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PRESIDENT YATES: The Regular Louisville Metro Council Meeting of December 8, 2016, will please come to order.

Please rise for the Pledge of Allegiance to our 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.

PRESIDENT YATES: Mr. Clerk, a roll call, please.

MR. CLERK: Council Member Green.

COUNCILWOMAN GREEN: Here.

MR. CLERK: Council Member Shanklin.

COUNCILWOMAN SHANKLIN: Present.

MR. CLERK: Council Member Woolridge

COUNCILWOMAN WOOLRIDGE: Present.

MR. CLERK: Council Member Tandy.

Council Member Hamilton.

COUNCILWOMAN HAMILTON: Here.

MR. CLERK: Council Member James.

COUNCILMAN JAMES: Here.

MR. CLERK: Council Member Leet.

Council Member Owen.

Council Member Hollander.

COUNCILMAN HOLLANDER: Here.

MR. CLERK: Council Member Mulvihill.

Council Member Kramer.

COUNCILMAN KRAMER: Here.

MR. CLERK: Council Member Blackwell.

COUNCILMAN BLACKWELL: Here.

MR. CLERK: Council Member Welch.

COUNCILWOMAN WELCH: Here.

MR. CLERK: Council Member Fowler.

COUNCILWOMAN FOWLER: Here.

MR. CLERK: Council Member Butler.

COUNCILWOMAN BUTLER: Here.

MR. CLERK: Council Member Downard.

COUNCILMAN DOWNARD: Mr. Clerk.

MR. CLERK: Yes, sir.

COUNCILMAN DOWNARD: I know it gives some people here great pleasure, but this will be only the second time in my life that I will have the pleasure of saying "present."

MR. CLERK: Council Member Stuckel.

COUNCILMAN STUCKEL: Here.

MR. CLERK: Council Member Parker.

COUNCILWOMAN PARKER: Here.

MR. CLERK: Council Member Denton.

Council Member Benson.

COUNCILMAN BENSON: Present.

MR. CLERK: Council Member Johnson.

COUNCILMAN JOHNSON: Here.

MR. CLERK: Council Member Engel.

COUNCILMAN ENGEL: Present

MR. CLERK: Council Member Peden.

Council Member Flood.

COUNCILWOMAN FLOOD: Here.

MR. CLERK: President Yates.

PRESIDENT YATES: Present.

MR. CLERK: Council Member Ackerson.

Council Member Tandy.

COUNCILMAN TANDY: Here.

MR. CLERK: Council Member Leet.

Council Member Owen.

Council Member Denton.

Council Member Peden.

Mr. President, you have 21 in attendance, and you have a quorum.

PRESIDENT YATES: Thank you, Mr. Clerk. Would you also have the record please respect that council member Patrick Mulvihill has an excused absence?

MR. CLERK: So noted.

PRESIDENT YATES: Councilman James, would you please introduce your page for us?

COUNCILMAN JAMES: Thank you, Mr. President. Brothers and sisters and colleagues, I just want to introduce you to a really great young man. His name is Elijah. Would you stand up for me?

Elijah Saettel is a fifth grade student at Engelhard Elementary School, joined by his parents Shelly and Eric. He is in the robotics team and his life goal is to become an engineer or a scientist. I would like you to please welcome Elijah, everybody.

[APPLAUSE]

PRESIDENT YATES: Welcome, Elijah.

Council Member Johnson, do you have a page.

COUNCILMAN JOHNSON: Yes. Tonight I'm honored to have with us tonight Gabrielle Josue.

Attends Americana. Americana's a great root resource for our city and Gabrielle participates in the college business career program as well as leadership. He is a member of the Kentucky youth association, private in the school's JROTC and a member of the track team and drama club. After high school Gabriel plans to attend the University of Louisville and study history before continuing education in law school.

Please help me welcome Gabrielle Josue to our council meeting tonight.

[APPLAUSE]

PRESIDENT YATES: Welcome. Also we are greeted with our former County Judge Executive Rebecca Jackson. Thank you for being here.

[APPLAUSE]

Mr. Clerk, do we have any addresses to the council?

MR. CLERK: We do, sir.

PRESIDENT YATES: Before you call them up, let me remind those addressing the council to please refrain from profanity or making derogatory statements to council members.

And for those that are addressing the landmark designation of Tremont Drive, a hearing before the Planning/Zoning, Land Design and Development Committee of the Metro Council was duly noticed and held Tuesday November 29th, 2015, pursuant to landmark ordinance to review the decision of the landmarks commission designation. A full and robust

hearing accepted considerable evidence and testimony to supplement the record was made before the landmarks commission before two public hearings.

The record in that case is now closed. The council will not accept any further evidence or testimony relating to the specific case. Any attempts by anyone either for or against the designation will be ruled out of order, and I will have to gavel. So I would ask you to please refrain from doing so that we can please move along.

Mr. Clerk, would you please bring up our first speaker?

MR. CLERK: David Ames.

DAVID AMES: Good evening. My name is David Ames. I live at Maplecrest Court, Louisville. I am new to the city. Having moved here after retiring from 30 years from the University of Delaware as a professor of urban affairs and public policy. I was also director of the center for historic architecture and design, where I evaluated and documented several hundreds of historic buildings.

Tonight I urge the council to delay the granting of the demolition permit for the Powell Smith house for a couple of reasons. As a newcomer to Louisville, with preservation experience in several localities, I am struck that here there seems to be little way to systematically challenge the status of a landmark and objectively evaluate the evidence supporting its designation. The process used in the case of the Powell Smith house seemed ad hoc and based more on opinion than fact.

PRESIDENT YATES: Excuse me. And I just had to read into the record we are not to address or give information related to testimony related to the landmarks decision. I tried to give you a little bit of

discretion, but you continue to do so. There was a pamphlet that was hand-delivered to you as well.

DAVID AMES: What?

PRESIDENT YATES: Were you also given a document as well that you are not to address the landmarks?

DAVID AMES: I was not.

PRESIDENT YATES: I tried to make that very, very clear in my introduction. I was trying to give you a little bit of leeway on there because I wanted to give you the opportunity to speak. But we cannot hear any information related to the landmarks.

DAVID AMES: May I continue if I do not?

PRESIDENT YATES: If you do not.

DAVID AMES: Another reason for delaying the decision on the Powell Smith house is to allow the time to fully document the house and measure drawings and photographs according to the -- I'm done?

PRESIDENT YATES: Yeah. Thank you. I appreciate your attempts, but I understand that we do not want to prejudice the council before a vote, and this is absolutely related to the landmarks decision.

DAVID AMES: I'm sorry I could not make an effective presentation.

PRESIDENT YATES: Thank you.

MR. CLERK: Ted Stone.

TED STONE: I'm Ted Stone. I worked for 40 years as an environmental consultant preparing environmental documents. And during that time the level of accuracy and authenticity and expertise went up year after year after year. There was a reason for that. In the old days

if you saw a park, sometimes the road went through it because people thought the land is just sitting there. Another example is there is an Indiana bat, an endangered species. You have to be able to tell that bat between a pipistrelle, which is a common bat. It takes an expert to make the determinations.

The political process should not be a remedy for the lack of due diligence when buying property. If someone goofs up buying a property, it should not be up to Metro Council to fix that. The landmarks commission is an independent body with trained professionals and members from real estate, the chamber of commerce, and Metro Council. All are approved by this body. And I am sure all support the economic benefits that come with historic resources in Louisville. Something is wrong with a system when a group of specialists representing a broad spectrum of the community can review a body of information and make unanimous 9-0 finding only to have a political body take the same information and make a finding of fact in direct opposition to that.

What happened to the facts the landmarks commission reviewed? Did they suddenly not become facts?

We are grateful to the Metro Council for its diligence and leadership in many responsibilities. Just looking at the agenda tonight is absolutely overwhelming. We believe this is not a case of overreach by zealots but a deeply considered presentation that you approved by their staff with a well-informed citizenry. Given the disparity of facts as seen by an independent commission and a political body, I believe it is incumbent upon Metro Council as a whole to delay its resolution and consider this further. Thank you very much.

MR. CLERK: Beverly Duncan.

