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LOUISVILLE METRO COUNCIL
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PRESIDENT YATES: The Regular Louisville Metro Council Meeting of September 22, 2016, 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.

Mr. Clerk, a roll call, please.

MR. CLERK: Council Member Green.

COUNCILWOMAN GREEN: Here.

MR. CLERK: Council Member Shanklin.

COUNCILWOMAN SHANKLIN: Present.

MR. CLERK: Council Member Woolridge.

COUNCILWOMAN WOOLRIDGE: Present.

MR. CLERK: Council Member Tandy.

Council Member Hamilton.

COUNCILWOMAN BRYANT HAMILTON: Here.

MR. CLERK: Council Member James.

COUNCILMAN JAMES: Here.

MR. CLERK: Council Member Leet.

COUNCILWOMAN LEET: Here.

MR. CLERK: Council Member Owen.

Council Member Hollander.

COUNCILMAN HOLLANDER: Here.

MR. CLERK: Council Member Mulvihill.

COUNCILMAN MULVIHILL: Here.

MR. CLERK: Council Member Kramer.

COUNCILMAN KRAMER: Here.

MR. CLERK: Council Member Blackwell.

COUNCILMAN BLACKWELL: Here.

MR. CLERK: Council Member Welch.

Council Member Fowler.

Council Member Butler.

COUNCILWOMAN BUTER: Here.

MR. CLERK: Council Member Downard.

Council Member Stuckel.

Council Member Parker.

Council Member Denton.

Council Member Benson.

COUNCILMAN BENSON: Present.

MR. CLERK: Council Member Johnson.

Council Member Engel.

Peden.

COUNCILMAN PEDEN: Here.

MR. CLERK: Council Member Flood.

Council Member Yates -- excuse me. President Yates. I'm sorry.

President, present.

Council Member Ackerson.

COUNCILMAN ACKERSON: Here.

MR. CLERK: Council Member Tandy.

Council Member Owen.

COUNCILMAN OWEN: Here.

MR. CLERK: Council Member Aubrey Welch.

Council Member Fowler.

COUNCILWOMAN FOWLER: Here.

MR. CLERK: Council Member Stuckel.

COUNCILMAN STUCKEL: Here.

MR. CLERK: Council Member Parker.

Council Member Denton.

Council Member Engel.

COUNCILMAN ENGEL: Present.

MR. CLERK: Council Member Flood.

COUNCILWOMAN FLOOD: Here.

MR. CLERK: Mr. President, you have 22 in attendance and a quorum.

PRESIDENT YATES: Thank you, Mr. Clerk. Would you please cause the record to reflect that Councilman Downard has an excused absence.

MR. CLERK: So noted.

PRESIDENT YATES: Thank you. Mr. Clerk, are there any addresses to the council?

MR. CLERK: Yes, sir, there are.

PRESIDENT YATES: Let me remind those addressing the council to refrain from profanity or making any derogatory statements to council members.

Mr. Clerk, would you please bring the first speaker forward.

MR. CLERK: Pam Greenwell.

PAM GREENWELL: Pam Greenwell, with Friends of the Library. The library does a bunch of things in Louisville, and the friends helps that happen. Both with financial aid and volunteerism. And we are having a membership drive. It begins with a book drive at the main library, the week of the 15th through the 22nd. You may have seen the public service announcement that Councilman Hollander and Kramer, the library director Jim blanch and I did, playing on Metro TV. We would like you to consider joining the Friends of the Library. 18 branches, one in almost all your districts. They are working hard, and they are here. You are welcome to join. This is at your desk. We have brought you a Friends of the Library T-shirt that we would like you to wear proudly. We have sent this in a PDF form so if you would like to put this in any of your communications to your constituents, that would be great.

Let me just tell you that what we do with the money is the money that we raise selling books goes for programming. If there's a clown at a story hour, the friends paid for it. If there's cookies at a story hour, the friends paid for it. We do that selling books. We need donations of books. That happens on the 15th. But in addition to that, we put books in every habitat house. In fact, Councilwoman Butler was at a habitat opening with some very nice potholders that she was giving to the family. The friends were giving that family age-appropriate books for their children. We send paperback books to the jail. We give books to an organization called my petty first. Tons of other organizations in the city. The friends are active. We are busy and active and would appreciate all the support we can get. Thank you very much.

MR. CLERK: Paul Burch.

PAUL BURCH: Good evening, council members, President Yates. I'm very humbled to be here tonight. This is our fourth year to host a prayer event. We have addressed y'all four straight years. And the movement is happening. God is definitely in our city. We have been granted access to Churchill Downs on October 15th at 10:00 a.m. There will be multiple walks there. And ironically there will be other people hosting a walk. I can honestly state there will be thousands of people at Churchill Downs walking that day. We have been blessed with a mayor's proclamation August 3rd, 2013, to declare that day as God belongs in our city day. This is an international national prayer movement, started in New York City in 2009. It has been held in Switzerland, Haiti, Africa, and we are honored to have it here in Louisville, Kentucky. What it is about is this, God, prayer, and unity. As we observe the street and things are going on, what happens is we forget to main equation in a formula, like a variable. We are forgetting God in our lives. Really hesitate to bring this up, but my cousin was Jim King. And the last time I spoke to him was here on September 25th, 2014. After the council session ended, I spoke to him and I told him what was in my heart. And I did get the hear the session where y'all honored him. And I know for a fact that God is in this council here. Because I heard it firsthand. I did not listen to that session for almost a year, and then I just happened to listen to it. So I know you are all faith-based people. And I know Louisville, Kentucky is where I was born and raised. And Jim wanted to make a difference in this city. And I told Jim at his grave site that I'm going to make a difference. It is personal to me now. It is not just about God, prayer and unity. It is about

continuing to make a difference like y'all do every day in your lives. And I really honor and I appreciate this so much. And thank you for your time.

MR. CLERK: Tim Mulloy.

TIM MULLOY: Good evening. Thank you. I'll be brief. Tim Mulloy. Came to speak briefly on the rental ordinance. I am a lifetime developer born and raised in Louisville, two-time president of the Louisville Apartment Association and a very active member of the apartment association. When my colleagues and I on the association were first made aware of the ordinance we did have numerous questions. Most of our members own and operate mid-size to large communities in our city and we honestly weren't sure what the purpose of the registration was, when most of our properties are staffed and very easy to be found. But we do certainly recognize the issues that face the men and women of the city's inspection department and their efforts to protect neighborhoods all across the county from derelict property and derelict property owners, to be honest with you. And we understand that a great deal.

Our members then engaged in a very open and healthy dialogue with members of this body, and we appreciated that very much. I speak for our association in again thanking you all for having this dialogue, and we believe that what this ordinance is has become a better ordinance, will serve the purposes for which it was intended, and certainly will not interfere with our business. Our industry is experiencing an explosion of growth that was never seen in history. We house literally over fifty thousand residents amongst our own members' units and employ thousands of Louisvillians. We certainly don't want to do anything to hurt that. We do not believe this ordinance does that at all. We want to thank particularly

Councilwoman Marianne Butler, Councilwoman Welch, Councilman Blackwell, Councilman Hollander for working with us to make this a better bill. We are very proud of what we do in this city. We are a very serious industry and we take our job of providing safe and clean communities for literally millions of people nationwide and thousands in Louisville very seriously. We want to thank you again. We are here to help on any issue like this in the future and I appreciate the opportunity to speak to you. Thank you.

MR. CLERK: Denver McFadden.

