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LOUISVILLE METRO COUNCIL
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OCTOBER 22, 2015

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PRESIDENT TANDY: The Regular Meeting of October the 22nd, 2015, will please come to order. Please rise for the pledge of allegiance to the flag.

I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

PRESIDENT TANDY: Mr. Clerk, please call the roll.

MR. CLERK: Councilwoman Green.

Councilwoman Shanklin.

COUNCILWOMAN SHANKLIN: Present.

MR. CLERK: Councilwoman Woolridge.

COUNCILWOMAN WOOLRIDGE: Present.

MR. CLERK: President Tandy.

PRESIDENT TANDY: Here.

MR. CLERK: Councilwoman Hamilton.

COUNCILWOMAN BRYANT HAMILTON: Here.

MR. CLERK: Councilman James.

COUNCILMAN JAMES: Here.

MR. CLERK: Councilwoman Leet.

COUNCILWOMAN LEET: Here.

MR. CLERK: Councilman Owen.

COUNCILMAN OWEN: Here.

MR. CLERK: Councilman Hollander.

COUNCILMAN HOLLANDER: Here.

MR. CLERK: Councilman Magre.

Councilman Kramer.

Councilman Blackwell.

Councilwoman Aubrey Welch.

COUNCILWOMAN AUBREY WELCH: Here.

MR. CLERK: Councilwoman Fowler.

COUNCILWOMAN FOWLER: Here.

MR. CLERK: Councilwoman Butler.

COUNCILWOMAN BUTLER: Here.

MR. CLERK: Councilman Downard.

COUNCILMAN DOWNARD: Mr. Clerk, I am present.

MR. CLERK: Thank you, sir.

Councilman Stuckel.

COUNCILMAN STUCKEL: Here.

MR. CLERK: Councilwoman Parker.

COUNCILWOMAN PARKER: Here.

MR. CLERK: Councilwoman Denton.

Councilman Benson.

COUNCILMAN BENSON: Present.

MR. CLERK: Councilman Johnson.

COUNCILMAN JOHNSON: Here.

MR. CLERK: Councilman Engel.

COUNCILMAN ENGEL: Present.

MR. CLERK: Councilman Peden.

Councilwoman Flood.

Councilman Yates.

COUNCILMAN YATES: Present.

MR. CLERK: Councilman Ackerson.

COUNCILMAN ACKERSON: Here.

MR. CLERK: Councilman Magre.

Councilman Kramer.

Councilman Blackwell.

Councilwoman Denton.

Councilman Peden.

Councilwoman Flood.

Mr. President, you have 19 in attendance and a quorum.

PRESIDENT TANDY: Thank you, Mr. Clerk. Please allow the record to reflect that Councilwoman Green and Councilman Kramer both have excused absences. All other council members should be en route to chambers. And when they do arrive please mark them as present.

MR. CLERK: So noted.

PRESIDENT TANDY: Thank you.

Next item of business will be introduction of pages.

Councilman Johnson, do you have a page tonight?

COUNCILMAN JOHNSON: Yes, I do.

PRESIDENT TANDY: Would you please introduce her?

COUNCILMAN JOHNSON: District 21 is proud to introduce our page for the Metro Council meeting this evening, Teagan C. White. Her mother is with her in the audience. She is a 7th grader at Olmstead Academy Middle School on Southern Parkway. She has been involved in quick recall since fourth grade and served on the student council as parliamentarian for two years. Served as class representative for the last two years at Olmstead South. She played soccer for her school last year, is looking forward to this year's soccer season. She also finds time to be on the cheerleader squad for her school. She has played violin and currently sits as first chair. Outside of school she volunteers in the dare to care food bank, serving food and assisting where needed. She has been involved in the stop hunger effort sponsored by her mother's workplace raising food and funds for the Fort Knox Food Bank and dare to care since she was three years old. Teagan also enjoys rifle and bow hunting, fishing, hiking, reading, and music.

Let's welcome Teagan White.

[Applause.]

PRESIDENT TANDY: Teagan, welcome tonight. And we thank you for your service this evening.

Our next item of business will be addresses to Council.

Mr. Clerk, are there any addresses to Council?

MR. CLERK: Yes, sir, there are.

PRESIDENT TANDY: All right. Would you please call the first addressee?

MR. CLERK: Richard Whitlock.

PRESIDENT TANDY: Mr. Whitlock, as you approach, this is not directed to you specifically, but let me remind those who are addressing the council please refrain from any profanity or making any derogatory statements to council members. That is not directed towards you, but please proceed.

RICHARD WHITLOCK: Hello, Metro Council. My name is Richard Whitlock, Jr., the creator and director of getting our people out

partnership, a marketing service for disenfranchised youth. In 2012 I was on the work group and Kentucky Alliance Against Racism and Political Oppression, organizing an event that was recognized for being the catalyst of a creation of such a group. From April to August of 2012, I operated and facilitated a GAP cultivation program at the Shawnee Arts and Culture Center on behalf of the office of District 5. In September of that same year I filled out a postdata ATPS after doing the work and I was compensated from Metro Parks but from Metro Council districts one through six.

During February and March of 2014 the office of District 5 had the getting people out partnership to show a sixpoint series of documentaries for one day a week for six weeks at the Shawnee Golf Course indoor facility. In April of 2014 the office of District 5 had the getting out people partnership to display five movies for the week of spring break also at the Shawnee Golf Course and indoor facility. And from October to the end of December of 2014 the office of District 5 authorized the GAP cultivation program to be conducted at the Shawnee Arts and Culture Center for 12 hours a week for 12 weeks for a grand total of 182 hours of services in the entire calendar year of 2014. And in February of 2015, I filled out a postdata CPS, as I did in 2012, and as of now I haven't been compensated for services rendered. And for the last eight months I practiced patience, persistence and even due diligence. That's the reason why I'm addressing Metro Council. I know this is a matter we can handle without going through other ways.

MR. CLERK: Gracie Lewis. Gracie Lewis.

Patrick Carrico. Patrick Carrico.

Terry Hathaway.

TERRY HATHAWAY: My name is Terry Hathaway, and I am the director of grants and foundations at YMCA safe services, a branch of YMCA greater Louisville. Thank you, council President Tandy, and all council members for allowing me to speak tonight.

I am here on behalf of Matt Reed, Executive Director of YMCA Safe Place Services. He could not be here tonight as he is attending two events this evening honoring his late stepfather, former council President Jim King.

Today we are seeking the council's support for our neighborhood development funding request to fund our 2016 together for teens breakfast and associated events. The council's support of our request would mean every dollar raised at the breakfast would go directly to support our programs and services. Many of you have already signed on and we humbly thank you.

Safe Place services is a community leader in serving youth in crisis in our community. Our programs are based on safety, unconditional support, and mentoring for our community's most vulnerable teens and young adults. We provide safety. In 2015 our teen shelter has already logged more than 450 shelter stays by teens in our community who have been in crisis. Teens who otherwise could be on the streets, vulnerable, victimized. They come to us from all corners of the county. The average stay is eight days. We provide unconditional support. Our shelter staff provides mediation to families and provides a lifeline to teens long after they have left the shelter. Our street outreach team focuses on homeless young adults on the streets 18 to 22 years old. They are the fastest growing segment of our homeless population. We provide mentoring. Our Y Now program services children with one or both parents incarcerated. Our goal is to break the cycle of incarceration and replace it with high academic achievements. 82 percent of our ageeligible alumni who completed Y Now have gone on to graduate high school. 93 percent have remained free and clear from the criminal justice system.

To meet the demand for our services, we rely on the generous financial support of individuals in our community. Our annual breakfast is our signature fundraising event. At our 2015 event we raised money for the support of Safe Place.

On behalf of our community and family at Safe Place, thank you for your time, your unwavering support for our cause and our request. We hope to see you at March 16th for our breakfast. Thank you very much.

MR. CLERK: Annette Darnell.

ANNETTE DARNELL: I'm Annette Darnell. I represent the community council of the neighborhood way south central. And many of you have seen me up here before. I had two paths tonight. I am here to speak in support of the ordinance that will be voted on later that protects

Neighborhood Place from changes without your approval, basically. So I thought, well, I can get up there and begin to beat a dead horse. Everybody in the room knows how the community feels about Neighborhood Place, how important the administrator is. So I didn't really feel like it was needed to go down that road again. But what I would like to say is previous to this advocacy issue I was here on behalf of the council for WIC and learned a lot through that process, how government works and how to advocate. And then hardly had time to breathe and I'm back here advocating for Neighborhood Place again. And I have learned a lot more this time. And I don't want to overstep my bounds, because I really don't know, but what I see is a deeper issue. I see 26 people here, three of whom I know very personally, that always represent their community and their constituents. And I'm sure that everyone else does. So we have this collective voice of people. We have people in the neighborhoods that are speaking on their own, the community council representatives of the neighborhood places, and yet it seems impossible at times to stop the process of one or two people. And I really don't understand that. And I don't know whether that is something that can even be tweaked, how that works, but it is very frustrating for community persons who feel like they need to be heard and then to have a wall up in front of you.

So I would just like to say thank you so much to Councilman Downard and Councilwoman Shanklin for bringing this ordinance and for making some steps that seem to me in making the people's voice and the community's better heard. Because I know that it is very important to this city that we be transparent and compassionate. And the compassion piece is always with me, but I'm beginning to learn now that the transparency is very important as well. So I would ask each of you to vote yes when it comes to the voting on the ordinance this evening.

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

PRESIDENT TANDY: Thank you, Mr. Clerk.

Our next item of business is the approval of Council minutes for the Regular Metro Council Meeting of October 8, 2015. Any corrections or deletions?

>> Move approval.

>> Second.

PRESIDENT TANDY: Properly moved and seconded. It is now before us. All those in favor please signify by saying aye. All opposed? The ayes have it. The minutes are approved as written.

Next we have approval of the following Committee minutes, all in 2015:

Regular: Committee on Intergovernmental Affairs, October 8.

Regular: Committee on Sustainability, October 8.

Regular: Committee of the Whole, October 8.

Regular: Planning/Zoning, Land Design and Development Committee, October 13.

Regular: Public Works, Bridges and Transportation Committee, October 13.

Regular: Labor and Economic Development Committee, October 13.

Regular: Appropriations, NDFs and CIFs Committee, October 13.

Regular: Community Affairs Committee, October 14.

Regular: Committee on Health, Education and Housing, October 14.

Regular: Government Accountability and Ethics Committee, October 14.

Regular: Committee on Contracts and Appointments, October 15.

Regular: Budget Committee, October 15.

