it will end at the end of the day. In particular, there is always the threats of lawsuits being thrown around, etc. I'm often reminded when I was in law school studying the case of *Brown versus Board of Education*. That was a legal case that happened because we challenged the law that was in place at the time. There was *Loving versus Virginia* that challenged the way the law was at the time. There are countless others. Even right now you have a Citizens United. That was a case that challenged the law it was at the time. I say all that to say that no matter where you stand on whatever the outcome is, don't allow these threats of, well, a lawsuit will be filed and that is going to throw everything into chaos. Take the time, you cast your vote and that is why we have our legal process be what it is, to allow for everything to work itself out.

The other point that I want to make here as well is while we have thoroughly addressed the issue of raising the minimum wage, the underlying current that we are all talking about, and I think we are all committed to, trying to help those of us who are in our community rise out of poverty or rise to a higher economic state. And in that recognize that raising the minimum wage in and of itself will not do it by itself. I think we can all agree on that.

One of the things that came out in our discussion was need to continue to expand and utilize the earned income tax credit. And the place to do that is in Frankfort with the state legislation. The state does not allow state income tax credit on the income taxes. That is

another place in conjunction with the federal earned income tax credit where we can find a way of putting more dollars back into the pockets of those who need it the most.

In addition to that, we haven't really touched upon or talked about our commitment as a community to educational endeavors that prepare people for college and for the workforce. Whether you are starting from the cradle and going through elementary and secondary on to postsecondary education or whether you are going on to vocational and technical school, we have not had that discussion as to what it is we need to do as a community to make sure that every person in the community has access to the resources and are able to utilize them if they are able to utilize those resources. And at the same time that we have put into place resources that will allow for those who may be a single parent who is trying to make ends meet, trying to better themselves, but they need help with child care while they are going off to school. Those are real issues and real concerns. If we are truly committed to our 55,000-degree initiative, those are types of things, among many others, that we need to be committed to addressing.

And then finally, we did not discuss in committee, but we need to discuss at some point in time enterprise zones or ideas like microlending that help us create economic opportunities in underserved areas. With microloans, you are able to allow for individuals who may have a good business idea who want to get it off the ground but they need a thousand dollar loan to buy a commercial lawnmower or they may need a piece of equipment to start their own entrepreneurial endeavor. How do we as a community give them the resources they need that if they have wanting to work at it that they are able to provide for themselves gainfully and that we then in term provide opportunities for everybody to have access to the commercial marketplace?

So I didn't say a lot during the committee meetings. I wanted to invoke my privilege as the chairman to be able to do that at this time, and recognizing that the hour is what it is and as I mentioned before, we have had over 12 different hearings on this matter as a community. Madame President, I would, if without objection, like to invoke our Metro Council

rule 5.11 J that would allow us to limit debate to an hour and a half on this particular matter.

>> Second.

PRESIDENT PRO TEM WELCH: All in favor of that motion for the 90 minute rule say aye.

Any opposed? Very good.

Mr. Clerk, please start the clock.

And you are finished with your statement, Mr. Tandy?

COUNCILMAN TANDY: No, I have more. No, I'm playing.

PRESIDENT PRO TEM WELCH: Councilwoman Fowler.

COUNCILWOMAN FOWLER: Thank you, Madame President.

I wanted to agree with Councilman Tandy that I think that we have had hashed this over many, many times, and I think that we have heard from people of all walks of life concerning the minimum wage increase in Louisville. We have heard from economists and business owners and workers alike. I believe we have had a fair and inclusive debate on the impact of the increase in the minimum wage here in Louisville. Five of our states across the nation have increased their minimum wage in the last few months. That possibility was discussed within the Kentucky General Assembly but failed a vote in the Senate. This legislation has been discussed at length in committee and within our caucuses.

Through these discussions and research, we have learned that many businesses and job categories are exempt under federal and state law from paying minimum wage. Two examples include agricultural operations and home health providers. I have provided those exemptions in my handout to you. We have looked into other possible exemptions that have felt would give relief to business owners but have found them to impermissible, including age restrictions and probationary periods. I appreciate the valuable input to all those who spoke on this issue.

I acknowledge that a raise in the minimum wage will not necessarily bring everyone out of poverty, but I believe it will make it easier for them to make ends meet. It will bring hope for those living paycheck to paycheck. I have been there, and I know for this it is a harsh reality for many at present.

I want to see this legislation pass, but please, can we be realistic? We know the mayor will veto this ordinance as it is now written. That is common knowledge. So let us come together, compromise, show our compassion to those who need it most. Is it not better to pass a modest increase rather than none at all? I think, yes, it is better. I hope you feel the same. Please let us come together and make a difference.

That being said, I'll offer an amendment that you have before you. The new section three reads: Every employer within the jurisdictional boundaries of Louisville Metro shall pay to each of its employees raises at a rate of not less than 7.75 an hour beginning on July 1st, 2015, 8.25 per hour beginning July 1st, 2016; and 8.75 an hour beginning on July 1st, 2017. Beginning on July 1st, 2018, and each year thereafter the minimum wage shall be increased by an amount corresponding to the previous year's increase, example, January 1st, 2017, through December 1st, 2018, if any, in the consumer price index for the urban region as published by the Bureau of Labor Statistics. The US Department of Labor or its successor index, with the amount of the minimum wage increase rounded up to the nearest multiple of \$0.05. The adjusted minimum wage shall be determined by the Metro Revenue Commission and announced by April 1st of each year and shall become effective as the new minimum wage by the corresponding July 1st.

However, in calculating any increase to adjust the minimum wage, the consumer price index as set forth above shall be limited to an annual increase of no more than three percent. If the federal minimum hourly wage is prescribed by 29 USC section 206A1 is increased in excess of the minimum hourly wage in this ordinance, the minimum hourly wage of this effect in this ordinance shall be increased the same amount the same day as the federal minimum hourly wage rate.

Section four reads: Notwithstanding the provisions of subsection B of this section, for any tipped employee engaged in an occupation in which he or she is customarily and regularly receives more than \$30 per month in tips from patrons or others, the employer may pay as a minimum not less than the hourly wage rate set forth in subsection B with the method prescribed by 29 USC section 203 M. The employer shall

establish by his or her records that for each week where credit is taken when adding tips received to wages paid not less than the minimum rate set forth in the subsection B was received by the employee.

No employer shall any part of the tips or gratuities received towards employees toward the payment of the statutory minimum hourly wage has required by section B. Nothing, however, shall prevent employees from entering into an agreement to divide tips or gratuities among themselves.

So moved.

>> Second.

PRESIDENT PRO TEM WELCH: Okay. The amendment has been properly moved and seconded. Is there a discussion? We do have people in the queue.

COUNCILWOMAN FOWLER: I'm not finished. I would like for the county attorney to give us an explanation of section four C, if you don't mind.

SARAH MARTIN: Sure. Sarah Martin with the county attorney's office. Councilwoman Fowler asked me to give a little legal background and explanation regarding subsection C about tipped employees, because it has quite a bit of legalese and depends on state and federal law. The Federal Labor Standards Act, which was passed in 1938, governs the federal minimum wage.

In 1966 Congress established a concept known as the tip credit. And in this as set forth in 29 USC section 203 M it allowed for those employees who meet the definition of a tipped employee to make less than the minimum wage. In this case it is now \$2.13. But the same provision also requires employers of the tipped employees to ensure that the employee receives tips at least the minimum wage. And the employers also require to maintain documentation to ensure that this employee receiving tips from customers such as a restaurant actually make an hourly wage of at least the minimum wage. So that section is set forth in section C. And it also refers to the reporting requirements of employees, and this is also the law, not only federal law but also state law.

PRESIDENT PRO TEM WELCH: Thank you, Ms. Martin.

SARAH MARTIN: Thank you.

PRESIDENT PRO TEM WELCH: Councilwoman Butler.

COUNCILWOMAN BUTLER: Thank you, Madame President.

As Councilwoman Fowler read this, I was on the labor committee. I listened to everything. I went to all the meetings. I participated in debate, supportive of the ordinance. And it was brought to our attention that the mayor would veto it. And so we have to take into consideration do we want to gamble on that or not? Because we don't have veto power. But the one thing that is in the amendment that she is offering is CPI. So every year from the fourth year on there is going to be a raise. We don't have to go through this again. There will be a raise every year. And I think that's the important thing that we have to look at here.

We recognize the need to raise the wage. It hasn't been raised since '09. Nine other municipalities have CPI attached to the minimum wage. Congress has CPI attached to their salary. Several labor contracts have CPI attached. So I really think that by getting this in here, that is what legislation is about, compromising at times. And I think guaranteeing a wage hike every single year is something that is important to this community and to help people as they move forward. Thank you.

PRESIDENT PRO TEM WELCH: Councilwoman Scott.

COUNCILWOMAN SCOTT: Thank you, President Welch. I'm going to read this statement that I wrote. And I'm going to begin with a quote from Shirley Tism, a politician.

Far too often we are -- individuals who often do not want social revolution as much as they want personal power. You know that eight dollars an hour is only 16,640 dollars per year before taxes. 18 percent of our neighbors in Louisville who exist below the poverty line of 18,552 dollars know this all too well. I serve District 1 on Louisville Metro Council and 36.2 percent of folks from District 1 who have children are living below the poverty level even when they are working to barely make ends meet. So in reality 18 percent are unemployed, which means the other more than 90 percent struggle from paycheck to paycheck. Economists talk about the need for economy-boosting jobs. These are jobs where people make money and enough of it to maintain the basic spending levels that keep the economy and our communities going. If people cannot spend on the basics like food repairs and so on, the economy stalls. Our government has a specific role when it comes to the job market.

To maintain a wage and benefits floor, powerful corporations actively use their influence to hold down wages and benefits. Increasing the minimum wage is one way to help regain our prosperity and we all know that it is only one way to help lift people out of poverty. According to the center for American progress, 600 economists say that raising the minimum wage does not hurt job creation. In fact, in a letter they wrote in January of this year, the vast majority of employees who would benefit from a wage increase are adults and working families, disproportionately women who work at least twenty hours a week and depend on the earnings to make ends meet. Many of you are struggling from paycheck to paycheck and have placed your last hope of raising the minimum wage in the hands of this council and, unfortunately, in the hands of Mayor Fischer.

Mayor Fischer has announced class warfare where you would get a pittance of fifty cents a year for three years. What does accountable community govern look like when many of us who are responsive to the minimum wage ordinance have tried hard to reach a compromise to lift you out of poverty rather than to keep you there in three years. Mayor Fischer and others have not bothered to listen to struggling workers.

Let me tell you about one worker whose story was shared with us by Maria Price of the Saint John Center for Homeless Men. As you discern your vote on the minimum wage ordinance, I want to ask you to remember one more person. His story might put a little wind in your sails as the debates continue. Walter R told me he didn't want to testify in front of the council, but he gave me permission to share his story.

Walter has been homeless off and on all of his adult life. He is not developmentally disabled, but he struggles greatly in school. He does not struggle with addiction. He has an impeccable work ethic. He works at McDonald's near the U of L office -- some of you have probably been there -- from 10:00 a.m. to 6:00 p.m., typically about 30 hours a week.