DENVER MCFADDEN: Hello. I'm Denver McFadden. And I am here to speak tonight in opposition to rental registration. I am retired. I own two properties here. And I consider this an infringement upon my privacy and my right to ownership of property. I don't understand the purpose of it except for this. I own a condominium in Pinellas County, Florida, and this same rental registration ordinance passed there. Very shortly after that then there was a tax placed on every single rental unit. Now can you say that this is not the purpose of this? Can you say that this will not happen in the years to come to raise more tax revenue? This is one of the reasons that so many of us are angry at politicians. And angry about government interference in our lives. Most of us really feel, I think, that the least government is the best government. And I strongly urge you to reconsider this because I really think I know where it is going. It is no problem for me to get online and register my two new properties. I don't think that's the real issue here. My concern is where does it go from there? And then to charge \$100 fine after a few days if -- say I'm in Florida. Say I'm traveling. I'm retired. Or say that people don't get the "Courier Journal" and read about this new ordinance passed. Is that fair

to charge someone \$100 in a fine, especially when they are retired and living on a fixed income? You know, I wish you would reconsider this and think about what it might do to small people. Now, I just heard the gentleman talk about the large businesses, and they don't care. I think if you want to find out about my units that I rent, my condos, that's going to be pretty easy because the neighbors are going to call and report it. And the association, the condo associations, know who owns all these units. I don't understand why we need this. Thank you.

MR. CLERK: Cathy Hinko.

CATHY HINKO: Hello. I'm Cathy Hinko, director of the metropolitan housing coalition and I'm also a lifelong renter. And I am here to speak in favor of the rental registry. And I remind you that this came up from codes and regulations, who was out there protecting the health and safety of all of us, both the people who rent and the people who live next door to rental property. And they found their work so impeded to be able to take care of health and safety violations that codes and regulations has been behind this registry to be able to have a contact person to be able to resolve these issues quickly.

I will say as a renter I have never had a landlord that did not within ten days of the first know whether I had paid rent. So anything that is important enough gets through to the business relationship. Because it is not family. It is business relationship. And yet we haven't been able to get through when there's a violation, health and safety, that actually presents perhaps an attractive nuisance to children so that they are out there in tall grass where there is grass or vermin. And of course, worse violations.

So having a contact person is really great.

Our competitive cities, seven of our competitive cities also have registries. Two states, Tennessee and Ohio have a statewide requirement for the registry.

We support having this and remind you that this is really about the health and safety and quick resolution for both the people who live there and the people who live next door and in the neighborhood to remedy, remedy these violations. Thank you.

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

PRESIDENT YATES: Thank you, Mr. Clerk.

Next we have approval of Council minutes for the Regular Metro Council Meeting of September 8, 2016.

Any corrections or deletions? May I have a motion and Second for approval?

>> So moved.

>> Second.

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

Next we have approval of the following Committee minutes, all in 2016:

Regular: Ad Hoc Committee on Land Development Code, August 22.

Regular: Committee of the Whole, September 8.

Special: Committee on Sustainability and Parks, September 8.

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

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

Regular: Labor and Economic Development Committee, September 13.

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

Regular: Public Safety Committee, September 14.

Regular: Committee on Appointments, September 15.

Regular: Ad Hoc Committee on Land Development Code, September
19.

Regular: Committee on Committees, September 20. May I have a
motion and Second for approval?

>> Motion.

>> Second.

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

MR. CLERK, do we have any communications from the Mayor?

MR. CLERK: We do, sir.

PRESIDENT YATES: Please read those into the record.

MR. CLERK: Dear President Yates: In accordance with the
Metropolitan Business Development Corporation Ordinance, I am appointing
the following to the Metropolitan Business Development Corporation METCO
Board:

Tyler Smith, new appointment, term expires July 27, 2017.

Metro Council approval of this appointment is not required.

Sincerely, Greg Fischer, Mayor.

Dear President Yates: In accordance with the Convention and Visitors Bureau Commission Ordinance, I am appointing the following to the Convention and Visitors Bureau Commission:

Sarah Robbins, new appointment, term expires August 31, 2019.

Your prompt action on these appointments is most appreciated.

Sincerely, Greg Fischer, Mayor.

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

Shannon Floyd, new appointment, term expires December 31, 2018.

Oluwafunmito Funto Seton, new appointment, term expires December 31, 2018.

Dr. Florence Chang, new appointment, term expires December 31, 2018.

Your prompt action on these appointments is most appreciated.

Sincerely, Greg Fischer, Mayor.

Dear President Yates: In accordance with the Kentuckiana Works - Greater Louisville Workforce Development Board Ordinance, I am appointing the following to the Kentuckiana Works - Greater Louisville Workforce Development Board:

Danny DeSpain, new appointment, term expires July 28, 2019. Your prompt action on this appointment is most appreciated. Sincerely, Greg Fischer, Mayor.

Read in full.

PRESIDENT YATES: Those appointments requiring Council approval will be forwarded to the Committee on Appointments.

Our next order of business is the Consent Calendar. The Consent Calendar comprises item 18-21.

Are there any additions or deletions?

Councilman James

COUNCILMAN JAMES: Yes. I would like to move number 18, please, to Old Business.

PRESIDENT YATES: Without objection item 18 moves to Old Business from the Consent Calendar.

The Consent Calendar now comprises of items 19-21.

Mr. Clerk, a second reading of these items.

MR. CLERK: A RESOLUTION APPROVING THE GRANTING OF LOCAL INCENTIVES TO COMPUTERSHARE INC., AND ANY SUBSEQUENT ASSIGNEES OR APPROVED AFFILIATES THEREOF PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 32.

A RESOLUTION REQUESTING THAT THE PLANNING COMMISSION INITIATE THE PROCESS OF IMPLEMENTING LAND USE RECOMMENDATION FOUR CONTAINED IN THE EXECUTIVE SUMMARY OF THE JACOBS NEIGHBORHOOD PLAN PERTAINING TO THE CHANGE IN ZONING DESIGNATIONS OF PROPERTIES IDENTIFIED THEREIN, HOLD A PUBLIC HEARING AND FORWARD ITS RECOMMENDATION TO THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT FOR FINAL ACTION.

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT AND RECEIVE ASTIPEND 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 2017 UNIFIED PLANNING WORK PROGRAM.

Read in full

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

>> So moved.

>> Second.

PRESIDENT YATES: The Consent Calendar has been properly moved and seconded, requiring a roll call vote. Will the clerk please open the voting?

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

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

PRESIDENT YATES: The Consent Calendar passes.

Mr. Clerk, would you please record Councilman Stuckel as a yes vote?

MR. CLERK: So noted.

PRESIDENT YATES: The Consent Calendar still passes.

PRESIDENT YATES: The next item of business is Special Appropriation.

As most of you know, the next item is an appropriation that would normally be heard in the appropriations, NDFs, CIFs committee next week. However, upon request of the sponsor the council will hear it tonight to expedite the funds in order for an urgent need.

Councilwoman Flood, would you to like the floor to explain the urgency?

COUNCILWOMAN FLOOD: Yes, Mr. President. On August 13th the compressor went out for the air compressor and they lost everything due to

the mold that built up on all the food they store for the clients. The money will be used to do some cleaning and redoing some things that need to be done, but it is basically going to be to pay for food and items that were destroyed during this so that they can get back on their feet. And what started this was they had asked all of us, all of us got an e-mail asking to put it in the newsletter they needed help because of this unfortunate accident. I also have a list -- did you want me to read them into the record -- of the people who just signed on.

PRESIDENT YATES: I think that may expedite things, if the clerk would so oblige.

Before you do, we need a motion.

>> So moved.

PRESIDENT YATES: Do we have a second?

>> Second.

PRESIDENT YATES: All those in favor respond by saying aye. It is before us.

Councilwoman Flood, that may expedite things if you wouldn't mind reading those things into the record, although they are clicking into the queue.

COUNCILWOMAN FLOOD: We are having a little bit of a side bar discussion.

Dr. Shanklin will add \$500 from District 2. Thank you very much.

Councilwoman Vicki Aubrey Welch added \$500.

Councilwoman Butler added 500.

Councilman Peden added 200.

I actually need to talk to the councilman -- Cindi Fowler is still good for \$300. That takes us up to the \$4,500 they asked for.

PRESIDENT YATES: The full ask, \$4,500.

Council member, since your name and district was read into the record, without objection that would be the correct amount from each of the districts.

And now we already have a motion and second for a floor amendment. May I have a motion and second for that floor amendment for the new amount of \$4,500?

>> So moved.

>> Second.

PRESIDENT YATES: All those in favor respond by saying aye. Those opposed? The ayes have it.

MR. CLERK, the total amount is \$4,500, is that correct.

MR. CLERK: Yes, sir.