Special: Public Safety Committee, October 19.

Are there any corrections or deletions?

>> Move approval.

>> Second.

PRESIDENT TANDY: Properly moved and seconded. Those are before us. All those in favor please signify by saying aye. All opposed? The ayes have it. These minutes are approved as written.

Next, Mr. Clerk, do we have any communications from the mayor?

MR. CLERK: We do, sir.

PRESIDENT TANDY: If you would, please read those into the record.

MR. CLERK: Dear President Tandy:

In accordance with the Civil Service Board Ordinance, I am appointing the following to the Civil Service Board:

Virginia Brown, reappointment, term expires June 30, 2018.

Dr. Linda Shapiro, reappointment, term expires June 30, 2018.

Kevin Fields, reappointment, term expires June 30, 2018.

Metro Council approval of these appointments is not required.

Sincerely, Greg Fischer, Mayor.

Dear President Tandy:

In accordance with the Deer Park Neighborhood Plan Advisory Group Ordinance, I am appointing the following to the Deer Park Neighborhood Plan Advisory Group:

Jody Caldwell, new appointment, term expires October 8, 2016.

Arthur Cestaro, new appointment, term expires October 8, 2016.

Jason Greenberg, new appointment, term expires October 8, 2016.

Dr. Catherine Hammond, new appointment, term expires October 8, 2016.

Susan Harmon, new appointment, term expires October 8, 2016.

Edward Kupper, new appointment, term expires October 8, 2016.

Larry Rother, new appointment, term expires October 8, 2016.

Alan Scherer, new appointment, term expires October 8, 2016.

Drew Shryock, new appointment, term expires October 8, 2016.

Metro Council approval of these appointments is not required.

Sincerely, Greg Fischer, Mayor.

Read in full.

PRESIDENT TANDY: Thank you, Mr. Clerk.

Next we will have the Consent Calendar. The Consent Calendar currently comprises items number 19 through 43. Are there any additions or deletions?

Councilwoman Parker.

COUNCILWOMAN PARKER: Yes. I would like to move item number 39 to Old Business. It's an appointment of Tony Vaughn to Kentuckiana Works. And as an employer of Norton's, I wanted to be able to abstain for any perceived conflict of interest.

PRESIDENT TANDY: All right. Without objection, item 39 will be moved from consent and placed on Old Business.

Are there any other additions or corrections?

Seeing none, the new Consent Calendar will comprise items 1938 and items 4043.

Mr. Clerk, a second reading of these items.

MR. CLERK: AN ORDINANCE APPROPRIATING \$12,500 FROM DISTRICT 10 NEIGHBORHOOD DEVELOPMENT FUNDS, TO THE DEPARTMENT OF COMMUNITY SERVICES & REVITALIZATION, TO INCREASE THE ALLOCATED FUNDS TO THE MINISTRIES UNITED OF SOUTH CENTRAL LOUISVILLE (MUSCL) SENIOR WELLNESS CENTER AS ADOPTED IN ORDINANCE NO. 103, SERIES 2015.

AN ORDINANCE AMENDING ORDINANCE NO. 104, SERIES 2015, RELATING TO THE FISCAL YEAR 201516 CAPITAL BUDGET BY CHANGING A CAPITAL PROJECT NAME FROM D15 PAVING PROJECTS TO D15 PAVING AND SIDEWALK PROJECTS.

AN ORDINANCE OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, PROVIDING FOR AND AUTHORIZING THE ISSUANCE OF CERTAIN GENERAL OBLIGATION BONDS OF THE METRO GOVERNMENT IN ONE OR MORE SERIES TO FINANCE THE COSTS OF THE PUBLIC PROJECTS AS DESCRIBED THEREIN; SETTING FORTH THE TERMS AND CONDITIONS ON WHICH THE BONDS ARE TO BE ISSUED AND PROVIDING FOR A COMPETITIVE, ADVERTISED SALE THEREOF; DEFINING AND PROVIDING FOR THE RIGHTS OF THE HOLDERS OF THE BONDS AND PROVIDING FOR THE APPLICATION OF THE PROCEEDS THEREOF; AND TAKING OTHER RELATED ACTION RELATING TO THE ISSUANCE AND SALE OF THE BONDS.

A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL SOLE SOURCE CONTRACT (HUB PARKING TECHNOLOGY USA, INC. \$300,000.00).

A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL SOLE SOURCE CONTRACT (POM, INCORPORATED \$75,000.00).

A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL SOLE SOURCE CONTRACT (PRIORITY DISPATCH CORPORATION \$110,000.00).

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

NONCOMPETITIVELY NEGOTIATED RENEWAL SOLE SOURCE CONTRACT (CUSTOM DATA PROCESSING, INC. \$71,000.00).

AN ORDINANCE ESTABLISHING THE LOUISVILLE METRO CEMETERY BOARD.

APPOINTMENT OF THERESA ZAWACKI TO THE AFFORDABLE HOUSING TRUST FUND BOARD. TERM EXPIRES DECEMBER 31, 2017.

APPOINTMENT OF REV. GEOFFERY ELLIS TO THE HOUSING AUTHORITY BOARD. TERM EXPIRES AUGUST 15, 2016.

APPOINTMENT OF CHARLES RICKETTS TO THE CITIZENS COMMISSION ON POLICE ACCOUNTABILITY BOARD. TERM EXPIRES MARCH 27, 2017.

APPOINTMENT OF DANETTE RHOADS TO THE KENTUCKIANA WORKS WORKFORCE INVESTMENT BOARD. TERM EXPIRES OCTOBER 8, 2018.

APPOINTMENT OF ROBERT (STEVE) WILLINGHURST TO THE KENTUCKIANA WORKS WORKFORCE INVESTMENT BOARD. TERM EXPIRES JUNE 30, 2016.

APPOINTMENT OF JENNIFER HANCOCK TO THE KENTUCKIANA WORKS WORKFORCE INVESTMENT BOARD. TERM EXPIRES JUNE 30, 2017.

REAPPOINTMENT OF ROGER CUDE TO THE KENTUCKIANA WORKS WORKFORCE INVESTMENT BOARD. TERM EXPIRES APRIL 21, 2018.

REAPPOINTMENT OF KENI BROWN TO THE KENTUCKIANA WORKS WORKFORCE INVESTMENT BOARD. TERM EXPIRES MARCH 31, 2018.

REAPPOINTMENT OF WILLIAM (KENT) OYLER TO THE KENTUCKIANA WORKS WORKFORCE INVESTMENT BOARD. TERM EXPIRES FEBRUARY 28, 2018.

REAPPOINTMENT OF DONNA HARGENS TO THE KENTUCKIANA WORKS WORKFORCE INVESTMENT BOARD. TERM EXPIRES JUNE 30, 2017.

REAPPOINTMENT OF VIDYA RAVICHANDRAN TO THE KENTUCKIANA WORKS WORKFORCE INVESTMENT BOARD. TERM EXPIRES JUNE 30, 2016.

REAPPOINTMENT OF DEREK BLAND TO THE KENTUCKIANA WORKS WORKFORCE INVESTMENT BOARD. TERM EXPIRES JUNE 30, 2016.

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A DONATION FROM THE GREATER LOUISVILLE ASSOCIATION OF REALTORS IN THE AMOUNT OF \$10,000 TO BE ADMINISTERED BY DEVELOP LOUISVILLE.

AN ORDINANCE CLOSING PORTIONS OF WOODLAWN AVENUE, NEVADA AVENUE, PARK BOULEVARD, CRITTENDEN DRIVE, HIAWATHA AVENUE, ORANGE DRIVE AND ROSE DRIVE AND BEING IN LOUISVILLE METRO (CASE NO. 13STREETS1007).

AN ORDINANCE AMENDING SECTION 50.32(A) OF THE LOUISVILLE METRO CODE OF ORDINANCES TO ADD SUBURBAN FIRE DISTRICTS TO PROPERTIES EXEMPT FROM MSD DRAINAGE SERVICE CHARGES.

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT AND RECEIVE A STIPEND FROM THE KENTUCKY REGIONAL PLANNING AND DEVELOPMENT AGENCY IN THE AMOUNT OF \$130,000 TO SUPPORT TECHNICAL OR PROFESSIONAL PLANNING/DATA COLLECTION SERVICES AS INDICATED IN THE KENTUCKY REGIONAL PLANNING AND DEVELOPMENT AGENCY'S FISCAL YEAR 2016 UNIFIED PLANNING WORK PROGRAM.

Read in full.

PRESIDENT TANDY: Is there a motion to approve?

>> So moved.

PRESIDENT TANDY: Is there a second?

>> Second.

PRESIDENT TANDY: This is a consent calendar calling for a roll call vote. Mr. Clerk, please open the voting. Madame Clerk. The voting is closing. And the voted is closed.

MR. CLERK: 24 yes votes and two not voting.

PRESIDENT TANDY: The Consent Calendar passes.

Our next item of business is item number 39. Mr. Clerk, a reading of this item.

MR. CLERK: REAPPOINTMENT OF CHARLES (TONY) BOHN, JR. TO THE KENTUCKIANA WORKS WORKFORCE INVESTMENT BOARD. TERM EXPIRES JUNE 30, 2016.

Read in full.

PRESIDENT TANDY: Is there a motion?

>> So moved.

>> Second.

PRESIDENT TANDY: Properly moved and seconded. It is before us. Is there anyone wishing to speak on this matter?

Councilwoman Parker.

COUNCILWOMAN PARKER: Just to reiterate it's only on here because I'm abstaining.

PRESIDENT TANDY: Very good. Any further discussion? Seeing none, this is a resolution calling for a voice vote. All those in favor

please signify by saying aye sorry. To capture the abstention, we will do it by roll call. So, Madame Clerk, if you would please open the voting. The voting is closing. The voting is closed.

MR. CLERK: 22 yes votes, one abstention, and three not voting. The one abstention is Councilwoman Parker.

PRESIDENT TANDY: All right. The resolution passes.

Next item of business is item number 44. Mr. Clerk, a reading of this item.

MR. CLERK: AN ORDINANCE AMENDING LOUISVILLE METRO CODE OF ORDINANCES (LMCO) SECTION 156.057 RELATING TO PUBLIC NUISANCE (AMENDMENT BY SUBSTITUTION).

Read in full.

PRESIDENT TANDY: Is there a motion?

>> So moved.

PRESIDENT TANDY: Is there a second?

>> Second.

PRESIDENT TANDY: Properly moved and seconded. It is now before us. We have the committee-amended version of that ordinance before us. Is there any discussion?

