

Louisville Metro Government

601 W. Jefferson Street
Louisville, KY 40202



Action Summary - Final

Thursday, May 11, 2017

6:00 PM

Council Chambers

Metro Council

*Jessica Green (D-1), Barbara Shanklin (D-2), Mary C. Woolridge (D-3),
Barbara Sexton Smith (D-4), Cheri Bryant Hamilton (D-5), David James (D-6),
Angela Leet (R-7), S. Brandon Coan (D-8), Bill Hollander (D-9), Pat Mulvihill (D-10),
Kevin Kramer (R-11), Rick Blackwell (D-12), Vicki Aubrey Welch (D-13),
Cindi Fowler (D-14), Marianne Butler (D-15), Scott Reed (R-16), Glen Stuckel (R-17),
Marilyn Parker (R-18), Julie Denton (R-19), Stuart Benson (R-20), Dan Johnson (D-21),
Robin Engel (R-22), James Peden (R-23), Madonna Flood (D-24), David Yates (D-25),
Brent Ackerson (D-26)*

President: David Yates (D-25)

Pro-Tem: Bill Hollander (D-9)

Call to Order

President Pro-Tem Hollander called the meeting to order at 6:10 PM and asked all to rise for the Pledge of Allegiance.

Members Roll Call

Council Member Aubrey Welch arrived at 6:20 PM.

- Present:** 21 - Council Member Jessica Green (D-1), Council Member Barbara Shanklin (D-2), Council Member Mary C. Woolridge (D-3), Council Member Barbara Sexton Smith (D-4), Council Member Cheri Bryant Hamilton (D-5), Council Member David James (D-6), Council Member S. Brandon Coan (D-8), Council Member Bill Hollander (D-9), Council Member Pat Mulvihill (D-10), Council Member Kevin Kramer (R-11), Council Member Rick Blackwell (D-12), Council Member Vicki Aubrey Welch (D-13), Council Member Marianne Butler (D-15), Council Member Scott Reed (R-16), Council Member Glen Stuckel (R-17), Council Member Marilyn Parker (R-18), Council Member Julie Denton (R-19), Council Member Stuart Benson (R-20), Council Member Dan Johnson (D-21), Council Member Robin Engel (R-22) and Council Member Brent Ackerson (D-26)
- Excused:** 5 - Council Member Angela Leet (R-7), Council Member Cindi Fowler (D-14), Council Member James Peden (R-23), Council Member Madonna Flood (D-24) and Council President David Yates (D-25)

Support Staff

Sarah Martin, Nick Lococo and Matt Golden, Jefferson County Attorney's Office.

Clerks

H. Stephen Ott, CKMC and Jess Helton, CKMC

Address to Council1. [ID 17-0642](#)**Address to Council - May 11, 2017**

Attachments: [5-11-17 Address Council Agenda.pdf](#)

The Clerk called forward the following speakers:

Samara Matthews

District 6

Topic: Issues w/Under Age Drinking Including Advertisement

Collette Mitchell (No show)

District 23

Topic: Smoking Ban (Support)

Dee Duvall (No show)

District 25

Topic: Letter Carriers Stamp Hunger Food Dr.

Dzemila Bilanozic

District 11

Topic: Louisville as a Sanctuary City (Support)

Thomas Reed

District 4

Topic: Mental Illness

Ritchie Gypsy

District 5

Topic: Chief of Police (Support)

Chris Thieneman

District 25

Topic: Chief of Police

District of Self

District 9

Topic: Corruption, organized crime and terrorism being committed against Louisville citizens by several local law enforcement agencies and government entities

Jackie Belcher

District 10

Topic: Louisville as a Sanctuary City (Support)

Stacey Ayers

District 12

Topic: Staffing and training issues at Corrections

Council Minutes2. [ID 17-0624](#)**Regular: Metro Council - April 27, 2017**

Attachments: [04-27-17 Final MC Action Summary.pdf](#)
[04-27-17 UNEDITED Transcript.pdf](#)

A motion was made by Council Member Woolridge, seconded by Council Member Johnson, that the Council Minutes be approved. The motion carried by a voice vote.

Committee Minutes

A motion was made by Council Member Woolridge, seconded by Council Member Benson, that the following Committee minutes be approved. The motion carried by a voice vote.

3. [ID 17-0648](#)**Special: Committee of the Whole - April 27, 2017**

Attachments: [042717 COW Action Summary.pdf](#)

4. [ID 17-0614](#)**Special: Contracts and Appointments Committee - May 1, 2017**

Attachments: [5-1-17 Special Contracts and Appointments Action Summary.pdf](#)

5. [ID 17-0617](#)**Regular: Planning/Zoning, Land Design and Development Committee - May 2, 2017**

Attachments: [050217 P&Z Action Summary.pdf](#)

6. [ID 17-0641](#)**Regular: Labor and Economic Development Committee - May 2, 2017**

Attachments: [LED Action Summary 050217.pdf](#)

7. [ID 17-0631](#)**Regular: Community Affairs, Housing, Health and Education Committee - May 3, 2017**

Attachments: [5.3.17 Community Affairs, Housing, Health and Education Action Summary.pdf](#)

8. [ID 17-0643](#)**Special: Public Safety Committee - May 8, 2017**

Attachments: [050817 Public Safety Action Summary.pdf](#)

Communication From the Mayor

The Clerk read the following appointment letters into the record. Those appointments requiring Council approval were assigned to the Contract and Appointments Committee.