PRESIDENT YATES: Is there any further discussion? Seeing none, this is an appropriation allowing voice vote. All those in favor of the \$4,500 amendment say aye. Opposed? The ayes have it. The amendment is approved.

Thank you very much for your leadership on that.

COUNCILWOMAN FLOOD: And thank you very much, colleagues, for helping us make them whole. Thank you.

PRESIDENT YATES: Next item of business is Old Business.

Mr. Clerk, a reading of 18, please. This was the item that was pulled for Councilman James.

MR. CLERK: AN ORDINANCE APPROPRIATING \$1,500 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$1,000 FROM DISTRICT 10; \$250 EACH FROM DISTRICTS 13, 15, THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO SERVICE FOR PEACE, INC., FOR PROJECT EXPENSES ASSOCIATED WITH THE GLOBAL UNITY GAMES - TOGETHER TOMORROW.

Read in full.

PRESIDENT YATES: Thank you.

Councilman Blackwell, this came out of your committee.

COUNCILMAN BLACKWELL: It sure did, Mr. President. It went to the Consent Calendar but as you know it got moved off the Consent Calendar today. Councilman James moved it in order to be added as an additional sponsor. The total ask was \$10,000. So there is room for others to join Councilman James too if you would like.

PRESIDENT YATES: Councilman James, would you like the floor?

COUNCILMAN JAMES: Yes, I would like to add \$250, please.

PRESIDENT YATES: \$250 from District 6.

Councilwoman Shanklin.

COUNCILWOMAN SHANKLING: Thank you, Mr. President. I would like to add 250 also.

PRESIDENT YATES: \$250 from District 2.

Councilman Johnson.

COUNCILMAN JOHNSON: \$250 from district 21.

PRESIDENT YATES: \$250 from District 21. Is there anyone else?
May I have a motion?

>> So moved.

PRESIDENT YATES: May I have a second?

>> Second.

PRESIDENT YATES: Properly moved and seconded. All those in favor respond by saying aye. The ayes have it. The total request is \$750. All those in favor of the additional offer of \$750 respond by saying aye. Those opposed? The ayes have it. The floor amendment passes.

Any further discussion? Hearing none, this is an ordinance requiring a roll call vote. Would the clerk please open the voting. Without objection, the voting is closing. The voting is closed.

MR. CLERK: 24 yes votes. 25 yes votes and one not voting.

PRESIDENT YATES: The amended ordinance passes.

Mr. Clerk, a reading of item 23 while they work on his computer.

MR. CLERK: AN ORDINANCE CREATING A NEW CHAPTER OF THE LOUISVILLE METRO CODE OF ORDINANCES REQUIRING THE REGISTRATION OF RENTAL HOUSING UNITS AND ESTABLISHING PENALTIES FOR VIOLATIONS. (AS AMENDED)
Read in full.

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

>> So moved.

>> Second.

PRESIDENT YATES: The ordinance is before us.

Councilwoman Hamilton.

COUNCILWOMAN BRYANT HAMILTON: This item was heard in committee on September 13th and moved unanimously with one abstention to tonight's agenda. I believe this is ordinance that is a long time coming. It is a registry for rental units. And as I mentioned earlier in discussion, going back to 2005 to the present, this has been something that communities have wanted to maintain safety, increase their property values by having people

being able to be contacted if they own a property, and if they invest in a property, they need to be invested. And so we would ask for your support tonight. I understand Councilwoman Butler, the primary sponsor, has some things to say, and I believe we have a friendly amendment from Councilwoman Flood.

PRESIDENT YATES: We have several people in the queue, so I will go to Councilwoman Butler as the primary sponsor to explain.

COUNCILWOMAN BUTLER: Thank you very much. As many of us know, like Tim Mulloy, a good portion of our community does live in rental property. And I understand it. And they should have the same quality housing that everyone else can have. And it is very frustrating when you live next to a property that no one can find out the landlord because the person renting it gets an envelope every month with a prepaid stamp and an address and they get a receipt with another envelope in it to keep going back. And it is hard to get in contact with that owner. And as we see our neighborhoods changing, it is frustrating. And what is really frustrating is on the weeks when I go through my neighborhood I pull signs like this off of the utility post. And they are all over my neighborhoods all over the area. And if someone has such disrespect for a neighborhood that they are going to litter the utility posts with signs like this, do you think they have enough respect to follow the property maintenance code? I would gather they don't because they are not adhering to the sign ordinance when they nail this up to the utility poles.

That is just one of the reasons we need this. We need to get a better handle on our rental property. We need to be able to contact these people. We need to be able to say there's a problem here. Because eighty

percent of the time they do fix the problem. They do comply. The other thing here is the efficiency for the code enforcement officers. Like another speaker said, this came out of code enforcement. They want this. They spend sometimes over a day a week just trying to figure out who to serve because they can't find it. They keep getting the mail back bodies the PO box wasn't paid for and it comes back and we don't know where to send it. The neighbors think we aren't doing anything. We are doing a lot but we are spinning our wheels because we can't figure out who owns it.

I will let others speak. I appreciate the sponsors and the give and take of the Realtors, the apartment association, the investment folks and the building industry. I think we have a wonderful registry because of this. We did call some other cities and talk to them to see what is their compliance. This is a free registry. We want to be proactive with this. We want the owners to say, yes, I want my property to go up in value because in turn the rest of the property will go up in value too. So this is a very proactive move. Other communities say when they put this in place they have ninety, 95 percent compliance with stuff. That's what we want here.

PRESIDENT YATES: Thank you, Councilwoman.

Councilwoman Julie Denton.

COUNCILWOMAN DENTON: Thank you, Mr. Chairman. There's a friendly amendment. Could we hear that friendly amendment and come back to me, please?

PRESIDENT YATES: That would be fine. Councilwoman Parker. Oh, Councilwoman Flood.

COUNCILWOMAN FLOOD: Thank you, Mr. President. The friendly amendment would actually go in section 3 under registration required under the letter B, item number 2 where it starts out the name, mailing address. I would like to have that say the name, mailing address, and physical address, comma, and the rest of the sentence. And I move that amendment.

PRESIDENT YATES: May I have a second for the amendment?

>> I think it is in number three as well.

COUNCILWOMAN DENTON: I was just doing one part at a time.

PRESIDENT YATES: We can do it in segments.

Is there any further discussion on that amendment?

COUNCILWOMAN FLOOD: Yes. Councilwoman Denton is asking me why I wanted to put that in there. The reason is a mailing address can be a P.O. box number. A lot of people use P.O. box numbers. If it rises to the occasion that we need to serve a summons, we can't serve it to a P.O. box number. It is a dead end. So if you have a physical address, then someone can be notified that there's an issue and that they need to come to court over it. We have it in a lot of our other ordinances that we ask for mailing and physical address.

PRESIDENT YATES: Thank you for the explanation. On the friendly amendment that is before us, is there any further discussion on that? Hearing none, all those in favor respond by saying aye. Those opposed? The ayes have it. And the friendly floor amendment passes.

Do you have another friendly floor amendment that you were going to pose if you were doing sections?

COUNCILWOMAN DENTON: I'm sorry. In the next section, number five, if the ownership is a partner or similar entity, the owner shall

furnish the name, mailing address and physical address, comma, telephone number and the rest of that sentence. Same reason.

PRESIDENT YATES: We will take that in the form of a motion. May I have a second.

>> Second.

PRESIDENT YATES: Is there any further discussion on that? Hearing none, all those in favor please signify by saying aye. Opposed? The ayes have it. The floor amendment passes.

Back to discussion.

>> It needs to go in all of that section, two and three. Two, three, and four.

>> And five.

I just did five. So three and four also where it says the name, mailing address, it should say mailing address and physical address. And number four it say say mailing address and physical address, comma.

PRESIDENT YATES: So in each instance where it says the mailing address, also to add in physical address.

>> Yes, sir.

PRESIDENT YATES: Just for clarification, we will take that in the form of a motion. Do we have a second?

>> Second.

PRESIDENT YATES: All those in favor please signify by saying aye. Those opposed? The ayes have it. And the floor amendment passes.

Back to discussion on the ordinance.