BEVERLY DUNCAN: Good evening. I'm Beverly Duncan and I live in Councilman Johnson's district, and I attend a church which is a member of CLOUT. I'm here tonight to ask you to allocate \$10 million annually to the affordable housing trust fund. Over the last two years CLOUT has heard more than 500 stories from citizens struggling to find safe, decent housing they can afford. This year you have heard almost 30 of these stories, and next year we plan to present at least 30 more. Last spring you approved the mayor's budget allocation of \$2.5 million, which was 25 times more than the trust fund had received from the city since it was created. But twice that amount was allocated for a new animal shelter and ten times that for road improvements. The trust fund has since received nearly \$4 million in funding requests that exceed that \$2.5 million allocation.

Even \$2.5 million annually is not enough to adequately address Louisville's affordable housing needs. In comparison, Denver city council has dedicated two funding sources that will generate \$150 million for its trust fund over the next ten years. Nashville has committed \$10 million annually from its budget. Lexington has committed more than \$5 million to its trust fund, which has already leveraged more than \$10 million in private investment.

60,000 residents paying more than 30% of their income for housing is not just a number. It represents real people who are deeply affected by our city's lack of affordable housing.

Constituents have begun calling your offices to request individual meetings with some of you. They expect that you as their

representatives will make time to hear their experiences and concerns about the lack of affordable housing, and they want to hear your ideas for funding the trust fund. I leave with you tonight a question posed by one of our city's sports columnists, Eric Crawford, in an article published after Muhammad Ali's death.

He wrote, if this city wants to honor Ali, it will begin to do right by our children no matter how great the challenge. We can have all the bourbon bars and restaurants and bike lanes we want. If we continue to fail to equip our kids with what they need to achieve, then it won't matter.

Violence, gangs, and drugs will win. High-rise hotels are fine, but if we can find the resources to build those while not immediately rectifying a shortage of 65,000 affordable housing units, where are our priorities? Thank you.

MR. CLERK: Randy Strobo.

RANDY STROBO: Thank you, council President Yates and the members of this honorable council, for the opportunity to comment here today.

My firm represents the petitioners in the Colorama case. We are a land use and environmental development firm that represents individuals like the petitioners, organizations, developers, business owners across the state. We are a pro-development firm but we strive to help out our clients with smart development and to comply with the law. Through our historic preservation efforts we have had some successes. We saved many houses around the city. These are not famous homes like Zachary Taylor and Abraham Lincoln. Yet they are still important. And as study after study

has shown, they are important to the city and state. Louisville's ordinance reflects the values. It states preservation is a public necessity and is in the interest of the people.

We urge you not to make the same mistake of not complying with your own laws and ordinances. Your council tells the landmarks commission how to interpret the ordinances.

Your ordinance states considering the designation of any neighborhood area property or structure in Louisville Metro as a local landmark or decision the commission shall apply the following criteria with respect to the structure. I won't go through the criteria. You are probably well aware of what they are right now. But they are in the section AI and hopefully you all review those before making your decision later tonight.

These criteria listed in the section of the ordinance are the only criteria the council can consider when designating landmarks. Economic hardship of the property owner and circumstances outside of these nine criteria pursuant to your ordinance that you passed are not to be considered at this point. While those issues are very important, that is a separate process outside of the landmarks decision, which is found in a different part of the ordinance, specifically section 32.257L. This is the ordinance that you gave us. And it is imperative that you treat all citizens equally under it.

Also, the council in our opinion must give deference to the material already reviewed by previous decision-making body. Courts have repeatedly held that the government unit that actually considers that evidence and hears testimony is best-suited to decide issues of fact. For

example, if the landmarks decision staff determines an issue of fact and the commission adopts that determination unanimously, the body must give deference to the determination. This means even if you disagree with the landmarks commission you still cannot reverse as long as there is some evidence to support the commission's finding. Thank you.

MR. CLERK: Mr. President, that concludes the addresses to council.

PRESIDENT YATES: Thank you, Mr. Clerk.

Next we have approval of the council minutes for the regular meeting of November 17th, 2016. Any corrections or deletions?

>> So moved.

>> Second.

PRESIDENT YATES: Motion and second.

>> So moved.

PRESIDENT YATES: Motion and second again. The minutes have been properly moved and seconded. All those in favor please signify by saying aye. Opposed? The ayes have it. The minutes are approved as written.

I apologize. We have some guests. Council Member Welch, would you please introduce your guests?

You can bring your friend up with you if you want.

COUNCILWOMAN WELCH: Thank you.

COUNCILMAN ENGEL: Mr. President, distinguished colleagues of the Metro Council, all those gathered in the council chambers and all those watching on Metro TV, I proudly but with a bit of sadness that after 27 years of service Monica Hodge will be retiring from Metro Government on February 1st. Her last official day, however, with us will be next week

Friday December 16th. To showcase these 27 years of service at the Jefferson County clerk and Jefferson County judge executive offices to her final years now at the members of council, Council Member Vicki Aubrey Welch and I welcome to the council chambers very special guests.

Former Jefferson County Judge Executive Rebecca Jackson and her husband Ralph. Monica's family members, husband, Roger, daughter Stephanie, parents Joanne and Jerry Watson. Do I have everybody?

And my lovely wife from District 22 and my mother-in-law, not from district 22. She moved out right before I got office. She couldn't vote for me. I'm not sure if she would have. That's my mother-in-law Nancy.

Folks, as I have reflected on this presentation for the last couple weeks, and I have awakened at 2:00 and 3:00 in the morning at times, and I mean that, it has struck me how grateful we all are to have this incredible accomplished individual with us tonight. This may have not ended this way, as I look back. Nearly ten years ago while Monica and I were hosting a large meeting at the Louisville zoo, she received a phone call from her doctor informing her that she had breast cancer. This was devastating news. But as you could have predicted, if anyone could beat this, it would be Monica. Right, folks?

Indeed, she did. With the help of our good lord and the support of family and friends, she came back stronger than ever. Now I mentioned my mother-in-law earlier in here tonight. She and Monica got to know each other quite well. She too went through the same trauma. What started out as Nancy, my mother-in-law consoling Monica, shortly became Monica

consoling Nancy. Very true story, folks. Monica putting others first is the hallmark of her character and what makes her so special.

So our journey together began sometime in November 2002 after the voters elected 26 of us to serve on the new Louisville Metro Council. I had never served in office before, and we were all charged, as you all know, operating a full-time council office. So that meant hiring a full-time staff person. The only person that came to my mind was this lady who worked in the Jefferson County clerk's office named Monica. I had known her from my time serving as a Republican Club president in Jeffersontown. I scheduled speakers, as you have all done in the past if you were a club president. I scheduled speakers into my club and one of the speakers was County Clerk Rebecca Jackson. As a sales guy by trade, customer service is very important to me.

When I took a call from Rebecca's office to Monica to schedule her in, she stood out. About one to two weeks out, for example, the first call came in from Rebecca's office. Rebecca will arrive at this time. She can only stay this long. And she has to leave at this time because she is double-booked or she has another appointment that night. Does that sound familiar?

Then another call would come to confirm the first, and perhaps one final one the day of my club meeting. Monica made me feel like I was so important and all I was was a club president. She stood out, folks, and clearly was my number one choice when I looked to hire a full-time legislative assistant. So stay tuned for the rest of the story.

To share a perspective on Monica's prior years in Jefferson County government and as she makes her way to the podium, let us recall

that many of us may not be here serving had it not been for Rebecca Jackson's leadership in the unity campaign for merger, along with Senator Mitch McConnell, Mayor Abramson, County Judge Armstrong. Ladies and gentlemen, please give a warm Metro Council welcome to the honorable and former county judge executive Rebecca Jackson.

REBECCA JACKSON: Thank you very much. You know, it is really nice being retired. Parents and grandbabies are wonderful. I don't have anybody scheduling for me. And as you heard, she told me where to go regularly. And I went where she told me. I have to share this story. You know, before I was the county judge I was an independent businessperson. In a one-man shop, one-girl shop. And I kept everything in my little -- this was before phones -- in my little Day-Timer. So I took office and I still kept my little Day-Timer. And one day she stood into my office and said can I have your calendar? And I said yes. And she took it and put it like this and said now don't touch it again. And I didn't. And as you have heard, she did a much better job of scheduling all those things for me than I did for myself.

Monica is a jewel. One of the things I remember best about her was that no matter what the problem was, if it was political, if it was personal, no matter what the problem was, if I reached out my hand and said come pray with me, Monica would come pray with me. And we are gathered. We saw lots of those prayers answered, including those prayers for her health and those prayers for our crazy husbands who never knew where we were. So congratulations, Monica. We love you.

[APPLAUSE]

>> Okay. So once we worked out the details on, pay, which came with a bit of sacrifice and trust, we took office in January 2003.