9. [ID 17-0646](#)

Fairdale Fire Protection District Board - Barbara Sivells, (New Appointment) (Property Owner Appointment).

Attachments: [APT FAIRDALE FIRE PROTECTION DISTRICT BD 5.08.17.pdf](#)

10. [ID 17-0647](#)

Planning Commission Board - Ramona Lindsey, (New Appointment).

Attachments: [APT PLANNING COMMISSION BD 5.08.17.pdf](#)

Consent Calendar

Approval of the Consent Agenda

A motion was made by Council Member Woolridge, seconded by Council Member Johnson, to approve the Consent Agenda. The motion carried by the following vote:

Yes: 21 - Green, Shanklin, Woolridge, Sexton Smith, Hamilton, James, Coan, Hollander, Mulvihill, Kramer, Blackwell, Welch, Butler, Reed, Stuckel, Parker, Denton, Benson, Johnson, Engel and Ackerson

Excused: 5 - Leet, Fowler, Peden, Flood and Yates

Legislation forwarded from CONTRACTS AND APPOINTMENTS COMMITTEE

11. [AP050117YWH](#)

APPOINTMENT OF YVONNE WELLS-HATFIELD TO THE CODE ENFORCEMENT BOARD. TERM EXPIRES FEBRUARY 9, 2019.

Attachments: [APT CODE ENFORCEMENT BOARD 4.24.17.pdf](#)

[Yvonne Wells-Hatfield 4.24.17.pdf](#)

[Applicants for Board - Code Enforcement Bd. - 04.24.17.pdf](#)

[Current Board - Code Enforcement Board 4.24.17.pdf](#)

This Appointment was approved on the Consent Agenda.

12. [AP050117MW](#)

**APPOINTMENT OF MARITA WILLIS TO THE METROPOLITAN SEWER DISTRICT.
TERM EXPIRES JUNE 30, 2019.**

Attachments: [APT METROPOLITAN SEWER DISTRICT BOARD 4.24.17.pdf](#)
[Marita Willis 4.24.17.pdf](#)
[Applicants for Board - MSD 4.24.17.pdf](#)
[Current Board - MSD 4.24.17.pdf](#)

This Appointment was approved on the Consent Agenda.

13. [RP050117CM](#)

**RE-APPOINTMENT OF CREIGHTON MERSHON TO THE WATERWORKS BOARD.
TERM EXPIRES APRIL 30, 2020.**

Attachments: [APT WATERWORKS BOARD 4.24.17.pdf](#)
[Creighton Mershon 4.24.17.pdf](#)
[Applicants for Board - MSD 4.24.17.pdf](#)
[Current Board - MSD 4.24.17.pdf](#)

This Appointment was approved on the Consent Agenda.

14. [RP042017CRJ](#)

**RE-APPOINTMENT OF CHARLES RICKETTS, JR., TO THE CITIZENS COMMISSION
ON POLICE ACCOUNTABILITY BOARD. TERM EXPIRES MARCH 27, 2021.**

Attachments: [APTS CITIZENS COMMISSION ON POLICE ACCOUNTABILITY
BOARD 4.10.17.pdf](#)
[Charlers Ricketts Jr. 4.10.17.pdf](#)
[Applicants for Board - Citizens Commission on Police Accountability
4.10.17.pdf](#)
[Current Board - Citizen Commission on Police Accountability Bd.
4.10.17.pdf](#)

This Appointment was approved on the Consent Agenda.

Legislation forwarded from LABOR AND ECONOMIC DEVELOPMENT COMMITTEE

15. [R-046-17](#)

A RESOLUTION AMENDING RESOLUTION NO. 53, SERIES 2012, REGARDING THE GRANTING OF LOCAL INCENTIVES TO KINDRED HEALTHCARE, INC. PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 32, TO CHANGE THE APPROVED COMPANY NAME TO KINDRED HEALTHCARE OPERATING, INC., TO MODIFY THE PROJECT, AND TO ADD APPROVED AFFILIATES AND ASSIGNEES.

Sponsors:Primary Cheri Bryant Hamilton (D-5)

Attachments: [R-046-17 V.1 042717 Amending Incentives to Kindred.pdf](#)
[Kindred Healthcare Operating, Inc.- Local Resolution.pdf](#)
[Kindred Healthcare Operating, Inc.- Modification December 11, 2014.pdf](#)

This Resolution was adopted on the Consent Agenda.

Enactment No: Resolution 037-2017

16. [R-047-17](#)

A RESOLUTION AUTHORIZING THE MAYOR AND LOUISVILLE FORWARD TO APPLY TO THE COMMONWEALTH OF KENTUCKY FOR AN ECONOMIC DEVELOPMENT GRANT FOR THE BENEFIT OF RESTAURANT SUPPLY CHAIN SOLUTIONS, LLC IN THE AMOUNT OF \$500,000 AND TO ACCEPT SAID GRANT IF AWARDED

Sponsors:Primary Cheri Bryant Hamilton (D-5)

Attachments: [R-047-17 V.1 042717 Apply for Econ Dev Grant for Restaurant Supply Chain Solutions.pdf](#)
[Mayor support KEIA letter.pdf](#)

This Resolution was adopted on the Consent Agenda.