Councilman Yates.

COUNCILMAN YATES: Thank you, Mr. President. The amendments for this legislation were proposed by Councilman Magre, who worked really hard on this. It came to the public safety committee. Originally in public safety. Members of the community were heard. We decided to hold that committee to allow Councilman Magre, who was willing to work with the members of the Greater Louisville Hotel and Lodging Association and the Louisville Apartment Association. They came together and found legislation that I think better serves our community, that is a good piece of legislation, and that also it is more effective in responding to and eliminating some of the public nuisances that we have. And I think because, Councilman Magre, you work so much time on this, I would like to defer to him to explain the ins and outs of the ordinance, if you would be willing to do so.

PRESIDENT TANDY: Councilman Magre.

COUNCILMAN MAGRE: Thank you, Mr. President. Thank you, chairman Yates.

I think we have another amendment that we should add is that right with the language that I believe Councilman James had presented. Is that something we should take up first so we have everything in front of us?

PRESIDENT TANDY: The amendment was made in committee, correct?

COUNCILMAN JAMES: Mr. President, the amendment was made in committee and then we amended the amendment so we should have the appropriate piece of legislation.

COUNCILMAN MAGRE: So everything is before us?

COUNCILMAN JAMES: Yes, sir.

COUNCILMAN MAGRE: I just wanted to make sure. The person that authored most is right to the left of me here, and that is Paul Whitty. He worked towards the end very closely with Sarah. And we really looked at it from the standpoint of concerns over troubled hotels and the impact it was having not only in my district but frankly around the city and several districts.

And in doing research what we came up with was the need to define hotel premises. We also worked in terms of the issue of excuses. Paul can really speak to all these, but probably the one major one that came from the process of working with the lodging and hotel association and with the greater Louisville Realtors was the idea of categorizing a number of arrests per number of rooms. That was a really important issue. And, as you can see, we decided five arrests per 100 rooms, meaning ten for 200 and 15 for 300 and so on. You can think of it like a tax table. This one is equal as we go out. The largest hotel we have in Kentucky is the Galt House, 1,400 rooms. Another large one is the Marriott, 800 rooms. Let's take the Marriott, 800, 40 arrests that would have to take place in a 60 day period. That seems impossible, but I suppose if there was some sort of terroristic plan or something that was just off the wall that has actually happened in other communities and the police found out and they made mass arrests. The process would trigger it into the system. And the hearing officer would hear it. But there's the ability for that hotel to present that this is not a preponderance. They have a security

plan and safety plan and they are implementing it and they can approve that they shouldn't be unplugged or not allowed to have their business. So I give you that one extreme example. What we are really speaking to is that's not the kind of arrests that are going on at the troubled hotels. We know what they are. You all knew it last year in October. Jim King knew it. He started this process in terms of review. And it didn't get better it got worse. There was exchanges between people in rooms, in lobbies at the Economy Inn, out in the parking lot. What the exchange was about, drugs, drug paraphernalia, fights and police calls. Police calls constantly over the course of the time I have served here. And I know the last three, four months of Jim King's life. When I sat down and took this job, the very first thing that was handed to me was a file this high that Carrie Peters had worked with Jim King at his direction saying we have to get control of this. We worked real hard to identify how can we get control of it?

Frankly, my approach, what I decided was how could one council person really impact, how could we as a council impact it? And how could the administration really do something to make a difference? And I concluded that it had to be a team approach. This ordinance is important. I don't suggest it is not. But it has to be developed in a way that we understand it is not fair for the police department to do this job alone. The fulfillment of what I hear here a lot, best practices by a true teamwork approach, it remains job one and it remains still to be done. This ordinance will really help us get towards that goal. And broader to hotels. It speaks to other businesses. Councilwoman Bryant Hamilton would tell you the original ordinance was bourn out of problems with liquor stores and loitering. And it turned from loitering to getting drunk, getting drunk, drinking out of packages to I want to fight you, I want your money, I want you to give me your money so I can buy more packages. It became such a terrible problem back in the '90s. We created a public nuisance ordinance. We are able to have a broad base. We are doing things that are done nationally, Columbus, Nashville, Augusta, in terms of the master's golf tournament even. So it is affecting all cities. A lot of the stats have gotten worse with the heroin epidemic not just tied to the Economy Inn but many other hotels. This is a new tool

for police and professionals to ensure better responses, work as a team, and create a greater impact for all areas of Louisville.

I really want to thank my colleagues from the start of this. I will start with Councilman Peden. It was really James who held my confidence in terms of serving as a sounding board early on. I have a lot of respect for his mind, and certainly on these particular issues, watching that land code, that very serious work he does, and making that target of making that better every time that group meets. He was very helpful.

I really want to thank public safety Chairman Yates because he was right to challenge me and steer me towards saying, Steve, you really need to deliberate on this. This isn't a layup drill here. This is serious stuff. And he really was able to convince me how important that is down here, and it was in terms of this ordinance. And we were able to obviously get the lodging and hotel people at the table.

And then I finally thank President Tandy, because he is the one who steered me to Major Brown of the first division. We know what the police stats are, ten months into the year, particularly in that division. She wants this ordinance. I know Major Travis in the sixth division, they want the tool and they feel like they need it. And I'm very appreciative that my colleagues see the need for it and they provided a lot of input. Several of you here spoke up, talked to me, talked to Paul. Really impacted the commonsense changes that really help make this a better ordinance.

Final thanks is starting with Paul. He was masterful on this. He had great focus on the need to know that we had to strengthen an old wall that wasn't even being used for hotels. And attorney Sharon Morgan came in when Paul was out, and I called her "the closer" like the TV show. She was fantastic. She got IPL's input. And we are really bringing a complete ordinance here. And of course rigs and Kim and Attorney Hearst, they represented their organizations well and they had valuable input.

I know Pat did not speak tonight from Bon Air, but the neighbors out there have put in a lot of time and hours and they are doing it for the right reasons. Because this issue of not getting it resolved at the Economy Inn is affecting not only their home values but their lives. So

the health department has its statutory things. This ordinance will really help on the policing side where we as a city of Louisville elected official can help constituents directly. And I ask for your vote for sure. And I thank you for being able to help with this and make this a good ordinance.

PRESIDENT TANDY: All right. Councilman Yates.

COUNCILMAN YATES: Thank you, Mr. President. Thank you for the explanation, Mr. Magre.

I know that as chair I got several emails just questions from some of my colleagues, and maybe some so you have chimed in to speak to. I want to speak about that for anyone watching. For the public nuisance, we didn't change the laws as it affects individual premises. There has been some concern, all of a sudden we increased the number of violations. It stays the same, no more than one in a 12 month period for a premises. That stays the same. The other one is eliminating the offenses. And I had two different lodging places in my district reach out, and they were worried. Because I constantly tell them, and I asked all of my constituents, if you see an issue and you think it is a borderline, call the police. You work with our division. You work with them. And they were worried they could be penalized by using this ordinance. One of the things that addresses a lot of our concerns is they can be taken into consideration if they have some offenses. Specifically says that in the event reasonable steps were taken to abate the violations by removing the offender, they can take it into account so it wouldn't necessarily be used against you. We don't want to deter people from working with police. We want to punish those who are destroying our local communities. I want to point that out. I did get the emails with questions and concerns. And I figure if somebody took to email, I'm sure there are other people with the same concerns. I wanted to address that. Thank you, Mr. President.

PRESIDENT TANDY: Thank you.

Councilwoman Woolridge.

COUNCILWOMAN WOOLRIDGE: Thank you, Mr. President. With this public nuisance ordinance, my concern here, and I don't know if it was quite addressed in the popup earlier on, my concern is the traffic in the sense that it controls drugs. What you see on TV, children are getting

ahold of these drugs from stores. Seems like they are on the shelf and being sold legally. And I'm not sure if in this ordinance we have fixed this. The kids are smoking this liquid form and E cigarettes. Some of the kids are having seizures. And it is just a bad situation. And if we are amending this ordinance, I need to find out if we are amending it to address that issue that is a great concern of mine.

PRESIDENT TANDY: Councilman Yates.

COUNCILMAN YATES: Thank you, Mr. President. And Thank you, Councilwoman Woolridge. You do point out a very specific amendment that was proposed by Councilman James. And it includes in there as offenses, in addition to the assault, murder, the violent offenses, trafficking and manufacturing drug paraphernalia or trafficking in criminal simulations under the KRS. So I think because this ordinance can go after individual premises in the hotels, one of the effects is that if they are trafficking in these illegal substances, the simulations, they can also be prosecuted not only criminally from trafficking in an illegal substance but also looking at closing down the place because it is a public nuisance. So it is twofold. They could potentially get the strike. Let's say if it is just a hotel for having that. But the individual premises who is cited for trafficking a criminal simulation, that would be addressed under the public nuisance, which would help that if you had gas stations or liquor stores selling it. And it would be another tool to help our law enforcement combat that.

PRESIDENT TANDY: Councilwoman Woolridge.

COUNCILWOMAN WOOLRIDGE: Mr. President, I would like to thank my colleague for that explanation. When we are saying trafficking in the sense of the subject, is it translated as selling?

>> Yes.

COUNCILWOMAN WOOLRIDGE: Thank you. Thank you, Mr. President.

PRESIDENT TANDY: Councilman Johnson.

COUNCILMAN JOHNSON: Call the question.

PRESIDENT TANDY: Is there any objection? All right. Seeing none, we will now move on to voting on this ordinance. This is an ordinance that calls for a roll call vote. Madame Clerk, please open the voting. The voting is closing. And the voting is closed.

MR. CLERK: 24 yes votes and two not voting.

PRESIDENT TANDY: The ordinance as amended passes.

[Applause.]

Our next item of business is item number 45. Mr. Clerk, a reading of this ordinance.

MR. CLERK: AN ORDINANCE AMENDING ORDINANCE NO. 103, SERIES 2015 RELATING TO THE FISCAL YEAR 201516 OPERATING BUDGET, RESTRICTING CHANGES TO THE ORGANIZATIONAL STRUCTURE AND FUNCTIONS OF NEIGHBORHOOD PLACE.

Read in full.

PRESIDENT TANDY: Is there a motion?

>> So moved.

PRESIDENT TANDY: Second?

>> Second.

PRESIDENT TANDY: Properly moved and seconded. It is now before us. Is there any discussion?

Councilwoman Hamilton.

