



Louisville Metro Government

601 W. Jefferson Street
Louisville, KY 40202

Action Summary - Final Labor and Economic Development Committee

Chair Person David Yates (D-25)
Vice Chair Anthony Piagentini (R-19)
Committee Member Keisha Dorsey (D-3)
Committee Member Donna Purvis (D-5)
Committee Member Paula McCraney (D-7)
Committee Member Markus Winkler (D-17)
Committee Member Robin Engel (R-22)

Tuesday, February 11, 2020

3:00 PM

Council Chambers

Call to Order

Chair Person Yates called the meeting to order at 3:01pm

Roll Call

Chair Person Yates introduced the committee members present.

A quorum was established.

Committee Member Purvis (D-5) arrived at 3:03pm.

Present: 7 - Chair Person David Yates (D-25), Vice Chair Anthony Piagentini (R-19), Committee Member Keisha Dorsey (D-3), Committee Member Donna L. Purvis (D-5), Committee Member Paula McCraney (D-7), Committee Member Markus Winkler (D-17), and Committee Member Robin Engel (R-22)

Non-Committee Member(s)

Council President David James, (D-6)

Support Staff

Jason Fowler, Jefferson County Attorney's Office
Paul Rutherford, Jefferson County Attorney's Office
Hollie Hopkins, Jefferson County Attorney's Office

Clerk(s)

Lisa Franklin Gray, Assistant Clerk

Pending Legislation

1. [R-010-20](#)

AN RESOLUTION RATIFYING AND APPROVING A COLLECTIVE BARGAINING AGREEMENT (DECEMBER 31, 2019 THROUGH JUNE 30, 2024) RELATING TO WAGES, HOURS, AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT BETWEEN LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AND TEAMSTERS LOCAL 783 AFFILIATED WITH THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS OF AMERICA REPRESENTING LOUISVILLE EMERGENCY MEDICAL SERVICES/METRO SAFE DEPARTMENT.

Sponsors: Primary David Yates (D-25)

Attachments: [R-010-20 V.1 020620 - ATTACH Teamsters Local 783.pdf](#)
[R-010-20 V.1 020620 - Teamsters Local 783CBA.pdf](#)

A motion was made by Vice Chair Piagentini, seconded by Committee Member McCraney, that this Resolution be recommended for approval.

Aaron Jackson, Office of Management and Budget, spoke to the item stating that this covers approximately 122 positions for example communications specialists, management assistants, etc. He stated that this is a six year contract covering FY19 through FY24 including COLA steps and longevity pay. He stated that FY19 calls for no wage increase, while FY20-24 calls for a two percent wage increase each year. He stated that in an effort to enhance recruitment and retention, it includes the removal of the two-tier compensation, sick leave and vacation leave accrual. He stated that the total cost of the contract is approximately \$31.8 million without fringes and \$43.5 million with fringes.

Committee Member Winkler stated while he is in favor of paying employees appropriately. He has concerns on whether Metro Government is being forward looking enough to ensure that Metro Government has the appropriate flexibility. He gave an example mentioning the situation with school crossing guards in which Metro Government is now locked into a set of conditions that hamper Metro Government's ability to adjust to changing economic conditions. He further stated that in this situation, there are positive economic conditions in terms of availability of labor at the labor rate negotiated and the fact that commonly labor is not available at that rate. He stated that Metro Government has an agreement with the association that prevents Metro Government from recruiting at a higher level that Metro Government would need. He stated he would like to hear Mr. Jackson's opinion on the balance between providing the appropriate stability for Metro Government employees while also having the nimbleness needed given changing labor markets and economic conditions.

Aaron Jackson stated in response to Committee Member Winkler that Metro Government is making every effort to negotiate in good faith. He stated that while Metro Government is dedicated to work hard in negotiations, there are situations that will be faced throughout this process. He further stated that several factors are considered during negotiations, for instance, the possibility of the pension deficit increasing in the future.