Councilwoman Denton, would you like the floor back.

COUNCILWOMAN DENTON: Please, if you don't mind.

I am aware that this is a problem, that you can't find folks because either by chance or by intentionally they are hiding behind an LLC or some other entity so that they can't be found or it is just difficult by happenstance that's just how they registered with the PDA, that is how it is listed under the PDA. So I think we definitely want to address this issue.

I have concerns that while some members have been members of this body since the beginning of time, so to speak, of Metro Council's time, and they have had a lot of time to look at this, and they are familiar with it and they may have more of an issue of this in their district than some of us may have, others of us have only been here a short period of time and may not be familiar with this. And there was a request to hold the meeting that occurred last Monday so that those of us who were on the glide trip could participate. And that wasn't done. And I appreciate the chair asking some questions I forwarded to her. But the problem still becomes the answers that you get beget more questions, and I have been trying to run around and talk to different people.

Mr. Kirchorffer, investors, different folks to find out some additional answers to questions. And I would like to make the motion that we send this back to committee so that the folks who would like to be better educated and have opportunity to discuss this, and that the public would have the opportunity to hear the answers to the questions that I have had the ability to hear the answers to. I think it is great that we try to give each other great deference and accommodate it. This issue isn't going to be any different in two weeks than it is today. This has been an ongoing issue that needs to be addressed. So I would just make the motion

that it be sent back to committee for additional testimony. And the other reason, quickly, is when I did talk to Mr. Kirchdorffer, the way he will implement doesn't go with the way this is written. It says ten days to register. It won't be ten days once you have been notified. It will be much longer. The date of the letter is when the clock starts ticking. So while he is a sane, rational reasonable person and I think we have all got competence in his ability to implement this, those who come before him in his position may not have the same mindset or be as trustworthy with the legislation. That's the other reason I would like to make the motion to send this back to committee.

PRESIDENT YATES: While Robert's turning red, I see the motion. Does someone have a second?

>> Second.

PRESIDENT YATES: All those in favor of sending it back to committee respond by saying aye. Those opposed?

In the opinion of the president and the chair, the nos have it.

>> I'm shocked.

>> Roll call, please.

PRESIDENT YATES: There has been a request for a roll call.

>> Second.

PRESIDENT YATES: Would the clerk please open the voting. This is the vote to send back to committee. All those in favor of sending back to committee respond by saying yes. Without objection, the voting is closing. The voting is closed.

MR. CLERK: Six yes vote, 16 no votes, one abstention, and three not voting.

PRESIDENT YATES: The floor amendment fails.

Further discussion.

Councilwoman Parker.

COUNCILWOMAN PARKER: Yes. Thank you. I too understand the need to have something in place. Perhaps it is a little bit redundant if folks can't find owners either in the property tax records or with the PVA. That's just one issue. I guess the bigger issue for me, it is more of I feel like it is a double standard that we are requiring this out of property owners when we as a city, we can't maintain our right of ways, we can't maintain our highways, they are filled with trash, the grass is three, four feet tall. We have a problem with the scape, interchanges, they can't mow all the way around. Property owners, they can't come to the city. They have no means for their property values or where they live because we can't, we are imposing something on property owners that we can't take care of ourselves. And I think that is a double standard. So I won't be voting for this until we can get our own house in order. Thank you.

PRESIDENT YATES: Thank you, Councilwoman.

Councilman Blackwell.

COUNCILMAN BLACKWELL: Just anyone who might be watching, in terms of the redundancy, it's not redundant because the information isn't there. If it was there, it would be great. You saw there was a response to our op-ed that several of us wrote that suggesting that what we need to do is hire more officers, more code enforcement officers so they can spend more of their day Googling trying to find out who these owners are as opposed to making one click and having the owner's property. So when you

say that we have taxes, we can get taxes to people, we can't. Because if you send it to the P.O. box they will pick it up eventually. What you can't get is a quick response and a quick turnaround. And all of us have the frustration and the neighbors have frustrations. You are right. It is more of a problem in some districts than others but it is a huge problem in our area. And they call, they can't get anything done. And they have a right too, the people who own properties and are running a business as renting this property to someone else, they have rights. They also have responsibilities. And so they should take responsibility and not hide behind an LLC or P.O. box. Takes responsibility. Put your name on it. If you are ashamed to put your name on the property that you have got, you don't want the people that you go to church with knowing the shape of the places that you rent are in the shape they are, clean them up. Clean them up. As the councilwoman said, if you are investing in the community, you need to be invested. Clean them up. And for all those who are doing the right thing and taking care of the things, we have one thing to say. Five, four, and free. It was the testimony that it took five minutes to register, you have four months to do it, and it is free. This isn't some huge government overreach. It is just letting our people do their jobs. And I appreciate everyone's support tonight.

PRESIDENT YATES: Thank you, Councilman.

Councilman Stuckel.

COUNCILMAN STUCKEL: Yes. I have investment properties that rent and I will be abstaining.

PRESIDENT YATES: Thank you, Councilman.

Councilwoman Flood.

COUNCILWOMAN FLOOD: Thank you, Mr. President. I think one of the important issues on this is that the standards that we hold property to are minimal standards. If you read the law, it says minimal standards. That means that probably there are a lot of rental properties that are still not going to be kept up to the standards probably in the houses that you lived in or you live in now. There are minimal standards. And all we are asking is for them to register their properties. In fact, some of the poorest of the poor live in rental properties. You know that. I know that. And I can take you and show them to you if you want me to. But those people deserve to live in properties that the gutters aren't falling off and the doors aren't falling off the hinges. Our code enforcement officers can't get a hold of them. It is a win-win for the owners too because now the code enforcement officer will know who to contact and say, hey, did you know that your renter doesn't have garbage? And they are required to by law. That gives him time to get with his or her rental person and get that set up so they are not fine. You won't have people coming in trying to sell property and you find out, well, they have hundreds or thousands of dollars of liens on the property from property maintenance issues because we couldn't find the owner. And I agree with my colleague from district 18, I believe, that the right of ways are atrocious here. The state has drastically cut how they cut grass. But nobody's living in the right of ways. There are bodies in a lot of these houses, and if you are a good landlord, God bless you because we need you. But we need more of the people who are out there not keeping up the property to step up to the plate. It is a win-win for all of us. Thank you, Mr. President.

PRESIDENT YATES: Thank you, Councilwoman.

Councilwoman Woolridge.

COUNCILWOMAN WOOLRIDGE: Thank you, Mr. President. And I agree with what my colleague just said as well as my colleagues from District 5 and district 12. The renters deserve a decent place to live. And if we have this registry where we can contact owners immediately rather than trying to find them out of town, in town, wherever, I think this is going to help the renter as well as the property owner. And again, let me emphasize and reemphasize if your property is up to code and regulation, you have absolutely nothing to worry about. And just editorial, I would like to not label myself as a politician but as an elected official. Thank you, Mr. President.

PRESIDENT YATES: Thank you, Councilwoman.

Councilwoman Fowler.

COUNCILWOMAN FOWLER: Thank you, President Yates. I have a property in my district that for four years we have been trying to locate the owner in California. All the while the tenant continued to hoard, continued to build up the front yard full of -- where you couldn't even see the house. It is just not fair that the people at that street had to look at that for four years, four long years before finally the court system had to step in. And the landlord never was called to task. So it is just something that a lot of districts may not have these issues, but those of us who do have the issues, it is a problem, and it really needs to be addressed. And I think this will do that. Thank you.

PRESIDENT YATES: Thank you, Councilwoman.

Councilwoman Welch.