Enactment No: Resolution 038-2017

17. [R-048-17](#)

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

Sponsors:Primary Cheri Bryant Hamilton (D-5)

Attachments: [R-048-17 V.1 042717 Incentives to Tux, Inc.pdf](#)
[Generation Tux, Inc.- Louisville support letter.pdf](#)
[Generation Tux, Inc.- Jeffersontown support letter.pdf](#)
[Generation Tux, Inc.- Preliminary approval June 26, 2014.pdf](#)

This Resolution was adopted on the Consent Agenda.

Enactment No: Resolution 039-2017

18. [R-049-17](#)

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

Sponsors:Primary Cheri Bryant Hamilton (D-5)

Attachments: [R-049-17 V.1 042717 Incentives to Clariant Corp.pdf](#)
[Clariant Corporation- Louisville Metro support letter.pdf](#)
[Clariant Corporation- KEDFA prelim approval July 25, 2013.pdf](#)

This Resolution was adopted on the Consent Agenda.

Enactment No: Resolution 040-2017

Old Business**19. [O-137-17](#)**

AN ORDINANCE CHANGING THE ZONING FROM R-5A RESIDENTIAL MULTI-FAMILY TO PRD PLANNED RESIDENTIAL DEVELOPMENT ON PROPERTY LOCATED AT 6635 WOODS MILL DRIVE CONTAINING 13.18 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 16ZONE1053).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [O-137-17 V.1 042717 Rezoning from R5A to PRD at 6635 Woods Mill Dr 16ZONE1053.pdf](#)
[16ZONE1053.pdf](#)
[16ZONE1053 - 2017.04.06 PC Staff Report.pdf](#)
[16ZONE1053 - Applicant Booklet.pdf](#)
[16ZONE1053 - Findings of Fact.pdf](#)
[16ZONE1053 - Justification Statement-Statement of Compliance.pdf](#)
[16ZONE1053 - Legal Description.pdf](#)
[16ZONE1053 - 2017.03.09 LD&T Staff Report.pdf](#)
[16ZONE1053 - 2017.03.09 LDT Minutes.pdf](#)
[16ZONE1053 - 2017.04.06 PC Minutes.pdf](#)
[16ZONE1053 - Plan.pdf](#)

A motion was made by Council Member Woolridge, seconded by Council Member Johnson, that this Ordinance be approved.

Council Member Stuckel spoke to this item.

The motion carried by the following vote and the Ordinance passed:

Yes: 21 - Green, Shanklin, Woolridge, Sexton Smith, Hamilton, James, Coan, Hollander, Mulvihill, Kramer, Blackwell, Welch, Butler, Reed, Stuckel, Parker, Denton, Benson, Johnson, Engel and Ackerson

Excused: 5 - Leet, Fowler, Peden, Flood and Yates

Enactment No: Ordinance 078-2017

20. [O-138-17](#)

AN ORDINANCE CHANGING THE ZONING FROM R-5A RESIDENTIAL MULTI-FAMILY TO R-6 RESIDENTIAL MULTI-FAMILY ON PROPERTY LOCATED AT 1111 ROSE HILL LANE CONTAINING 3.04 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 16ZONE1077).

Sponsors:Primary Madonna Flood (D-24)

Attachments: [O-138-17 V.1 042717 Rezoning from R5A to R6 at 1111 Rose Hill Ln 16ZONE1077.pdf](#)
[16ZONE1077.pdf](#)
[16ZONE1077 - 2017.04.06 PC Staff Report.pdf](#)
[16ZONE1077 - Applicant Booklet.pdf](#)
[16ZONE1077 - Findings of Fact.pdf](#)
[16ZONE1077 - Justification Statement-Statement of Compliance.pdf](#)
[16ZONE1077 - Legal Description.pdf](#)
[16ZONE1077 - 2017.03.09 LD&T Staff Report.pdf](#)
[16ZONE1077 - 2017.03.09 LDT Minutes.pdf](#)
[16ZONE1077 - 2017.04.06 PC Minutes.pdf](#)
[16ZONE1077 - Plan.pdf](#)

A motion was made by Council Member Johnson, seconded by Council Member Woolridge, that this Ordinance be approved.

Council Member Stuckel spoke to this item.

The motion carried by the following vote and the Ordinance passed:

Yes: 21 - Green, Shanklin, Woolridge, Sexton Smith, Hamilton, James, Coan, Hollander, Mulvihill, Kramer, Blackwell, Welch, Butler, Reed, Stuckel, Parker, Denton, Benson, Johnson, Engel and Ackerson

Excused: 5 - Leet, Fowler, Peden, Flood and Yates

Enactment No: Ordinance 079-2017

21. [O-139-17](#)

AN ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY TO R-6 RESIDENTIAL MULTI-FAMILY ON PROPERTY LOCATED ON THE SOUTH SIDE OF STONESTREET ROAD CONTAINING 3.820 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 16ZONE1078).