Before his first paycheck he didn't have enough money for TARC, so he walked from McDonald's by U of L to the St. John's Center, where he could take a shower and take a nap. He slept in overnight shelters when he didn't have to work. Because he is a reliable worker, he got a raise from his minimum wage to 7.95 an hour. He saved and saved and finally had

enough money for a deposit on a room. He makes enough money each month to afford to rent a room, not an apartment. He would really like to have his own place rather a room in a shotgun house. I wish that for him too. He cannot afford to pay for trips to the mall. He is a man. He is trying to make it in this world, and he is doing his very best. Because of his limited aptitude and skills, he will always be in a low wage job.

I urge your support of this effort so that Walter will have a wage that allows him to afford decent housing, public transportation, and food. I understand that the issues are very challenging, but I also understand that for Walter it boils down to better wages. Thank you for considering this ordinance to help make a better day for Walter and thousands more like him.

This is a letter from Maria Price. Walter, we have not forgotten you and we will not leave you behind. So many low wage workers, community leaders, people of faith, and people who care have come together to support a 10.10 amount in the minimum wage. That is why you are holding up the signs. I know accountable legislation works when you are mobilizing yourself for minimum wage actions because you know that we as elected officials will fail you. You have presented us with your agenda for economic growth for working families and Mayor Fischer has countered with his own agenda of keeping you economically enslaved. Our vote today will tell you how much we value your work. Of all the cities currently considering raising the minimum wage, Louisville has the lowest proposal as 10.10 cents by 2015. I'm not proud of that. We will still be behind and in three years we will remain behind. Some people on the council and our own mayor who see you as only worth \$8 or so an hour. In fact, many cities across the country including Atlanta and Lexington are beginning conversations to join the Fight for 15 campaign, \$15 an hour over three years. We still remain behind. We are not doing anything special at 10.10. I care about Bradley Mitchell who spoke to the Labor and Economic Development committee and he begged the council to raise minimum wage to 10.10 so he could afford his diabetes medicine. Rights are not handed from up above, they are forced from pressures below. You are the pressure point. I believe that we have members of the council who truly support working families just as we support businesses with tax breaks, as I said

before from, the Young Center to GE to Kentucky kingdom, Colonial Gardens and Cornish. You are our pressure point. Many of you have taken the time to get to know the person who represents you on Metro Council. You have called your council person and shared your experiences living on low wages. Some of you are attending council meetings for the first time and seeing firsthand how we make decisions and negotiate your futures. And you have done your own research on the issue of raising the minimum wage so you can challenge economists who Dr. Coons in the committee speaking about minimum wage is the employer is not even sure they are going to show up, not going to steal, not going to be on drugs. He is talking about you, Ivan. Ms. Roy tells us another world is possible. In order for another world is possible another Louisville is going to have to be necessary. We need a Louisville that values the creative class and working class. Businesses and workers that keep the businesses flowing. Yet, Mayor Fischer envisions a different Louisville.

I see through your thinly veiled attempts at race baiting and divide and conquer, Mayor Fischer. You talk about the possibility of 2,000 low wage jobs being lost West Louisville, but you didn't mention the 62,500 people who will benefit from a wage increase or the problem that the fact that the businesses you mentioned are all concentrated West Louisville, concentrated poverty.

Reverend Ellis, a black pastor in Western Louisville, spoke to our committee about the need for people who serves through West Louisville Community Ministries to receive a 10.10 raise. Is he irresponsible, Mayor Fischer?

I serve on the board of directors for Shively area ministries and spent three hours doing intake for people needing goods from our food pantry. Broke my heart to listen to people talk about jobs that pay low wages, wages so low they need to monthly food supplement we are providing. I'm talking about canned goods and powdered milk.

Mayor Fischer, you talk about predominantly black West Louisville as if you care about the predominantly black workers at MSD where workers have been referred to as animalistic and terrorists. I live in West Louisville and have spoken to more people who need, want, and support a 10.10 raise in the minimum wage and who cannot stomach the

dumbed down increase that you are trying to ram down our throats. In your statements at media events particularly yesterday when you tried to undermine the Louisville Metro Animal Services report released, it is clear to me you haven't really bothered to acknowledge the workers who are barely making ends meet.

Workers like Linda, whose story was shared with us by Natalie Harris for the Coalition for the Homeless. She lives at a local shelter with two children. Grew up with children who she hopes will have more opportunities. It will become harder as her income will not rise but her costs continue to do so. Linda works in the health care industry and makes \$8 an hour. Please stop to think. That means that she works full-time and makes \$16,640 per year before taxes. This means that even if Linda can find an apartment with cheap utilities and rent of no more than \$600 a month, which is unlikely, or likely to mean living in a neighborhood where it is difficult for her to get to work, she has only \$200 per month left for all of her family's other bills, including food, clothing, transportation, child care, health care, and everything else. Our low wage workers are struggling from paycheck to paycheck, and yet Mayor Fischer you pushed forward an LG&E franchise fee that hurts the working poor. You can find money within days of March 22nd to watch grass grow on the waterfront but folks have to wait until next summer for a police body camera pilot project. You care about black people West Louisville and yet four black teens were misidentified by your law enforcement as being part of the March 22nd ruckus and their lives are forever changed. And you want a lift sales tax for projects that may never even cross Ninth Street.

Folks, you need to know that people from all walks of life in Louisville have repeatedly asked your mayor to support a gradual increase to 10.10, other millionaire philanthropists, labor leaders, pastors, activists women's groups and the list can go on and on, and some of the sponsors have been willing to compromise. I will call out Councilman James right now because he approached one of our colleagues in leadership about a month ago with a 10.10 over four years compromise proposal, which would be \$0.71 per year, and he was met with an emphatic no. But he was not deterred because he was fighting for you. He went back to the same

person in leadership about a week ago with a 10.10 over five years proposal, which would be \$0.57 a year, 8.96 cents for three years, which is exactly what the mayor wants, less than \$9, right? He was still met with an emphatic no. We even tried for 8.75 over two years. We have tried, folks. We have tried. You all need to start today issuing an annual report card for local elected officials and share the report card as often as possible.

[Applause.]

PRESIDENT PRO TEM WELCH: Excuse me. Officers, you are going to have to start taking people out. We are on a time limit here. I have about eight people in the queue, and they deserve a right to speak. So you have got to stop or you will be removed.

>> Point of order. We are on a time limit. It would be nice if we focused on the minimum wage.

COUNCILWOMAN SCOTT: The report card that you need to issue --

>> The report card has nothing to do with this.

COUNCILWOMAN SCOTT: -- needs to look at what fails to raise the minimum wage. Who failed to oppose bridge tolls that you have to pay to get to South Indiana, who passed an increase in your cable bill, who -- Frederick Douglass said we are just as denied where poverty is enforced, ignorance prevails and any one class is in an organized conspiracy to oppress, rob, deprave them, no person or property would be safe. No wonder people are dying, people are sick and tired of begging for change.

Many of you raised your voices because you feel forgotten, ignored, and neglected. Unfortunately, far too many people who can make a difference have lost the will to make a difference. We have entire neighborhoods where people are unemployed or underemployed. Young brains are being damaged by environmental hazards, mental health is often overlooked, poor families have little to no housing stability, community centers are nonexistent, poverty is real. Of course, folks will look at you who make low wages and make judgment calls about your life decisions.

We know that 10,000 or more students in Jefferson County Public Schools are homeless. They live in poverty. Raising the wage would help them and their families. We know that many of the students only eat the

meals they receive at school because there is no food for them at home if they live in a car or on somebody's couch, live in a car or on someone's couch.

I will close with a quote from my friend, Ms. Nixon. Perhaps the most striking lesson of me during a decade of this work is the extent to which so many people of many backgrounds share the common dream. What kind of community are we? Is our economy working for people who are poor? Can we do something about it? Yes, we can. Do we have the will to do something about it? We will see.

[Applause.]

PRESIDENT PRO TEM WELCH: Councilwoman Bryant Hamilton.

COUNCILWOMAN HAMILTON: Thank you.

PRESIDENT PRO TEM WELCH: Excuse me. You have got to stop applauding because it takes up our time, and we have to listen to the council members to be able to know how to vote here. So in your best interest, you need to quiet. Just be here to listen or you will be taken out. Thank you.

COUNCILWOMAN HAMILTON: Thank you, Madame President. And I would like to welcome you to the sausage factory. To say that I'm disappointed that this council and our mayor could not reach a better compromise to gradually raise the minimum wage for the workers in this community to 10.10 is an understatement but not a surprise. Although the great recession of my lifetime has officially ended and business has rebounded, housing starts are picking up, long-stalled construction projects are back on the drawing board, hiring is picking back up in many states, the stock market is hitting highs again. In fact, the DOW Jones jumped 400 points today, the best gain since November, 2011, and unemployment is low. If everything is so good, why aren't the people seeing and feeling it? The rich are getting richer and the poor are getting poorer. Where is that famous trickle-down economics that was a popular economic theory of the Reagan years? Why is it that the poor always pay more despite four consecutive months of lower unemployment in Kentucky and across the country? Why have the financial circumstances for low and middle income workers not improved? Why is it that despite the turnaround and improvement in the economy, many people are still only

being hired for part-time jobs with no benefits? Why do employers continue to add on even more part-time jobs rather than to increase the hours of the part-time workers they already have? Why won't more of them pay benefits? Why do we continue to give tax breaks and incentives to the folks who need it the least? To say you will move your jobs to Indiana or surrounding counties reminds me of business that has shipped jobs overseas. A rising tide should lift all boats.

It is a fact that if you make more money the lower wage workers will spend more money. If we have more disposable income, we are likely to spend it. That is why the tax breaks we got a few years ago helped jump start the national economy. Folks will spend the money. We don't have the luxury of saving. It is hard enough saving for a rainy day, like we wish we could, or investing in the stock market or taking our families on excursions and nice vacations because some workers still have to be here to change the bedpan for your grandpa at the nursing home or change your toddler's diaper at the day care or ring up the purchase of your food at a fast food restaurant and teach your preschooler to read. Those jobs will continue to be needed and can't be shipped out. When will we realize that we are all in this together? American workers have been waiting years for a big raise. That bump is finally coming, of all places at the gas pump. If gas prices were to stay at their current levels at \$3 a gallon, the average American household would save at least \$380 over the coming year, according to Clear View Energy Partners, a research firm. Another estimate from his global insight estimates that the average family could save \$750 over the next year. By comparison, after adjusting for inflation, the median US income grew by just \$181 year. This drop in gas prices has already raised retailers' hopes for a stronger shopping season. Since less spending at the pump gives consumers more to spend on everything else -- restaurants, home improvement, medicine, haircuts, housing, airline tickets, hotel rooms, groceries, new cars, new TVs, new clothes, concert tickets -- these savings give us a little more disposable income, even if it is only temporary, because we all know how gasoline prices fluctuate in Kentucky, especially in poorer neighborhoods.