I soon found out Monica shared her full-time job down here with assisting the pastor of Cole Baptist Church located in District 13, our own Councilwoman Vicki Aubrey Welch. Vicki has a few words to share on what this church means in her district and these fine folks, the Hodges. Councilwoman.

COUNCILWOMAN WELCH: It has been my honor and pleasure to know Monica Hodge since March of 2006 when I first took office for district 13. She has been a wonderful friend to me and my family over the years. Lots of prayers have been said for both of our families together with each other.

I soon learned that Monica and her husband Roger pastored and provided their ministry at Cole Baptist church in my district. They and their daughter Stephanie who is here tonight have been invaluable to hundreds of families with their share and wear clothing assistance program. And as a volunteer myself with this program along with my husband and I recruited one of my neighbors, who was my first grade friend and who happens to be my neighbor too, the three of us volunteered in that program. So I saw firsthand the passion and the concern that the Hodge family has for all of God's people. It has just been a wonderful thing for my district.

Monica is one of the most compassionate, loving, and faithful people that I have ever known. Through her own family endurance of health issues over the years, and she has much more than just her own cancer, she has always had a very bright and positive attitude no matter what life's

tribulations brought forward. I wish Monica well in her upcoming retirement, though I'm going to miss you greatly when I go on the second floor. After 27 long years, you certainly deserve some rest and relaxation. And you are definitely going to be missed by all of us at city hall.

[APPLAUSE]

COUNCILMAN ENGEL: So, Monica, your boss out at Cole Baptist church is Pastor Roger Hodge. And you are Monica Hodge. So I found out that real quickly. So pastor has made a trip down here today. Pastor Hodge, Cole Baptist church.

ROGER HODGE: Good evening. Let's take up an offering. That's what I say. That's right. Exactly. I cannot tell you how grateful that I am to this body for how you have made our family welcome over these many years. From Ms. Jackson to Mr. Engel to all of you. You have allowed us to bring our ministry to government. And a lot of times that's not welcomed. Monica would tell you something that you probably already know, but I will share it with you. What is very most important to her is her Christian faith, her Christian walk. She has obviously been my right arm. Next year we will celebrate 30 years at Cole Baptist church, a pretty long time for a man of God to be at one place. But I'll tell you they have said this all the time. Brother Hodge, you can leave whenever but your wife stays. And I have had to live with that for many, many years. I love my wife. She is unbelievable. And what you see here is what you see at home. Class act. I have gone through a lot. Open-heart surgery. I do dialysis. But I stand here today because I have someone who stands with me, an amazing lady. You're going to miss her. But your loss is my gain. Thank you.

PRESIDENT YATES: Councilwoman Flood.

COUNCILWOMAN FLOOD: Will we be able to talk without crying?

Monica, I will certainly miss all the talks and the things you helped get me through like when my son was injured in Iraq. But most of all I got a call several years ago on Christmas eve from Monica and her son Matt Hodge. We do something for our soldiers every year called doing our part from the heart. Matt wrote a song called a hero always lives. And it is the song for our program. And Chanel sang that song. And we play it continuously through our family because that song was dedicated to First Sergeant Chris Rebard who lost his life in the incident where my son was injured so severely. All of your debt of gratitude for all the praying and the talks we had. I don't know what I'm going to do going to the second floor. You better warn her now. Thank you, Monica, for all the years.

COUNCILMAN ENGEL: As I search for some concluding words to describe Monica before I read this proclamation, and you heard it from the pastor, I have the borrow the words of Governor Mike Pence and now Vice President-Elect from his acceptance speech as he introduced himself to America that July 2016 night in Cleveland. He introduced himself this way. I am a Christian, a conservative, and a Republican in that order. Ladies and gentlemen, that's Monica Hodge. This uh individual does not have a partisan bone in her body. She has managed a council district that actually has 62% of the voters that are not Republican. Her skill set for customer service to the constituents of our district and her passion to help others do this job will be sorely missed. She was and will always be the face of good, honest government. Monica, I'm going to lead off with

what we normally end with. Every single council member has signed a proclamation.

To whom all these letters shall come, greetings. Know that the Louisville Metro Council honors and recognizes December 8th as Monica Hodge Day in appreciation of 27 outstanding years of service to the people of Louisville Metro and Jefferson County.

Monica Hodge has received by with distinction and honor in the offices of Jefferson County clerk, Jefferson County judge executive, and the District 22 office of the Louisville Metro Council. Monica has been relied on for her attention to detail, professionalism and strong belief in serving every person who reaches out for help. While tirelessly devoting her career in service to the public, she has also played an integral role with her husband in the operation of Cole Baptist Church, raised two exemplary children and survived a battle with cancer.

Monica spent a significant amount of her work life leading by example teaching best practices and professionalism to others. And in the final years of her career was widely acknowledged as the gold standard for others.

Although we all know Monica will never rest, we take great pleasure in knowing that she now has the flexibility to take on new and exciting challenges outside of her career in government.

We hereby confer this honor with all the rights, privileges, and responsibilities thereunto appertaining. In testimony whereof we have caused these letters to be made and the seal of the Louisville Metro Government to be hereunto affixed.

Signed by everybody, as I mentioned. Ladies and gentlemen, let's give a warm welcome to Monica Hodge.

[APPLAUSE]

MONICA HODGE: Well, I'll just briefly say that 42 years ago goes by in a blink. I started as a 17-year-old kid when Harvey Sloan was mayor, and that was a long time ago. And I have been so blessed. And I want to give thanks first of all to the lord. Because ten years ago I didn't know I would be standing here tonight. And the word "retirement" was not in my vocabulary. Struggling to get through a day of chemo and thinking, "can I get through this day of chemo?" And do I have a tomorrow?" Is what I was living with ten years ago. And to think the lord's blessed me, and he is in control. And I thank him on my knees every night. And I am so thankful to be here tonight. I'm humbled and honored to be here. I have been so blessed to work with some incredible people my whole life. And I say all the time and I said this earlier, people say well who is your boss and who do you work for? And I have had the great privilege of saying I work for not bosses but leaders, like county judge executive Rebecca Jackson and councilman robin Engel. They are not bosses. They are public servants who are leaders, and there is a big difference.

And you don't work for them. You work with them. And they make you feel that you have accomplished as a team something special. So thankful for Rebecca. She took a chance on me years ago. Her wonderful husband Ralph, thank you for being here. My wonderful parents, my dad's a cancer survivor, Jerry and Joanne Watson. When it comes to matters of the head, my dad taught me well as a kid, when it comes to matters of the

heart, my mom taught me. I have a firm foundation thanks to those two wonderful parents.

My beautiful daughter Stephanie, and my son Matt is not here tonight. And my husband Roger, they are the love of my life. I would walk through fire for them. Roger and I have been together since we were 17-year-old kids. We have been together 40 years and in the ministry. And Robin's wonderful wife Dena and Nancy, extended family by choice. Walked some tough journeys with me when I had some tough surgical decisions to make because of the cancer. And they will be part of my life always.

Ms. Leslie, you are going to love working for her. She'll knock your socks off. She is as personal as she is professional. Show her the same love, respect and support that you have given me and she will wow you. She is amazing. She is not here by accident. This is an appointed time. God allowed me to be here at this moment. I say all the time the days seem long but the days are short. Enjoy every tomorrow that you have got because you don't know what life's going to bring you. Celebrate the great days. And I thank you for the blessings you have been in my life, all of you that I have worked with. The days are long here sometimes and the nights are too. But you have all blessed my life in some way, form or fashion. I will cherish the years I have spent here. And with love and affection I will remember the council. Councilman Engel, Rebecca Jackson, my family and their families. They have become part of who I am and I will always be thankful to the lord for what and who he has put into my life. Merry Christmas to you all and thank you for being in my life. I'm so blessed. Thank you so much.

[APPLAUSE]

>> Thank you, Mr. President.

PRESIDENT YATES: Council Member Shanklin, would you please introduce your guests?

COUNCILWOMAN SHANKLIN: Thank you. I just want to present to you the Newburg Tigers. Let me read it off to make sure that I have it right. Kentucky state champions of the Kentucky middle schools. This is the only Kentucky middle school championship. Am I right?

I mean, that's just --

[APPLAUSE]

This is a very special team. Because they not only achieved greatness on the playing field, but they maintained their studies in the classroom. They all did really great in the classroom the whole time that they were maintaining out on the field and doing the things they do to be great sportspersons.