COUNCILWOMAN BRYANT HAMILTON: Thank you, Mr. President. This item was heard in the Budget Committee on October 15th. And as the title says in section F it is basically amending our operating budget that we passed in June with the following language:

No changes are allowed for the organizational structure or functions of Neighborhood Place without the approval of the Metro Council. That was heard in committee and passed out with one no vote so that is why it is on Old Business. It is sponsored by Councilman Downard and Councilwoman Shanklin.

PRESIDENT TANDY: All right. Is there any further discussion on this? Councilwoman Shanklin, or Councilman Downard?

COUNCILMAN DOWNARD: I'm looking for a yes vote. That's the only question I had.

PRESIDENT TANDY: Councilwoman Woolridge.

COUNCILWOMAN WOLRIDGE: Thank you, Mr. President. For the two sponsors, I would be like to added on as a cosponsor. I feel strongly about the language we are changing it to.

PRESIDENT TANDY: Without objection, you'll be noted.

Councilman Owen.

COUNCILMAN OWEN: Thank you very much, Mr. President and colleagues. I just want to express some caution on this item. With my tongue in cheek, I looked around the room and I see two of us who were asked to be mayor of the city. I see nine of us who want to be mayor of the city. And I think I would say at least to the nine of us that we need to express some caution, some caution about the way our government is structured. I think there is no doubt about it we control the purse. That control of the purse is primarily and substantially exhibited in the approval of an annual budget. We have been assured by the administration in caucus this evening and again more recently that they are not making changes in Neighborhood Place without consultation, further consultation, with this council. It seems to me that there is a critical division of responsibility. The mayor and the administration run our government on a daytoday basis. There is no doubt about it in my judgment that the administration flubbed up in the matter of how they have handled this issue, how they have not worked fully with their partners. Apparently they anticipated some work and agreement with their partners and that obviously has fallen through, or at least has been put on hold.

Any encouragement would be that this council holds up, restrains itself, opens the door even more fully to the administration and the administration's willingness to work with us. I think it sets a dangerous precedent to go back in to the budget and to say don't touch it. Don't touch any kind of administrative rearrangement during the fiscal year. I just think that in light of the history of our community and in light of this delicate relationship between the executive and legislative branches of government, we know what we are doing with this ordinance this evening. We are moving through that very delicate separation of powers.

There's nothing, there's no solid wall that separates these powers. It's a delicate kind of gossamer separation. And there's no doubt about it that we can step right in and intrude on the mayor's responsibility. But the mayor's office has assured us no action on Neighborhood Place without further consultation with this council. What more do we need? Thank you very much.

PRESIDENT TANDY: Councilman Johnson.

COUNCILMAN JOHNSON: I was just going to call the question.

PRESIDENT TANDY: No, there's more debate. I'm going to go on to Councilman Ackerson.

COUNCILMAN ACKERSON: Thank you, Mr. President. Tough to follow Tom, but I appreciate what Tom said. It sums up a lot of my position here. I was the one no vote out of the Budget Committee and it is tough to look out in the audience and see people here with the signs saying vet yes and support Neighborhood Place. It's a tough vote. I support Neighborhood Place and I know the good that it does. But Councilman Owen has summed this up very well.

Colleagues, my position tonight is best case scenario we are treading into a gray area. Worst case this is a breach of separation of powers. It's the wrong move to make because of the sleight we feel the administration that has shown to this body and community. We recognize that. We publicly talked about it. But tonight's vote for this is the wrong avenue to address that sleight. There are proper ways to do that, and I'm all for those proper ways. Tonight I will be a no vote. But to you in the audience, I look at you in the eye and say it is not because I'm not in support of Neighborhood Place. It's not that I'm not in support of you. But this is just in my opinion the wrong mechanism to address this. So I appreciate you. Tonight, colleagues, I will be a no vote. Thank you.

PRESIDENT TANDY: Thank you.

Councilman Yates.

COUNCILMAN YATES: Thank you, Mr. President. Coming into tonight's meeting before caucus, I was very frustrated. I felt like there had been a breakdown in communication between the administration and the legislative branch. And I felt like we have been really great partners in history and done really great things together. On this particular issue, there was a bad breakdown. And I was going to vote for this because I wanted to send a very strong message that we have to be partners, that we support Neighborhood Place, that we appropriate money in the budget and we expect certain things in return. I did have, putting my lawyer hat on, I had major issues with the separation of powers and I felt like we were infringing on some administrative functions, but it was worth it to me to send that message.

But then Kelly Watson came over to our caucus and she stood up and say I promise you with direct authority from the mayor that no action will be taken. That we will have to come before you before any kind of restructuring or anything, so we will have that approval.

In my tenure on this council, when the mayor says that and gives us his word, he has held that up. He hasn't doubled back on it or went against it yet. I commend my colleagues because we stood up for Neighborhood Place and sent a message. The mayor's office came over and said I'm sorry we goofed by not including you. We want to be partners on this. Here's the branch. And I don't want Neighborhood Place to be the pawn to send a political message. Because at this point that is what we are doing. We are playing politics, right? In the event we have sent the message and they have agreed to work with us and they are saying there is not going to be any restructuring, they are not going to restructure, I feel like it is a win. If I'm wrong on that and if someone sees it differently, but you sat through the same caucus meeting I did and heard the same thing from the mayor. And I guess the accountability in that is that we still control the purse strings in the event that happens. In the event that year after year we have to approve a budget. So if we are lied to or let down, there's the accountability. That's why we have the checks and balances in government. You hold them accountable by the purse strings. We are a separate branch and control the budget. There's some power in that. So I feel like if you have had partners in the past, and we need that administrative partner for things like Neighborhood Place, for the social service aspect, to be a compassionate city, I'm very, very reluctant to call it a war and use someone like Neighborhood Place as a pawn. Thank you.

PRESIDENT TANDY: Councilman Downard.

COUNCILMAN DOWNARD: Thank you, Mr. President. I'm kind of like Councilman Yates, kind of reluctant to follow everybody that has gone ahead of me. I think there are three people who ran for mayor. I'm not one of the nine who will. Let me make that very clear.

But let me just say this. You are asking to hold up. And we did that already. I don't know if anybody remembers, but if you went to the committee meeting we were told that there would be nothing done, don't

worry about it. We will wait and come back to you. A couple weeks and at that point in time one of our colleagues had happened to call the mayor's office and said nobody at the Neighborhood Place has heard about this. If you did you didn't tell anybody. Right now they think they have six weeks left to work. So they said they were disappointed. When you say flubbed up, maybe that's what you meant. I took civics and I'm acutely aware of the separation of powers of the executive body and the legislative branch. Let's talk about where we are here. The administration, had they come to us, as they have in the past, and said we anticipate making certain changes in this situation and we want to let you know it is coming, it will change something you approved ask we will get back to you, don't worry about it, and they have done that and there has never been a problem.

So the public knows, the people who work in Neighborhood Place were given a memo saying do not under any circumstances discuss this with anybody on the Metro Council. Now, that is a level of transparency, or lack of transparency, that is not acceptable. Let's go a little further. Where are we involved, how do we get involved in this organizational thing? And I have in front of me the budget we passed this year. It has in there the organization charts. It has the budgets. Neighborhood Place is in the budget. And let me tell you what's on page 17, which is very interesting. The administration themselves thought it was important enough to put in their budget document servicelevel changes and reorganizations and listed them by every department. They thought it was important enough to tell us ahead of time before we approved the budget. And so then you would think that carries on with if we are going to make major changes, we will probably tell you again, but they didn't. And in fact, chose to specifically not tell us. Let's go a little further. I think when they came before us, and we asked simple questions like we are supposed to have administrators and you are saying in this memo you are going to get rid of the administrators, a memo we were not supposed to have seen, who will be the administrators? We don't know. Our partners will be the administrators. Well, what have they said about that? We don't know because we haven't met with them yet. This is like seven or eight days before it was supposed to have happened. This is a level of

almost incompetence in an area that is very critical to the community. And so what we did was and this is not unheard of we have this in other levels of the budget we ask you to please come back and tell us. We have done it in bond documents and refinancings. We will come back and tell you how we are going to fund it. This is not unusual. It is a step that I took really kind of gingerly at first for the reasons that have been stated tonight. We are on grounds that someone can say, gee, whiz, you are not supposed to do that. I am in a position where not only do I think we are supposed to do this or the administration is not supposed to do this. And had they had any cooperative level at all they wouldn't be here right now. They would have said we will come back in a month, month and a half, tell you what our partners said, none of these things. So it is almost incompetent for us to allow things to go on and say we hope you come back. I'm not going to carry it on all night but I just have to say that I'm very comfortable with where we are in our legislative capacity in putting the word and a sentence in our budget document that says before you implement this document that we approve, please tell us what you are changing because we don't know what it is. Thank you, Mr. President.

PRESIDENT TANDY: Councilwoman Welch.

COUNCILWOMAN AUBREY WELCH: Thank you, Mr. President. I agree with my council cohort over there from District 16. You know, we do need to send a strong message because this was a double whammy. They cut out the WIC services in our district, which has really hurt our south end. And if they cut out the Neighborhood Place administrators, that again will be a deep cut to the south end. The south end gets cut all the time in the city's budget. The south end does not get CDBG dollars, at least my district does not. The south end does not have small cities to help out with infrastructure. The south end does not have amenities that the west end and the east end have. And so when these kind of social cuts are cut, it cuts to the quick for our people out there.

You say we control the purse. Yeah, we do control the purse, but we don't control how the money comes out of the purse, and this is the problem. That's where we need a little more control as to how it gets spent. If we direct it to be spent one way through the budget, then it

should be spent that way. They shouldn't have the freedom to change how we interpret how the budget is supposed to be spent.

So that's the problem here. And I will be in favor of this legislation.

PRESIDENT TANDY: Councilman Hollander.

COUNCILMAN HOLLANDER: Thank you, Mr. Chair. Let me say that as of this afternoon earlier I planned on voting for this ordinance. I was not at caucus this afternoon I had a public meeting in my district at 4 o'clock. But I have decided that given the representation apparently made in caucus this afternoon that I will not vote for the ordinance. If the representation has been made there won't be a change without further consultation of the council. I think that the changes that were proposed for Neighborhood Place are deeply flawed. And frankly I don't think they will occur. So for the people saying vet owe, I think this council, including those of us who may vote no on the ordinance, are committed that those changes will not happen.

I will also say that I think there has been far too little communication from the administration on this issue, and frankly a number of others. And it is far too late to come to council actually not to council or even to the Committee of the Whole, apparently but to one party's caucus and make the representations. I wish they had been made a lot earlier by other people, and I think I'm deeply disappointed, and I think again that process is flawed.