Sponsors:Primary Madonna Flood (D-24)

Attachments: [O-139-17 V.1 042717 Rezoning from R4 to R6 at Stonestreet Rd](#)

[16ZONE1078.pdf](#)

[16ZONE1078.pdf](#)

[16ZONE1078 - Applicant Booklet.pdf](#)

[16ZONE1078 - Findings of Fact.pdf](#)

[16ZONE1078 - Justification Statement-Statement of Compliance.pdf](#)

[16ZONE1078 - Legal Description.pdf](#)

[16ZONE1078 - 2017.03.09 LD&T Staff Report.pdf](#)

[16ZONE1078 - 2017.03.09 LDT Minutes.pdf](#)

[16ZONE1078 - 2017.04.06 PC Minutes.pdf](#)

[16ZONE1078 - 2017.04.06 PC Staff Report.pdf](#)

[16ZONE1078 - Plan.pdf](#)

A motion was made by Council Member Woolridge, seconded by Council Member Benson, that this Ordinance be approved.

Council Member Stuckel spoke to this item.

The motion carried by the following vote and the Ordinance was sent to the Consent Calendar:

Yes: 21 - Green, Shanklin, Woolridge, Sexton Smith, Hamilton, James, Coan, Hollander, Mulvihill, Kramer, Blackwell, Welch, Butler, Reed, Stuckel, Parker, Denton, Benson, Johnson, Engel and Ackerson

Excused: 5 - Leet, Fowler, Peden, Flood and Yates

Enactment No: Ordinance 080-2017

22. [O-088-17](#)

AN ORDINANCE CREATING A NEW SECTION OF CHAPTER 115 OF THE LOUISVILLE METRO CODE OF ORDINANCES TO ESTABLISH A COMMERCIAL QUADRICYCLE PERMIT AND ADOPT REGULATIONS FOR COMMERCIAL QUADRICYCLES. (AS AMENDED).

Sponsors:Primary David Yates (D-25)

Attachments: [O-088-17 V.3 CAM 050217 NEW SECTION OF CHPT 115 OF LMCO FOR COMMERCIAL QUADRICYCLE.pdf](#)
[O-088-17 V.2 CAM 041817 NEW SECTION OF CHPT 115 OF LMCO FOR COMMERCIAL QUADRICYCLE.pdf](#)
[O-088-17 V.1 030917 NEW SECTION OF CHPT 115 OF LMCO FOR COMMERCIAL QUADRICYCLE.pdf](#)

A motion was made by Council Member Johnson, seconded by Council Member Benson, that this Ordinance be approved.

Council Member Bryant Hamilton spoke to this item.

The motion carried by the following vote and the amended Ordinance passed:

Yes: 21 - Green, Shanklin, Woolridge, Sexton Smith, Hamilton, James, Coan, Hollander, Mulvihill, Kramer, Blackwell, Welch, Butler, Reed, Stuckel, Parker, Denton, Benson, Johnson, Engel and Ackerson

Excused: 5 - Leet, Fowler, Peden, Flood and Yates

Enactment No: Ordinance 081-2017

23. [O-087-17](#)

AN ORDINANCE CREATING A NEW SECTION OF CHAPTER 113 OF THE LOUISVILLE METRO CODE OF ORDINANCES TO ESTABLISH (AN) AUTHORIZED PUBLIC CONSUMPTION OPERATIONAL ZONES PURSUANT TO KRS 243.089. (AS AMENDED).

Sponsors:Primary David Yates (D-25)

Attachments: [O-087-17 V.2 CAM 050217 NEW SECTION OF CHPT 113 OF LMCO FOR PUBLIC CONSUMPTION OPERATIONAL ZONE.pdf](#)
[O-087-17 V.1 030917 NEW SECTION OF CHPT 113 OF LMCO FOR PUBLIC CONSUMPTION OPERATIONAL ZONE.pdf](#)
[O-087-17 ATTACH.pdf](#)

A motion was made by Council Member Johnson, seconded by Council Member Woolridge, that this Ordinance be approved.

Council Member Bryant Hamilton spoke to this item.

The motion carried by the following vote and the amended Ordinance passed:

Yes: 21 - Green, Shanklin, Woolridge, Sexton Smith, Hamilton, James, Coan, Hollander, Mulvihill, Kramer, Blackwell, Welch, Butler, Reed, Stuckel, Parker, Denton, Benson, Johnson, Engel and Ackerson

Excused: 5 - Leet, Fowler, Peden, Flood and Yates

Enactment No: Ordinance 082-2017

24. [O-074-17](#)**AN ORDINANCE AMENDING CHAPTER 90 OF THE LMCO RELATING TO THE PROHIBITION OF SMOKING IN DESIGNATED AREAS. (AMENDED BY SUBSTITUTION)**

Sponsors: Primary Vicki Aubrey Welch (D-13), Primary Marianne Butler (D-15), Primary S. Brandon Coan (D-8), Primary Bill Hollander (D-9), Primary Dan Johnson (D-21), Primary Barbara Shanklin (D-2), Additional Rick Blackwell (D-12), Additional Barbara Sexton Smith (D-4), Additional David James (D-6) and Additional Madonna Flood (D-24)

Attachments: [O-074-17 V.3 FAM 05.11.17 SMOKING IN DESIGNATED AREAS.pdf](#)
[O-074-17 V.2 CABS 05.03.17 SMOKING IN DESIGNATED AREAS.pdf](#)
[O-074-17 V.1 03.09.17 SMOKING IN DESIGNATED AREAS.pdf](#)

A motion was made by Council Member Johnson, seconded by Council Member Woolridge, that this Ordinance be approved.