Every time you pick up the paper you find something negative about young people. But here before us we have at least 35 young people that are just doing really good things in the community.

And I am so proud because not often do I get to stand up here with a bunch from Newburg. Jessica has brought somebody from Central. Everybody has brought somebody from their group. I have an opportunity to honor my neighborhood, which is Newburg. And I'm really proud of you.

We have proclamations for you. And as I sit down, and my aide told me as she was writing up the proclamations. She said, Barbara, you have a lot of names in there that you are going to get up there and you are going to stumble. And one thing about your name, that's something special to you. So I don't want to embarrass myself or embarrass you and

call you the wrong name because if I was getting recognized in some kind of way, I would want them to be able to pronounce my name right. With that being said, I'll ask my coach to pronounce their name. There's two out here that I can pronounce. I think one of them is Mick and one was named Kelly. And I said, hey, I can pronounce those two. So I don't want to embarrass myself nor embarrass them. Can the coach come ahead? And I will hand them out to you.

[Names recognized.]

COUNCILWOMAN SHANKLIN: I'll read the proclamation to you. To all whom these letters shall come, greetings. Know ye that the legislative council of the Louisville/Jefferson County Metro Government hereby recognizes and honors all of you and the Newburg Middle School football team's 2016 state champion. In honor and recognition of winning the first football state championship for Newburg Middle School and becoming the first JCPS middle school to be honored as state champions in football history through your skills, team expectation and mentorship to your students.

In testimony whereof we have caused these letters to be made and the seal of the Metro Government to be hereunto affixed. Done in Louisville, Kentucky, this eighth day of December, 2016. Dr. Barbara Shanklin, district 2.

We appreciate you guys coming down.

[APPLAUSE]

PRESIDENT YATES: Congratulations.

Councilman Hollander.

COUNCILMAN HOLLANDER: Mr. President, if I could have a minute of personal privilege here. Councilwoman Shanklin has a favorite middle school team, and that's Newburg, of course. And we have recognized them. But I happen to know that she has a favorite middle school player, and his name is Jaylin Broth. He happens to live in district nine and attend Barrett Middle School also in district nine. And he was the most valuable player on offense in the east/west all-star classic. And he is now as he is holding a ninth district distinguished citizen. And this is Councilwoman Shanklin's great grandson.

[APPLAUSE]

COUNCILWOMAN SHANKLIN: I just want to say you are looking at the next Heisman trophy winner. He is dynamite. He has been good since he was a little bitty boy. Thank you, Jaylin.

PRESIDENT YATES: Councilwoman Woolridge, would you like a point of personal privilege?

COUNCILWOMAN WOOLRIDGE: Thank you, Mr. President. I would like a personal point of privilege.

And I would like everyone out there listening to know we have a petition to support Walmart. West Louisville welcomes Walmart to 18th and Broadway. We have a manual petition for folks who do not have a computer. You can phone 574-1103 for Mary Woolridge. You can phone 574-1101 for Councilwoman Jessica Green. And last but not least Councilman Downard at 574-1116 to acquire these petitions.

We want to tell Walmart we want them back. There are 60,000 folks West Louisville, and we spent last year over \$200,000 -- \$200 million, and that went out of the community. We want to

spend this money in our community. So Walmart, if you are listening, we want you back. We want you at 18th and Broadway.

But moreover, we want the churches to step up to the plate, get some of these petitions, get them signed. We have over 5,000 signatures. Our goal is 30,000. So let's make that happen. Let's make that happen right away. Thank you, Mr. President.

PRESIDENT YATES: Thank you, Councilwoman.

Councilwoman Green, did you want the floor?

COUNCILWOMAN GREEN: I want to echo what Councilwoman Woolridge said but I also want to encourage everybody to please come out. Tomorrow's the last day for our toy drive. Councilman Downard and I have been out all week long in the cold dancing around making fools of ourselves. We are collecting toys for kids whose parents are incarcerated at Valley Correctional Institute. And also Louisville Metro Correctional right here in Jefferson County. You still have time to bring an unwrapped toy tomorrow for kids ages 2-15, and our elves will take cash. We will accept cash. And we will do it all the way until tomorrow. Thank you all very much.

PRESIDENT YATES: Thank you, Councilwoman.

Colleagues, we have already approved our council minutes.

Next we will have approval of the following committee minutes, all in 2016.

Regular: Committee on Sustainability and Parks, November 17.

Regular: Committee of the Whole, November 17.

Special: Planning/Zoning, Land Design and Development Committee, November 29.

Regular: Labor and Economic Development Committee, November 29.

Regular: Appropriations, NDFs, CIFs, Committee, November 29.

Regular: Community Affairs and Housing Committee, November 30.

Regular: Committee on Health and Education, November 30.

Regular: Public Safety Committee, November 30.

Regular: Committee on Appointments, December 1.

Special: Committee on Contracts, December 1.

Regular: Budget Committee, December 1.

Regular: Ad Hoc Committee on Land Development Code, December 5.

Are there any corrections or deletions?

May I have a motion and second for approval?

>> Motion to approve.

>> Second.

PRESIDENT YATES: The minutes have been properly moved and seconded. All those in favor please signify by saying aye. The ayes have it. The minutes are approved as written.

Mr. Clerk, do we have any communication from Planning and Design Services?

MR. CLERK: We do, sir.

PRESIDENT YATES: Would you please read those into the record for us.

MR. CLERK: To David Yates, President of the Metro Council from Emily Liu. In accordance with the Landmarks Commission Ordinance, the Commission has appointed the following member to the Butchertown Architectural Review Committee ARC:

Lindsey Stoughton, qualification, resident, new appointment.

By ordinance, these are Landmarks Commission, not mayoral appointments, and require Metro Council approval. Also by ordinance, Committee members serve a three-year term. Your prompt action on this appointment is most appreciated.

Read in full.

PRESIDENT YATES: This appointment requires council approval. It will be forwarded to the Committee on Appointments.

Mr. Clerk, do we have any communications from our Mayor?

MR. CLERK: We do, sir.

PRESIDENT YATES: Please read those into the record for us.

MR. CLERK: Dear President Yates: In accordance with the Affordable Housing Trust Fund Board Ordinance, I am appointing the following to the Affordable Housing Trust Fund Board:

Stephanie Wood, new appointment, term expires December 31, 2019.

Travis Yates, reappointment, term expires December 31, 2019.

Natalie Harris, reappointment, term expires December 31, 2019.

Your prompt action on these appointments is most appreciated.

Sincerely, Greg Fischer, Mayor.

Dear President Yates: In accordance with the Domestic Violence Prevention Coordinating Council Ordinance, I am appointing the following to the Domestic Violence Prevention Coordinating Council:

Dr. Renee Campbell, new appointment, term expires December 31, 2018.

Your prompt action on this appointment is most appreciated.

Sincerely, Greg Fischer, Mayor.

Dear President Yates: In accordance with the Medical Center Commission Ordinance, I am appointing the following to the Medical Center Commission:

Gary Dryden, new appointment, term expires January 12, 2018.

Glen Todd, new appointment, term expires January 12, 2018.

Metro Council approval of these appointments is not required.

Sincerely, Greg Fischer, Mayor.

Dear President Yates: In accordance with the Transit Authority of River City TARC Board Ordinance, I am appointing the following to the TARC Board:

JC Sites, new appointment, term expires June 30, 2018.

Your prompt action on this appointment is most appreciated.

Sincerely, Greg Fischer, Mayor.

Dear President Yates: In accordance with the Waste Management District 109 Board Ordinance, I am appointing the following to the Waste Management District 109 Board:

Venu Vanaparthy, reappointment, term expires January 15, 2017.

Darrel Rhodes, Sr., Reappointment, term expires January 15, 2017.

Robert Schindler, new appointment, term expires January 15, 2018.

Randal Strobo, new appointment, term expires January 15, 2017.

Debra Thompson, new appointment, term expires January 15, 2018.

Your prompt action on these appointments is most appreciated.

Sincerely, Greg Fischer, Mayor.

Read in full.

PRESIDENT YATES: Thank you, Mr. Clerk. Those appointments needing council approval will be forwarded to the Committee on Appointments.

The next item of business is special legislation. I'll read into the record.

In this portion of the agenda we are reviewing the landmark designation of 2833 Tremont Drive pursuant to LMCO ordinance.