But I do agree we are treading very close to a conflict issue in terms of the separation of powers. This is not quite a control of the purse issue, in my view. It is saying you will not change an administrative operation. We are not saying we are going to defund it or we are not saying you can't spend any money to do that. I think it is very close to the line. I'm glad the representation was made today that there won't be changes without consultation. And for that reason I'll vote no on the ordinance.

PRESIDENT TANDY: Councilman James.

COUNCILMAN JAMES: Thank you, Mr. President. I have listened to what everybody has had to say today. And I see our members in the audience. And I will just add a little bit to that.

What we are talking about, as far as I'm concerned, is that we are protecting the most vulnerable people in the system. And if we don't stand up to protect them, I don't know who is going to. So for that reason I'll be voting yes. Thank you.

PRESIDENT TANDY: Councilwoman Parker.

COUNCILWOMAN PARKER: Yes. Thank you. I guess I have concern that we might be voting on a very ball hearsay promise where nothing is a document or in writing. And one of the questions that I had with this issue is that whatever the mayors reorganization process was, we have no idea how that changed the budget or the allocations that we approved. We don't know if it went up, if there was more money, there was less money, and we don't know where that money is going. So I will be supporting the ordinance.

PRESIDENT TANDY: All right. Councilman Yates.

COUNCILMAN YATES: Thank you, Mr. President. Councilman Downard said something that was brought to my attention, and Councilwoman Flood had also mentioned there was an email that went out that said not to speak to council members about this. Some questions about who that email came from and what part of the administration. Obviously, that makes me sick to my stomach because obviously I consider myself a representative, grassroots representative, so I would hope that that would never be the case. I would hope that every member, every constituent I have would feel very openly to come speak to me. Today I was out meeting with some of the police officers meeting with swat training to hear one on one what they had to say, and do I that with firefighters and public safety and individuals and members of the community. So that really bothers me. I have never seen a document like that and it is the first time I have heard that. And from the heads shaking yes I'm guessing it is true. That is very bothersome.

Councilwoman Parker pointed out there is just a verbal promise. And it was a very strong, what else can I say, I'll give you my word, and directly from the mayor's administration. I too would feel more comfortable with a written notice, something that is part of what we do in this office of public service is our word is everything. It absolutely is. And once you lose that trust, and you know me, if you have burnt me

it takes a long time to get that built back up. Once you lose the trust, it is gone.

So I have not heard from it the mayor directly. I have heard it from his administration. But I would feel very comfortable if I did get some type of written or even a phone call. And with that being said, because there is no real urgency because of the promises that have been made today by the administration, I would feel more comfortable making the motion to table, holding off and tabling this thing and getting the written correspondence and having the mayor speak to us. That is really what it is about. We are one government who represents a body of people.

It is not just Neighborhood Place either. Councilman James pointed out it is our job to protect the individual. Each person, the last thing that I want to get into is a battle and pushback with the way we put money forward. I have a lot of people in need who need me to be a good public servant. And that means I need to be able to work across aisle with my colleagues and then with the administration.

We have sent a strong message. We have Neighborhood Place here today and the mayor says they are not going to make the changes. It sounds like a win. And if the concern is that the check is in the mail, as one of my colleagues wrote to me, if that's the fear, let's table it. Let's get a written notice. Let's be careful of the precedent. Let's start at saying can we trust the administration. I'm scared to say that we can't.

So I would make a motion to table. If anyone wanted to second that. And then we could see if the check is in the mail or if it delivers. With that, I would make a motion to table, Mr. President.

>> Second.

PRESIDENT TANDY: We have a motion to table. It has been moved and seconded. This is a vote that is not debatable.

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

MR. CLERK: There are seven yes votes, 16 no votes and three not voting.

PRESIDENT TANDY: The motion fails. We now have the original ordinance before us. Is there discussion on the ordinance?

Councilman Magre.

COUNCILMAN MAGRE: I support this ordinance. To me, I guess I'm viewing it a little bit simplistic. But we are the legislative branch of government. What we are having here is concerns over the executive branch of government. And the idea that we would want to tonight go on record very specifically, not in very general terms but very specifically, I think helps the administration in terms of formulating whatever discussions this evening to let them know how important the issue is and how serious it is. And as I commented in caucus how it is needed in terms of these locations and operations that take place in these locations for Neighborhood Place. We believe that. We know that for our own districts. These people holding these signs up, they know it very directly.

And so I think we have a responsibility the other way to be on record. I can't imagine how we could pass anything that crosses over a line that says we are the executive branch now. We will operate through Pat Tandy. He is the new mayor. I don't see that is happening here at all. I think we really felt like we were duped. Something isn't right.

I have respect for Kelly. But if you ask me is it in writing stronger than talking, I think it is and I think it allows us a basis to move forward from here. What is a little ironic is I'm the one heading out. Probably I'll be out there in the audience in a month holding up a sign. But I do think it is a very germane issue. And just for efficiencies or whatever it is all about, to cause a reduction of where these centers are, that's serious business. And there was an obvious effort to make sure we weren't involved in that serious business, and this is the way to correct it. As far as I'm concerned.

And I have to close. I really commend Councilwoman Shanklin. She really took the time, took the lead and worked this issue effectively. And I told her early on I would support her, and I'm going to keep my word.

PRESIDENT TANDY: Councilwoman Fowler.

COUNCILWOMA FOWLER: Thank you, President. I think we need to send this strong message. And I think that this message not only applies to Neighborhood Place, but across the board. We need to make sure that it is followed, what we have set forth is followed. And I think it is kind

of a pattern that has been going forward I see it is just a necessity. So I will be voting yes.

PRESIDENT TANDY: Councilwoman Flood.

COUNCILWOMAN FLOOD: Thank you, Mr. President. I think for me we have been working on this and I think Dr. Shanklin had this in her committee for, what, a month now? And when I ask a question about why this was not mentioned in the budget, we were told, oh, this was. But when Councilman Downard asked the very same question he was given a different answer. So I don't know if anybody actually understood what was really going on in that department. And if we get something back from the administration that says they are going to do this, it is just like we are doing now, we can always rescind, we can always go back and take that out if we need to. But we are the ones who approve the budget, and this was not in the budget. I think it has been shown tonight.

And another thing that bothers me is when someone says don't tell the Metro Council. That's kind of upsetting in and of itself that we are left out of the loop and then being told that we are leaving you out of the loop for some reason or another. And I just think that it is our duty to protect those citizens in each of our communities that are the most vulnerable. You hear people say, they check the little box that says how did they get to the Neighborhood Place? By car.

Well, they are not saying that they had to wait for a neighbor to bring them to that institution or they had to find a family member because a lot of people don't have transportation. And it makes it hard. And TARC doesn't go everywhere and in front of every house. So I think we need to leave well enough alone. Thank you.

PRESIDENT TANDY: Councilwoman Shanklin.

COUNCILWOMAN SHANKLIN: Thank you, Mr. President. I think I have beat up on this subject enough as it is, but like I have said over and over, it is not about the mayor. This is not about the mayor. It is about our constituents, the people in my district that are calling. They have to sit hours at a time in the Neighborhood Place. It is about having people there that can service them. And so I agree with Madonna. We can always rescind this. And if he does what he says he is going to do, then

it is no problem. We have all worked together. So I will be voting for it, whether it passes or not. Thank you.

PRESIDENT TANDY: Councilman James.

COUNCILMAN JAMES: Thank you, Mr. President. I have heard the conversation about trust in the mayor's office several times during this conversation. This has nothing to do for me about trust in the mayor's office. I trust the mayor, I trust the mayor's office. However, this is about protecting our weakest citizens. And I would just like to have a point of clarification.

We have listened to Ms. Watson say something to us and I think some of us misinterpreted what she said. What she said was that she would notify us when they plan to make changes, and she would talk to us. It is not the same as consult with us. There's a big difference. And so again I'm voting yes for this.

PRESIDENT TANDY: Councilman Johnson.

COUNCILMAN JOHNSON: I too am voting yes, and I call the question.

>> Second.

PRESIDENT TANDY: All right. Without objection, the question is called. We now have this ordinance before us. It calls for a roll call vote. Madame Clerk, please open the voting. The voting is closing. And the voting is closed.

MR. CLERK: 20 yes votes, three no votes and three not voting. The three no votes are Council Members Owen, Hollander and Ackerson.

PRESIDENT TANDY: The ordinance passes.

Our next item of business is item number 46.

[Applause.]

The next item of business is item number 46. Mr. Clerk, a reading of this ordinance.

MR. CLERK: AN ORDINANCE OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AUTHORIZING A SECOND SUPPLEMENT TO THE INDENTURE OF TRUST RELATING TO METRO GOVERNMENT'S VARIABLE RATE DEMAND INDUSTRIAL BUILDING REVENUE BONDS, SERIES 2008 (SPALDING UNIVERSITY, INC. PROJECT), THE PROCEEDS OF WHICH WERE LOANED TO SPALDING UNIVERSITY, INC., AND TAKING OTHER RELATED ACTION.

Read in full.

PRESIDENT TANDY: Is there a motion?

>> So moved.

>> Second.

PRESIDENT TANDY: Properly moved and seconded. We now have the ordinance before us. Is there any discussion?

Councilman Benson.

COUNCILMAN BENSON: Thank you, Mr. President. This was put to Old Business because Angela Leet is affiliated with Spalding, and she can have a chance to abstain.

PRESIDENT TANDY: Councilwoman Leet.

COUNCILWOMAN LEET: I want to take a moment to record my abstention due to my position as a trustee for Spalding.

PRESIDENT TANDY: Councilman Blackwell.

COUNCILMAN BLACKWELL: I too am a trustee for Spalding and will be abstaining as well.

PRESIDENT TANDY: Any further discussion? Seeing none this is an ordinance calling for a roll call vote. Madame Clerk, please open the voting. The voting is closing. The voting is closed.

MR. CLERK: 20 yes, two abstentions and two not voting. The two abstentions are Council Members Leet and Blackwell.

PRESIDENT TANDY: The ordinance passes.

Next item of business is item number 47. Mr. Clerk, a reading of this resolution.

MR. CLERK: A RESOLUTION CONSENTING TO THE TRANSFER OF CONTROL OF INSIGHT KENTUCKY PARTNER II, L.P., FROM TIME WARNER CABLE INC. TO CHARTER COMMUNICATIONS, INC., AND AUTHORIZING MAYOR TO EXECUTE A SETTLEMENT AGREEMENT WITH INSIGHT KENTUCKY PARTNER II, L.P. AND AN ASSUMPTION AGREEMENT WITH CHARTER COMMUNICATIONS, INC.