Council Member Shanklin spoke to this item.

A motion was made by Council Member Aubrey Welch, seconded by Council Member Benson, that this Ordinance be amended by adding the definition of "TOBACCO BUSINESS" back in SECTION I and add back in SECTION II, Subsection 90.03 (2).

The motion to amend carried by a voice vote.

Enactment No: Ordinance 083-2017

A motion was made by Council Member Coan, seconded by Council Member Blackwell, that this Ordinance be amended as follows:

*Strike the definition of DWELLING in Section I, Subsection 90.02 and inserting a definition of EXTENDED STAY LODGING that reads:

"Accommodations for persons away from their permanent place of residence, which are available on at least a thirty (30) day basis and may include kitchen facilities. This term does not include hotel, motels, inns, bed and breakfasts, short term rentals, boarding and lodging houses, nursing homes or assisted living residences."

* Strike the following from Subsection 90.03 (A) (1):

"Any dwelling. This exception does not extend to a lobby, common elevator, common hallway, or any other common area of a building containing attached dwelling units, hotel rooms or motel rooms, but if a hospital, hospice, or nursing home permits smoking in its dwelling rooms, smoking is not allowed in any room shared with a non-smoker without that person's consent. This exception does not extend to p".

* Insert "or extended stay lodging, except" between "Private residences" and "when they are used..." creating a new Subsection 90.03 (A) (1).

Council Member Denton offered a friendly amendment to the new EXTENDED STAY LODGING definition.

Council Member Coan withdrew his motion to amend and Council Member Blackwell withdrew his second to amend to allow the Jefferson County Attorney to draft the friendly amendment language.

A motion was made by Council Member Blackwell, seconded by Council Member Benson, that this Ordinance be amended as follows:

In SECTION I, Subsection 90.02 DEFINITIONS:

* Strike "ESTABLISHMENT" in the title "HOOKAH ESTABLISHMENT" and insert "LOUNGES".

* Strike "hookah lounges or hookah cafes" following "establishments known as hookah bars".

* Strike "establishment" following "meet the definition, the" and insert "lounge must have been in operation as of May 1, 2017 and".

* Insert "sell alcoholic beverages (under LMCO Chapter 113), or be licensed as a Food Service Establishment (under LMCO Chapter 118)." following "any minors in the building,".

NOTE: Understanding the intention of the above removal of the word "ESTABLISHMENT", the County Attorney and the Council Clerk identified a scribners error in SECTION III: LMCO Chapter § 90.08 REASONABLE DISTANCE and as a technical correction, deleted the word "establishments" in the last sentence between "hookah" and "lounges".

In SECTION II, Subsection 90.03 (A) (3) PROHIBITION OF SMOKING IN PUBLIC BUILDINGS AND EXCEPTIONS:

***Strike "Establishment" following "at a hookah" and insert "lounge. Any hookah lounge must register with the Louisville Metro Health Department by the effective date of the ordinance and operate continuously with no cessation of its operation to remain eligible for the exception. A registered hookah lounge may move locations under the exception, but additional retail operations are ineligible under the exception."**

***Strike the last sentence "This exception shall expire no later than June 1, 2019".**

Council Member Parker offered a friendly amendment to the definition of HOOKAH LOUNGES by replacing "lounge" with "establishment" in the title and the definition and strike "sell alcoholic beverages (under LMCO Chapter 113), or be licensed as a Food Service Establishment (under LMCO Chapter 118)."

Council Member Blackwell rejected the friendly amendment.

Although a motion to amend allows for a Voice Vote, President Pro Tem Hollander called for a Roll Call vote. The motion to amend carried by the following vote:

Yes: 14 - Green, Shanklin, Sexton Smith, James, Hollander, Mulvihill, Kramer, Blackwell, Welch, Reed, Parker, Benson, Engel and Ackerson

No: 7 - Woolridge, Hamilton, Coan, Butler, Stuckel, Denton and Johnson

Excused: 5 - Leet, Fowler, Peden, Flood and Yates

Enactment No: Ordinance 083-2017

A motion was made by Council Member Coan, seconded by Council Member Johnson, that this Ordinance be amended as stated in his previous motion to amend with the following added language to the definition of EXTENDED STAY LODGING:

Following the last sentence, "wherein a unit can be rented or leased for less than a 30 day time period."

Although a motion to amend allows for a Voice Vote, President Pro Tem Hollander called for a Roll Call vote. The motion to amend carried by the following vote:

Yes: 12 - Sexton Smith, James, Coan, Hollander, Mulvihill, Blackwell, Welch, Butler, Reed, Johnson, Engel and Ackerson

No: 9 - Green, Shanklin, Woolridge, Hamilton, Kramer, Stuckel, Parker, Denton and Benson

Excused: 5 - Leet, Fowler, Peden, Flood and Yates

Enactment No: Ordinance 083-2017

A motion was made by Council Member Kramer, seconded by Council Member Hamilton, that this Ordinance be amended as follows:

Change the definition of HOOKAH LOUNGES by replacing "lounge" with "establishment" in the title and the definition and strike "sell alcoholic beverages (under LMCO Chapter 113), or be licensed as a Food Service Establishment (under LMCO Chapter 118)."