The landmarks commission has held two public meetings on August 8th and September 15th in response to a petition to landmark a specific property. The commission vote today landmark 2833 Tremont Drive based upon five of nine criteria of the ordinance. The Metro Council by resolution dated October 20th of 2016 voted to review the designation and the planning/zoning land design and development committee held a duly noticed hearing to accept additional evidence, including testimony to supplement the record made before landmarks commission.

At the conclusion of the hearing the community voted to overturn the designation by a vote of 5-1, with one member abstention.

The resolution is now before the full council for discussion and vote whether to uphold, modify, or overturn the landmark commission decision. This has been a controversial case. We acknowledge and appreciate the hard work of the landmarks commission and the many citizens both in support and in opposition of the designation. For their concern and participation in this process, we thank them.

In accordance with Metro Council rule 7.04 the resolution is now before us.

Mr. Clerk, a reading of item 25, please.

MR. CLERK: A RESOLUTION OVERTURNING THE DECISION OF THE LANDMARKS COMMISSION DESIGNATING THE PROPERTY LOCATED AT 2833 TREMONT DRIVE IN LOUISVILLE METRO AS A LOCAL LANDMARK (CASE NO. 16DESGNATION1000)
Read in full.

PRESIDENT YATES: May I have a motion and second for approval?

>> So moved.

>> Second.

PRESIDENT YATES: Properly moved and seconded. Any discussion?
Councilwoman Flood, please.

COUNCILWOMAN FLOOD: Yes. Our committee had a four-hour public hearing meeting where we took into consideration only those comments and testimony from the two previous hearings of the landmarks commission and also for our public hearing that we held. Again, as you said, the vote was 5-1 and 1 abstention. This is before us. And I will repeat what I said in the Committee of the Whole. Either party has 30 days after our decision tonight, so therefore there will be no more comment concerning this after the 30 days has expired.

PRESIDENT YATES: Thank you, Councilwoman.

Councilman Owen.

COUNCILMAN OWEN: Just for clarification, that does mean that I can comment on the vote that is before the council based on the record that has been generated thus far? Yeah. Okay. Thank you.

Colleagues, this is in my district. I am a member of the landmarks commission. In hearing the evidence that was presented, if I had chosen to be involved in the decision at the landmarks commission level,

the vote might well have been, likely would have been 10-0, which I think is a vote that is very important to acknowledge.

The drummer that I would have been listening to in the record that was generated both by an August and a September hearing as well as research done by the landmarks commission, that record would have caused me to have supported the recommendation of the landmarks commission. That recommendation would have been based on my concern for the eighth district and for the integrity of the landmarks process. My concern for the district would have been simply this, that in my strong belief -- and I am a reader of historical documents. Have been doing that for 41 years now with a doctorate in American history, and currently I have spent probably 25 -- no -- 55 hours in the last four weeks reading daily newspapers from 1856 and 1858 from Louisville. So I'm familiar with documentation. My decision would have been based on the research and the testimony provided.

Sadly -- sadly -- there were two hearings, August and September. And I think in the deliberations before our committee there was almost a ridicule based on the fact that there was an evolution of analysis and conclusion by those persons who testified. Why?

In August the testimony was given. They couldn't tell the front of the house from the back of the house. From my perspective, that is the integrity of the public hearing and the testimony that was provided. One of the commissioners crawled into the attic of the house and clearly determined, in my judgment, the connection between the 1840s thereabouts and the 1920s front porch addition. In addition, there was testimony given -- well, you know, after all, the house had been so changed that it didn't even look like the original federal style house. The truth of the

matter meaning that external changes from time to time based on changes of need, changes of style -- I'm not positive of this, but I am 97% that locust grove once had a front porch as a farmhouse looking at Blankenbaker Road.

In conclusion, there is a certain innocence that we all share. And that is that the landmarking process ought to be without rancor, ought not to ever smack of takings, ought always be at the will of the owner of the property. But the truth of the matter is despite the mayor's task force, despite us moving in the direction of perhaps designating 100 special local designation eligible properties, when it comes to the old farmhouse in your subdivision or in your neighborhood, there is going to be some appreciation, some connection, some desire to see that old farmhouse, even though it is not on the list of 100. And as my colleague Mr. Hollander so eloquently pointed out at the committee level when we were reviewing it before the Planning/Zoning committee, the truth of the matter is a local landmarks district, you don't think there are 100% of the people who support that. There is a sense in which their property, their residences, their commercial properties have been landmarked and therefore made it more difficult for them to exercise their personal rights in that property just by the fact that a majority of the people in that local landmarks district supported it.

So I would urge you, colleagues, as you consider the evidence, consider the testimony that has been provided, consider the lengthy, lengthy record that has been generated, that we acknowledge -- in my judgment -- that we are dealing with 145-year-old property and that our decision to overturn the landmarks commission will after a 30-day period

in all likelihood bring the wrecking ball to that property. I think there is some significance for the owner. I think there is some pedigree on the house. And I think that generally speaking the neighborhood knew from the beginning the value of that house. Thank you, colleagues.

PRESIDENT YATES: Thank you, Councilman.

Councilwoman Madonna Flood.

COUNCILWOMAN FLOOD: I'll withhold my statement until after the vote, please.

PRESIDENT YATES: Councilman Dan Johnson.

COUNCILMAN JOHNSON: Call the question.

>> Second.

PRESIDENT YATES: The question has been called. Is there any further discussion?

Hearing none, Mr. Clerk, would you please open the voting?

And just for clarification, a vote of "yes" would be an overturn of the landmarks ordinance. Without objection, the voting is closing. The voting is closed.

MR. CLERK: There are 22 yes votes, 3 no votes, 1 not voting. The three no votes are council members Owen, Hollander, and Johnson.

PRESIDENT YATES: It passes.

COUNCILWOMAN FLOOD: Mr. President.

PRESIDENT YATES: I apologize. Moving right along.

COUNCILWOMAN FLOOD: I would like to publicly thank those who helped make sure that this public hearing took place, and all the hard work that had to go on behind the scenes like making sure pictures were taken and things were posted. I would like to thank Paul Whitty and John

Carol with the county attorney's office, Erin Horner, Elizabeth Hopman, Stephen Ott, and David Wagner with the clerk's office and planning and design. Because it is a hard and tedious job to do a public hearing and to do it right, and I want to thank my colleagues who came out and sat through the hearing and listened and asked very highly intelligent questions that pertained to the record. Thank you.

PRESIDENT YATES: Councilwoman, thank you. I think that it was a great advantage for all the council members to have your leadership on there and that open discussion back and forth answered a lot of questions at the committee level. Thank you for that.

And just while we have the floor I do have to make it an appointment for the task force, and I am hoping that we have people interested in stepping up and identifying properties that could potentially be labeled as being landmarks.

Councilman Johnson. Is that my mistake?

COUNCILMAN JOHNSON: You acknowledged him.

PRESIDENT YATES: Our next order of business is the Consent Calendar. The Consent Calendar comprises item numbers 26-48. Are there any additions or deletions?

Councilwoman Leet.

COUNCILWOMAN LEET: Just a point of order. I thought we were going to keep item number 52 on the Old Business for contracts, if I am not mistaken, so that I could enter my comment in the record.

PRESIDENT YATES: We can do that if you like. What item is that?
52?

COUNCILWOMAN LEET: Item 52 was the request.

PRESIDENT YATES: Okay. The Consent Calendar comprises items 26-48 and 52.

COUNCILWOMAN LEET: We were moving 53-57 on consent and keeping 52 on Old Business.

PRESIDENT YATES: Of your request, and Councilman Tandy has a request, we will move 51-56 on consent but we will leave 52.

COUNCILWOMAN LEET: Thank you.

PRESIDENT YATES: Excellent.

Without objection 51-56 will move to consent. Consent now comprises of items 26-48 and 51-56.

52 is on Old Business, and that means 51-56 will be on the consent.

Mr. Clerk, would you read back?

This is a mess right now.

MR. CLERK: What was requested to move items 53-57 to consent, leaving 52 on Old Business. And there was also another request to move item 51 to consent.

PRESIDENT YATES: So 52 and 51 will be in consent. The remainder, 52 -- no.

MR. CLERK: 52 stays in Old Business.

PRESIDENT YATES: Okay. May I have a motion and second for approval? If that's as clear as mud.

The Consent Calendar has now been properly moved and seconded, requiring a roll call vote

MR. CLERK: I have to read them.

PRESIDENT YATES: Yes. Thank you. Would you please read that into the record?

MR. CLERK: I would be glad to.

