



**Action Summary - Tentative
Public Safety Committee**

*Chair Person Jessica Green (D-1)
Vice Chair James Peden (R-23)
Committee Member Barbara Sexton Smith (D-4)
Committee Member Donna L. Purvis (D-5)
Committee Member Mark H. Fox (D-13)
Committee Member Anthony Piagentini (R-19)
Committee Member Madonna Flood (D-24)*

Wednesday, July 31, 2019

3:30 PM

Council Chambers

Call to Order

Vice Chair Peden called the meeting to order at 3:37 p.m.

Roll Call

Vice Chair Peden introduced the committee members and non-committee members present. A quorum was established.

Committee Member Flood arrived at 3:48 p.m.

Present: 6 - Vice Chair James Peden (R-23), Committee Member Barbara Sexton Smith (D-4), Committee Member Donna L. Purvis (D-5), Committee Member Mark H. Fox (D-13), Committee Member Anthony Piagentini (R-19), and Committee Member Madonna Flood (D-24)

Excused: 1 - Chair Person Jessica Green (D-1)

Non-Committee Member(s)

Council Member Pat Mulvihill (D-10), Council Member Kevin Kramer (R-11), Council Member Rick Blackwell (D-12), Council Member Kevin Triplett (D-15), and Council Member Marilyn Parker (R-18)

Support Staff

**Sarah Martin, Jefferson County Attorney's Office
Dee Baltimore, Jefferson County Attorney's Office**

Clerk(s)

David B. Wagner, Assistant Clerk

Pending Legislation

1. [O-190-19](#)

AN ORDINANCE REPEALING CHAPTER 117 OF LOUISVILLE/ JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES AND ENACTING A NEW SECTION FOR PEDESTRIAN AND TRAFFIC SAFETY (AMENDMENT BY SUBSTITUTION)(AS AMENDED)

Sponsors: Primary Rick Blackwell (D-12), Primary Pat Mulvihill (D-10), Primary Kevin Kramer (R-11), Primary Marilyn Parker (R-18) and Additional Kevin Triplett (D-15)

Attachments: [O-190-19 PROPOSED FAM 080819 Pedestrian Safety LMCO 71 and Repeal 117 db-sjm \(amend by sub\)\(as amended\)Ver 3\(8-8-19\).pdf](#)
[O-190-19 V.3 CABS-CAM 073119 New Section of LMCO for Pedestrian and Traffic Safety.pdf](#)
[O-190-19 PROPOSED CABS 073119 -Pedestrian Safety LMCO 71 and Repeal 117 db-sjm 7-31-19 \(2\).pdf](#)
[073119 Pedestrian Incidents Map.pdf](#)
[073119 Proposed Traffic Safety Ordinance Follow Up.pdf](#)
[O-190-19 V.2 CAM 071719 New Section of LMCO for Pedestrian and Traffic Safety.pdf](#)
[O-190-19 V.1 062519 New Section of LMCO for Pedestrian and Traffic Safety.pdf](#)

A motion was made by Committee Member Sexton Smith, seconded by Committee Member Purvis, that this amended Ordinance be untabled. The motion carried by a voice vote.

Council Member Blackwell and Council Member Mulvihill spoke to the item.

A motion was made by Committee Member Flood, seconded by Committee Member Piagentini, that this amended Ordinance be amended by substitution with the attached document labeled 'O-190-19 PROPOSED CABS 073119 -Pedestrian Safety LMCO 71 and Repeal 117 db-sjm 7-31-19 (2).pdf'.

Jeff Brown, Public Works and Assets, spoke to the item and presented information (see attached).

Vice Chair Peden requested a friendly amendment to the motion on Page 6, Section (6)(ii) to strike through "bright orange or yellow safety vests" and insert "vests as prescribed by the Manual on Uniform Traffic Control Devices (MUTCD)". The friendly amendment was accepted without objection.

The motion to amend by substitution carried by a voice vote.

A motion was made by Committee Member Piagentini, seconded by Vice Chair Peden, that this amended Ordinance be amended as follows:

- On Page 6, Section (6)(vii), strike through "in The Courier-Journal" and insert "by the National Weather Service"

The motion to amend carried by a voice vote.

Dee Baltimore, Jefferson County Attorney's Office, spoke to the item. Chief Steve Conrad, Louisville Metro Police Department, spoke to the item and presented information (see attached).

Committee Member Sexton Smith found technical corrections to be made as follows:

- On Page 3, Section I, correct the spelling and capitalize the word "Ordinance"
- Correct all references to Louisville to "Louisville Metro"

In order to ensure the amendment of the severability clause was recorded, a motion was made by Committee Member Fox, seconded by Committee Member Piagentini, that this amended Ordinance be amended as follows:

- On Page 9, Section V, strike through "If any provision of this chapter as now or later amended or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions that can be given effect without the invalid provision or application." and insert "Each section and provision of this chapter is hereby declared to be independent sections and provisions and, notwithstanding any other evidence of legislative intent, it is hereby declared to be the controlling legislative intent that if any provision of said chapter, or the application thereof to any person or circumstance, is held to be invalid, the remaining sections or provisions and the application of such sections or provisions to any person or circumstances other than those to which it is held invalid, shall not be affected thereby, and it is hereby declared that such sections and provisions would have been passed independently of such section or provision so known to be invalid."

The motion to amend carried by a voice vote. *Note: The amendment by substitution included the amendment to the severability clause and this motion effected no further amendment to this Ordinance.

The motion to recommend for approval carried by the following vote and the amended Ordinance was sent to Old Business:

Yes: 6 - Peden, Sexton Smith, Purvis, Fox, Piagentini, and Flood

Excused: 1 - Green

Adjournment

A motion was made by Committee Member Fox that this meeting be adjourned. Without objection, Vice Chair Peden adjourned the meeting at 4:32 p.m.

***NOTE: Items sent to the Consent Calendar or Old Business will be heard before the full Council at the Metro Council Meeting on August 8, 2019.**