COUNCILWOMAN AUBREY WELCH: Thank you, Mr. President. I would like the councilwoman from district 19 to know that this was in committee for two months, so it has not been rushed through. And you had the opportunity to watch it online if you can't be at the committee. And we had many extra meetings, the sponsors did, with the apartment association and those who were concerned and worked things out for them so that they were now on board with this. So this has been thought out quite well. We have worked with our county attorneys, who have helped us greatly with the language. And this is a health and safety issue. In my district when these things happen -- and again, this is the west end and the south end issue. Let's just say. I'm sure we have a whole lot more rental properties, bad rental properties than you all do in your rich areas. So this hits us hard, this hits us at home. And when we have a bad property and garbage starts growing and grass starts growing, then rats come. And then they are coming into the people who do keep up their properties. We are doing this for the good people that do good in our areas and helping them out to get rid of the bad people and the slum lords that are not taking care of their properties. And this is something that I have dealt with for eleven years on this council. So it is nothing new. And again, as a nurse, it is a health and safety issue. We can't have rats going through. Because it is hard to get rid of rats. They get in one property and get to the next property. It ruins the whole neighborhood. And we have old neighborhoods. We have old neighborhoods, slab-type houses with fields behind them. MSD huge difference behind them. And rodents and that type of thing can happen quickly. We have to get on top of the issue and this is how we can do it, simply and easily to help our code enforcement officers. Thank you.

PRESIDENT YATES: Councilwoman Shanklin.

COUNCILWOMAN SHANKLIN: Thank you, Mr. President. Does anybody remember back when all 26 of us put an ad in the paper with all the slumlords across the city? We called them the dirty dozen? And we were \$19 million short that year, short as far as money was concerned. And guess what? It was \$19 million worth of fines that we could not get. We didn't get a dime of that money. There were people that owed \$50,000 and all kinds of money. And they tried to sue us. We won the case, but the point is that it is so many slumlords in this city. And I still have that big stack of names and addresses, but it was so many LLCs on there we could not collect that money. And we were \$19 million in the hole at that time. That they say, well, we don't want big government to get involved, but if government doesn't get involved, we will be back the same way. If people paid their fines or whatever, we wouldn't be in a hole. We would be right there where we are supposed to be. Thank you.

PRESIDENT YATES: Councilwoman Green.

COUNCILWOMAN GREEN: Anybody who knows me knows that I'm anti-big government and anti-heavy legislation, but I have also spoke to people and I have tried to figure out what my position would be on this particular ordinance. And it just so happened that I happened to be in eviction court this week with another client of mine and maybe God sent me there. Because they are being evicted, an eighty-year-old man who happened to live in District 1. The property that he lived in was overrun by bedbugs and by rats and he had been paying the owner, who in turn had not been paying the bank. And so the owner was having to evict him so that the bank could take the property back. So it has changed my view a little bit

on this, and I will be supporting this legislation. There are questions that I have, and I would have preferred for it to go back for us to be able to flesh some of those things out. I'm hopeful that as issues and concerns continue to arise as we proceed with authorities if it does pass, that the sponsors would be amenable to us relooking at it if we have to change something or add something, take something out, but that experience with that eighty-year-old man who I jumped up with and got a friend of mine to represent him pro bono to try to figure out something, and the judge was kind enough to give us seven days to be able to find something for him. But it really changed my view on this thing. So my district is overrun with these kinds of properties. And people are suffering. People are hurting. And people are living in absolute crapholes. Excuse my language. And I do think that we have got to do something really to protect the least of these. So I will be voting for it and am hopeful that as the issues arise that our sponsors and our colleagues will be gracious enough to allow us to perhaps relook at those things. But tonight my vote will be yes. Thank you.

PRESIDENT YATES: Councilman Hollander.

COUNCILMAN HOLLANDER: We have a lot to do in the community to make sure that Louisville citizens have safe and decent housing to live in. I think the city council doing some good work in that area. I would applaud Councilwoman Shanklin for looking at our code enforcement efforts, how they really work. I think we should continue to do that. This ordinance is not going to solve all of our problems, but it is a tool in the toolbox for the code enforcement officers. And it will help protect, not just people who are living in substandard housing, but it will also

help protect the people who have to live next to the substandard housing and can't get it repaired. For that reason, I will be voting yes. I'm proud to be a sponsor and I would appreciate your support.

PRESIDENT YATES: Councilwoman Denton.

COUNCILWOMAN DENTON: Thank you. May I ask a question of the county attorney? The question I have is with regards to section 3C with a change of ownership and the new owner has thirty days in which to register.

And I want to know in a practical way, because I'm not an attorney and I did not stay at a Holiday Inn Express last night, I would like to know how that works with section 4A. If after that thirty days will that new owner, once they get noticed because they have got a violation, will they then have ten days and not pay any fines until they get that additional ten days after notification? I'm just trying to figure out how that practically works. Does that make sense? I understand it in my mind. I'm not sure I am necessarily -- I just don't know if 4A also pertains to 3C.

>> I'm going to defer to Sarah Martin, who worked on the ordinance. She has a better handle of it.

COUNCILWOMAN DENTON: That's fine.

SARAH MARTIN: Sarah Martin with the county attorney's office.

Councilwoman Denton, the penalty section does offer a ten-day grace period, so to speak, that triggers once the letter is sent. Then the new owner would have ten days to comply without facing a penalty.

COUNCILWOMAN DENTON: After thirty days.

SARAH MARTIN: I think that was the purpose behind the sponsors putting that language in there.

COUNCILWOMAN DENTON: I just didn't understand how it would all dovetail. Because you have the thirty days. Because my understanding in the way it has been described to me is the way that it is now written is that you don't really ever have to register as long as you have no violations. And you only are triggered to be notified that you need to register if you are not once there's a violation. Am I understanding that correctly? That there really is no compelling reason to register unless you have been noticed through a violation that you have a violation and that you are not on the registry and you have ten days to register?

SARAH MARTIN: I think the sponsor of the ordinance wants to address that question.

PRESIDENT YATES: Councilwoman Marianne Butler.

COUNCILWOMAN BUTLER: Thank you. What the purpose, goal and intent of this legislation is to create a proactive list of individuals that own rental properties in our community, care about our community, want to increase the quality of life and the property values within our community. So if they're a good businessperson and they apply to all of the rules and regulations pertaining to their business, they would register. But those that want to continue to hide will do so, and we are still going to give them another ten days to comply.

COUNCILWOMAN DENTON: Well, that's not how -- the comment that was made in Committee of the Whole before then is if you are a good property owner and you are keeping your property up and there are no violations, then you don't have to worry about it because you don't even

need to register. And so that's why I had a question with regard to that, because it has been portrayed that only if you have a violation are they ever going to know that you are not registered because they will go in and check for your property, it is not registered, and at that point it triggers you being told, hey, you are not registered. And I guess one of the concerns I would have, if that's not the way it has been portrayed, if that's not it, we pass a lot of things and there are a lot of people that own property, the ones and twos. Most of these people are good. It is like every group. There is bad apples. And I understand that and I want us to get to the bad apples. That's why I want to see us come to some resolution and address this issue. It is a bigger issue in some districts than others. I recognize that. But it is just like crime. Wherever it happens in the city, it is going to affect us all one way or the other and it is the same thing with our properties. And it is a ripple effect across the county. So I want to make sure that we do address it. But I also want to make sure that I understand how this works and that we are not setting people up to fail just because they don't know this. How is somebody who owns one house that rent out, how are they even going to know? Not everybody reads the paper. Not everybody pays attention and is so enthralled with us and can't wait to watch us on TV and read about us in the paper as we would probably like to think they are. So I like the idea that people weren't going to be having to necessarily register unless there was a violation. And that way that would trigger it and they would know and we all would go from there. So that's why I'm confused about this and why I was asking why 3C, how that works with 4B.

PRESIDENT YATES: If I may just interject, I believe that both colleagues are stating the same thing, obviously stating different subjective intent of the ordinance, but in effect it is the same thing that Councilwoman Butler put forth. People should register but in effect you would not be penalized unless you have a violation. You would have the ten days. You say the same thing. In the event that you are a good property owner and you didn't register, if you were never fined, there would be no penalty, and there would be no fine for not registering.

COUNCILWOMAN DENTON: That's why I was wanting to find out how 3C interacted with 4A. Because 4A is saying you get ten days' notice and there's a fine if you don't. So what happens over in 3C if you go past the thirty days? Is there some kind of a penalty? And also do you get an additional ten days at that point or you treat it differently? It is just in different sections and it is worded a little bit differently. And I'm just trying to understand how it practically works.