Vice Chair Piagentini asked other than the two percent increase; which he supports, what other changes to the contract were made. He further asked, what is the marginal difference in this contract compared to the current contract moving forward.

Aaron Jackson stated that this contract is very similar to the current contract. He stated he would need to review his notes to find the marginal differences, but stated that this contract is very similar to the current..

Vice Chair Piagentini responded stating that the difference is similar enough that it is bordering on de minimis. He also asked when did the negotiation of this contract start.

Aaron Jackson stated he did not know the exact date when negotiations started. He stated that typically negotiations start within six months before the end of the previous contract. He further stated that if the contract ended June 30 of 2018, then Metro would have notified the union three to six months prior to that date.

Vice Chair Piagentini stated that he is glad to see this contract moving forward, but also stated that there is still an outstanding FOP contract. He stated that he finds the FOP contract to be most important from a budgetary standpoint as well as from a public safety point of view. He stated he wanted to keep this contract high on the visibility scale for the public. He stated he was glad to move this contract forward and would like to see some movement on the FOP contract hopefully soon.

The motion carried by a voice vote and the Resolution was sent to the Consent Calendar.

2. [R-011-20](#)

A RESOLUTION APPROVING THE GRANTING OF LOCAL INCENTIVES TO DPL FINANCIAL PARTNERS, LLC AND ANY SUBSEQUENT ASSIGNEES OR APPROVED AFFILIATES THEREOF PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 32.

Sponsors: Primary David Yates (D-25)

Attachments: [R-011-20 V.1 020620 - DPL FINANCIAL PARTNERS, LLC.pdf](#)

[R-011-20 V.1 020620 - ATTACH DPL FINANCIAL PARTNERS, LLC.pdf](#)

[R-011-20 V.1 020620 ATTACH 2 DPL FIN.pdf](#)

A motion was made by Vice Chair Piagentini, seconded by Committee Member McCraney, that this Resolution be recommended for approval.

Rebecca Fleischaker, Economic Development, spoke to the item stating that DPL Financial Partners, LLC had come to Metro Government several years ago with an interest to grow their financial consulting and insurance consulting company. She stated that DPL Financial Partners, LLC is creating forty jobs and making an investment of \$3.6 million dollars. She stated Metro Government would like to support their incentive with Metro's one percent support for occupational wages towards this.

Chair Person Yates asked Rebecca Fleischaker if the state was also participating in this incentive as well.

Rebecca Fleischaker responded to Chair Person Yates stating that the state is also participating in this incentive. She stated that the state participation is three percent to Metro's one percent incentive.

Chair Person Yates asked Rebecca Fleischaker if the jobs are livable wage jobs. She responded to Chair Person Yates stating that these are very well paying jobs - \$62 hourly rate; \$100,000 annual salaried jobs. She also stated that this expansion is for sales and IT jobs.

The motion carried by a voice vote and the Resolution was sent to the Consent Calendar.

3. [R-014-20](#)

A RESOLUTION SUPPORTING SUBMITTAL OF AN ECONOMIC DEVELOPMENT FUND APPLICATION TO THE KENTUCKY ECONOMIC DEVELOPMENT CABINET BY THE LOUISVILLE & JEFFERSON COUNTY RIVERPORT AUTHORITY FOR THE PREPARATION OF AN INDUSTRIAL PARK WITHIN LOUISVILLE/JEFFERSON COUNTY FOR FUTURE DEVELOPMENT.

Sponsors: Primary Anthony Piagentini (R-19)

Attachments: [R-014-20 V.1 020620 ECONOMIC DEV. FUND - RIVERPORT.pdf](#)

[Riverport Original Application.xlsx](#)

[Sample EDF Resolution Letter.pdf](#)

A motion was made by Committee Member Winkler, seconded by Committee Member Engel, that this Resolution be recommended for approval.

Chair Person Yates stated that due to his brother Matt Yates employment as Vice President of Riverport, he will be abstaining from the discussion and the vote on this item.