That's great news for those of us fortunate to have automobiles, but not everyone does. Not every family or low wage worker will even

benefit by the lower prices at the pump. Most low and middle income wage workers live paycheck to paycheck and pray every day for good health. And poorer households tend to have older, less fuel-efficient cars and tend to rely heavily on car pools and public transportation to get to work because of the location of their jobs, the hours they work, and the tendency to have to work two to three jobs, an unpredictable, unscheduled overtime. Last year the bottom fifth of income workers spent more than 12 percent after tax income on gas compared with three percent for the top fifth income earners. In 2000 the bottom fifth spent 8.5 percent of their income on gas compared with only two percent for the top fifth.

Just picture what a more permanent, more dependable, and calculated wage increase to 10.10 and approaching a livable wage for the bottom wage workers, would mean, not just for the families, but for the economy and our neighbors in this city as well.

With those savings and increase in wage, some families might be able to actually quit their second part-time job and be able to show up at school and PTA meetings and their children's program. They may be able to be at home when their latchkey child comes home and they could help with homework at night without having to go to work, start paying back student loans, pay off medical bills and credit card debt and some may finally be able to get off public assistance, feel confident and secure enough to enroll in college, buy that new coat, and eat out more than once in a while. But despite all the good economic recovery signs, to be sure, many Americans still aren't feeling the benefits of the new-five-year-old recovery. Unfortunately, wealth gains are unevenly spread among Americans of different incomes, not to mention races and ethnicities.

In the spirit of the Christmas tradition, all too many families go into debt at this time of the year and with the increase in rent and mortgage payments and the threat of bankruptcy and foreclosure, our families, our workers are stressed to the max just trying to survive and thrive and provide for their families. They work hard and should be rewarded. Just think and picture for a moment, what would our communities look like if working people were paid something approaching a living wage? All the benefits and profits in our economy shouldn't just flow to the top one percent, but to the workers who work hard every day to contribute to

the successful bottom line for our local businesses and our local government.

The cost of living has increased. LG&E and the water company rates are increasing. Last year JCPS raised its tax rate. Insurance rates go up, groceries cost more, and we are all holding our breath for the tolls that are coming on the new bridge. And if the administration has its way, we will be paying an extra one-cent sales tax for local projects. Consumer spending is the biggest driver of economic growth in the US, accounting for two-thirds of output. Everyone benefits if we raise the wage. A recent New York Times editorial said stagnating wages and widening inequality are the central problems of our day. Without wage growth, the gains from economic expansion as measured by income and wealth become increasingly concentrated at the top of the economic ladder in a self-reinforcing process that makes broad prosperity impossible.

A *Wall Street Journal* editorial on October the first said the condition of the middle class, its size, income and self-confidence rebuilds the extent to which economic growth increases opportunity, because when the middle class is shrinking and the heart of the American economy is losing hope for a better future, the US economy is in trouble and so is the political system. I hope that those who spoke about the businesses who will suffer from paying their employees more will step into the workers' shoes and see it from their eyes. We have a great opportunity to continue to be the leader in the commonwealth and be the first jurisdiction with the commonwealth to raise the living wage. Just like with the smoking ban, if Louisville leads the way, other cities will follow. An increasing number of states have put the measure before the voters, and we know that we just can't keep waiting on our representatives in Congress to get this done. And sadly to say, our representatives in Frankfort either. Too many people elected to public office in recent years, it seems, they don't really believe in government. They want government to get out of the way, to leave businesses unregulated and to let them make all the decisions. And the recent change in the campaign contributions will allow even bigger money contributions to go through the roof.

What we have here tonight is a compromise, something that seems hard to find in DC or Frankfort. This isn't what we want. It isn't what we need. It isn't what our working people deserve. The sky's not going to fall, chicken little, by raising the minimum wage. If we can only muster the will to do what's right for our neighbors, then our local economy and our families will flourish, then this will deserve to be called a compassionate world-class city.

Thank you.

>> Thank you.

PRESIDENT PRO TEM WELCH: Councilman Fleming.

COUNCILMAN FLEMOING: Thank you, Madame President. I appreciate the recognition. I want to take just a little bit of different tactic on the conversation that has been occurring so far.

First of all, I just want to address one particular item about the local option sales tax. That \$16,000 income the lady will receive, it will cost her an additional \$70 if the mayor gets his way with the one percent increase. Thanks for bringing that up. That just bears the point, do we really need the local option sales tax?

We really haven't talked about the legality of it in earnest. But I just want to bring up a couple points. I will bring a request to the committee chair to have Representative Riggs come and talk to us about the legality of this from a state perspective. And he is the Kentucky house local government chair. And based on his opinion in the public, he said we don't have the authority to do this, which is interesting enough because there seems to be confirmation among his colleagues in the house with the representative who prefiled a bill, 414, basically saying that we should have the right to vote on this. In other words, he recognizes we don't have the authority to do that. He prefiles us the bill to give us the right to do that. I think that is pretty interesting.

I also had several other representatives from the general assembly in both houses and interestingly enough on the democratic side say that we don't have the authority. So we are going down a path, setting ourselves up to be sued because we don't have the legal authority to do this.

I know the attorney general rendered an opinion and the county attorney said we can do it. There is nothing that came from the county attorney that said we can or cannot. And other options will cause a whole bag of worms to come out. So we have to be conscious of that.

As you all know, I put forth a request for a financial impact statement, and Mr. James did the same thing. And he got a response back from Mr. Roland to the tune of \$534,000 it will cost us in terms of employee costs to do this. I appreciate Mr. Roland coming back and doing that. I also sent a request to ask for a total cost of economic considerations in the whole package. I mean when I say whole package, I mean the whole community, not just interim costs, but also external costs with benefits and so forth, what they might run. Mr. Roland came back in a statement after about a month of asking, which I appreciate the chairman of the committee sort of shepherding that through. It came out to be tune of a hundred thousand dollars. Now we are up to \$674,000 of additional costs to do that. If you take one city that implemented the minimum wage, they are up to up to a million dollars in cost in order to implement this ordinance.

So that's one thing we need to be mindful of. Mr. Roland accurately said in his memo back to me and to the committee that we really need economists to come through and look at the total cost of it because they don't have the wherewithal, nothing against them, he can sit there and go through that calculation, but I don't think he has the resources from an economist's point of view to go through all the different scenarios that might come into play, that being the loss of jobs or the gain of jobs, the loss of benefits, the loss of relocating businesses or even the opportunity lost of attracting businesses, there are a lot of behavioral issues that go into this, and I think that economists need to be involved with that. And the administration had over a month to go through and engage the economists to do this. Unfortunately, that didn't occur.

So when the financial statement was put forth, the council basically changed the rules in the middle of the game. And I understand that's the way it goes, but basically we weren't allowed to ask for an

additional or more information from the administration because the rules were changed in the middle of this game trying to do that. So be it.

But now I want to talk about what happened yesterday or the day before yesterday with the mayor. He wants to compromise on the 10.10. And I think he ignores the CFO's recommendation, also ignores the community, I believe. He is making the decision on his gut feeling. I tell you what, when I start a business or y'all want to start a business, go to the mayor. He won't ask you for a business plan, financial impact study, or even any type of marketing plan or finances. He will just say, that sounds good. Here is a half million dollars. I will go ahead and give it to you. I think that's irresponsible and it is a poor logic.

Now if you take that logic, go along with what Mr. Ackerson just said a couple minutes ago, he was talking about annexation. And let's see here. You said we should know that economic impact, we should have a financial impact statement. I hear that, but I have to subscribe to you that's the same logic we are talking here as he just spoke a few minutes ago about annexation. I understand that. We should have a full understanding of an annexation, the pros and cons. Take that logic and apply to it this situation, but we are not. We are going down a blind path and not really thinking this thing through. And further more I think Mr. James and Ms. Scott, I think you are all being sold out by the mayor. I think the mayor is looking for a compromise that he has no idea what he is doing or where he is going and what he is trying to accomplish. That scares me, and I support your principles and what you are standing for. Even though what we disagree, you are standing on your principles. That's what I try to do and other council members try to do as well.

The other thing that I wanted to add is that we really need to think about where we are going in this community and how we are progressing. Regardless of this comes out or not, we need to have our eyes open to the impact of what is going to happen to this community. We are starting to see taxes, taxes, taxes. And we need to be mindful of how all these taxes -- and like I said regardless of how this comes out tonight, we need to be mindful of where the community is going.

With that, Madame President, thank you very much for the recognition. And I will be voting no on this amendment.

PRESIDENT PRO TEM WELCH: Okay. We have 12 people left that would like to speak and we only have 46 minutes left. So if you could try to keep your remarks to three minutes, that would be good so that everyone could be heard. I know this is a passionate issue, and, Rick, I don't mean anything to you, my good buddy.

COUNCILMAN BLACKWELL: No offense taken.

PRESIDENT PRO TEM WELCH: Thank you.

You are up next, Councilman Blackwell.

COUNCILMAN BLACKWELL: I will do my best, Madame President.

First of all, I want to thank Councilman Tandy for his leadership on this. I appreciate the fact that he did not rush the issue and that he has led in a very deliberate and thoughtful process. I also will point out that Councilman Tandy pointed out this is only one piece in a bigger puzzle, and the earned income tax credit is an important part, and we heard that in the testimony. We heard GLI come through and talk about the earned income tax credit on the state level and how that is an important piece and how that might be the better piece. So I will say I was very disappointed when I saw the legislative priorities for GLI and it did not include the earned income tax credit which they said was such a priority.

I will say I'm very disappointed. When we got into this discussion, I really felt like on a local level that we wouldn't see the polarization that you see on the national level and on the state level when they have talked about this issue, and I am very disappointed that's where it went. From the beginning, if you are somehow listening to GLI and if you somehow don't agree with theirs you are antibusiness, if you don't agree with the 10.10 folks, you are antiworker. And I think we all need to be a little more humble when we come into these things and realize that people of good will can land in different places and can have different conclusions when they look at all the issues involved, and there are a lot of issues involved. We had economists with Ph.D.s telling us two different things. We had lots of people testifying to lots of effects and any big issue has lots of effects, no question about that. It's not as simple as it will be good for everyone if we do this. There is no policy that we ever put in place that is that simple. So it is complex.

And I recognize tonight that this amendment, is a fair amendment that tries to take into consideration a lot of what we heard. It recognizes the concerns of businesses that have been brought before us and doesn't paint all of our businesses as only interested in the bottom line. It points out -- that is not my history here in Louisville. At my district we have a company that makes it a point to not lay people off and even during tough economic times never laid a person off even though the income coming in wasn't covering the employee salaries. He did not lay people off. And so that's a history we have here as well. And also though I think we do need to recognize that the economy has shifted and has changed. And so we have fewer, unfortunately, manufacturing jobs, the good paying manufacturing jobs. Unfortunately, we have fewer union jobs, which are generally better paying jobs as well, and pay living wages. And what we have is more and more of the service jobs, more and more of those that are going to pay minimum or just over minimum and never really pay anything more than that regardless of how hard the person works or how many hours they put in or their dedication to the employer.

So tonight we have to -- I feel the need to -- raise the minimum wage. I do believe it is a good thing to do, but I believe it is also a good thing to be prudent, and I think this amendment is prudent. It looks at it and tries to take in everything that we heard in the deliberations and tries to move us forward in a progressive way but also respectful of our businesses and we can work this out together and move together as a community.

Thank you, Madame President.