COUNCILWOMAN BUTLER: And I may defer that back to the county attorney. I believe the explanation was on the registration requirement under C, gave a thirty-day transfer period and then the 4A was the penalty phase. So in addition you would have to thirty-day transfer period and then have ten-day prior to the penalty sets in. Is that the reading and interpretation of the county attorney?

SARAH MARTIN: Right. And you seemed to pose two questions, Councilwoman Denton. One, concerning with that this is only triggered if there's a violation. That is not part of the ordinance that is before you. Because the second point in the way that section 4 reads with section 3, they are really separate sections. Section three provides an owner or new

manager thirty days grace period before having to comply with the ordinance. Whereas the penalty section kicks in after a notice is issued by codes and regulations that there has been a violation and gives that person an opportunity to cure the violation before a penalty is assessed.

COUNCILWOMAN DENTON: And like I said, I didn't stay at a Holiday Inn Express and I'm not an attorney and I don't play one on TV. So I wanted to make sure that I understood if there was any interplay and what happened, if that new owner was going to be treated differently than a current owner as of today when we passed this.

SARAH MARTIN: No. It allows thirty-days grace period.

COUNCILWOMAN DENTON: Thirty days. And after that if they don't comply they are notified, they still get the ten days.

SARAH MARTIN: That's right.

COUNCILWOMAN DENTON: Can I ask a second question? I'm trying to understand better how it works today in terms of violations, not of the registry, but of the code violations. What I think happened is a violation is sent to it shall -- they try to find a good address. If it is an LLC and P.O. box they go to the secretary of state's website trying to find out more information to see if they can figure out who to get. And they go through several different acrobatic techniques to try to find, some very time-consuming, trying to find who to send this to. And they will end up sending it somewhere, good, bad or ugly. And if an owner doesn't respond to that violation, my understanding is for every day they are not in compliance the fee for that violation can compound on a daily basis. If it is \$100 a day, it's \$100 for every day being in violation, is that correct?

SARAH MARTIN: The penalty section is written to allow for penalty up to \$100.

COUNCILWOMAN DENTON: Not in this. I'm talking about just codes and regulations now. If you are in violation.

MATT GOLDMAN: Matt Goldman. And I can speak generally to that. Matt Goldman of the county attorney's office. Under LMC96, any violation that occurs on a piece of property can be deemed an ongoing violation and you can be cited for not being in compliance.

COUNCILWOMAN DENTON: On a daily basis?

MATT GOLDMAN: For each day of that violation. And I think that you are entitled to the same process, but if there's a danger to the community and somebody wants to say let's get this building from falling down and you are not taking action, each day that goes by could be an additional penalty.

>> Do we have folks currently from codes and violations, not this, that we file liens against their property because it is just an ongoing issue? They don't address these and there are liens filed on a fairly perpetual basis?

>> Mr. President, could we stay on the ordinance?

COUNCILWOMAN DENTON: I'm trying to understand how that works so that I will understand how this works.

>> I understand that you are trying to understand the whole thing.

>> A point of order here. From the Budget Committee hearings, they testified that this past year they secured over \$5 million from unpaid liens but they have also gone and put liens on property as well.

There are over \$20 million worth of liens out there that we don't collect on because we can't find the owner.

COUNCILWOMAN DENTON: But when you put these liens, what I'm trying to find out, we put the liens on and they just stay there and the property owners --

>> So we foreclose them and they get paid before the lender.

COUNCILWOMAN DENTON: And are they the properties that are vacant or the properties that are being leased?

>> I believe that Councilwoman Green just testified that one of them was one that was being rented out.

COUNCILWOMAN DENTON: I understand that.

>> That's your answer.

COUNCILWOMAN DENTON: I'm asking in general.

PRESIDENT YATES: And I'm trying to give a lot of latitude, Councilwoman, for you to go through with the county attorney making an explanation. If you want to give just a short, brief summary I'm okay, I will allow that. But what I don't want to have is the back and forth dialogue and discussion on the topic. If you want to finish your response, if you have not done so.

>> And I can just state generally most of the code enforcement provisions will result in a lien on a property. If you violate code enforcement, you would get a lien.

COUNCILWOMAN DENTON: Do you know what percentage of those properties we close on each year?

>> No, ma'am. And I wasn't asked to take a look at that.

COUNCILWOMAN DENTON: I'm just trying to figure that out if we overlay this on top of it, I'm trying to see what kind of impact that has and will the bad players stay the bad players or will this actually motivate them -- because if the bad players aren't addressing their liens now, are they going to care if we place additional liens for this violation? That's what I was trying to figure out. Thank you very much.

>> We would be happy to look into that question if you want to send it to us. We can look into it and provide you an answer.

COUNCILWOMAN DENTON: Okay. Thanks.

PRESIDENT YATES: Councilwoman Leet.

COUNCILWOMAN LEET: Thank you, Mr. President. I just had a couple comments and maybe one question, maybe two questions. But I agree with what Councilwoman Green stated earlier about streamlining our regulations and limiting big government. And I fear that there is some overlay, but I also have seen the problems we have in regards to rental properties. And people who are the violators of our rules. One of the other things that I have also seen is that some people don't intentionally violate. They are simply unaware of the rules. And one of the concerns that I have with this is I'm not sure what we are doing to inform people of the need to comply with this requirement. So I would like to just have that established on the record that I would like some follow-up on that. Maybe, Councilwoman Butler, you can address that. And then I do have another question or comment.

PRESIDENT YATES: Councilwoman Butler.

COUNCILWOMAN BUTLER: Thank you. We worked with four industries on this. All four have committed to help us get the word out as soon as IT

has the portal ready. We will also work with all the media outlets to get the word out. I have no doubt everyone in here will put it in their E news when it is time to register. And we will also get words out to banks so they can mention it. But the Realtors are also going to mention it. . That was one of their things, how can they get the word out.

The other thing is if you are going to open a business, you need to do the research to see what is required. And I would hope people would do that. But I was also going to reach out to the revenue commission for those that are with the revenue commission to see if we can get something put on one of the things they send out after it is ready after December 1st and it is ready to go. So we have multiple avenues. We are open to other avenues if you know some that we can get the word out.

>> My other concern is in regards to the fact that how do we -- if we know it is the violators we are really going after, and I was given a statistic of one fifteen thousand rental properties, do we not have -- this may be a county attorney question -- do we not have the capability as council to implore codes and regulations to, after a date-certain of the passage of this ordinance, to have to go after those property owners that haven't registered?

SARAH MARTIN: Sarah Martin with the county attorney's office. Absolutely. Codes and regulations, if they wanted to enforce this if this ordinance passes, they could enforce it against all of the owners of residential rental properties to make sure that they comply with the law and register their property. I think that's more of an enforcement issue for the mayor's office as to whether or not they have the capacity to do that kind of enforcement.

>> So I guess what we are suggesting on how I have understood they are going to apply it at this point is wait until there's a violation and then cite for both whatever the violation they find and the failure to register; is that correct?

COUNCILWOMAN BUTLER: If I could, Mr. President.

PRESIDENT YATES: Councilwoman Butler, could you answer that question?

COUNCILWOMAN BUTLER: It doesn't necessarily have to have a violation. You can call on the house next to you for something you perceive as a violation and the enforcement officer can say I can't cite your neighbor for painting their house lime green. We can't cite ugly because it is nice. But at the same time if they discover it is rental property, they would then get that notification that you need to register. So they may not have a violation, but if code enforcement visits and discovers it is not registered, they will get a letter saying this is rental registry and you need to register.

PRESIDENT YATES: I would just like to state Councilman Engel would not be offended by that comment.

>> Would it be amenable to consider adding one grace notification for registry and not fine immediately?

>> It is not an immediate fine. You have ten days. If you don't comply in those ten days, then you get the fine.

>> Thank you for clarifying that.

PRESIDENT YATES: Councilwoman Woolridge.

COUNCILWOMAN WOOLRIDGE: Thank you, Mr. President. There has been quite a bit of willing to on this ordinance and at this particular time I call the question.

PRESIDENT YATES: Do we have a second?

>> Second.

PRESIDENT YATES: All those in favor of calling the question say aye. Opposed? The question is called.