Rebecca Fleischaker, Economic Development, spoke to the item and stated this resolution is to accept funds. Metro Government would be a pass through from the state. She stated that a resolution is needed in order to accept these funds. She stated that the state initiated a Product Development Initiative in order to have more site ready properties and be more competitive with other states to bring in industry throughout the state. She stated that Riverport had a successful application and Metro Government recommends to approve the resolution to be the pass through for the money that Riverport will be receiving from the state. She then introduced Matt Yates, Riverport, to speak to the project.

Matt Yates, Riverport, spoke to the item stating that Riverport Phase Five is the new Riverport development on South Dixie Highway. He stated this development is the largest industrial green field left in Jefferson County. He stated Riverport competed with thirty-six communities statewide for \$3 million. He stated that Riverport had received the largest amount possible, \$5000,000, to put in this investment. He stated that this is a big win for this industrial park. He stated that a company called Paccar Light Assembly and Distribution Center will bring 80 \$18 per hour jobs to the area, which is a great win for South Dixie Highway. He stated that with the state support as well this project can go further bringing more companies and jobs. He stated this is a great attribute to the infrastructure on the South Dixie corridor, the location, and most importantly the workforce in Southwest Louisville.

Vice Chair Piagentini asked for clarification in the details of the 'whereas' statements to detail exactly what this \$5000,000 will go to. He mentioned several areas noted in the 'whereas' statements and asked if the statement preparing the industrial site was in essence laying the groundwork to prepare for the development.

Matt Yates responded that Vice Chair Piagentini's assessment was correct. He

stated that Riverport Authority is not only a port authority, but has been a land authority for close to four decades. He stated that Riverport offers build ready sites for the market. He stated this entails that Riverport ensures that the sites are permitted, cleared, drainage taken care of, utilities ran to the property, etc. He stated that this will show that when other businesses look for sites, they will see that Southwest Louisville is available for them. He further stated that this \$500,000 is going towards Riverport's contribution of \$3.8 million dollars into the investment.

Chair Person Yates requested a roll call vote so that he may record his abstention.

The motion carried by the following vote and the Resolution was sent to Old Business to record Chair Person Yates' abstention:

Yes: 6 - Piagentini, Dorsey, Purvis, McCraney, Winkler, and Engel

Abstain: 1 - Yates

4. [R-020-20](#)

AN RESOLUTION RATIFYING AND APPROVING A COLLECTIVE BARGAINING AGREEMENT (FROM THE DATE OF ITS APPROVAL THROUGH JUNE 30, 2024) BETWEEN LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AND THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO, LOCAL 2629 (“AFSCME”) RELATING TO WAGES, HOURS, AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT OF ITS MEMBERS IN LOUISVILLE METRO CORRECTIONS DEPARTMENT.

Sponsors: Primary David Yates (D-25)

Attachments: [R-020-20 V.1 020620 –Res CBA AFL-CIO 2629.pdf](#)
[AFSCME Corrections Civilian CBA.pdf](#)

A motion was made by Committee Member Winkler, seconded by Committee Member Engel, that this Resolution be recommended for approval.

Aaron Jackson, Office of Management and Budget, spoke to the item stating that this agreement covers approximately 80 positions. He stated some examples of the positions such as corrections support technicians, senior correction technicians and prisoner classification interviewers. He stated that the contract is a six year contract, covering FY19 through FY24. He further stated that the contract includes COLAs and step raises and in an effort to improve recruitment it increases the starting pay. He stated that FY19 called for no wage increases and FY20 through FY24 calls for a two percent wage increase per year. He stated that the total cost of the contract is \$17.2 million without fringes and \$23.5 million with fringes.

Committee Member Winkler asked what specific actions were put into the contract to address the pervasive overtime issues currently at Metro Corrections.

Aaron Jackson responded stating he did not have the specific information to relay. He stated Metro Corrections had increased the starting wage which will hopefully get vacant positions filled, which would in turn address some of the overtime. He also stated that this measure is one attempt within this contract that will help that effort.