Although a motion to amend allows for a Voice Vote, President Pro Tem Hollander called for a Roll Call vote. The motion to amend failed by the following vote:

Yes: 9 - Green, Hamilton, Kramer, Reed, Stuckel, Parker, Denton, Benson and Engel

No: 11 - Shanklin, Woolridge, Sexton Smith, James, Coan, Hollander, Mulvihill, Blackwell, Welch, Butler and Johnson

Present: 1 - Ackerson

Excused: 5 - Leet, Fowler, Peden, Flood and Yates

Enactment No: Ordinance 083-2017

The motion to approve carried by the following vote and the amended Ordinance passed:

Yes: 15 - Shanklin, Sexton Smith, James, Coan, Hollander, Mulvihill, Kramer, Blackwell, Welch, Butler, Stuckel, Parker, Johnson, Engel and Ackerson

No: 6 - Green, Woolridge, Hamilton, Reed, Denton and Benson

Excused: 5 - Leet, Fowler, Peden, Flood and Yates

Enactment No: Ordinance 083-2017

25. [O-075-17](#)

AN ORDINANCE ESTABLISHING A DEVELOPMENT AREA PURSUANT TO PROVISIONS OF KRS 65.7041- 65.7083 TO BE KNOWN AS THE MAIN AND SHELBY DEVELOPMENT AREA, DESIGNATING THE METRO DEVELOPMENT AUTHORITY, INC. AS AN "AGENCY", ADOPTING A DEVELOPMENT PLAN, APPROVING ENTERING INTO A LOCAL PARTICIPATION AGREEMENT, AUTHORIZING THE PAYMENT OF THE "RELEASED AMOUNT" PURSUANT TO THE TERMS AND CONDITIONS OF THE LOCAL PARTICIPATION AGREEMENT, REQUIRING THE SUBMISSION OF REGULAR REPORTS TO LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AND AUTHORIZING THE EXECUTION AND DELIVERY OF ANY OTHER DOCUMENTS AND THE TAKING OF ANY OTHER ACTIONS NECESSARY TO ACCOMPLISH THE PURPOSES AUTHORIZED BY THIS ORDINANCE.

Sponsors: Primary Barbara Sexton Smith (D-4) and Additional Bill Hollander (D-9)

Attachments: [O-075-17 V.2 FAM 051117 SHELBY AND MAIN DEVELOPMENT AREA.pdf](#)
[O-075-17 V.1 030917 SHELBY AND MAIN DEVELOPMENT AREA.pdf](#)
[O-075-17 ATTACH EXHIBIT A DEV PLAN.pdf](#)
[O-075-17 ATTACH EXHIBIT B DEV AREA.pdf](#)
[O-075-17 V.2 ATTACH EXHIBIT C LOCAL PARTICIPATION AGREEMENT.pdf](#)
[O-075-17 ATTACH EXHIBIT C LOCAL PARTICIPATION AGREEMENT.pdf](#)
[031417 Flournoy.pdf](#)
[O-075-17 Letter to Mary Ellen Wiederwohl re Rent Abatement Program.pdf](#)

A motion was made by Council Member Shanklin, seconded by Council Member Johnson, that this Ordinance be approved.

Council Members Bryant Hamilton and Sexton Smith spoke to this item.

A motion was made by Council Member Sexton Smith, seconded by Council Member Benson, that this Ordinance be amended as follows:

In the Ordinance itself, Section 5; insert word "amended" between "hereto as" and "Exhibit C".

In Exhibit C - Local Participation Agreement, Section 3 Released Amount:

* Insert a new 3.2 that reads: "Contribution. Prior to any Released Amount being paid by Louisville to the Authority, the Authority shall have provided evidence to Louisville that the contribution of \$634,000 has been paid by the Developer to the Louisville Affordable Housing Trust Fund prior to the Developer leasing any of the 276 +/- units in the Project. This contribution shall be restricted for use by the Affordable Housing Trust Fund to areas within Louisville that are not in an impacted census tract."

*Section 3.3, insert a new (c) that reads: "A certification submitted by the Developer evidencing that it made a good faith effort to verify that the tenants

for the 6 one-bedroom units were income eligible to rent those units. Income eligibility shall be based on the Louisville Area Median Household Income as released annually by US HUD and shall be equal to or less than 80% of the Louisville Area Median Household Income. Incomes shall be verified at the time the lease is initially executed, and re-verified upon renewal, or if the term of the lease is for more than one year, annually."

The motion to amend carried by a voice vote.

Enactment No: Ordinance 084-2017

The motion to approve carried by the following vote and the amended Ordinance passed:

Yes: 20 - Green, Shanklin, Woolridge, Sexton Smith, Hamilton, James, Coan, Hollander, Mulvihill, Kramer, Blackwell, Welch, Butler, Reed, Stuckel, Parker, Denton, Benson, Johnson and Engel

No: 1 - Ackerson

Excused: 5 - Leet, Fowler, Peden, Flood and Yates

Enactment No: Ordinance 084-2017

26. [AP042017RJ](#)

APPOINTMENT OF RICKY JONES TO THE CITIZENS COMMISSION ON POLICE ACCOUNTABILITY BOARD. TERM EXPIRES APRIL 27, 2021.