Will the clerk please open the voting?

COUNCILMAN KRAMER: Mr. President, I would like to explain my vote, if I may.

PRESIDENT YATES: Councilman Kramer.

COUNCILMAN KRAMER: My wife works for a rental company. She works from home. And her responsibility is to collect the rents and to make sure that all the bills are paid for a number of apartment complexes and a number out of rental houses. And so while I am not exactly what the impact of this might be on her it is possible it would have an impact and therefore would create a perceived conflict of interest and for that reason I'll be abstaining.

PRESIDENT YATES: So noted. Thank you, Councilman.

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

MR. CLERK: 17 yes votes, four no votes, three abstentions, one present, and one not voting.

The no votes are Council Members Leet, Parker, Denton, and Ackerson.

Three abstentions are Council Members Kramer, Stuckel, and Benson. The present vote is Council Member Engel.

PRESIDENT YATES: The amended ordinance passes with three abstentions and one present.

Mr. Clerk, a reading of item 24.

MR. CLERK: A RESOLUTION OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT REQUESTING THAT THE KENTUCKY ECONOMIC DEVELOPMENT FINANCE AUTHORITY ADOPT A RESOLUTION PROVIDING FOR THE ISSUANCE OF REVENUE BONDS, THE PROCEEDS OF WHICH WILL PROVIDE FOR THE FINANCING OF THE ACQUISITION, CONSTRUCTION, INSTALLATION AND EQUIPPING OF CERTAIN FACILITIES CONSISTING OF HEALTH CARE AND HEALTH RELATED FACILITIES LOCATED WITHIN THE BOUNDARIES OF LOUISVILLE METRO TO BE OWNED BY MASONIC HOME INDEPENDENT LIVING II, INC.

Read in full.

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

>> So moved.

>> Second.

PRESIDENT YATES: The item is before us.

Councilwoman Hamilton.

COUNCILWOMAN BRYANT HAMILTON: This was passed out of labor and economic development September 13th. It is a resolution requesting to state revenue bonds for financing the acquisition, construction and installation and equipping the Masonic home of independent living, will create 122 apartments of which 48 units will be for assisted living. 85 percent of the units will be presold and have amenities such as movie theater, stage, art studio and gallery. Construction is set to begin in November and will be similar to the existing MIRALEA facility. And we ask for your support.

PRESIDENT YATES: Thank you, Councilwoman.

Councilwoman Denton.

COUNCILWOMAN DENTON: I just wanted to say that I will be abstaining because my husband is an employee of Masonic home building of Kentucky, of which Masonic independent living is a part of.

PRESIDENT YATES: In order to record the abstention, we will ask the clerk to please open the voting on the roll call. Without objection, the voting is closing. The voting is closed.

MR. CLERK: There are 23 yes votes, two abstentions, and one not voting. The two abstentions are from Council Members Denton and Benson.

PRESIDENT YATES: The resolution passes with two abstentions.

Mr. Clerk, a reading of 25.

MR. CLERK: AN ORDINANCE APPROPRIATING \$59,200 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$6,400 EACH FROM DISTRICTS 23, 5; \$11,200 FROM DISTRICT 12; \$9,600 FROM DISTRICT 7; \$4,800 EACH FROM DISTRICTS 3, 10, 11; \$3,200 EACH FROM DISTRICTS 17, 21; \$1,600 EACH FROM DISTRICTS 4, 8, 9; THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO COMMONWEALTH THEATRE CENTER, INC., FOR PROGRAMMING EXPENSES ASSOCIATED WITH PERFORMANCES OF "THE BOY WHO CRIED WOLF." (AS AMENDED).

Read in full.

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

>> So moved.

>> Second.

PRESIDENT YATES: The amended ordinance is before us.
Councilman Blackwell, this came out of your committee.

COUNCILMAN BLACKWELL: It did, Mr. President. And we had some amendments to add on so that's what we have before us here, the amended ordinance to add on additional sponsors.

PRESIDENT YATES: Thank you. Councilman James.

COUNCILMAN JAMES: Thank you, Mr. President. I would like to add \$1,000, please.

PRESIDENT YATES: \$1,000 from district 6. Anyone else in the queue? Seeing none.

Councilwoman Barbara Shanklin.

COUNCILWOMAN SHANKLIN: I'm not sure if this is the bill -- is this the one that I was supposed to sign on for Rangeland Elementary?

>> I don't think so.

COUNCILWOMAN SHANKLIN: Thank you.

PRESIDENT YATES: We just have the \$1,000. May I have a motion and second for approval of the floor amendment?

>> So moved.

>> Second.

PRESIDENT YATES: Is there any further discussion? All those in favor please signify by saying aye. The ayes have it. The \$1,000 floor amendment passes. Any further discussion on this ordinance? Hearing none, this is an ordinance requiring a roll call vote. Without objection, the voting is closing. The voting is closed.

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

PRESIDENT YATES: The amended ordinance passes.

Mr. Clerk, a reading of item 26, please.

MR. CLERK: AN ORDINANCE APPROPRIATING \$3,800 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$1,000 FROM DISTRICT 10; \$500 EACH FROM DISTRICTS 8, 12, 13, 17, 22; AND \$300 FROM DISTRICT 14; (,) THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE LOUISVILLE NATURE CENTER, INC., FOR OPERATING AND PROGRAMMING EXPENSES. (AS AMENDED).

Read in full.

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

>> So moved.

>> Second.

PRESIDENT YATES: The amended ordinance is before us.

Councilman Blackwell.

COUNCILMAN BLACKWELL: Thank you, Mr. President. This too was amended in committee to include additional sponsors. Councilman Mulvihill is the main sponsor and the total ask was \$14,460. Councilman Mulvihill might want to speak to it.

PRESIDENT YATES: Would you like the floor.

COUNCILMAN MULVIHILL: The nature center is the second largest urban forest besides the memorial forest in Louisville. It consists of 41 acres. It has two miles of hiking trails. They do a great job of utilizing volunteers. They have about 300 volunteers who come and work and clear the trails. They have over 70 schools that come for educational programs and they were part of the cultural past last year. So it is the year of the zoo and parks. If you are ever there, check it out.

PRESIDENT YATES: Councilman Hollander.

COUNCILMAN HOLLANDER: District nine would like to add \$500.

PRESIDENT YATES: \$500 from district nine.

Councilman James.

COUNCILMAN JAMES: District 6 would like to add \$300, please.

PRESIDENT YATES: \$300 from district 6.

Councilman Johnson.

COUNCILMAN JOHNSON: \$200.

PRESIDENT YATES: \$200 from District 21.

Councilwoman Flood.

COUNCILWOMAN FLOOD: District 24, \$500.

PRESIDENT YATES: \$500 from District 24.

Mr. Clerk, what is our new total?

MR. CLERK: The new total appropriated amounts I have is \$9,600, being that there were some that were added already.

PRESIDENT YATES: So the new total amount of 9,600. May I have a motion and second for the floor amendment?

>> So moved.

>> Second.

PRESIDENT YATES: Properly moved and seconded. Is there any further discussion? All those in favor please signify by saying aye. The ayes have it. Is there any further discussion on the ordinance?

Hearing none, this is an ordinance requiring a roll call vote. Will the clerk open the voting. Without objection, the voting is closing. The voting is closed.

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

PRESIDENT YATES: The amended ordinance passes.

In accordance with rule five preponderate one two which states a motion to recommit any matter shall be considered without debate. A motion

to reconsider debate shall be made at the next meeting of the council at which time the vote is adopted. So the following is being reconsidered from the September 8th council meeting. May I have a motion and second to reconsider ordinance 301-16?

>> So moved.

>> Second.

PRESIDENT YATES: Properly moved and seconded. All those in favor please signify by saying aye. The ayes have it.

Mr. Clerk, may I have a reading of 27, please.