Committee Member Winkler asked Aaron Jackson to explain some of the parameters that are considered when negotiating these types of contracts taking into consideration the present Collective Bargaining Agreement and any challenges. He asked for clarity on the strategies and focus taken with respect to other incentives beyond increasing the starting pay.

Aaron Jackson responded by stating the positions for this contract are aimed at Corrections civilians, while the bulk of the overtime is within the Corrections officers and Sergeants. He stated that although this contract is with a smaller union, overtime is still present. He further stated that one attempt to offset overtime in this contract is by increasing the starting pay to increase recruitment and drive down the overtime.

Chair Person Yates stated that part of the reason for the overtime is because Metro Corrections has open positions, and Aaron Jackson agreed.

Chair Person Yates stated in order to decrease the overtime Metro must fill those vacant positions, otherwise the time must be filled by the individuals employed. He stated that this is an ongoing conversation with the other part of Corrections. He stated that he knew that some of these positions are being filled with employees that were in Juvenile Justice. Aaron Jackson agreed.

Committee Member Winkler asked when the contract will expire. He stated that when these contract negotiations take place that every effort should be made to solve the overtime issue; which is what the Council expects.

Aaron Jackson stated he did not currently have that information, but would get that information for the Committee.

Vice Chair Piagentini asked what was the change in starting pay.

Aaron Jackson stated that the starting pay for a Corrections technician in FY19 was \$11.95, in FY20 it increased to \$12.82; so a little under \$1.00.

Vice Chair Piagentini stated that in the future it is beneficial for the Council to receive a list of what problems were solved and the final incremental dollar amount increase. He stated that by doing this it will give the Council a better overview of the fiscal impact outside of simply extending the present contract. He stated the Council would like to understand the parameters on an annualized basis especially when dealing with budgets. He stated this will show what the future commitments will be based on current commitments.

Council President David James asked what was the climate of negotiations between the labor union and Metro Government. He asked what matters were addressed and what matters were fixed during negotiations.

Aaron Jackson responded stating he typically does not attend the labor negotiations and could not speak to the issues discussed. He stated he would get that information for President James.

The motion carried by a voice vote and the Resolution was sent to the Consent Calendar.

5. [R-024-20](#)

A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED SOLE SOURCE CONTRACT FOR METROSAFE CONCERNING 911 SYSTEM SUPPORT, UPGRADES, MAINTENANCE AND INSTALLATION - (AT&T CORP. - \$3,000,000.00).

Sponsors: Primary David Yates (D-25)

Attachments: [R-024-20 V.1 020620 - METROSAFE 911 - ATT.pdf](#)

[R-024-20 ATTACH 020620 -METROSAFE 911 - ATT.pdf](#)

[AT&T Corp resolution ES.pdf](#)

A motion was made by Committee Member Winkler, seconded by Committee Member Engel, that this Resolution be recommended for approval.

Jody Meiman, Emergency Services, spoke to the item stating that this contract is for 911 services. He stated this is a mission critical component of 911 services and Total Solutions Approach is a foundation of emergency services and is critical to processing all 911 calls efficiently. He stated that AT&T is the only authorized local 911 carrier that routes all 911 calls through Jefferson County. He also stated that AT&T is a total solution provider including support installation and maintenance of every component of the managed 911 solutions that are available. He stated this service is a 365 day a year service with a one hour or less response that has proven to have a good track record and superior reliability since the contract began in 2007.

Chair Person Yates and Jody Meiman recognized two new executive staff members in Metro Safe - Michael Bennett and Bob Schmidt.

The motion carried by a voice vote and the Resolution was sent to the Consent Calendar.

6. R-158-19

A RESOLUTION CALLING ON MAYOR FISCHER TO EXPEDITE NECESSARY ACTIONS BY METRO AIR POLLUTION CONTROL DISTRICT TO END THE MANDATED USE OF REFORMULATED GAS IN LOUISVILLE QUANTIFY AND ANALYZE SPECIFIED INFORMATION RELATED TO RFG REQUIREMENTS AND REPORT THEIR FINDINGS TO COUNCIL (AS AMENDED).