PRESIDENT PRO TEM WELCH: Thank you.

Councilman James.

COUNCILMAN JAMES: Thank you, Madame President.

I would just like to first start by saying that I think that both sides of this debate are very passionate about their beliefs. And that just because you are on one side or the other doesn't mean that you are right or wrong, just means that is your point of view that you happen to approach things at. But I would like to talk about a few things, some of which has been said and some hasn't. I would like to be considered before you cast this vote.

First of all, I'm very disappointed in the 8.75. I don't think that it is good for the people that are actually out doing the work. I was one of the original sponsors of 10.10, and I still believe that 10.10 is where we should be for the citizens of our community. I listened the other day, and as we talked about the 55,000-degree process that we have here in Louisville and how we want people to be able to go to school, get a higher education, get a better job. But I find that awfully difficult to do when we have people that are working two and three jobs for minimum wage at 7.25 an hour. I don't know where they will have the time to go to school. I really don't know where they will have the time or money to pay for child care while they go to school. And I really don't know how they are going to pay for school. So it is very frustrating for me to see us as Metro Government not recognize that.

I listen as we talk about family values and how we should spend more time with our children and in all of those types of things and then again I think about the working parent that is working for minimum wage doing two or three jobs. They don't have time to be at home to take care of their child, and we punish them for that. I really don't think that is fair as a society. I find it very troubling we will talk about the crime that occurs in the street and how we need to find better things for our kids to do and youth to do, yet we are going to not want to raise the minimum wage so their parents can be with them to provide them the guidance we request of them. I find it odd that we give millions of dollars to nonprofit agencies to help with all sorts of things from out of school programs to help feeding people to blessings in a backpack, kids who have nothing to eat except for school, and yet we will vote to not do 10.10 an hour. Those things are very frustrating to me.

If I hear the fear tactics like if we raise to it 10.10 an hour the businesses might move away and then some have the knee-jerk reaction, what are we going to do? I have heard that over and over again, but I have seen no proof that it has happened. We have had the minimum wage since 1937. We have had the same exact arguments, and we still have the greatest country on the face of this planet. Nothing fell apart. So I look at the people that send us some of the e-mails in our community and stop and talk to me about the issue over the past two months. And some of

the things that people have e-mailed and said to me are quite disturbing. I had a gentleman say to me, well, I will support you in the minimum wage thing you have for 10.10 an hour if you pass a law that the people that receive that minimum wage have to take a drug test. And that tells me a whole lot about that person and what they think about people that are working for the lowest wages in our community. And it is not good.

And as a community I would like us to understand that our community is a whole community. No such thing as your end of the community is bad and mine is good. So if my end of the canoe is sinking, yours is too.

I want to say to the audience that I support you. I want the opportunity to vote for 10.10 an hour tonight. Thank you.

PRESIDENT PRO TEM WELCH: Councilman Yates.

COUNCILMAN YATES: Thank you. Sitting back and listening to a lot of very emotional and moving arguments. I remember before I was elected to Metro Council I got to be a cheerleader. I got to go out and voice my concerns. I was president of the college Democrats and I could come in and say what I believed in and I can push based on my emotion and I can look at you and say I know people deserve, who work and try to make ends meet should be making more than minimum wage. And I can look at them and say you are worth more than 8.75 an hour. Worth more than 10.10, 12, we can go through it. But that is my personal opinion. And the people on the council here today, we don't have the votes to overturn a veto. We don't have them. So we have to make a decision today, and I have to say the best political decision for me would probably be keep my mouth shut and vote for a 10.10, let it pass here and get vetoed and die. And that would be the best political decision.

But the people in my district, the working poor and the people who have talked to and say -- I can say that's garbage, but if they say that's a 20 percent increase, and it is hard for me to turn my noise up to that, because it is real. So I have to decide whether or not today I be a public servant or politician. I have gotten pressure from close friends, people who always supported me and said, let's just get it to the mayor and make him do a veto and show his place. The problem is that doesn't help anybody, nobody. Let me tell you why I support minimum wage

increases locally. 22 percent of the people in Louisville will get help. We know that. We know that we can be the leader of the state of Kentucky and this region.

We pass the minimum wage increase and we will talk about the levels. But if we pass an increase, we show that it worked. We showed the state it worked. Even smaller increase. We didn't lose jobs, we increased the quality of life for the people, even if it is small, we increased it and we increased the workforce and local economy, we stimulated it. Is that not a positive thing? We are not going away as a council. We show the increase, or we make a political vote and say we stand with this number.

Where did the 10.10 number come from? The local 10.10 number? It is federal. Then the state picked it up. Then we go to the local level and it is a little bit different when dealing with local level. We are competing with the whole region, new Albany, Bullitt County. We look at the effects.

As an attorney, I am very blessed now. Growing up wasn't always the case. When I was a child, I knew how to turn the water back on. I knew what it was like when my father was laid off work. I knew what it was like to walk picket lines and all that. I know when someone tells me a 20 percent wage increase is nothing, part of me gets pissed off and the other part says, I understand your emotion and passion and those wanting to help.

We get something passed today, we help everybody. I want to pass it for the right reasons and I would like to get as high as we can within reason. And the reason I say that is we have to have the balanced approach. Whenever I hired an expert, say if I have a medical malpractice case, I can have a client come in and say, you know what that looks like a medical malpractice to me. I can tell you something's wrong with him, but I have to hire an expert. The expert comes to the office, they review the files and we go through. And if the expert says I know you passionately feel this way, but this isn't a case because it didn't breach the standard of care, I have to rely on the expert.

In this case I'm very passionate about increasing the minimum wage. The number you held up, I didn't pick a number. I set back and

said, educate me. Tell me what the right number is. It is not a political number, not one that we pick out and sounds good to the people voting for us. What is the best number that will increase the prosperity of Louisville and help bring people out of poverty and keep people from having job loss?

As they talked about the numbers, the problem is they get to the number we want and we don't get over a veto. We don't have 18 votes. We don't have it. So when we do this amendment, I want you to watch, the people today who have spoken who are not for the minimum wage, not for it at all, if you watch the votes, I bet you the people who are not for the minimum wage who don't want the minimum wage will vote against this amendment. You know what why? If you don't want the minimum wage, then you don't want this amendment. In the event this amendment doesn't pass, the minimum wage doesn't increase. I want you to think about it. At the end of the day I have to make a choice. Do I make a political vote or do something to help my constituents and the people who are working? And at that point I have to be a public servant over politician. Thank you.

PRESIDENT PRO TEM WELCH: Councilman Miller.

COUNCILMAN MILLER: Thank you, Madame President. Without question, I think 10.10 would lift people out of poverty. Sadly, I think it will impoverish some others, and that is people that are not working. Historically it has been not enough jobs or not enough hours. I think Councilwoman Cheri Bryant Hamilton said there are too many jobs that are being cut to part-time. And she is absolutely right. I think the Affordable Care Act, there is a whole raft of reasons why people are being cut to part-time. But this will only drive that faster.

The mayor supports an 8.75 not because it won't cause job losses but in his words it will minimize the loss. Fewer jobs, less hours. And there will be two real losers in this, people who lose their job or whose hours are cut and the other people are those that are on fixed income, whether they are seniors, disabled, or they are just not working. And they are getting a check. Those people's cost is going to go up because this will get passed on to consumers. 40 percent of minimum wage workers work at places that employ less than 50 people. That's not the corporate greed types that I keep getting e-mails about. It is individuals who

borrow money to start businesses, who struggle to pay their suppliers, and still have enough to hopefully pay rent and the employees and a little left over for themselves.

I agree with Councilman Tandy that the most efficient way to help the poor is through earned income tax credit. We will be in Frankfort next session and I hope that whenever we do get to tax modernization that Kentucky does do an earned income tax credit. That is targeted and direct benefit and without the distortions that this will cause in our economy that will result in fewer jobs and less hours for people. Thank you.

PRESIDENT PRO TEM WELCH: Colleagues, we have been asked for a recess for ten minutes, so I need a quick vote. All those in favor for a recess.

>> Point of order. The rules don't allow for a restroom break. We are on the shock clock for 90 minutes.

PRESIDENT PRO TEM WELCH: I have been told that we can stop the clock.

>> I would ask that somebody refer to the rule, please.

PRESIDENT PRO TEM WELCH: Mr. Mulvehill, do you have that before you?

MR. MULVEHILL: The rule does allow for a motion to recess in the absence --

>> But our rules trump Roberts rules, and we passed a rule and we passed a rule specifically on this topic. So I would ask whoever it is that is checking the rules, whoever you are using as part of the material, Madame President, I would ask they consult our rules.

PRESIDENT PRO TEM WELCH: Let's go to the next speaker.
Councilwoman Ward-Pugh.

COUNCILWOMAN WARD-PUGH: Thank you, Madame President. I will be brief here.

These are the same arguments we hear every time anybody ever proposes a raise in the minimum wage. If your workers don't deliver, it may be you need some more workers. Maybe you made some bad choices. I doubt it.

However, I would say to you this is a debate among Democrats. We all know that, a debate among Democrats. Every Democrat tonight and the mayor wants to give an increase to the living wage. And I agree with my colleague, Councilman Blackwell, just because we land on different sides doesn't mean that I should demonize you if we disagree on the matter. And I respect for you that. What I would say is I urge you to vote the amendment down because I will turn around and offer another amendment that should really be our compromise. There is no compromise. The mayor's told us what he will veto and what his maximum is. Let's actually have a real compromise and look at some of the numbers, halfway to what he is told us he would do, which would do something like 8.40 next year, 8.90 the next year and 9.40 the following year. That would be meeting him halfway. What I would urge you to do is vote this down because this isn't our compromise as Democrats on this Metro Council. This is the mayor's compromise. Let's come up with a number that is a little bit higher than that but get more. We can get more tonight. We should get more tonight, and I can either call the question at this time or amend the amendment that is before us to have that debate. So I would like to make that amendment at this time.

To include the exact same language of the amendment that is before us except I would strike 7.75 and put 8.40 in the and instead -- that is truly a compromise of where we wanted to be and where he wants to be. And I think that's hardly anything that he could veto. And if we can't get there on that number, let's have the rest of this time, the 26 minutes, to get more than we have. We can do better than this. That is my amendment.

>> Call for a second.

PRESIDENT PRO TEM WELCH: Okay. I believe we need to vote on the first amendment first.

COUNCILWOMAN WARD-PUGH: Okay. Did you get a first and second?

PRESIDENT PRO TEM WELCH: We are to vote on the amendment that Tina just proffered. So would you say those?

COUNCILWOMAN WARD-PUGH: And Councilwoman Hamilton second.

My amendment would be of Councilwoman Fowler's amendment would be to substitute instead of \$7.75 per hour beginning, it would be \$8.40 an

hour. Then July 1, 2015, instead of 8.25 an hour, it would be \$8.90 on hour. And instead of 8.75, it would be 9.40 and that's my amendment, a compromise, where we want to be, where the mayor wants to be. And we get something tonight.

PRESIDENT PRO TEM WELCH: Okay. I have been advised that we can recess with a vote. So all those in favor of a recess, please say aye. Ten minutes. Any opposed?

Okay. Roll call, please, for this, whether to recess.