Read in full.

PRESIDENT TANDY: Is there a motion?

>> Motion to approve.

>> Second.

PRESIDENT TANDY: Properly moved and seconded. It is before us. Any discussion regarding this resolution?

Councilman Owen.

COUNCILMAN OWEN: Thank you, Mr. President. We have heard a great deal about this resolution of transfer. It was discussed a good deal in committee. And it came out of committee with three yes votes and three votes present. I think the dynamic of the three present votes was focused on wifi and its expansion to community centers and government service facilities. I think there has been a good deal of conversation and commitment to resolve that.

I will say that this is a proposal that I support. The Charter Communications folks are already significant employers with a call center and a tech center here. They also anticipate with the acquisition of the franchise from Time Warner that there will be those employees also assumed under their responsibility. They have committed over a twoyear period to a much faster computer speed. They have been heavily involved in the community already. They have also said that their prices will be competitive compared to Time Warner and in some ways significantly cheaper. And by the way, this is just a transfer of an existing franchise. The full franchise agreement with charter assumed that all of the other approvals will take place in a couple of years from now. So it is a transfer of an existing franchise agreement with Metro Louisville.

PRESIDENT TANDY: All right. Any further discussion?

Councilman Downard.

COUNCILMAN DOWNARD: Thank you, Mr. President. I'll be brief, which might surprise everyone.

This transfer is something that brings out in our constituents phone calls. Because cable is one thing that has the capacity to have things go wrong for all kinds of reasons. A tree falls down. We have a snowstorm. Everything can cause the reception to have a problem. And when it does, it is absolutely somebody's fault. We have to find out who it is and then get mad at somebody.

Then we get the phone calls, make sure they promise not to ever have the trees go down or cable go out. None of that will happen. But I think that we are comfortable that after having done the research the committee did a good job on it to review the history of charter, review the history of what they are doing and their commitment. I think it is an

excellent choice. We would have to have a real good reason to say no. This would be kind of stupid to say no unless we had a really good reason, and I don't know if there is one. There are several reasons to say yes. So that's what I'm going to do. Thank you.

PRESIDENT TANDY: Councilwoman Leet.

COUNCILWOMAN LEET: Thank you. I just wanted to also follow on that I am also going to be voting yes and I wanted to assure the suburban mayors for which I represent 26 of them within District 7 that we have had conversations and this agreement will protect their franchise agreement as well and they will not see any changes. Thank you.

PRESIDENT TANDY: Councilwoman Welch.

COUNCILWOMAN AUBREY WELCH: Thank you, Mr. President. I am definitely in favor of this, but I do want to say for the record that this is another item that has given me angst for our south end because charter did so graciously agree to give five community centers for two years wifi and the administration chose the west end and not the south end. So I have been promised that my Playtorium, although not a community center because I can't seem to get that to become a community center, even though it is a government living breathing building out there that I'm the one that is the keeper of the key letting people in and out, they have said that by the end of this fiscal year there will be wifi at the Playtorium. So that is on the record in writing, and I hope they bring that part of their bargain with this. Thank you.

PRESIDENT TANDY: Councilwoman Flood.

COUNCILWOMAN FLOOD: Thank you, Mr. President. I have to agree with my colleague from District 13. We have the same issue. Because I have Wilderness Road, a senior nutrition program that it is run out of and I have it in writing too that Wilderness Road will get it. May get it sometime this year but definitely by the beginning of next fiscal year because finally the state is in the process of widening Blue Lick Road and Wilderness Road and it will be on the edge of what they will be working on. This will be perfect timing for all the construction going on out there.

PRESIDENT TANDY: Councilwoman Fowler.

COUNCILWOMAN FOWLER: Thank you, Mr. President. So I voted present during committee for the reasons that my colleague from 13 and 24 stated. But now that it is in writing, I can vote yes. Thank you.

PRESIDENT TANDY: Councilman Johnson.

COUNCILMAN JOHNSON: I believe this is a good deal for the city. I ask everybody to vote yes and I call the question.

PRESIDENT TANDY: All right. Without objection, this is a resolution that calls for a voice vote. All those in favor please signify by saying aye. All opposed? The ayes have it. The resolution passes.

Next item of business is item number 48. Mr. Clerk, a reading of this resolution.

MR. CLERK: A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL SOLE SOURCE CONTRACT (BELLSOUTH TELECOMMUNICATIONS LLC D/B/A AT&T KENTUCKY NOT TO EXCEED \$3,000,000.00). As amended.

Read in full

PRESIDENT TANDY: Is there a motion?

>> So moved.

PRESIDENT TANDY: Second?

>> Second.

PRESIDENT TANDY: It is now before us.

Councilman Yates.

COUNCILMAN YATES: Thank you, Mr. President. The not to exceed \$300,000, it came to us because there is only one provider for this. And usually with this magnitude of dollars we look at getting them competitively bid. They had originally been out to bell south, who did business as AT&T. There is no one who can compete with it. The mayor sent someone over to speak to it and it was voted unanimously through the council. And I believe that it was here, I think we may have been short a member at the committee.

PRESIDENT TANDY: It was an amendment.

COUNCILMAN YATES: Yeah, I think it was. Because they asked for \$300,000. But the testimony there was up to it was \$300,000. So we made

an amendment for the language to say not to exceed. Should have a double underline. So that's the only difference. Thank you, Mr. President.

PRESIDENT TANDY: No problem. Any further discussion?
Councilman Downard.

COUNCILMAN DOWNARD: Let me just make sure I understand. Did you just say not to exceed 300,000 but it says 3 million.

COUNCILMAN YATES: And that was the part. It was supposed to say 3 million. They came in with \$300,000 and I'm reading off there. So the contract, it would be nice if we can get that for \$300,000, for everything. The contract is for \$3 million and I think they had the typo in there and we made it to not exceed \$3 million.

COUNCILMAN DOWNARD: So 300,000 is out?

COUNCILMAN YATES: Yeah, and just for anybody viewing, that is the confusing part. It still says \$300,000 up there. Maybe they will sign that one and we will save a few dollars.

PRESIDENT TANDY: Just so everybody's clear, no further discussion. This is a resolution that calls for a voice vote. All those in favor please signify by saying aye. All opposed? The ayes have it. The resolution passes.

Next item of business is item number 49. Mr. Clerk, a reading of this ordinance.

MR. CLERK: AN ORDINANCE APPROPRIATING \$9,797 FROM DISTRICT 9 NEIGHBORHOOD DEVELOPMENT FUNDS, THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE UNITED CRESCENT HILL MINISTRIES, INC., FOR THE PURCHASE OF A NEW COPIER AND THREE NEW COMPUTERS. (As Amended).

Read in full.

PRESIDENT TANDY: Is there a motion?

>> So moved.

PRESIDENT TANDY: Is there a second?

>> Second.

PRESIDENT TANDY: Properly moved and seconded. It is now before us. Any further discussion on this committee-amended ordinance?

Councilman Blackwell.

COUNCILMAN BLACKWELL: Thank you, Mr. President. A very slight change. We changed printer to copier. So it had to come to Old Business because of that amendment.

PRESIDENT TANDY: Any further discussion? Seeing none, this is an ordinance calling for a roll call vote. Madame Clerk, please open the voting. The voting is closing. And the voting is closed.

MR. CLERK: There are 23 yes votes and three not voting.

PRESIDENT TANDY: The ordinance as amended passes.

Our next item of business is item number 50. Mr. Clerk, a reading of this ordinance.

MR. CLERK: AN ORDINANCE APPROPRIATING \$8,250 FROM NEIGHBORHOOD DEVELOPMENT FUNDS, IN THE FOLLOWING MANNER: \$2,500 FROM DISTRICT 15; \$1,000 EACH FROM DISTRICTS 13, 24, 25; \$500 EACH FROM DISTRICTS 21, 12, 2, 4, 5; \$250 FROM DISTRICT 3; THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE YMCA OF GREATER LOUISVILLE FOR EXPENSES ASSOCIATED WITH THE TOGETHER 4 TEENS BREAKFAST AND DINNER AND THE SAFE PLACE HOLIDAY DINNER EVENTS.

Read in full.

PRESIDENT TANDY: Is there a motion?

>> So moved.

>> Second.

PRESIDENT TANDY: Properly moved and seconded. It is now before us. Any further discussion?

Councilman Blackwell.

COUNCILMAN BLACKWELL: Thank you, Mr. President. I think we heard a speaker tonight address this as well. And in the committee, we asked it be sent to Old Business so others might add on. The current amount is \$8,250. The requested amount was 28,325. So we can take add-ons to the tune of \$20,075.

PRESIDENT TANDY: Councilwoman Welch.

COUNCILWOMAN AUBREY WELCH: Councilman Blackwell did a great job with that. This is Councilwoman Marianne Butler's ordinance, and she asked me to speak to it. If you have never been there to a Safe Place, I suggest you go. They have lunching tours. It is quite a place there. And they do take in young adults that really have nowhere else to go that

might otherwise be in trouble, might otherwise go to jail. But they take those kids, they help them tremendously, and can turn their lives around. And many times get them back with their parents. If they have been estranged from their parents, many times they get them back with their parents. So they do fabulous work there for the youth of our community. And that's where you see the little yellow signs, the Safe Place at McDonald's, the different places in town, the kids can go to any of those little yellow signs and then be taken to the Safe Place. Please add on. If you do have some funds available, on behalf of Councilwoman Butler I'm asking you to please add on. Thank you very much.

PRESIDENT TANDY: Councilwoman Fowler.

COUNCILWOMAN FOWLER: Thank you, Mr. President. I would like to add on a thousand dollars, please. District 14.

PRESIDENT TANDY: Okay. Councilman Stuckel.

COUNCILMAN STUCKEL: I think the reputation of the Safe Place is wellknown. They serve not only my district, but all of our districts. I would like to add \$500.

PRESIDENT TANDY: Councilman Downard.

COUNCILMAN DOWNARD: Thank you, Mr. President. I had not gotten on to this beforehand. When I was reading it this afternoon it reminded me when I was in the civilian police academy many years ago, I think before I got on the council, and I did my ride around for a 24 hour period and we picked up some people, some kids, and took them. This really is a good place. I had gotten it mistaken in my mind what it was. I would like to add \$500 from District 16, please.

>> All right.

PRESIDENT TANDY: Councilwoman Leet.

COUNCILWOMAN LEET: District 7. I thought they had presented the figure before committee, but I would like to add 500 from the floor now, please.

PRESIDENT TANDY: All right. Councilman Owen.