A RESOLUTION REQUESTING THE PLANNING COMMISSION HOLD A PUBLIC HEARING AND FORWARD A RECOMMENDATION TO THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT REGARDING A PROPOSED AMENDMENT TO SECTION 6.1.3 OF THE LAND DEVELOPMENT CODE THAT WOULD REQUIRE A STANDARD MINIMUM DISTANCE BETWEEN ACCESS WAYS FOR RESIDENTIAL DEVELOPMENTS WITH AN AGGREGATE OF 200 OR MORE DWELLINGS WHEN TWO OR MORE SEPARATE ACCESS WAYS FROM SAID RESIDENTIAL DEVELOPMENTS CONNECT DIRECTLY TO THE SAME ROADWAY.

AN ORDINANCE AMENDING ORDINANCE NO. 102, SERIES 2016 AND ORDINANCE NO. 101, SERIES 2016 RELATING TO THE FISCAL YEAR 2016-17 CAPITAL AND OPERATING BUDGETS, RESPECTIVELY, BY TRANSFERRING \$10,000 FROM THE DISTRICT 6 CAPITAL INFRASTRUCTURE FUND TO THE DISTRICT 6 NEIGHBORHOOD DEVELOPMENT FUND.

AN ORDINANCE AMENDING ORDINANCE NO. 101, SERIES 2016, RELATING TO THE FISCAL YEAR 2016-17 OPERATING BUDGET FOR LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, BY TRANSFERRING \$20,000 FROM THE NEIGHBORHOOD DEVELOPMENT FUND (DISTRICT 21) TO LOUISVILLE METRO COUNCIL GENERAL OPERATIONS (DISTRICT 21).

A RESOLUTION APPROVING THE JEFFERSON COUNTY CLERK'S 2017 BUDGET.

A RESOLUTION APPROVING THE JEFFERSON COUNTY SHERIFF'S 2017 BUDGET.

RE-APPOINTMENT OF ANNA TATMAN TO THE COMMISSION ON PUBLIC ART (COPA). TERM EXPIRES OCTOBER 15, 2020.

RE-APPOINTMENT OF LANCE GILBERT TO THE HOUSING AUTHORITY BOARD.
TERM EXPIRES AUGUST 15, 2018.

RE-APPOINTMENT OF REV. GEOFFERY ELLIS TO THE HOUSING AUTHORITY
BOARD. TERM EXPIRES AUGUST 15, 2019.

RE-APPOINTMENT OF THELMA MARTIN TO THE HOUSING AUTHORITY BOARD.
TERM EXPIRES AUGUST 15, 2019.

RE-APPOINTMENT OF DR. DAVID DUBOFSKY TO THE HOUSING AUTHORITY
BOARD. TERM EXPIRES AUGUST 15, 2019.

RE-APPOINTMENT OF DR. CHARLES BAKER TO THE CRIMINAL JUSTICE
COMMISSION BOARD. TERM EXPIRES DECEMBER 31, 2018.

RE-APPOINTMENT OF JAMES CABRAL TO THE CRIMINAL JUSTICE
COMMISSION BOARD. TERM EXPIRES DECEMBER 31, 2018.

RE-APPOINTMENT OF BRYAN COLE TO THE HOUSING AUTHORITY BOARD.
TERM EXPIRES AUGUST 15, 2018.

RE-APPOINTMENT OF CAROL MULLINS TO THE LIBRARY COMMISSION. TERM
EXPIRES DECEMBER 31, 2018.

APPOINTMENT OF KEN MAGUIRE TO THE OLD LOUISVILLE ARCHITECTURAL
REVIEW COMMITTEE (ARC). TERM EXPIRES 3 YEARS.

A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET
ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING
NONCOMPETITIVELY NEGOTIATED PROFESSIONAL SERVICE CONTRACT- LEARNING FOR
LIFE LINCOLN CENTER, INC. \$76,000.00).

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT FUNDING IN THE
AMOUNT OF \$10,000 FROM THE AMERICAN PUBLIC HEALTH ASSOCIATION (APHA)
ADMINISTERED BY THE LOUISVILLE METRO DEPARTMENT OF PUBLIC HEALTH &
WELLNESS.

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT UP TO \$50,000 OF FUNDING FROM THE LOUISVILLE WATER COMPANY FOR TREE REPLACEMENTS IMPACTED BY A WATER LINE REHABILITATION PROJECT IN PARK SITES AS ADMINISTERED BY THE METRO PARKS DEPARTMENT.

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT \$285,012 OF ADDITIONAL FUNDING FROM THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET FOR CONTINUATION OF THE DESIGN PHASE FOR THE LOUISVILLE LOOP OHIO RIVER LEVEE TRAIL BICYCLE AND PEDESTRIAN PROJECT ADMINISTERED BY THE METRO PARKS DEPARTMENT.

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT \$46,176.80 OF ADDITIONAL FUNDING FROM THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET FOR CONTINUATION OF THE DESIGN PHASE FOR THE LOUISVILLE LOOP NORTHEAST TRAIL BICYCLE AND PEDESTRIAN PROJECT ADMINISTERED BY THE METRO PARKS DEPARTMENT.

A RESOLUTION HONORING THE LIFE AND LEGACY OF ROBERT LEE BURKS.

A RESOLUTION APPROVING THE GRANTING OF LOCAL INCENTIVES TO RADIAL, INC., FORMERLY KNOWN AS EBAY, INC., AND ANY SUBSEQUENT ASSIGNEES OR APPROVED AFFILIATES THEREOF PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 32.

A RESOLUTION AUTHORIZING METRO GOVERNMENT TO ENDORSE ITS HAZARD MITIGATION PLAN UPDATE.

A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED CONTRACT - (DIVERSIFIED CONSTRUCTION SERVICES, INC. - \$600,000.00).

A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING

NONCOMPETITIVELY NEGOTIATED CONTRACT - (BORNSTEIN GENERAL CONTRACTING 1890, LLC - \$600,000.00).

A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW CONTRACT - (NEW ALBANY HEATING, AIR CONDITIONING AND ELECTRICAL, INC. \$250,000.00).

A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED CONTRACT - (KOFI CONSULTING SERVICES, INC., d/b/a MARTIN CONSTRUCTION CO.- \$600,000.00).

A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED CONTRACT - (DAVID CONSTRUCTION, INC. - \$600,000.00).

AN ORDINANCE APPROPRIATING A RESOLUTION HONORING THE LIFE AND LEGACY OF MICHAEL T. WHITE.

PRESIDENT YATES: Now may I have a motion and second for approval?

>> So moved.

>> Second.

PRESIDENT YATES: The Consent Calendar has been properly moved and seconded. Will the clerk please open the voting?

Without objection, the voting is closing. The voting is closed.

MR. CLERK: 23 yes votes and 3 not voting.

PRESIDENT YATES: The Consent Calendar passes.

The next item of business is Old Business. Mr. Clerk, would you read item 49, please.

MR. CLERK: AN ORDINANCE AMENDING VARIOUS SECTIONS 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.

PRESIDENT YATES: Motion and second for approval

>> So moved.

>> Second.

PRESIDENT YATES: The ordinance is before us.

Councilman Peden.

COUNCILMAN PEDEN: Due to some issues in committee, we request this be sent back to committee, please.

>> Second.

PRESIDENT YATES: Properly moved and seconded. Any discussion?

Hearing none, all those in favor please signify by saying aye.

Those opposed?

The ayes have it. This will be sent back to committee.

Sponsorship of item 50 has been withdrawn, and therefore the item dies.

Any discussion on that moving that forward?

Mr. Clerk, a reading of 52, please.

MR. CLERK: A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING

NONCOMPETITIVELY NEGOTIATED CONTRACT - (MORE AND MORE CONTRACTING SERVICES, LLC - \$600,000.00).

Read in full.

PRESIDENT YATES: May I have a motion and second for approval, please?

>> So moved.

>> Second.

PRESIDENT YATES: The resolution is before us. Is there any discussion?

Councilman Johnson, this came out of your committee.

COUNCILMAN JOHNSON: Yes. This resolution was one of several that people were being brought on to be able to bid on city contracts. And I believe that Angela Leet had some issues with it. It passed 5-1.

PRESIDENT YATES: Councilwoman Leet, would you like the floor?

COUNCILWOMAN LEET: Thank you, Mr. President. Thank you, Councilman Johnson.