Attachments: [APTS CITIZENS COMMISSION ON POLICE ACCOUNTABILITY BOARD 4.10.17.pdf](#)
[Ricky Jones 4.10.17.pdf](#)
[Applicants for Board - Citizens Commission on Police Accountability 4.10.17.pdf](#)
[Current Board - Citizen Commission on Police Accountability Bd. 4.10.17.pdf](#)

A motion was made by Council Member Shanklin, seconded by Council Member Johnson, that this Appointment be approved.

Council Member Woolridge spoke to this item.

Council Member James announced the following: "Because of my employment at the University of Louisville and my membership at the FOP (Fraternal Order of Police), I'll have to abstain from this vote."

Although an appointment allows for a Voice Vote, President Pro Tem Hollander called for a Roll Call vote. The motion to approve carried by the following vote and the Appointment was approved:

Yes: 11 - Green, Shanklin, Woolridge, Sexton Smith, Hamilton, Coan, Hollander, Mulvihill, Blackwell, Butler and Johnson

No: 8 - Kramer, Reed, Stuckel, Parker, Denton, Benson, Engel and Ackerson

Present: 1 - Welch

Excused: 5 - Leet, Fowler, Peden, Flood and Yates

Abstain: 1 - James

New Business

The Clerk provided a first reading of the New Business items and their respective Committee assignments into the record.

Legislation assigned to APPROPRIATIONS, NDFS AND CIFS COMMITTEE

27. [O-152-17](#)

AN ORDINANCE APPROPRIATING \$10,500 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$5,000 FROM DISTRICT 21; \$500 EACH FROM DISTRICTS 2, 4, 5, 6, 9, 10, 13, 15, 25, AND 26; AND \$250 EACH FROM DISTRICTS 3 AND 14; THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO KENTUCKIANA PRIDE FOUNDATION, INC. FOR COSTS ASSOCIATED WITH THE KENTUCKIANA PRIDE PARADE, CONCERT, AND FESTIVAL.

Sponsors:Primary Dan Johnson (D-21), Primary Brent Ackerson (D-26), Primary Marianne Butler (D-15), Primary Cindi Fowler (D-14), Primary Cheri Bryant Hamilton (D-5), Primary Bill Hollander (D-9), Primary David James (D-6), Primary Pat Mulvihill (D-10), Primary Barbara Sexton Smith (D-4), Primary Barbara Shanklin (D-2), Primary Vicki Aubrey Welch (D-13), Primary Mary C. Woolridge (D-3) and Primary David Yates (D-25)

Attachments: [O-152-17 V.1 051117 NDF to Kentuckiana Pride Foundation.pdf](#)
[O-152-17 KPF.pdf](#)

Action Required By: November 2017

28. [O-157-17](#)

AN ORDINANCE APPROPRIATING \$36,800 FROM DISTRICT 23 NEIGHBORHOOD DEVELOPMENT FUNDS TO DEVELOP LOUISVILLE, OFFICE OF ADVANCED PLANNING, FOR REMAINING EXPENSES RELATED TO THE HIGHVIEW NEIGHBORHOOD PLAN AND EXPENSES ASSOCIATED WITH IMPLEMENTING THE RECOMMENDATIONS FOUND IN THE NEIGHBORHOOD PLAN.

Sponsors:Primary James Peden (R-23)

Attachments: [O-157-17 V.1 051117 D23 NDF to Develop Louisville.pdf](#)
[SKMBT_28317050409280.pdf](#)

Action Required By: November 2017

Legislation assigned to BUDGET COMMITTEE**29. [O-158-17](#)**

AN ORDINANCE RELATING TO THE 2017-2018 OPERATING BUDGET FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT INCLUDING APPROPRIATIONS AND AUTHORIZATIONS FOR OPERATION, MAINTENANCE, SUPPORT, AND FUNCTIONING OF THE GOVERNMENT AND ITS VARIOUS OFFICERS, DEPARTMENTS, COMMISSIONS, INSTITUTIONS, AGENCIES, AND OTHER METRO-SUPPORTED ACTIVITIES (SEE ATTACHMENT FOR FULL TEXT).

Sponsors:Primary Marianne Butler (D-15) and Primary Kevin Kramer (R-11)

Attachments: [O-158-17 V.1 051117 Operating Budget.pdf](#)

[O-158-17 V.1 051117 Attach Exhibits to Operating Budget.pdf](#)

Action Required By: November 2017

30. [O-159-17](#)

AN ORDINANCE RELATING TO THE 2017-2018 CAPITAL BUDGET FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT INCLUDING APPROPRIATIONS AND AUTHORIZATIONS OF FUNDS FOR GENERAL CONSTRUCTION, MAINTENANCE, REPAIR AND IMPROVEMENT OF THE FACILITIES AND ASSETS OF THE GOVERNMENT OF LOUISVILLE/JEFFERSON COUNTY AND OTHER LOUISVILLE METRO-SUPPORTED ACTIVITIES FOR 2017-2018 (SEE ATTACHMENT FOR FULL TEXT).