COUNCILMAN OWEN: I would like to add \$500 from District 8.

PRESIDENT TANDY: Councilman Magre.

COUNCILMAN MAGRE: I would like to add \$250 from District 10.

PRESIDENT TANDY: Councilman Engel.

COUNCILMAN ENGEL: Thank you, Mr. President. \$500 from District 22.

PRESIDENT TANDY: Councilman Benson.

COUNCILMAN BENSON: Thank you, Mr. President. 500 from District 20.

PRESIDENT TANDY: Are there any further amendments? All right. Seeing none, Mr. Clerk, just a clarification as to how much the total amount is for.

MR. CLERK: Total amendment added 4250 for a new total of \$12,500.

>> Motion to approve the amendments.

PRESIDENT TANDY: Is there a second?

>> Second.

PRESIDENT TANDY: Properly moved and seconded. We have the amendment before us. Is there any discussion on the amendment? Seeing none, all those in favor please signify by saying aye. All opposed? The ayes have it. The amendment carries.

We now have the amended version of the ordinance before us. Any further discussion? Seeing none, this is an ordinance calling for a roll call vote. Madame Clerk, please open the voting. The voting is closing. And the voting is closed.

MR. CLERK: 22 yes votes and four not voting.

PRESIDENT TANDY: The ordinance as amended passes.

Next item of business is item number 51. Mr. Clerk, a reading of this ordinance.

MR. CLERK: AN ORDINANCE APPROPRIATING \$11,500 NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$5,000 FROM DISTRICT 15; \$1,000 EACH FROM DISTRICTS 4, 12, 13, 6; \$500 EACH FROM DISTRICTS 21, 24, 2, 25, 5; TO METRO PARKS DEPARTMENT TO FUND THE 2015 LOUISVILLE JACK O' LANTERN SPECTACULAR HELD IN IROQUOIS PARK (As Amended).

Read in full.

PRESIDENT TANDY: Is there a motion?

>> So moved.

>> Second.

PRESIDENT TANDY: Properly moved and seconded. It is before us. Any discussion?

Councilman Blackwell.

COUNCILMAN BLACKWELL: Thank you, Mr. President. This was amended in committee to include a thousand dollars from District six. And the item now is passed out of committee with \$11,500 with a total ask of \$15,000. So we can take an additional \$3,500 to get to the total. Councilwoman Aubrey Welch can address the particulars.

PRESIDENT TANDY: Councilwoman Welch.

COUNCILWOMAN AUBREY WELCH: Thank you. Again I'm speaking for Councilwoman Marianne Butler. Of course you know Iroquois Park is in her district, as well as the Jacko'Lantern spectacular. The problem here is a \$25,000 sponsor pulled out which left them unable to do some of the things they usually do to get this thing going. So they do need that 3500 more dollars. If anyone can find in your hearts some funds for this, she would be greatly appreciative.

PRESIDENT TANDY: All right. Councilwoman Leet.

COUNCILWOMAN LEET: Thank you, President Tandy. I would like to add 500 from District 7. I would also like to point out that this is a tremendous event for Metro Parks. And while they are charging for tickets, I think I guess part of the reason I'm donating money from our district is to acknowledge that these are the kinds of things we want to look to bring to our community. And I think that it is a way to say come on, Metro Parks, let's find more things like this that really do bring something great for our community and for everyone to come see. So if you haven't been there yet, I also say you should take your family out there. It's amazing.

PRESIDENT TANDY: Councilwoman Fowler.

COUNCILWOMAN FOWLER: District 14 would like to add 500, please.

PRESIDENT TANDY: All right. Any further amendments?

Councilman Benson.

COUNCILMAN BENSON: Thank you, Mr. President. 250 from District 20.

PRESIDENT TANDY: All right. Councilman Owen.

COUNCILMAN OWEN: \$250 from District 8.

PRESIDENT TANDY: Any further amendments? Seeing none, can I get a motion to amend?

>> So moved.

>> Second.

PRESIDENT TANDY: Properly moved and seconded. Any further discussion on the amendment? Seeing none, all those in favor please signify by saying aye. All opposed? The ayes have it. The amendment carries.

We now have the amended version of the ordinance before us. Any further discussion?

Councilman Yates.

COUNCILMAN YATES: Thank you, Mr. President. I'm looking through, and I absolutely this is such a great event. It is great for our community and it is great for the kids. It is expensive for a lot of families, but many of them who go say it was worth it. I was told that one of my colleagues on this said the profit margin is over half a million dollars on this. So I'm almost wondering and I want to encourage people to do business here but considering if there has been a profit year after year, should this be amended? And I think I may propose this and open it for discussion. Should this be amended to be a loan? So we loan a certain amount of money to make a profit? Because if we have individuals who locate the business here and we are using tax dollars to support that and they are making over half a million dollars on it and don't get me wrong, these guys are great. I met them and we played foot golf out there. There's nothing personal. But we are trying to be a good steward of taxpayer dollars. We are giving quite a few dollars away for people making half a million dollars. It worries me. We talk about setting precedent. I'll open it up for discussion and get some feedback from my colleagues. In the event that they are making profits, I would like to make an amendment that it is a loan to make sure they do make and I want to encourage business to invest here, but I don't want to give just a free giveaway. So I'm going to open that up for discussion, if that would please the council.

PRESIDENT TANDY: First, let's be clear what the motion is. You are making a motion to amend the ordinance to make this instead of an NDF to make it a loan; is that correct?

COUNCILMAN YATES: At this point, I'm going to hold off on making my motion. I would like to just begin a discussion on this. Because I know Beth is here with us and I don't know if this is the appropriate time, and I'm setting a new precedent that I don't think has been done yet. We have to make it more clear. You have to make it a loan and say the profit margin is over X amount of dollars. We can say this is a loan for X amount of dollars. No business will come here and locate in Louisville and set up shop with an expectation of returning a certain profit. So I wouldn't want to deter anyone from doing that. But if we get to the point a business is making half a million dollars and we are still giving, after the fact, ten to \$15,000 of tax dollars, I have issue. Now this money, I hear people saying this is going to parks, right? Okay. So we have to be careful because we do a lot of passthrough through parks to pay for the funds. The park is setting it up but we have a private entity that is located at parks who is charging money to be at parks and who is making money through our park; is that correct? That's my only concern. If I'm wrong, that's fine, but I would like to hear some feedback from my colleagues.

PRESIDENT TANDY: Councilman Peden.

COUNCILMAN PEDEN: I would like to apologize, I'm the one who got him started on this. They do make a profit, and that's what started the discussion. But the profit does go to parks. We contract with the artists. We do pay them out of whatever the revenue is. That's why the sponsorship is so important. I do know that the first year it was ten or 15. Last year it did hit six figures. And then are we in the third or fourth year at this point? I don't remember. That's what I thought. Anyway, the point is they do make quite a bit of money. But my original question to my colleagues to the right was why are we giving money, they make money on this. That has been explained by Councilwoman Welch by explaining loss of sponsorship and some other stuff, which was probably also calculated into whatever the revenue figure was that has been batted about. So again, I'm not in support of loans or anything else at this

point. I think it is a great program. I'm sure the money goes to something good with the parks, even if we are giving for something specific here. But again, I'll apologize for talking to that direction.

PRESIDENT TANDY: Councilman Welch.

COUNCILWOMAN AUBREY WELCH: Well, I'm not in favor of a loan program, because as we know, parks is way behind in things on their budget too. I had to pay for striping of one of my little parking lots because they didn't have the funding for \$2,000 to stripe a parking lot. And they didn't have enough money for enough grass cutters over the summer and things like that. So even though they are making money, we don't take loans back from the zoo. The zoo has their big Halloween thing, which I'm sure they get a bunch of profit off of. And so I don't think we need to set a precedent of taking money back from our agencies on events. I think that wouldn't bode well. Sorry, Councilman Yates.

COUNCILMAN YATES: If I may.

PRESIDENT TANDY: Go ahead.

COUNCILMAN YATES: There was confusion. Based on our conversation, my understanding was that the individuals, the private individuals, were making money. And everybody knows my reluctance with that. We are parks. That's part of our government administration. So I have no problem with government, us putting money in to go to one park to help serve our community. And so my only issue would be in the event that we were giving taxpayer dollars for private individuals who were profiteering, that was my concern. And because of without knowing how that worked out, that is why I was reluctant to make a motion. I just wanted the discussion. And I appreciate, as soon as I opened it up for discussion, both my ears were full with my colleagues. So I very much appreciate that. And sometimes I guess you should bite your lip, but anytime we are talking about money I like to be able to speak out and make sure I'm fully informed before making a vote. Thank you for doing that.

PRESIDENT TANDY: Councilwoman Fowler.

COUNCILWOMAN FOWLER: Thank you, President. And it is my understanding that the vendor will get paid first and what is left over is going to go to parks. And so with the loss of the sponsorship, I think it is very important that we support them. Thank you. I'll be voting yes.

PRESIDENT TANDY: All right. Councilman Ackerson.

COUNCILMAN ACKERSON: Thank you, Mr. President. I'm going to vet yes on this, but Councilman Yates has raised an interesting question. And that question is, every year we sit here at a budget process and allocated X amount of dollars to parks, allocate X amount of dollars to other things. Those agencies have the ability to go and raise other money also. Part of that allocation, though, is our NDF funds for our neighborhoods, neighborhood development funds. And what I'm hearing tonight is, essentially, here is a program where parks and the budget was allocated X amount of dollars. Here's a program they are going to make above and beyond what we budgeted for them in our budget process. Parks will make over a hundred thousand, couple hundred thousand off of this event. So for we as a body, even though they have lost a sponsor, they can still cover that like any other business model. Say they will make 200,000 and they need 15,000, guess what, they make \$185,000, and that's still \$185,000 more than what they had when we passed the budget. And in helping them, while it is a good cause, we would be taking money out of our neighborhood development funds that could be spent elsewhere. For instance, when parks still comes up short. Everything the city does they will always come up short. We will never be able to pave the roads, here or there. So next time there is one of those parking lots that needs \$2,000, for anyone who gives \$500, that's one quarter that would pay for the parking lot. And while parks is great, you'll be furious at me for saying this, but the reality is you are making a lot of money on this program. Food for thought, Councilman Yates, while he might have had a few facts wrong, raises an interesting concept for this body to think about next time the programs come around.

PRESIDENT TANDY: Councilwoman Woolridge.