During the Committee on Contracts meeting held last week I had unanswered questions regarding the metro facility's process in reaching the annual procurement goals to issue contracts to a minimum of 15% minority-owned businesses, 5% female-owned business and .5% handicapped-owned businesses. I'm happy to report that following the committee meeting they have shown that more than 40% of the contracts approved, and you heard several of them on the Consent Calendar, are certified minority businesses. I also had some questions regarding how Metro Facilities was bidding these. And this morning I received confirmation from the Jefferson County attorney's office these contracts

are actually increasing Metro Government's capabilities to be competitive and spend our tax dollars wisely. So I basically withdraw my no vote and support these resolutions as presented.

PRESIDENT YATES: Thank you, Councilwoman, for the explanation. Is there any further discussion?

Hearing none, this is a resolution allowing for a voice vote. All those in favor please signify by saying aye. Those opposed?

The ayes have it. The resolution is adopted.

Our next item of business is New Business.

However, before you leave the chambers, you have just been passed out a document. I ask that you do keep that document. It is subject to confidentiality.

As you leave chambers, I would ask you do so quietly so the clerk may read new business. I would ask those members who wish to speak on their system to remain in chambers.

Would the clerk please read the assignments to committee?

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

AN ORDINANCE APPROPRIATING \$7,000 FROM DISTRICT 22 NEIGHBORHOOD DEVELOPMENT FUNDS, THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO CHILDREN HAVE OPTIONS IN CHOOSING EXPERIENCES, INC., (C.H.O.I.C.E., INC.), FOR THE "DARE TO DREAM" SPORTS LEADERSHIP AND MENTORING PROGRAM.

AN ORDINANCE APPROPRIATING \$7,000 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$4,000 FROM DISTRICT 22; \$2,000 FROM DISTRICT 24; AND \$1,000 FROM DISTRICT 23; THROUGH THE OFFICE OF MANAGEMENT

AND BUDGET, TO FERN CREEK/HIGHVIEW UNITED MINISTRIES, INC., FOR CAPITAL IMPROVEMENT EXPENSES ASSOCIATED WITH REPLACING THE FLOOR OF A FOOD PANTRY.

AN ORDINANCE APPROPRIATING \$15,000 IN DISTRICT 5 NEIGHBORHOOD DEVELOPMENT FUNDS AND \$5,000 IN DISTRICT 6 NEIGHBORHOOD DEVELOPMENT FUNDS TO METRO PARKS DEPARTMENT FOR VARIOUS ACTIVITIES AND PROGRAMS TO BE HELD IN PARKS AND COMMUNITY CENTERS THROUGHOUT DISTRICT 5 AND DISTRICT 6.

The following legislation will be assigned to the Budget Committee:

AN ORDINANCE AMENDING ORDINANCE NO. 101, SERIES 2016 AND ORDINANCE NO. 102, SERIES 2016 RELATING TO THE FISCAL YEAR 2016-17 OPERATING AND CAPITAL BUDGETS, RESPECTIVELY, BY TRANSFERRING \$125,000 FROM THE DISTRICT 17 NEIGHBORHOOD DEVELOPMENT FUND TO THE DISTRICT 17 CAPITAL INFRASTRUCTURE FUND

AN ORDINANCE AMENDING ORDINANCE NO. 101, SERIES 2016 AND ORDINANCE NO. 102, SERIES 2016 RELATING TO THE FISCAL YEAR 2016-17 OPERATING AND CAPITAL BUDGETS, RESPECTIVELY, BY TRANSFERRING \$15,000 FROM THE DISTRICT 20 NEIGHBORHOOD DEVELOPMENT FUND TO THE DISTRICT 20 CAPITAL INFRASTRUCTURE FUND.

AN ORDINANCE AMENDING ORDINANCE NO. 102, SERIES 2016 AND ORDINANCE NO. 101, SERIES 2016 RELATING TO THE FISCAL YEAR 2016-17 CAPITAL AND OPERATING BUDGETS, RESPECTIVELY, BY TRANSFERRING \$20,000 FROM THE DISTRICT 4 CAPITAL INFRASTRUCTURE FUND TO THE DISTRICT 4 NEIGHBORHOOD DEVELOPMENT FUND AND BY TRANSFERRING \$10,000 FROM THE DISTRICT 4 NEIGHBORHOOD DEVELOPMENT FUND TO THE DISTRICT 4 OPERATIONS.

AN ORDINANCE AUTHORIZING YEAR-END OPERATING BUDGET TRANSFERS BETWEEN VARIOUS AGENCIES FOR FISCAL YEAR 2015-2016 AND TO PROVIDE VARIOUS TRANSFERS AS DETAILED HEREIN.

A RESOLUTION ENCOURAGING LOUISVILLE METRO GOVERNMENT TO INTERVENE IN THE LOUISVILLE GAS AND ELECTRIC COMPANY'S RATE CASE FILED WITH THE KENTUCKY PUBLIC SERVICE COMMISSION.

A RESOLUTION OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AUTHORIZING THE MAYOR TO NEGOTIATE A SECOND AMENDED AND RESTATED MEMORANDUM OF AGREEMENT FOR THE LOUISVILLE ARENA PROJECT AND TO PRESENT SUCH NEGOTIATED SECOND AMENDED AND RESTATED MEMORANDUM OF AGREEMENT TO THE COUNCIL FOR APPROVAL

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

APPOINTMENT OF STEPHANIE WOOD TO THE AFFORDABLE HOUSING TRUST FUND BOARD. TERM EXPIRES DECEMBER 31, 2019.

RE-APPOINTMENT OF TRAVIS YATES TO THE AFFORDABLE HOUSING TRUST FUND BOARD. TERM EXPIRES DECEMBER 31, 2019.

RE-APPOINTMENT OF NATALIE HARRIS TO THE AFFORDABLE HOUSING TRUST FUND BOARD. TERM EXPIRES DECEMBER 31, 2019.

APPOINTMENT OF DR. RENEE CAMPBELL TO THE DOMESTIC VIOLENCE PREVENTION COORDINATING COUNCIL. TERM EXPIRES DECEMBER 31, 2018.

APPOINTMENT OF JC STITES TO THE TRANSIT AUTHORITY OF RIVER CITY (TARC) BOARD. TERM EXPIRES JUNE 30, 2018.

RE-APPOINTMENT OF VENU VANAPARTHY TO THE WASTE MANAGEMENT DISTRICT 109 BOARD. TERM EXPIRES JANUARY 15, 2017.

RE-APPOINTMENT OF DARREL RHODES, SR. TO THE WASTE MANAGEMENT DISTRICT 109 BOARD. TERM EXPIRES JANUARY 15, 2017.

APPOINTMENT OF ROBERT SCHINDLER TO THE WASTE MANAGEMENT DISTRICT 109 BOARD. TERM EXPIRES JANUARY 15, 2018.

APPOINTMENT OF RANDAL STROBO TO THE WASTE MANAGEMENT DISTRICT 109 BOARD. TERM EXPIRES JANUARY 15, 2017.

APPOINTMENT OF DEBRA THOMPSON TO THE WASTE MANAGEMENT DISTRICT 109 BOARD. TERM EXPIRES JANUARY 15, 2018.

APPOINTMENT OF LINDSEY STOUGHTON TO THE BUTCHERTOWN ARCHITECTURAL REVIEW COMMITTEE (ARC). TERM EXPIRES 3 YEARS.

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

A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW CONTRACT - (ENERGY SAVERS, LLC - \$250,000.00).

A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED SOLE SOURCE CONTRACT - (CEPHEID - \$40,000.00).

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT \$30,000 OF FUNDING FROM THE UNITED STATES DEPARTMENT OF INTERIOR, FISH AND WILDLIFE SERVICE FOR THE SALT RIVER CONSERVANCY PROJECT TO BE ADMINISTERED BY THE METRO PARKS AND RECREATION DEPARTMENT.

AN ORDINANCE CREATING A NEW CHAPTER OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES RELATING TO LOUISVILLE METRO TREES, TREE CANOPY AND ENVIRONMENTAL INFRASTRUCTURE

The following legislation will be assigned to the Labor and Economic Development Committee.

AN RESOLUTION RATIFYING AND APPROVING A COLLECTIVE BARGAINING AGREEMENT (NOVEMBER 14, 2016 TO JUNE 30, 2023) RELATING TO WAGES, HOURS, AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT BETWEEN LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AND LOUISVILLE CORRECTIONS FRATERNAL ORDER OF POLICE, LODGE NO. 77, CONCERNING CERTAIN SWORN EMPLOYEES OF THE LOUISVILLE METRO CORRECTIONS DEPARTMENT IN THE CLASSIFICATIONS OF CORRECTIONS OFFICER AND CORRECTIONS SERGEANT.