Sponsors:Primary Marianne Butler (D-15) and Primary Kevin Kramer (R-11)

Attachments: [O-159-17 V.1 051117 Capital Budget.pdf](#)

Action Required By: November 2017

Legislation assigned to COMMUNITY AFFAIRS, HOUSING, HEALTH AND EDUCATION COMMITTEE**31. [R-055-17](#)**

A RESOLUTION HONORING THE CATHEDRAL OF THE ASSUMPTION'S MISSION TO SERVE THE LESS FORTUNATE IN DOWNTOWN LOUISVILLE METRO BY DEDICATING THE ALLEY AT THE CORNER OF WEST MUHAMMAD ALI AND CATHEDRAL WAY TO BE NAMED BOLOGNA ALLEY IN ITS HONOR.

Sponsors:Primary Barbara Sexton Smith (D-4)

Attachments: [R-055-17 V.1 051117 Honoring Cathedral of the Assumption with Honorary Naming of Bologna Alley.pdf](#)
[R-055-17 Informational Sheet on Cathedral of the Assumption.pdf](#)

Action Required By: November 2017

Legislation assigned to CONTRACTS AND APPOINTMENTS COMMITTEE**32. [R-050-17](#)**

A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED PROFESSIONAL SERVICE CONTRACT- (KELSEY CURRY - \$30,000.00).

Sponsors:Primary Mary C. Woolridge (D-3)

Attachments: [R-050-17 V.1 051117 Attach Redact Ageement Kelsey Curry.docx.pdf](#)

Action Required By: November 2017

Legislation assigned to LABOR AND ECONOMIC DEVELOPMENT COMMITTEE**33. [O-153-17](#)**

AN ORDINANCE APPROVING THE TWENTY-FIFTH SUPPLEMENTAL SEWER AND DRAINAGE REVENUE BOND AUTHORIZING RESOLUTION ADOPTED BY THE BOARD OF THE LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT (THE "DISTRICT") WHICH AUTHORIZES THE ISSUANCE OF THE DISTRICT'S SEWER AND DRAINAGE SYSTEM REVENUE BONDS, SERIES 2017A, (THE "CURRENT BONDS") FOR THE PURPOSE OF PAYING ALL OR A PORTION OF THE COSTS OF CONSTRUCTION OF THE 2017A PROJECT; AND PROVIDING FOR THE ADVERTISED PUBLIC COMPETITIVE SALE OF SAID CURRENT BONDS IN AN AMOUNT NOT TO EXCEED \$185,000,000.

Sponsors:Primary Marianne Butler (D-15)

Attachments: [O-153-17 V.1 051117 25th Supplemental MSD Bond.pdf](#)

Action Required By: November 2017

34. [R-056-17](#)

A RESOLUTION APPROVING THE GRANTING OF LOCAL INCENTIVES TO STRONG TOWER CONSTRUCTION, LLC, DBA KOCH CORPORATION, AND ANY SUBSEQUENT ASSIGNEES OR APPROVED AFFILIATES THEREOF PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 32.

Sponsors:Primary Cheri Bryant Hamilton (D-5)

Attachments: [R-056-17 V.1 051117 Incentives to Strong Tower Construction dba Koch Corp.pdf](#)
[Strong Tower Construction dba Koch Corp - Local Support ltr - KBI Board Report.pdf](#)

Action Required By: November 2017

Legislation assigned to PLANNING/ZONING, LAND DESIGN AND DEVELOPMENT COMMITTEE**35. [O-155-17](#)**

AN ORDINANCE IMPOSING A TEMPORARY MORATORIUM ON THE ISSUANCE OF PERMITS FOR PRIVATE INSTITUTIONAL USES IN SINGLE-FAMILY RESIDENTIAL ZONING DISTRICTS THROUGHOUT METRO LOUISVILLE PENDING THE STUDY, REVIEW AND RECOMMENDATION BY THE PLANNING COMMISSION OF LAND USE REGULATIONS TO ADDRESS SUCH FACILITIES.

Sponsors:Primary S. Brandon Coan (D-8)

Attachments: [O-155-17 V.1 051117 Temp Moratorium on Permits for Private Institutional Uses in Single Family Zoning Districts.pdf](#)

Action Required By: November 2017

Legislation assigned to PUBLIC WORKS, PARKS, SUSTAINABILITY AND TRANSPORTATION COMMITTEE**36. [R-051-17](#)**

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT \$150,000 OF FUNDING FROM THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET FOR THE DESIGN PHASE FOR THE CANNONS LANE SIDEWALK PROJECT TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC WORKS & ASSETS.

Sponsors:Primary Bill Hollander (D-9)

Attachments: [R-051-17 V.1 051117 Attach Ageement.pdf](#)

Action Required By: November 2017

Announcements

No announcements.

Adjournment

Without objection President Pro Tem Hollander adjourned the meeting at 8:28 PM.

Approval Signatures

The above Action Summary has been approved by the Metro Council.

H. Stephen Ott

Clerk of the Louisville Metro Council

David Yates

President of the Council

Date