COUNCILWOMAN WOOLRIDGE: Thank you, Mr. President. Although I didn't allocate any money to the Jacko'Lantern spectacular, I do want to weigh in on it. My colleague who paid for a lot, anything and everything in parks is always paid because parks, they tell me we don't have any funding, we don't have any money. So after saying that, I will be looking for a line item, since we are talking about they are making a profit on this Jacko'Lantern spectacular, I will be looking for a line item

hopefully from parks at budget time saying exactly what profits they made and hopefully where they spent it. Thank you.

PRESIDENT TANDY: Councilwoman Leet.

COUNCILWOMAN LEET: I just wanted to add that sometimes to make a profit you have to make an investment. And I think this is an investment in our parks and I think it is the right thing to do.

PRESIDENT TANDY: All right. Councilman Blackwell.

COUNCILMAN BLACKWELL: Thank you, Mr. President. I agree that I think programs like this are winwin. First of all, it is a huge thing we bring to the community. For us in the south end, it is a big deal in our area. So I'm happy to support. And then also in terms of Councilwoman Woolridge, I know that I was looking through the notes, because generally they have the specifics of them but I don't see it in this particular one. But in the last couple of years they had specifically from the foundation because it goes through the parks foundation and they have listed what the priority is. So we have in the last couple budgets, they have talked to us about what particular project it paid for. So it is after the fact, but you can get the priorities from them and know if you email Marti Storch he can give you where the money will go at a certain point. He can tell you what a certain project is. He will be happy to do so. In enact my phone is probably buzzing with him telling me what the next project is.

PRESIDENT TANDY: Councilwoman Hamilton.

COUNCILWOMAN BRYANT HAMILTON: Thank you, Mr. President. I just wanted to say I talked with Marti today and already because of the warm weather they have had to go and buy ten thousand additional pumpkins and this event will go on until November first. So there are those unexpected costs, and I'm sure when this is over he would be happy to come before committee and come before council and give a full report and accounting. And I encourage the public to go to this. And it is an awardwinning experience.

PRESIDENT TANDY: Councilwoman Denton.

COUNCILWOMAN DENTON: Thank you, Mr. President. My assumption is that when they are part of the budget for this fiscal year that they include it in that budget what their income would be from this particular

event. And so when the sponsor drops out, this is to make them whole within the budget they planned from the beginning. So I plan to vote yes.

PRESIDENT TANDY: Councilwoman Shanklin.

COUNCILWOMAN SHANKLIN: I think it is a beautiful thing, but I think they should have group rates. Some people have five kids. And \$15 a kid, I think that is outrageous for a Metro Parks. I think they should have group rates for people that have more than one or two kids. I can afford to go, but everybody can't.

PRESIDENT TANDY: I'll accept that in the form of a

>> I do believe they have group rates, and I believe that Kroger gives coupons to take so much off.

COUNCILWOMAN SHANKLIN: Oh, really? I will let some people know.

PRESIDENT TANDY: I'll accept that in the form of an amendment. Just kidding.

Councilman James.

COUNCILMAN JAMES: Thank you, Mr. President. I just wanted to say I support this ordinance. And I have been listening to the comments about where did the money go. Last year District 6 was the beneficiary of that. They saved money from the previous Jacko'Lanterns from spent about \$400,000 in California Park and put in new playground equipment. So it does benefit our communities.

PRESIDENT TANDY: All right. Councilwoman Fowler.

COUNCILWOMAN FOWLER: Thank you, President. I want to echo my colleague from District 2. I have talked to Marti Storch in person about doing family rates, group burdens. It is a burden. My daughter would like to go and take her three kids. Of course nana and papa can pay for it. But anyway, a lot of people don't have nana and papa to pay for it. So I just think it is something that we should take into consideration. Thank you.

PRESIDENT TANDY: Councilman Downard.

COUNCILMAN DOWNARD: Thank you, Nana. I didn't want to get out of here tonight without saying thank you to Councilman Magre. I was going to say it earlier, but you did a lot of work since you have been here. You really work hard all the time. I see you coming in here and working

all day. I have enjoyed working with you. Maybe not for the last time. We will see how all that works. But I appreciate the effort you put in. And I can tell you your predecessor is probably very happy with how you occupied the site. Thank you.

PRESIDENT TANDY: Thank you, Papa.

Councilwoman Woolridge.

COUNCILWOMAN WOOLRIDGE: Mr. President, this is my last word on the parks. I beat this horse to death too. My colleagues said the Jacko'Lantern does great things and I do understand that. I hope they will choose some of my parks to do something great in come this spring, summer. District 3 has just allocated \$24,000 in the park because of vandalism in Algonquin park. I hope you are out there listening, Marti, and we are still looking for \$400,000 for a park that I inherited from my colleague in District 6. Thank you.

PRESIDENT TANDY: Councilman Benson.

COUNCILMAN BENSON: Thank you, Mr. President. Councilman Downard, you make a lot of votes. When I voted for Steve Magre to take Jim's place, I didn't make a bad vote. Thanks, Steve, for what you have done.

COUNCILMAN MAGRE: Thank you, sir.

>> Councilman Johnson calls the question.

COUNCILMAN JOHNSON: I call the question. And I'm voting for it. Something good for the south end, for your information.

PRESIDENT TANDY: Okay. Councilman Johnson, I take it you called the question.

COUNCILMAN JOHNSON: Yes.

PRESIDENT TANDY: All right. We want to make sure that we use a beltandsuspenders approach to this. We have had \$1,500 added in the form of an amendment. Just to make sure, I believe we have already voted on the amendment, but we have the amendment before us. All those in favor of the amendment please signify by saying aye. All opposed? The ayes have it. The amendment is before us.

We have the amended ordinance before us. Any further discussion on the amended ordinance? Seeing none, this is an ordinance that calls

for a roll call vote. Mr. Clerk, please open the voting. And the voting is closing. And the voting is closed.

MR. CLERK: There are 23 yes votes and three not voting.

PRESIDENT TANDY: The ordinance as amended passes.

Colleagues, our next item of business is new business. As you leave the chambers, I ask you to do so quietly Councilman Peden so the clerk may read new business. I would ask the members who would like to make an announcement to register to speak on the system once it is available to you.

New Business comprises items 52 to 61. Will the clerk read those items and their assignments to a committee.

MR. CLERK: The following legislation will be assigned to the Budget Committee.

AN ORDINANCE AMENDING ORDINANCE NO. 107, SERIES 2013, ORDINANCE NO. 108, SERIES 2013, AND ORDINANCE NO. 104, SERIES 2015 RELATING TO THE FISCAL YEARS 201213, 201314 AND 201516 CAPITAL BUDGETS, RESPECTIVELY, FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, BY TRANSFERRING CAPITAL CUMULATIVE RESERVE FUNDS TO THE PROJECT TITLED ZOO BEAUTIFICATION, AS ESTABLISHED IN SECTION III OF THIS ORDINANCE.

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

AN ORDINANCE AMENDING CHAPTER 51 OF THE LOUISVILLE METRO CODE OF ORDINANCES REGARDING WASTE MANAGEMENT DISTRICT BOARD.

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

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A \$95,000 GRANT FROM THE LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT FOR A METRO PARKS TREE CANOPY REPLACEMENT PROJECT ADMINISTERED BY THE METRO PARKS DEPARTMENT.

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

A RESOLUTION HONORING THE LIFE AND LEGACY OF DR. ALVIN J. ELMORE SR.

A RESOLUTION HONORING THE LIFE AND LEGACY OF V.V. COOKE SR.

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

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A GRANT OF \$50,000 FROM THE KENTUCKY OFFICE OF HOMELAND SECURITY TO BE ADMINISTERED BY EMERGENCY SERVICES' EMERGENCY MEDICAL SERVICES.

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A GRANT OF \$112,200 FROM THE KENTUCKY OFFICE OF HOMELAND SECURITY TO BE ADMINISTERED BY EMERGENCY SERVICES' EMERGENCY MANAGEMENT AGENCY.

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A GRANT AWARD OF \$10,000 FROM THE AMERICAN SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS TO BE USED BY METRO ANIMAL SERVICES TO SUPPORT A MEGA MATCHATHON EVENT IN CONJUNCTION WITH THE KENTUCKY HUMANE SOCIETY.

The following legislation will be assigned to the Public Works, Bridges, and Transportation Committee.

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT \$63,397 OF ADDITIONAL FUNDING FROM THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET FOR CONTINUATION OF THE DESIGN PHASE FOR THE 18TH STREET AND BROADWAY ALIGNMENT PROJECT ADMINISTERED BY THE DEPARTMENT OF PUBLIC WORKS & ASSETS.

AN ORDINANCE AMENDING SECTION 157.02 OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES RELATING TO FLOODPLAIN MANAGEMENT.

Read in full.

PRESIDENT TANDY: Thank you, Mr. Clerk. Those items will be assigned to committees as referenced.

Seeing there is no further business before the council, we will stand adjourned.

And we will now proceed with announcements. And we will start with Councilman Owen.

COUNCILMAN OWEN: Thank you, Mr. President. Very, very briefly. I'm a little concerned about an event and its impact on my district on Saturday 24th, the day after tomorrow. There is a half marathon, and I'm just not sure my citizens have heard that during that marathon, Saturday morning the 24th, I'm pretty confident that traffic will be blocked on Cherokee Road between Broadway and Highland Avenue and then down Grinstead

to Cherokee Parkway and up Cherokee Parkway to the entrance there at Willow Avenue of Cherokee Park. And then of course outside my district the runners come out of Cherokee Park and head back to downtown on Lexington Road.

I don't know exactly how things are going to be configured, but I'm just a little concerned. I have reviewed the half marathon route for Saturday the 24th but I just wanted folks to be aware.

Also on Saturday the 24th around the community is operation Brightside cleanup. And I know citizens, a lot of citizens have already volunteered but if you haven't volunteered, get out on Saturday morning before the rain comes, before the basketball game, before the football game starts, and get out there and help the community by cleaning up along the road, along the street in the alleyways.

And then finally on Saturday October 31st Talk with Tom is from 9:00 to 11:00. It will be at Starbucks there at Highland Avenue and Baxter Avenue. Very informal occasion. I just sit there. I bought my coffee. Sit there and wait for anybody to come by and tell me what's on their mind. So that's Saturday the 31st of October from 9:00 to 11:00 there at Starbucks at Highland Avenue and Baxter.

PRESIDENT TANDY: Thank you. Councilman Owen.

That concludes all of our business here this evening. Our next council meeting will be Thursday, November 5th, at 6:00 p.m. So tune in at that time. Until then, we wish you God speed. Be safe. And God bless the city of Louisville. Good night.

[Regular Meeting adjourned.]