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

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

AN ORDINANCE ADOPTING THE DEER PARK NEIGHBORHOOD PLAN AND INCORPORATING ITS EXECUTIVE SUMMARY INTO THE CORNERSTONE 2020 COMPREHENSIVE PLAN (CASE NOS. 16NEIGHPLAN1007 & 16NEIGHPLAN1008)

AN ORDINANCE CHANGING THE ZONING FOR 146 PROPERTIES FROM VARIOUS ZONING DESIGNATIONS, INCLUDING R-4 SINGLE-FAMILY RESIDENTIAL, R-5 SINGLE-FAMILY RESIDENTIAL, R-5A MULTI-FAMILY RESIDENTIAL, R-6 MULTI-FAMILY RESIDENTIAL, R-7 MULTI-FAMILY RESIDENTIAL, OR-1 OFFICE RESIDENTIAL, OR-3 OFFICE RESIDENTIAL, C-N COMMERCIAL NEIGHBORHOOD, C-1 COMMERCIAL, C-2 COMMERCIAL, C-M COMMERCIAL MANUFACTURING, AND M-2 INDUSTRIAL TO PD PLANNED DEVELOPMENT DISTRICT; AND CHANGING THE FORM DISTRICT FROM NEIGHBORHOOD TO TOWN CENTER FOR 93 PROPERTIES AND FROM TOWN CENTER TO NEIGHBORHOOD FOR 3

PROPERTIES; AND ADOPTING THE PD PLAN AND GUIDELINES FOR PROPERTIES FRONTING ALONG BOTH SIDES OF FEGENBUSH LANE BETWEEN FEGENBUSH LANE'S INTERSECTIONS WITH VAUGHN MILL ROAD AND BEULAH CHURCH RD AND ADDITIONAL PROPERTIES LOCATED WITHIN AN AREA GENERALLY BOUNDED BY BEULAH CHURCH RD, DELIGHTFUL WAY, HAPPINESS WAY, OUTER LOOP, APPLE VALLEY DR, VAUGHN MILL RD, BRISCOE LN, GLASER LN AND WATTERSON TRAIL, CONTAINING APPROXIMATELY 236.26 ACRES AS MORE PARTICULARLY DESCRIBED IN THE HIGHVIEW PD PLAN, AND BEING IN LOUISVILLE METRO (16AREA1004).

AN ORDINANCE CHANGING THE ZONING FROM W-3 WATERFRONT TO C-M COMMERCIAL MANUFACTURING ON PROPERTY LOCATED AT 2700 BUDDEKE DRIVE CONTAINING 8.31 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 16ZONE1062).

AN ORDINANCE DENYING THE ZONING REQUEST TO CHANGE THE ZONING DESIGNATION FROM R-R RURAL RESIDENTIAL TO C-1 COMMERCIAL ON PROPERTY LOCATED AT 14005 TAYLORSVILLE ROAD CONTAINING 5.89 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 14ZONE1064)

AN ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY TO R-5A RESIDENTIAL MULTI-FAMILY AND OR-1 OFFICE/RESIDENTIAL ON PROPERTY LOCATED AT 4208 TAYLORSVILLE ROAD CONTAINING 82,747 SQUARE FEET AND BEING IN LOUISVILLE METRO (CASE NO. 16ZONE1026).

AN ORDINANCE AMENDING CHAPTERS 2, 5, 7 AND 10 OF THE LAND DEVELOPMENT CODE PERTAINING TO LANDSCAPING-APPLICABLE SECTIONS ARE MORE SPECIFICALLY SET FORTH BELOW IN EXHIBIT A-WHICH IS PART OF A CONTINUING EFFORT TO UPDATE THE ZONING REGULATIONS FOR LOUISVILLE METRO (CASE NO. 14AMEND1003).

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

AN RESOLUTION RATIFYING AND APPROVING A COLLECTIVE BARGAINING AGREEMENT (JULY 1, 2015 TO JUNE 30, 2023) 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 AND OFFICE OF MANAGEMENT AND BUDGET -- EMS BILLING SERVICES

Read in full.

PRESIDENT YATES: Thank you, Mr. Clerk. With no further business to discuss, and without objection, we stand adjourned.

However, next we have announcements. And Councilwoman Cheri Bryant-Hamilton is in the queue.

COUNCILWOMAN HAMILTON: Thank you, Mr. President. I have some announcements, and they may not be in chronological order, so listen up.

The First Division Auxiliary Christmas party. LMPD always sponsors this with the Police Auxiliary. It is Saturday December 10th from 11:00 to 3:00 p.m. at the Molly Leonard Portland Community Center. All children are welcome. 640 North 27th Street.

Save the date also for Saturday and Friday of December 16th and 17th. The fifth annual West Louisville holiday festival and marketplace will be held at the Kentucky Center for African-American Heritage. On Saturday it is from noon to 5:00. And the business-to-business exchange is on Friday the 16th from 5:00 to 7:30. This is a two-day celebration.

Brings together our business community, family, churches and government from all nine West Louisville neighborhoods. They really transform the

heritage center into a holiday paradise and an event you won't want to miss.

There's another party coming up. Pride will hold their 44th annual Christmas party on Saturday December 17th from 10:00 a.m. to 1:00 p.m. That is at the Charles Kirby Multipurpose Center of Excellence at 2308 Algonquin Parkway. The party is for children ages 1-12 and there are free giveaways. Bikes, boom boxes, gift certificates. And you are all welcome to come to that.

LMPD First Division will be holding peace walks. These walks are now from noon to 1:00 p.m.

Tuesday, December 13th, peace walk will be at 26th and Portland Avenue. On Tuesday December 20th the Peace Walk will be at Beecher Terrace, meeting at the Baxter Center. And Tuesday, December 27th they will meet at 26th and Broadway.

Saturday, December 17th at 12:00 noon there will be a Board of Zoning Adjustment meeting. This is a community hearing about a conditional use permit for a boarding home there at 2733 West Market. The owners of the property who would like to put a boarding home there are being compelled to have this meeting in the neighborhood, so if you are interested in this issue and would like to attend, 12:00 December 17th at the site, 2733 West Market Street. If you have any questions about that, you can contact my office.

I would like to also announce that the Creole center will present -- after the showing, Raashan Ahmad from Safe and Healthy neighborhoods will facilitate a panel discussion concerning violence in

the community. The community is encouraged to attend that event. Tomorrow night Friday December 9th at 7:00 p.m.

On Tuesday the 14th the Labor and Economic Development Committee will have a full agenda. One of the items we are hearing is from the West Louisville community council. They will give an update on West Louisville economic development. And the activities they have been taking to gain community input at what should happen at the sites of 30th and Muhammad Ali and at 18th and Broadway.

The clergy resource team, local pastors in the community are invited to attend the next clergy resource team meeting at Hewlett temple, AME Zion Church on Jefferson Street. Thursday December 15th at 6:30 p.m. next Thursday.

There is going to be a youth chat with LMPD. This is a series of open dialogue discussions so that youth 25 and under can hear from and talk with local law enforcement officials to establish better relationships and mutual understanding, learn about the variety of things that Louisville metro police officers do. This is also going to be an Thursday December 15th from 6:00 to 7:30 at the Shawnee Arts and Culture Center, 607 South 37th Street. This is with LMPD second division officers taking part in that panel discussion.

On this Sunday December 11th the U of L college of arts and sciences and the Yearlings Club forum will hold their annual community holiday reception from 4:00 to 6:00. The Yearlings Club is located at 4309 West Broadway. There is always good food and entertainment will be by the Jerry Olson quintet. We hope you'll be able to come out Sunday the 11th from 4:00 to 6:00 at the Yearlings Club.

I think that is all I have up until the 17th. I'll do some more next week. And if you would like to be added to my newsletter, my mailing list, which we send out these things every Thursday or Friday. You can e-mail my office or call us and we will be happy to add you to our mailing list. Thank you.

PRESIDENT YATES: Thank you, Councilwoman. Also to remind those, we have a special budget meeting tomorrow at 3:30. And our next council meeting will be Thursday December 15th, 2016, at 6:00. If there are no other announcement, we are adjourned.

[Regular Meeting adjourned.]