Sponsors: Primary Anthony Piagentini (R-19)

Attachments: R-158-19 FAM 022020- RFG Gas.pdf

R-158-19 PROPOSED FAM - RFG Gas 02.20.20.pdf

R-158-19 V.2 CAM 021120 - Reformulated Gas.pdf

R-158-19 V.1 110719 End Mandated Use of Reformulated Gas.pdf

Metro Council RFG 02112020.pdf

A motion was made by Committee Member Dorsey, seconded by Committee Member Winkler, that this Resolution be recommended for approval.

Vice Chair Piagentini spoke to the item proffering an amendment to the Resolution. He stated he would work with the Jefferson County Attorney's Office to possibly change the title of the Resolution by changing the language in order to create a plan where the Air Pollution Control District may give updates on the process similar to the State House Resolution. He stated that this will allow the Council to review the plan to understand what the economic and environmental impacts are to the area. He further stated that the amendment changes the final language under the "Now Therefore" statement to read that:

The Council urges Mayor Greg Fischer and the Louisville Metro Pollution Control District to (i) quantify the health and environmental benefits, related costs, and potential alternatives to the RFG requirements currently imposed in Louisville/Jefferson County, and (ii) once that analysis is complete, to report those findings back to the Council.

A motion was made by Vice Chair Piagentini, seconded by Committee Member Engel, that this amendment be approved.

Chair Person Yates restated Vice Chair Piagentini's amendment to cite the amendment's intent and asked for discussion on the amendment.

Vice Chair Piagentini agreed with Chair Person Yates' assessment.

Committee Member Winkler asked to clarify the amendment by asking Vice Chair Piagentini about the State House Resolution that uses similar language.

Vice Chair Piagentini stated that he had requested the Jefferson County Attorney's Office to draft similar language used in the State House Resolution so that it matches what has been presented in the State House.

Committee Member Winkler asked if this amendment is requesting the Mayor to do a separate study from the state level findings, rather than adding

amendment language to request that the Mayor accept the findings that would be offered by the State. He stated that by doing so Metro Government would avoid duplicating similar and/or conflicting findings and efforts.

Vice Chair Piagentini responded to Committee Member Winkler by stating that this is not requiring a separate study but asks Air Pollution Control District to report back to the Council of their findings essentially taking the same approach as that of the State House Resolution. He stated this will allow the Metro Council to understand alternatives for this area.

Committee Member Winkler asked if the State House had requested Air Pollution Control District to conduct this study.

Vice Chair Piagentini responded to Committee Member Winkler by stating that his assessment was correct. He further stated that Air Pollution Control District would give a brief presentation after the Committee discussion.

Chair Person Yates reiterated that Air Pollution Control District will give a brief presentation shortly.

Chair Person Yates recognized Council President James and Committee Member Purvis' attendance at the meeting.

The motion to amend carried by a voice vote.

Chair Person Yates stated that with no further discussion on the amendment, there would be a brief presentation by Air Pollution Control District.

Keith Talley, Air Pollution Control District, gave a presentation speaking to the amendment citing the Ozone Attainment process. He stated that the primary goal of the organization in conducting the study is to reach the proposed Ozone standards. He stated that the Air Pollution Control District follows national air pollution control studies and that nationally Louisville is within attainment guidelines. He also stated that Louisville at this time is within 15 parts per billion where the national study level is 75 parts per billion. He presented statistics for National Air Quality Standards. He further stated that Environmental Protection Agency standards provide significant and sufficient health standards to arrive at and that Louisville is moving in the right direction per these standards. He stated that the goal is to reach ozone attainment to address such health effects as respiratory illnesses, allergies, congestion, etc. He also spoke to the emission levels by sector stating that mobile sources are part of the contributing factor to ozone emissions along with other factors.

Chair Person Yates asked if the slides from the presentation could be forwarded to the committee. He also stated that some of the emissions referred to are a result of coal use and power plant emissions.