This is a vote to recess. Okay. Voting is closing. Voting is closed. We have 15 yes. So please stop the clock now.

COUNCILMAN PEDEN: Madame President, I would request since we are on the clock anyway, whatever the time says, because you may say ten minute recess and typically, historically, they turn into half an hour. So could we actually turn the clock on for the recess to be back here?

[Recess.]

COUNCILMAN PEDEN: Madame Chair, the time's expired.

PRESIDENT PRO TEM WELCH: Time is up on the recess. Would all council members please take your seats. What we are going to do now -- we are ready for the clock to resume. It was on 23:02. What we have to do now is vote on Tina's amendment, Councilwoman Ward-Pugh's amendment.

COUNCILWOMAN WARD-PUGH: Madame President, can we have any discussion?

PRESIDENT PRO TEM WELCH: Yes, we can have discussion. So the problem is -- I guess you will have to raise your hands because we have got these other people in the queue for the other discussion. Are you wanting to -- you are next anyway.

>> I will hold my comments if someone else cares to speak on this particular amendment. My comments would be germane regardless, but if someone else wants to speak specifically to the amendment, I will reserve my time to speak later.

PRESIDENT PRO TEM WELCH: Councilman Peden was next in the queue.

Do you want to speak to the amendment?

COUNCILMAN PEDEN: I'm not specific to the 9.40 amendment, but to the overall everything.

PRESIDENT PRO TEM WELCH: Do you have a question? I was told you have a question.

COUNCILMAN PEDEN: I have had my question answered by the county attorney, Ms. Martin, and she has spread her answer to several people on the council. So I think it may remedy itself here shortly.

PRESIDENT PRO TEM WELCH: Councilwoman Parker is next. Do you want to speak to this amendment?

COUNCILWOMAN PARKER: The only thing that I would like to say is just that I don't think 8.75 will lift people out of poverty, and I don't think 9.40 will lift people out of poverty, so I think we just have to vote how our constituents have requested us to vote. Thank you.

PRESIDENT PRO TEM WELCH: Okay. Councilman Benson, you were next.

COUNCILMAN BENSON: I do have other comments. It is not on the amendment, just like Councilman Peden said, the issue we are talking about in general. And I don't know if we can address this now or not, but I don't know. Can we?

PRESIDENT PRO TEM WELCH: Well, we need to vote on this amendment and we only have 20 minutes left.

COUNCILMAN BENSON: Do we get to come back?

PRESIDENT PRO TEM WELCH: Yes, you can come back.

COUNCILMAN BENSON: Thank you.

PRESIDENT PRO TEM WELCH: Let's see, Councilman Engel was next.

COUNCILMAN ENGEL: I will move.

PRESIDENT PRO TEM WELCH: Councilwoman Woolridge, did you want to speak to the amendment? Councilwoman Woolridge.

COUNCILWOMAN WOOLRIDGE: Thank you, Madame President. I'm going to make another amendment. I want to offer another amendment. I believe this will pass. I also believe it will be signed by the mayor. And let us go ahead and talk about this amendment I'm going to make. I would like to make an amendment for \$9 over the three years. I will make an overall amendment. And he can figure it from the 7.75.

PRESIDENT PRO TEM WELCH: We have got to vote on this. It is out of order.

>> If Councilwoman Ward-Pugh would withdraw her amendment and Councilwoman Woolridge can offer hers.

PRESIDENT PRO TEM WELCH: That can happen.

Councilwoman Ward-Pugh, do you want to withdraw yours?

COUNCILWOMAN WARD-PUGH: Yes, I will withdraw my motion.

PRESIDENT PRO TEM WELCH: Okay.

COUNCILWOMAN WOOLRIDGE: Madame President, are you ready for my motion?

PRESIDENT PRO TEM WELCH: Yes, I am ready. You are making a motion --

COUNCILWOMAN WOOLRIDGE: I would like to make a motion for \$9 minimum increase over three years. And we can break that down. The first year looks like -- did we get this correct -- is that \$8 first year, 8.50 second year and \$9 the third year. And I would like to move that motion.

PRESIDENT PRO TEM WELCH: Councilman Johnson is the second. Okay. Did we have a discussion on that amendment?

Councilman Kramer.

COUNCILMAN KRAMER: Madame President, excuse me. I want to make sure that the CPI is in there after the three years. That's part of my motion.

PRESIDENT PRO TEM WELCH: No other changes as well?

COUNCILWOMAN BUTLER: I do have a friendly amendment. I would like to revert back to the original section four. And if Councilwoman Woolridge would accept that and Councilman Johnson, since it is a friendly amendment.

PRESIDENT PRO TEM WELCH: Thank you, Councilwoman Butler. So you are simply changing the three amounts, Councilwoman Woolridge?

COUNCILWOMAN WOOLRIDGE: I am changing the three amounts. July 1st, 2015, it would be \$8; the following July it would be 8.50; and the following July it would be \$9. After three years, it is CPI, everything else remains the same. I'm moving that motion.

PRESIDENT PRO TEM WELCH: And with the friendly amendment to revert back to the original section four.

COUNCILWOMAN WOOLRIDGE: I accept that friendly amendment.

PRESIDENT PRO TEM WELCH: That is accepted. And is she going to call the question on this amendment?

COUNCILWOMAN WOOLRIDGE: I think my math may be off just a little bit. Somebody is helping me with my math.

PRESIDENT PRO TEM WELCH: Should it go up 50, 50, 75?

COUNCILWOMAN WOOLRIDGE: Yes. Exactly.

PRESIDENT PRO TEM WELCH: Did the clerk get that? \$0.50, \$0.50, \$0.75, and then CPI thereafter.

MR. CLERK: Right. 7.75, 8.25, \$9.

PRESIDENT PRO TEM WELCH: Right.

MR. CLERK: And then CPI thereafter.

COUNCILWOMAN WOOLRIDGE: Correct.

PRESIDENT PRO TEM WELCH: And the original section four. Are we clear? Is everyone clear? So it is 7.75, 8.25, and \$9.

>> Correct.

PRESIDENT PRO TEM WELCH: Okay. Councilman Kramer.

COUNCILMAN KRAMER: Thank you, Madame President. I believe my comments are germane to whether we are talking about this or just the amendment in general. I haven't weighed in on this debate yet in large part because as I listen to folks -- and I know exactly where my heart is -- the suggestion is that to in any way, shape, form to speak out against the minimum wage increase means that we care only about the greedy rich people who are trying to keep money for themselves and not willing to share with anybody else, I'm first paraphrasing what someone said at the last council meeting. And I have to say that I don't consider myself either greedy or rich or in a position of employment where I get to decide what someone else's salary is. I'm none of those things, at least in my own estimation.

And my deepest concern, quite truthfully, is for the very people that all the emotion tonight has been spent on, low wage workers are struggling, no question that's true. And an increase in the minimum wage is important and it would be tremendously beneficial to them. No question that's true.

The problem is what we are talking about is a minimum wage at a regional approach to minimum wage. And what we need to recognize is these

folks that we are calling greedy and these folks we are saying aren't willing to share and these folks they are demonizing are the very people who have to decide where they want to do business. What we are saying is if you own a business and you are thinking of moving to Louisville, you just need to know us folks in Louisville believe that you are greedy and aren't willing to share and that you are heartless and this might not be the place for you.

While I appreciate we don't want an influx of companies that pay minimum wage, that would be the worst thing in the world for us, have an influx of companies that only pay minimum wage, but the reality is the minimum wage isn't really what this discussion is exclusively about.

I was fortunate enough to work at a snack food company across the river and we had about 125 employees and they paid more than the minimum wage and we sold tortilla chips and it was an incredibly competitive market, very competitive business. If you drive up the cost of labor in Louisville, they can't raise the prices on tortilla chips outside of Louisville to a point they can cover that expense. They have to cover it in some other way. And you say these rich people aren't willing to give up any and it is all because of that, if you take a company of 125 employees and increase the minimum wage, that is \$5,400 a week. And then if you that I can that expand it over a year, we didn't have a single employee at the company that made \$351,000 a year. I don't know who the greedy people are that we will take the salary away and give it to the minimum wage workers. The math doesn't work. Money's not there. And you put a person in a position where they can't raise their prices, they can't cut their own salaries, no way you make this work, so you have a company like Mesa Foods who we used to sell snack foods to, company like that right across the river, we did business back and forth all the time. Mesa Foods is looking at expanding, \$4 million for an expansion. They have a choice to expand where they are or move across the river. And we can say these are threats, but these are real decisions that real people have to make. And when you put in two new bridges and you look at the competitive nature of things, we know that we stand to lose Mesa Foods. That's not an imaginary, that's not a this might happen, this is a company who has come to us and said this is our reality. We are

going to expand \$4 million, the question is do we spend it in Louisville or do we go across the river? And they are not paying minimum wage. Not minimum wage jobs.

So if we want our minimum wage workers to have opportunities beyond minimum wage, there have to be jobs available. We don't know what businesses won't even consider moving to Louisville because they haven't even started thinking about Louisville yet. And if we set this rate above what anybody else in the region's doing, they might like the region, they might like the Ohio Valley, might like being this close to Louisville and the arts program and the Yum Center, might love all of that, but they can get all of that and locate themselves across a mile and a half strip of water.

So the arguments that my colleagues are making that these are things that people threaten but won't really happen, these are things that really happen, these are business folks who are not set out to take money out of people's pockets but they are trying to balance the books at the end of the day. And this is quite a challenge.

And so rather if it is 8.75 or 9.40 or 10.10, if you drive up the price for local employers, you make it more difficult for them to survive here and they don't have to go very far to continue to benefit from being close to us. And that's a problem. I was asked by a good friend of mine, I would consider her a good friend, I hope she is can with my considering her the same, asked by a good friend of mine just a moment ago, what's the alternative? What's the solution? Clearly we can't accept this is the way it is and this is the way it has to stay. And the answer is, if we are going to have Louisville compete, we have to compete on a level playing field. And that means this issue, as Mayor Fischer has said, is a federal issue at best and state issue at worst and absolutely not a local issue if we have any hope of growing this economy. And if he really is about jobs, jobs, jobs, we can't raise the minimum wage in Louisville and ignore what happens around us.

So, my colleagues, I beg you do think about the low wage workers and recognize and understand a move in this direction actually is hurtful for them and not helpful. As much as our emotion reaches to them, it is more hurtful than helpful.

PRESIDENT PRO TEM WELCH: Councilman Peden.

COUNCILMAN PEDEN: When I started there were a few remarks. I have other remarks I would like to throw out there.

First of all, I would like to compliment an echo some of Councilwoman Scott's comments early on. You can't live on a minimum wage. You just can't. I would also like to expand on some of the comments about all of the things that we can do and all of the things we don't do in regards to lower income people. And some of the folks on the other side of the room brought this into play, things like college debt. And yet we don't do anything with for-profit colleges that do nothing but take people's money and give them very few employable job skills that they brag about all these people they put into work, and yet when you leave school with \$30,000 in debt and they have sucked out all the federal money you still can't get a job. We don't regulate cash advance places that are typically predatory on lower income folks. There are so many other things that we can do to help out this segment of society without I would say affecting outside agency.