MR. CLERK: AN ORDINANCE APPROPRIATING \$15,250 AS FOLLOWS: \$2,500 FROM DISTRICT 10,; \$1,200 FROM DISTRICT 14,; \$1,000 EACH FROM DISTRICTS 24, 13, 18 AND 12; \$500 EACH FROM DISTRICTS 1, 2, 4, 8, 17, 5, 20, 22, 7, 19, 9, 15 AND 25; \$300 FROM DISTRICT 14; AND \$250 EACH FROM DISTRICTS 3, 16 AND 21 NEIGHBORHOOD DEVELOPMENT FUNDS, THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO DAY SPRING FOUNDATION, INC., FOR CAPITAL IMPROVEMENTS FOR EXPANSION OF THE OFFICE BUILDING AND COMMUNITY CENTER. (AS AMENDED).

Read in full.

PRESIDENT YATES: Thank you, Mr. Clerk. And the amended ordinance has been before us, motion and seconded.

Mr. Clerk, do we need a motion to suspend the rules on this or are we appropriate the the motion?

MR. CLERK: We are appropriate.

PRESIDENT YATES: That question was brought to our attention. Just wanted to bring it forward.

Councilman Mulvihill.

COUNCILMAN MULVIHILL: I'll briefly speak. Unfortunately, Councilman James was unable to make the last meeting and he wanted to -- I'll speak for Councilman James, and he wanted to add \$500 to the amount.

PRESIDENT YATES: Councilman James, would you like the floor.

COUNCILMAN JAMES: Yes, please. I would like to add \$500, please.

PRESIDENT YATES: We just have to make sure we keep Pat in line.

COUNCILMAN JAMES: Thank you.

PRESIDENT YATES: Is there any further discussion? All those in favor of the \$500 amended ordinance say aye. Opposed? The ayes have it. The floor amendment passes.

There's no further discussion on the floor amendment. This is an ordinance requiring a roll call vote. Would the clerk please open the voting.

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

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

PRESIDENT YATES: The amended ordinance passes.

Councilwoman Green, would you like the floor for a moment?

COUNCILWOMAN GREEN: Briefly. In Committee of the Whole I thanked the colleagues who were able to make it out to the press conference today and I wanted to publicly thank all the colleagues who supported the sunshine technology. We are headed in the right direction. I appreciate the chief taking a look at the technology. Appreciated and thrilled when the president called me this week and the chief called me to

tell me about it. So I think that particularly for those of us who live in and represent distressed areas, I think we need to have that. So I do think today is a good day in the city of Louisville pause we are keeping the main thing the main thing, which is public safety. Thank you.

PRESIDENT YATES: Thank you, Councilwoman.

The next item of business is new business. As you leave the chambers please do so quietly so the clerk may read new business. I would ask those council members who wish to make announcements to remain in the chambers and speak on your system.

The new business items consist of 28 to 42. Would the clerk please read those into the record.

MR. CLERK: The following will be forwarded to the appropriations, NDFs, CIFs committee.

AN ORDINANCE APPROPRIATING \$7,000.00 FROM THE DISTRICT 14 NEIGHBORHOOD DEVELOPMENT FUND TO LOUISVILLE METRO PUBLIC WORKS & ASSETS FOR EXPENSES ASSOCIATED WITH THE DISTRICT 14 FALL 2016 COMMUNITY JUNK DROP OFF EVENT.

AN ORDINANCE APPROPRIATING \$12,500 FROM DISTRICT 10 NEIGHBORHOOD DEVELOPMENT FUNDS, THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE MINISTRIES UNITED OF SOUTH CENTRAL LOUISVILLE, INC., (MUSCL) FOR OPERATING, PROGRAMMING, AND CAPITAL EXPENSES ASSOCIATED WITH ITS SENIOR WELLNESS CENTER LOCATED AT 1016 EAST BURNETT AVENUE.

The following legislation will be assigned to the Budget Committee.

AN ORDINANCE AMENDING ORDINANCE NO. 101, SERIES 2016 AND ORDINANCE NO. 102, SERIES 2016 RELATING TO THE FISCAL YEAR 2016-17

OPERATING AND CAPITAL BUDGET, RESPECTIVELY, BY TRANSFERRING \$12,000 FROM THE DISTRICT 11 NEIGHBORHOOD DEVELOPMENT FUND TO THE DISTRICT 11 CAPITAL INFRASTRUCTURE FUND.

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

APPOINTMENT OF SARAH ROBBINS TO THE CONVENTION AND VISITORS BUREAU COMMISSION. TERM EXPIRES AUGUST 31, 2019.

APPOINTMENT OF DANNY DESPAIN TO THE KENTUCKIANA WORKS-GREATER LOUISVILLE WORKFORCE DEVELOPMENT BOARD. TERM EXPIRES JULY 28, 2019.

APPOINTMENT OF SHANNON FLOYD TO THE LIBRARY ADVISORY COMMISSION. TERM EXPIRES DECEMBER 31, 2018.

APPOINTMENT OF DR. FLORENCE CHANG TO THE LIBRARY ADVISORY COMMISSION. TERM EXPIRES DECEMBER 31, 2018.

APPOINTMENT OF OLUWAFUNMITO (FUNTO) SETON TO THE LIBRARY ADVISORY COMMISSION. TERM EXPIRES DECEMBER 31, 2018.

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

A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW PROFESSIONAL SERVICE CONTRACT - (UNIVERSITY OF LOUISVILLE - \$160,522.76).

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).

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

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

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A LOUISVILLE OLMSTEAD PARKS CONSERVANCY, INC., DONATION UP TO \$365,000 SUPPORTING PLANNING, DESIGNING AND CONSTRUCTION OF VICTORY PARK IMPROVEMENTS THROUGH THE LOUISVILLE METRO PARKS & RECREATION DEPARTMENT.

The following legislation will be assigned to the community affairs and housing committee.

A RESOLUTION HONORING THE LIFE AND LEGACY OF MR. ARCH GLEASON.

The following legislation will be assigned to the Planning/Zoning land design and development committee.

AN ORDINANCE CHANGING THE ZONING FROM EZ-1 ENTERPRISE ZONE TO M-3 INDUSTRIAL ON PROPERTY LOCATED AT 7310, 7400 AND 7402 GRADE LANE CONTAINING 2.62 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 16ZONE1021).

AN ORDINANCE CHANGING THE ZONING FROM R-7 MULTI-FAMILY RESIDENTIAL TO C-R COMMERCIAL/RESIDENTIAL ON PROPERTIES LOCATED AT 1225 AND 1231 WEST JEFFERSON STREET CONTAINING 1.884 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 16ZONE1000).

Read in full.

PRESIDENT YATES: Thank you, Mr. Clerk. With no further business to address and without objection, we are adjourned. However, next we have announcements. First item in the queue is Councilman Tom Owen.

COUNCILMAN OWEN: Thank you, Mr. President. Just a couple quick notes. It is getting towards the end of the month and the last Saturday of every month occasionally I have to rearrange that, the last Saturday of every month I sit in a coffee shop in the eighth district somewhere along the Bardstown Road Baxter corridor. And I sit there and I sit there until somebody comes or no one comes. Well, this Saturday the 24th I'll be sitting at the Starbucks at 972 Baxter Avenue. Be there at 9:00. I'll leave at 11:00. And I invite any of my constituents or anybody else in the community to stop by, and I will lend them my ear. Whatever is on their mind, they can bring up with me. That's Talk With Tom this Saturday the 24th, 9:00 to 11:00.

And then finally this is just an annual event that happens. It is in the eighth district, but it supports the work of the Highlands community ministries. There is a fundraiser called empty bowls. It is us a it is always at Bellarmine. You can get a bowl of soup or bread to go with it. Empty bowls, fundraiser for Highland community ministries.

Thank you very much, Mr. President.

Thank you very much.

Councilmen Glen Stuckel.

COUNCILMAN STUCKEL: Thank you, President Yates. I want to take a moment of personal privilege and wish my wife joy a happy 59th anniversary tonight. We have had a wonderful life. She is a wonderful mother, grandmother, great grandmother, and has stuck with me through all kinds of good times and bad times. And that's what it takes when you are married for 59 years. I am so happy that we found each other and we were married and have had such a great life.

PRESIDENT YATES: Thank you, Councilman. Happy Birthday, Joy.
Happy anniversary.

All right, without objection, we are adjourned.

[Regular Meeting adjourned.]