Keith Talley agreed with Chair Person Yates' statement and stated that the presentation would be forwarded to the Committee. He also stated that Air Pollution Control District has spoken with Louisville Gas and Electric in terms of emissions of nitrogen oxide. He further stated that Louisville Gas and Electric has made conversions at both the Cane Run and Mill Creek plants. He stated that Louisville Gas and Electric has been very supportive of making

positive environmental changes.

Chair Person Yates stated that from his experience Louisville Gas and Electric has always been a good community partner.

Committee Member Purvis asked for a copy of the presentation/report.

Keith Talley stated he would have a more detailed version of the report forwarded to the Committee. He also stated he had a fact sheet on reformulated gas and how it affects the ozone that he would leave for the Committee Members.

Chair Person Yates stated that he appreciated the presentation given by Air Pollution Control District, but restated that the Committee is short on time. He then asked that Air Pollution Control District keep the Committee updated as the process moves forward. He asked Keith Talley for any final remarks.

Keith Talley stated that Air Pollution Control District is happy to assist in educating the public by attending Council Town Halls. He stated that Air Pollution Control District would notify the Committee of findings in the primary goal to reach ozone attainment.

Chair Person Yates asked about alternatives if Louisville does not reach attainment and how that would affect the city. He asked if it were possible for Metro Government to face penalties and the possibility of the VET Testing program returning.

Keith Talley stated that Louisville is currently in what is called marginal non-attainment, the lowest level of non-attainment. He stated that Louisville has a deadline of reaching attainment by August of 2021. He further stated that if Louisville were to reach moderate non-attainment there would be some economic and industry impacts with the possibility of VET Testing returning with additional regulatory hurdles to be met. He stated in respect to economic development moderate non-attainment would be a factor for attracting new businesses against other peer cities.

Vice Chair Piaigentini thanked Keith Talley for his time addressing the Committee and educating the Committee Members on the process. He also asked that Air Pollution Control District return to update the Committee on its findings in the future.

Keith Talley also shared information about the Clean Air workshops conducted by Air Pollution Control District that are open to the public resuming in 2020. He stated that the schedule and topics of discussion of the workshops is on the Air Pollution Control District web site. He further stated that Air Pollution Control would be happy to present the workshops in any Council District.

The motion to recommend for approval carried by a voice vote and the amended Resolution was sent to Old Business.

7. [O-003-20](#)

AN ORDINANCE AMENDING THE LOUISVILLE METRO CODE OF ORDINANCES (“LMCO”) SECTIONS 154.02, 154.03, AND 154.04(B) RELATING TO PROPERTY ASSESSMENT AND REASSESSMENT MORATORIUM PROGRAMS.

Sponsors: Primary David James (D-6), Primary Barbara Sexton Smith (D-4), Primary Keisha Dorsey (D-3), Primary Donna L. Purvis (D-5), Primary Jessica Green (D-1) and Primary Pat Mulvihill (D-10)

Attachments: [O-003-20 V.1 010920 Amending LMCO 154 Regarding Property Assessment and Reassessment Moratorium Programs.pdf](#)
[O-003-20 V.1 010920 ATTACH Exhibit A.pdf](#)
[Tax Moratorium - Revised Ordinance Summary - January 2020.pdf](#)

This item was held in Committee.

8. [O-396-19](#)

AN ORDINANCE CREATING A NEW SECTION OF CHAPTER 113 OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES TO ESTABLISH AN ENTERTAINMENT DESTINATION CENTER WITHIN THE WHISKEY ALLEY AREA.

Sponsors: Primary David James (D-6) and Primary Barbara Sexton Smith (D-4)

Attachments: [O-396-19 V.1 112119 LMCO Chapter 113.pdf](#)
[EntertainmentDestinationCenter.WhiskeyAllex.Ordinance.11.15.19.docx](#)

This item was held in Committee.

Adjournment

Without objection, Vice Chair Piagentini adjourned the meeting at 3:45 p.m.

*NOTE: Items sent to the Consent Calendar will be heard before the full Council at the Metro Council Meeting on February 20, 2020.