Councilwoman Hamilton's comments about why aren't we better off if we think the economy is improving, if all the numbers say it is, what's going on here? And that's actually kind of the crux of why I'm opposed to the overall ordinance. And that is Louisville is not in a position economically, educationally, and so on, to set itself out there as an outlier in this country. We already -- we have always talked when we raise the tax and added a fee about how Louisville is the X-ranked tax city in America, that Kentucky is the X-taxed state in America. This is just another one of those things that will set us apart when it comes time to get those non-service economy jobs, higher end jobs, the things that will take someone from minimum wage and bump them up to \$20 an hour. The reason things aren't changing here, we are not getting those jobs. It was a big deal the other day when Kindred said we will add 500 jobs. That's happened one time in my 12 years on this council, for the most part. We need to have that happen every year.

And again setting ourselves out as not the norm for this region when we are competing with Indianapolis and Indiana. Southern Indiana. When we are competing with Nashville, competing with anybody who may want

to come to this corner of the country, we can't compete. And it is because of stuff like this. Do I want everyone to make a higher wage? Absolutely. But it has to be done federally so we are all playing by the same rules. The first thing anybody's going to say is, I have to pay people more to go to Louisville than Indy? We are too close. And wages go up, \$9 instead of 10.10. There will be relief for months and as the prices inch up and compression goes up and as the people making 9 want 10 and the people making 10 want 12, within the next year the same people who can't afford the \$3 milk can't afford the \$4 milk. That is an economic reality.

When they created the minimum wage in 1961, there would have not been any more poor people after that. That is obviously not how the economy works. To finish up, I guess my originally prepared presentation was basically outside effects that won't -- unintended consequences. And it was specifically revolving around some of the fire districts and I was going to expand that to say that there are fire departments specifically but other employees as well that take a salaried individual, divide their salary by the X number of wages they work per week and establish an hourly rate, specifically fire departments do that. The \$9 an hour may affect some of those, the 10.10 definitely would. We need to understand that these are other government agencies we are putting this off on and that they are reliant -- again, I will go back to the fire districts where the income is capped -- it is a big deal to this will require budget adjustments and I don't know what a \$9 figure will do. I do know what a 10.10 figure will do. That is a big deal to some of the districts that are operating on minimal income.

So I have kind of covered everything that I wanted to say, thank you, Madame Chair.

PRESIDENT PRO TEM WELCH: Councilman Benson. We are down to three minutes.

COUNCILMAN BENSON: Usually I'm not that big of a talker. I don't know if many people here in the audience know that I graduated from a school called Aaron's Trade School. This man who started Aaron's Trade School in 1926, he owned a plumbing company on 7th Street called American Standard. I'm told that my points aren't important. And so anyway one of

the things I kind of want to make this in a hurried statement, that I put over 500 kids in jobs and everybody wants to address the issue of helping people, there's nothing better than having a person feel good about what they do and to me a person feels so much better when they have some skills they acquired. And our school system, which I think is the problem, our school system, they encourage everybody to go to college. You are a reject if you are not one of the 55,000. I can take my tools and I can get a job tomorrow at 66 not because I'm smarter than everybody else but because I have a skill. And the problem is when a person gets out of school and can't get a good job, the school system didn't do a good job. Instead of making a kid feel pressure that he has to go to college, the last several years I worked at Southern High School, 20 percent of the kids graduated from college. My question was, what about the 80? What are we doing about the 80? The 20 will go anyway. What about the 80? Are we helping anybody? No, we are not.

So my goal would be, hey, whatever y'all do tonight, but our school system should be getting people ready to work. 260 machine shops in the local area. When we make things, we have jobs.

Thank you, Madame President.

PRESIDENT PRO TEM WELCH: Councilman Engel, you have one minute and 40 seconds.

COUNCILMAN ENGEL: Thank you, Madame President. You have run a very, very good meeting tonight. I appreciate it. I want to stand tonight with the courageous small business owners out there who in many cases risk much of what they own at the time they start a small business. It is important to remember that just because someone who owns a small business does not make them rich. In fact, many small businesses, as I just mentioned, risk everything. They struggle to meet payroll, pay taxes, and often work many more hours than their employees all while risking their own life savings and personal livelihoods.

I have not heard that tonight. Right now with this proposal at \$9 an hour this will cost a small business of 50 employees roughly \$228,000 per year in wages, extra taxes and health care. Can they afford it? They told us they cannot afford it. And I believe them. And the unintended consequences, Madame President, against our teenagers, our 16

and 17-year-olds who will get shafted by this minimum wage increase. Many that are going to college to pay the college, pay their high school and potentially help their own families get along. The 16 and 17-year-old jobs are gone, gone with the minimum wage increase. We simply can't afford it. We have to look at this from that perspective. Our small business is the lifeblood of our economy and this country.

Thank you, Madame President, for your time.

PRESIDENT PRO TEM WELCH: Time is up. So we are now going to vote on the amendment that Councilwoman Woolridge proffered, and if you would read that so that we are clear on what we are voting on, I would appreciate that.

COUNCILWOMAN WOOLRIDGE: Thank you, Madame President. This is in section three B. Every employer within the jurisdictional boundaries of Louisville Metro shall pay to each of its employees' wages of a rate of not less than 7.75 per hour beginning on July the first, 2015; \$8.25 per hour beginning July 1st, 2016; and 8.75 per hour --

>> Excuse me. Nine.

COUNCILWOMAN WOOLRIDGE: Am I reading the wrong one? I'm sorry. Okay. Okay. I'm sorry. I'm sorry, Madame President.

Section three, item B. Every employer within the jurisdictional boundaries of Louisville Metro shall pay to each of its employees' wages at a rate of not less than 7.75 per hour beginning on July 1st, 2015; \$8.25 per hour beginning July 1st, 2016; and \$9 per hour beginning on July 1st, 2017. Number one, beginning on July the 1st, 2018, and each year thereafter, the minimum wage shall be increased by an amount corresponding to the previous calendar year's increase, January 1st, 2017, through December 31st, 2018, if any, in the consumer price index for the south urban region as published by the Bureau of Labor Statistics, US department of labor or its successor index with the amount of the minimum wage increase rounded up to the nearest multiple of \$0.05. The adjusted minimum wage should be determined by the Metro Revenue Commission and announced by April the first of each year and shall become effective as the new minimum wage by the corresponding July 1st; however, in calculating any increase to adjust the minimum wage, the consumer price

index as set forth above shall be limited to an annual increase of no more than three percent.

Two, if the federal minimum wage hours are prescribed by 29 USC section 206A1 is increased in excess of the minimum hourly wage in effect on this ordinance, the minimum hourly wage in effect under this ordinance shall be increased to the same amount effective on the same date as the federal minimum hourly wage rate.

Section C was struck, but I believe -- do we need to read that back into the record? Notwithstanding, the provisions of subsection B of this section for any tipped employee -- wait a minute. I need to read this. Section C.

Madame President, there is some discussion going on. I am reading the correct section, but three people are telling me what section to read.

Notwithstanding the provision of subsection B of this section for any tipped employee engaged in an occupation in which he or she customarily and regularly receives more than \$30 a month in tips from patrons or others the employer may pay as a minimum not less than the hourly wage rate set forth in section B with the methods prescribed in 29 UFS section 203 M. The employer shall establish by his or her record that for each week where credit is taken where adding tips received to wages paid not less than the minimum rate set forth in section B was received by employees. No employer shall use all or part of any tips or gratuities received by any employees toward the payment of the statutory minimum hourly wage as required by section B. Nothing, however, shall prevent employees from entering into a program to divide tips or gratuities among themselves.

And I would like to move that motion, Madame Chair.

COUNCILMAN MILLER: Point of order.

PRESIDENT PRO TEM WELCH: Councilman Miller.

COUNCILMAN MILLER: Madame President, the rule 5.11 item J that starts out to limit debate, the last sentence of that says: A motion to limit debate is not debatable. If a motion to limit debate successfully passes, debate shall be limited to 1.5 hours after the motion is successfully made, comma, at which the expiration of said time limit the

ordinance or resolution, amended or not, shall be automatically called for a vote.

Madame, I call for a vote on the original unamended ordinance.

>> Second.

>> Second.

PRESIDENT PRO TEM WELCH: The county attorney, we need an opinion on that, please.

>> Objection.

MR. MULVEHILL: It is your ruling as the chair. It is your ruling whether you believe that's the interpretation of the rule or not.

COUNCILMAN OWEN: What?

>> Point of order.

COUNCILMAN BLACKWELL: When we did the CEDAW resolution just the last meeting we had, we did this very procedure. We stopped the debate and Councilman Yates' amendment was on the floor. We voted on Councilman Yates' amendment and voted on the full thing. We voted just last week.

PRESIDENT PRO TEM WELCH: We did do that.

COUNCILMAN MILLER: I wasn't here that day.

PRESIDENT PRO TEM WELCH: Councilman Yates.

COUNCILMAN YATES: Thank you, Madame President. That is actually correct. The same process happened. I had just checked with the county attorney's office. Whenever there is an ambiguity in the language, it is decided by the council, we make a decision as what the rules are. As sitting president, you make the decision. President King was sitting at the time the last one and he decided the rules were that way. No objection, and I think our acquiescence of it and vote, we agreed to it.

PRESIDENT PRO TEM WELCH: We will vote on the amended ordinance that is before us, amendment to the ordinance.

So if you will open the voting for roll call, please. This is voting on the amendment that she just read.

>> I object. I tell you there's too much confusion. I need to have a clear understanding of what is being done.

PRESIDENT PRO TEM WELCH: We are voting on the amendment.

>> Whose amendment?

PRESIDENT PRO TEM WELCH: Mary's amendment that was just read.

COUNCILWOMAN WOOLRIDGE: My amendment for \$9.

>> She didn't change anything except one number. She just read the whole original one.

>> She didn't hardly do anything.

>> She changed one number, 8.75 to 9. The rest of it was the entire thing as it was before.

PRESIDENT PRO TEM WELCH: That is what we are voting on.

>> She changed three numbers.

>> Oh, my god.

PRESIDENT PRO TEM WELCH: That's what we are voting on.

>> She changed three numbers.

>> Do we need to have the clerk read into the record what we are voting on?

>> It's the same. No she did not. Changed one number. 8.75 to 9.

PRESIDENT PRO TEM WELCH: Okay. Open --

COUNCILMAN FLEMING: Madame Chair, point of order. Nothing to Mr. Mulvehill. He is with the administration. I know he is an attorney. He is not with the county attorney's office. He is from the mayor's office.

PAT MULVEHILL: Yeah, I am.

COUNCILMAN FLEMING: He is. He is not.

SARAH MARTIN: Pat Mulvehill's my boss. He is the civil director of the county attorney's office.

PRESIDENT PRO TEM WELCH: Order. Ms. Martin was going to speak.

SARAH MARTIN: I was just clarifying Pat Mulvehill's role in the process. He is in fact with the county attorney's office and is the civil director.

PRESIDENT PRO TEM WELCH: Thank you.

COUNCILMAN PEDEN: Madame President, I also would like to say again just to clarify what we are voting on, the original motion for the amendment was the original section four, which my impression would be the strike-through items at the top of that page, not the new section C at the bottom. And that was the official amendment from about an hour and a half ago or however long we have been talking about talking.

COUNCILWOMAN WARD-PUGH: That was the friendly amendment that I accepted.

>> But it was to her.

PRESIDENT PRO TEM WELCH: Tina's was withdrawn and Mary's was taken up with the \$9 figure.

>> And that is the amendment.

COUNCILMAN PEDEN: I'm really not referring to the actual numbers that she read at the beginning. I'm saying I know that Councilwoman Butler's -- I guess we called it a friendly amendment -- was accepted and moved on and etc., put the struck-through line C back into play and removed the bottom paragraph that she just actually read, which that may be what the intention was, but that was not what Councilwoman Butler's projection was to the council. So I'm just trying to know what I'm voting on.

COUNCILWOMAN BUTLER: If I may, Madame President.

PRESIDENT PRO TEM WELCH: Yes.

COUNCILWOMAN BUTLER: I believe it is whatever Councilwoman Woolridge thought when she was making her motion, not what other people thought. So it is whatever her motion, her amendment was that she moved. Because at the time she didn't read anything.

PRESIDENT PRO TEM WELCH: We are voting on what she just read.

>> Absolutely.

PRESIDENT PRO TEM WELCH: Exactly what she just read is what we will be voting on. So if you would open the voting, Mr. Clerk.

>> It was accepted by Tina anyway.

PRESIDENT PRO TEM WELCH: The amendment that Councilwoman Woolridge just read is what we are going to be voting on right now. Mr. Clerk, would you like to read that so we are all clear, please? Do you have it?

>> Point of order.

>> Madame, I would like to appeal a ruling of the chair.

>> Madame Chair, point of order.

PRESIDENT PRO TEM WELCH: Okay. We are going to have it read one more time just so everyone is clear what we are voting on.

>> Madame, I have appealed the ruling of the chair.

PRESIDENT PRO TEM WELCH: Pardon me?

>> I have appealed the ruling of the chair. Under our rules, under the Roberts rules, if not our own rules, I can appeal the ruling of the chair.

PAT MULVEHILL: What is your appeal on?

>> The ruling she made that it rules don't apply.

>> I think we're going to have to be specific on what the appeal is so the county attorney can give his opinion.

>> If she gives up the chair --

PAT MULVEHILL: I know. But specifically what are you -- there has been a lot of --

>> We are not following the rules of the Metro Council. I'm appealing her ruling.

PAT MULVEHILL: You're appealing that she moved wrongfully on 5.11 J; is that right?

>> Correct.

PRESIDENT PRO TEM WELCH: I'm following the precedent that was made at the last council meeting on the CEDAW, the exact process that was done at that time, which is the same process that we have done. So I would like to call for opening the voting.

>> Point of order. Point of order. Madame Chair, if a council member objects to the ruling of the chair --

>> He can ask for a vote on that.

>> Do we have to vote on that? Is that right, Mr. Mulvehill?

PAT MULVEHILL: Yes. You can --

PRESIDENT PRO TEM WELCH: Nobody called for a vote.

PAT MULVEHILL: If there's a point of order at the chair's ruling you can call for a vote, and if it's a majority vote, as to whether you agree or don't agree with Mr. Miller. And the president steps down from the chair.

>> Mr. Johnson, I think it is Mr. Kramer. Mr. Kramer takes a seat, Mr. Johnson. Welcome home, Mr. Kramer. Welcome home.

>> President King, we need you.

>> It's good to have you back.

COUNCILMAN KRAMER: Okay. As I understand it, I'm fairly well sure that's not in my authority. My role at this point is simply to allow for any discussion and to take a vote on rather or not we are following the rules. Now, that being said, the objection has been made by Councilman Miller from District 19. He referenced the rule. That was some time ago. I would ask Councilman Miller read the rule again, and if you would explain why it is that you believe that we are proceeding in error. Thank you.

COUNCILMAN MILLER: Mr. President, I don't have it right with me right now.

COUNCILMAN TANDY: Mr. Chair, point of privilege.

COUNCILMAN MILLER: The point is that it is --

COUNCILMAN TANDY: Mr. Chairman, point of privilege.

COUNCILMAN MILLER: -- regardless of whether you have to vote on the original motion since there had been no successful amendment of the original motion.

>> Exactly.

COUNCILMAN TANDY: Mr. Chair.

COUNCILMAN KRAMER: Mr. Tandy.

COUNCILMAN TANDY: Thank you, Mr. Chairman. The point where we are right now is we are voting on whether or not we are supporting the ruling of the chair.

>> Yes, sir.

COUNCILMAN TANDY: It is a mischaracterization of the vote we are taking right now to vote on whether or not we are following the rules. Per Roberts rules of order, that is technically what we are voting on right now.

>> We are voting on the challenge to the president's ruling.

COUNCILMAN TANDY: The challenge was made by Councilman Miller that the chair ruled inappropriately. So now this is -- as I understand it, it is a non-debatable motion. We take an up or down vote with the majority of the council deciding. Once that's done, we then move on and then proceed with the business. Is that not correct?

COUNCILMAN KRAMER: It is. I'm seeking clarification on --

COUNCILMAN TANDY: Okay. So then we are at the place we need to take a vote, is that right?

COUNCILMAN KRAMER: Yes, sir. I'm seeking clarification on what the rule was that he --

COUNCILMAN TANDY: Councilman Miller, did I miscategorize what your challenge is?

COUNCILMAN MILLER: No.

COUNCILMAN KRAMER: Exactly.

COUNCILMAN TANDY: Thank you. So we can take a vote right now, is that right, Mr. Chairman?

COUNCILMAN KRAMER: I believe that's true. And so we can do this as a voice vote, but I suspect that someone will call a roll call, so I'm going to call a roll call. The question at hand is, did the president rule consistent with our policies and procedures? That is the question. Was the president's ruling consistent with our policies and procedures?

>> Point of order.

COUNCILMAN KRAMER: Yes, sir.

>> Can the county attorney read what the rule is that we are trying to vote on?

COUNCILMAN KRAMER: I asked if there is a copy of the rule present.

Do we have a copy of the rule?

PAT MULVEHILL: We have a copy of the rules.

COUNCILMAN KRAMER: Do you have a copy of our rules?

PAT MULVEHILL: I do.

COUNCILMAN KRAMER: Could you read that into the record, please.

PAT MULVEHILL: Okay. This is 511 J.

COUNCILMAN KRAMER: Yes.

PAT MULVEHILL: It reads: To limit debate. A motion to limit the debate shall apply to council meetings only not committee meetings. When a motion to limit debate is made and an objection is made, a vote by the majority of the council members present shall be the deciding vote on whether the debate shall be limited. A motion to limit debate is not debatable. If a motion to limit debate successfully passes, then debate on a particular ordinance or resolution shall be limited to 1.5 hours

after the motion is successfully made. At which the expiration of said time limit, the ordinance or resolution, amended or not, shall be automatically called for a final vote.

COUNCILMAN KRAMER: And I would point out that our failure to follow the rules in the past does not change the rule.

COUNCILMAN TANDY: Again, Mr. Chairman. Mr. Chairman, you, sir, are out of order.

>> Yeah, you are out of order.

>> You are out of order. You have no debate.

>> I'm simply pointing out what the rule says.

>> You are out of order, absolutely, yes.

COUNCILMAN TANDY: Mr. Chairman. Mr. Chairman.

COUNCILMAN KRAMER: Again, I will call for the vote.

COUNCILMAN TANDY: Call for the vote, Mr. Chairman.

>> Call for the vote. That's what the rules say.

COUNCILMAN KRAMER: I will call for a roll call vote.

Mr. Clerk, please open the voting.

>> Excuse me. Point of order. If we vote yes, we are agreeing with the ruling of the chair by President Welch?

COUNCILMAN KRAMER: Yes.

>> Yes.

>> Okay. Thank you.

COUNCILMAN KRAMER: The nos have it. I'm sorry. The yeses have it. The yeas have it. What good is the authority if you can't use it?

The yeas win the day, and the ruling is that she chaired correctly. So this point I am returning the chair to her.

[Applause.]

>> Get out of the chair.

>> You're hopeless.

PRESIDENT PRO TEM WELCH: We have the amended ordinance in front of us.

>> Amendment.

PRESIDENT PRO TEM WELCH: The amendment to the ordinance in front of us.

>> Well over the limit for debate.

PRESIDENT PRO TEM WELCH: Do we need to read it again?

>> Well, Cindy, you can withdraw your amendment. It's the same thing.

PRESIDENT PRO TEM WELCH: Okay.

>> Wait a minute. Has there been a vote?

PRESIDENT PRO TEM WELCH: No. We don't -- can you open the voting?

>> This is on the amendment.

PRESIDENT PRO TEM WELCH: The voting is closing. The voting is closed.

MR. CLERK: 16 yes votes, 9 no votes, 1 not voting. The no votes are from Council Members Fleming, Kramer, Downard, Stuckel, Parker, Miller, Benson, Engel, and Peden.

PRESIDENT PRO TEM WELCH: Now we must vote on the amended version of the ordinance.

Please open the voting.

>> It's going to be 16-9. Get ready.

PRESIDENT PRO TEM WELCH: The voting is closing. Without objection, the voting is closed.

MR. CLERK: 16 yes votes, 9 no votes, and 1 not voting. The no are Fleming, Kramer, Downard, Stuckel, Parker, Miller, Benson, Engel, and Peden.

PRESIDENT PRO TEM WELCH: The ordinance passes.

Before we go to new business --

[Applause.]

We have one more thing. Before we go to New Business, I would like to commend the four outgoing council members that we have here -- Councilwoman Attica Scott, Councilman Ken Fleming, Councilwoman Tina Ward-Pugh, and Councilman Miller. Thank you all for your dedication, your service to our community. You will all be missed in many ways. In many ways. Thank you.

Would you four like to say anything? No from number one.

Tina, did you want to say anything?

COUNCILWOMAN WARD-PUGH: It has been an honor and a privilege. Thank you.

PRESIDENT PRO TEM WELCH: Ken, would you like to say anything.

>> Madame President, if I may.

COUNCILMAN FLEMING: I will say something. I know we go back and forth within quite a few different issues and such. But the bonds that you forge sometimes are strange but sometimes they are nice. Regardless, I think we have a bond here that I truly cherish and will carry on throughout my life. Like I said, even though we come from different perspectives and so forth, just to let you know that I truly enjoyed the ride for 12 years, no matter how short things might be in terms of our conversations. Best of luck to your endeavors and the future years to come. Please make sure there is strong economic prosperity in Louisville because we really need it. And it takes the leadership of this council to make it through. Thanks.

PRESIDENT PRO TEM WELCH: Councilman Miller. He declines.

[Applause.]

Councilman Kramer.

COUNCILMAN KRAMER: Thank you, Madame President. First let me commend you on the job you did tonight. I think you did a great job. Wouldn't have mattered what night it was. But on all nights to take the chair.

PRESIDENT PRO TEM WELCH: Thank you.

COUNCILMAN KRAMER: Thank you for your leadership tonight and thank you for making sure that you were fair the whole time.

I told a couple colleagues and I wanted to say I publicly I am not very good at saying good-byes. It has never been something I enjoy doing. I know most people don't enjoy it. I tend to put off the things I don't like to do. I probably should have said last week when we had a chance to say good-bye to our colleagues, I have worked with both Ken and Tina for 12 years now we have been on the council and Jerry for the last couple and Ms. Scott was fortunate enough to vote along with others to bring on the council.

So I know the quality of folks that we are losing. And I know it is part of the political process. People move on. But this council and the city of Louisville truly are losing some very, very solid representatives this evening. And as much as I hate to say good-bye, I

just can't let them walk away without letting them know how much I appreciate their service to the community and more importantly how much I appreciate the level of friendship that each of them as extended to me even though sometimes we are on very different sides of the issues that are very important to us. Thank you, thank you, thank you, for all you have done. We will miss you, except that we have your phone numbers and we will call you anyway. Bye.

[Applause.]

PRESIDENT PRO TEM WELCH: Our clerk, Mr. Stephen Ott, would like to say something.

MR. CLERK: You normally hear me reading, but I do have a mind. So I don't just read. Now you put the pressure on.

I won't keep you any longer, but I have been here from the beginning with Councilwoman Ward-Pugh and Councilman Fleming, and I can honestly say that I have had a relationship with both of them in a learning mode. I have gone to Councilwoman Ward-Pugh and I have gone to Councilman Fleming. Just kind of how do you be a clerk, what's the best way to be a clerk? And their advice was -- I took it to heart. Because I respect your position as council members and your role in this council. So your advice I took to heart and it helped tremendously.

And I too, Councilman Kramer, I don't do well with good-byes. I get emotionally so I'm trying to keep it really short. But I'm going to miss both of you all very much and you have meant a lot to me as I have gone from being a legislative assistant to the clerk. I really, really appreciate that.

On the other two, Councilman Miller, of course, he allowed me to work in his office as a legislative assistant for a few months, and I hope I got him started well. But I appreciate it. I actually knew Councilman Miller before he ever came to the council and I really appreciate your commitment and your witness and your integrity.

And, Councilwoman Scott, I don't know how many times I can hug you. I really appreciate your friendship and your heart and commitment to the community. So thank you. And I thank you for letting me say that.

[Applause.]

PRESIDENT PRO TEM WELCH: Okay. Next item of business is New Business. As you leave chambers, please do so quietly so the clerk may read New Business. New Business comprises items 35 through 51.

Will the clerk please read those items and the assignments to committee.

MR. CLERK: The following legislation will be assigned to the Appropriations, NDFs, and CIFs Committee.

AN ORDINANCE APPROPRIATING \$6,000 FROM DISTRICT 6 NEIGHBORHOOD DEVELOPMENT FUNDS TO LOUISVILLE METRO PUBLIC WORKS AND ASSETS, TO FUND THE INSTALLATION OF NEW STREETLIGHTS ALONG THE EAST SIDE OF THE FOURTH STREET UNDERPASS.

AN ORDINANCE APPROPRIATING \$10,000 FROM DISTRICT 6 NEIGHBORHOOD DEVELOPMENT FUNDS, THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE ARTHUR S. KLING CENTER, INC., FOR UTILITIES.

AN ORDINANCE APPROPRIATING \$10,000 FROM DISTRICT 10 NEIGHBORHOOD DEVELOPMENT FUNDS, THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE CITY OF AUDUBON PARK POLICE DEPARTMENT FOR IN-CAR COMPUTERS, "AIR CARDS," REPAIRED AND USED POLICE CARS, OSHA EQUIPMENT, A PRINTER/SCANNER/FAX MACHINE.

AN ORDINANCE APPROPRIATING \$27,270 FROM NEIGHBORHOOD DEVELOPMENT FUNDS, IN THE FOLLOWING MANNER: \$6,000 FROM DISTRICT 6, \$5,770 FROM DISTRICT 12; \$2,500 FROM DISTRICT 17; \$2,000 EACH FROM DISTRICTS 13, 15; \$1,500 FROM DISTRICT 25; \$1,000 EACH FROM DISTRICTS 14, 10, 24, 2, 18, 16, 23; \$500 FROM DISTRICT 21; THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE HEALING PLACE, INC., FOR RENOVATIONS TO THE BRADY CENTER.

The following legislation will be assigned to the Budget Committee.

AN ORDINANCE AMENDING ORDINANCE NO. 184, SERIES 2014 WHICH SHOULD HAVE READ AS FOLLOWS: APPROPRIATING \$7,250 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER --

Let me reread that.

AN ORDINANCE AMENDING ORDINANCE NO. 184, SERIES 2014 WHICH SHOULD HAVE READ AS FOLLOWS: APPROPRIATING \$7,250 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE APPROPRIATING (\$4,750) (\$5,750) \$7,250 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$1,000 EACH FROM

DISTRICTS 13, 24; \$500 EACH FROM DISTRICTS 8, 21, 6, 1; \$250 EACH FROM DISTRICTS 16, 22, 17, 12, 10, 26, 9, 2, 3, 5, 14, 15, 25; THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE COALITION FOR THE HOMELESS, INC., FOR PROGRAMMING EXPENSES ASSOCIATED WITH THE "GIVE-A-JAM" EVENT TO RAISE FUNDS FOR HOMELESS EDUCATION AND YOUTH PROGRAMS; AND SPONSORED BY: COUNCIL MEMBERS AUBREY WELCH, FLOOD, OWEN, JOHNSON, DOWNARD, ENGEL, STUCKEL, BLACKWELL, KING, ACKERSON, WARD-PUGH, JAMES, SCOTT, SHANKLIN, WOOLRIDGE, BRYANT HAMILTON, FOWLER, BUTLER, YATES.

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

APPOINTMENT OF ROBERT MARINO TO THE COPA BOARD. TERM EXPIRES JANUARY 30, 2019.

APPOINTMENT OF JOHN CHAKAUYA TO THE POLICE MERIT BOARD. TERM EXPIRES JUNE 1, 2018.

APPOINTMENT OF SUSAN PIERCE TO THE FERN CREEK FIRE PROTECTION BOARD. TERM EXPIRES JUNE 30, 2015.

APPOINTMENT OF DOUGLAS SHARP TO THE FERN CREEK FIRE PROTECTION BOARD. TERM EXPIRES JUNE 30, 2018.

The following legislation will be assigned to the Committee on Sustainability.

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT \$25,000 OF FUNDING FROM THE OUTDOOR FOUNDATION TO SUPPORT NATURE BASED RECREATIONAL PROGRAMMING TO BE ADMINISTERED BY THE PARKS DEPARTMENT.

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT ON BEHALF OF THE LOUISVILLE METRO PARKS A DONATION FROM LAKESIDE SEAHAWKS SWIM TEAM OF TWO HOIST PERSONAL PULLEY GYMS EQUIPMENT TOTALING AN ESTIMATED VALUE OF \$5,000.

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

A RESOLUTION AUTHORIZING THE DEPARTMENT OF COMMUNITY SERVICES TO ENTER INTO AN AGREEMENT WITH COMMUNITY ACTION COUNCIL FOR LEXINGTON-FAYETTE, BOURBON, HARRISON, AND NICHOLAS COUNTIES, INC., TO PROVIDE LIFE SKILLS TO AT LEAST 60 YOUTH TRANSITIONING OUT OF FOSTER CARE.

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT \$20,000.00 FOR WORK COMPLETED ON THE AGREEMENT BETWEEN THE DEPARTMENT OF COMMUNITY SERVICES AND THE NATIONAL DISABILITY INSTITUTE.

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT \$10,000.00 FROM CFED FOR THE DEPARTMENT OF COMMUNITY SERVICES FOR WORK ON FINANCIAL CAPABILITY INTEGRATION TOOLKIT PILOT UNDER THE BANK ON LOUISVILLE PROGRAM.

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

A RESOLUTION REQUESTING THAT THE PLANNING COMMISSION INITIATE THE PROCESS OF IMPLEMENTING THE RECOMMENDATIONS PERTAINING TO ZONING DESIGNATION CONTAINED IN THE EXECUTIVE SUMMARY OF THE PORTLAND NEIGHBORHOOD PLAN, HOLD A PUBLIC HEARING AND FORWARD ARECOMMENDATION TO THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT FOR FINAL ACTION.

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

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT \$24,903.75 FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD MITIGATION ASSISTANCE TO BE USED BY THE EMERGENCY MANAGEMENT AGENCY FOR THE FOR THE LOUISVILLE METRO HAZARD MITIGATION 5 YEAR PLAN UPDATE.

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT \$49,901.75 FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY PRE-DISASTER MITIGATION PROJECT TO BE USED BY THE EMERGENCY MANAGEMENT AGENCY FOR THE FOR THE LOUISVILLE METRO HAZARD MITIGATION 5-YEAR PLAN UPDATE.

Read in full.

PRESIDENT PRO TEM WELCH: Thank you, Mr. Clerk.

Before we have a motion to adjourn the meeting, I would ask those council members that wish to make announcements, please remain in the chambers and request to speak on your system.

We have one lonely soldier here.

First do I have a motion to adjourn.

COUNCILMAN OWEN: I have a motion to adjourn and I vote for it.

PRESIDENT PRO TEM WELCH: Thank you very much. Without objection, we are adjourned.

[Regular Meeting adjourned.]

COUNCILMAN OWEN: Madame President, I know we have had a 4 hour and 15 minute meeting. I know everyone is worn out by the disagreement and process and in some cases with the result, but it has been a long night. But there are a few things for the general public that I think need to be mentioned here at the last meeting of the Metro Council for 2014.

The weeks of Monday, December 22nd through the 27th and the week of December 29th to January the 3rd, those weeks, Christmas week and New Year's week, believe me, there is not going to be any of the junk pickup that normally goes on. And more importantly, when Christmas and New Years are going to be, as I recall, on a Wednesday, then all of the yard waste and the garbage pickup bounces one day forward. I just think that needs to be said.

In addition to that, within the urban services district, beginning on the day after Christmas, the 22nd, you can put your natural greenery and your Christmas tree out at curbside in the urban services district and the yard waste pickup will pick it up. Also beginning on the 26th there will be the three drop-off sites -- the government center in the southwest, Hubbards Lane and Merryweather sites -- you can take your Christmas tree and it will be turned into mulch. I think that is important to note.

And then finally beginning January 1st, our citizens, we ask full cooperation, will not be allowed to put yard waste in plastic bags. So there are other options. There are paper bags, any kind of container that serves as an old garbage can or even there is for purchase a bag that is made of a recyclable plastic kind of material. And that can be used but any plastic bag that we normally use for yard waste will be banned on January 1st, 2015, which is next week.

So those three things I just thought I would say at this very last meeting of the Metro Council in 2014. Thank you, Madame Chair.

PRESIDENT PRO TEM WELCH: And we thank you for that.

So that concludes our announcements. And I wish everyone a Merry Christmas and a Happy New Year. Happy Hanukkah, Happy Kwanzaa, whatever it is you want to celebrate in this holiday season.

Our next council meeting will be Monday January 5th at 5:00 p.m.
for our organizational meeting, so everyone have a great break. Thank
you.