



**Action Summary - Tentative
Committee on Committees**

*Council President David James (D-6)
Vice Chair Markus Winkler (D-17)
Committee Member Mark Fox (D-13)
Committee Member Kevin Kramer (R-11)
Committee Member Scott Reed (R-16)*

Tuesday, February 4, 2020

4:00 PM

Council Chambers

THIS IS CONSIDERED A SPECIAL MEETING

Call to Order

Council President James called the meeting to order at 4:09 p.m.

Roll Call

Council President James introduced the committee members and non-committee member present. A quorum was established.

Present: 5 - Chair Person David James (D-6), Vice Chair Markus Winkler (D-17), Committee Member Mark H. Fox (D-13), Committee Member Kevin Kramer (R-11), and Committee Member Scott Reed (R-16)

Non-Committee Member(s)

Council Member Cindi Fowler (D-14)

Support Staff

Sarah Martin, Jefferson County Attorneys Office
Jason Fowler, Jefferson County Attorneys Office

Clerk

Sonya Harward, Clerk

New Business

Council President James asked the Clerk to read the following committee assignments into the record:

Legislation assigned to METRO COUNCIL (Special Legislation)1. [R-023-20](#)

A RESOLUTION APPROVING THE COMMITTEE MEETING SCHEDULE OF THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (“COUNCIL”) FOR THE CALENDAR YEAR 2020.

Sponsors: Primary David James (D-6)

Attachments: [R-023-20 V.1 020620 - 2020 Metro Council Calendar.pdf](#)

[ATTACH Draft 2020 Metro Council Calendar \(updated 1-30-20\).pdf](#)

2. [OR-002-20](#)

AN ORDER TO APPROVE A \$10,000 PERFORMANCE BOND FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CLERK FOR JANUARY 9, 2020 THROUGH JANUARY 4, 2021.

Sponsors: Primary David James (D-6)

Attachments: [OR-002-20 v.1 020620 - Bond for Council Clerk.pdf](#)

[OR-002-20 v.1 020620 - ATTACH BOND.pdf](#)

Legislation assigned to APPROPRIATIONS COMMITTEE3. [O-029-20](#)

AN ORDINANCE AMENDING ORDINANCE NO. 081, SERIES 2019, RELATING TO THE FISCAL YEAR 2019-2020 OPERATING BUDGET FOR LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, BY TRANSFERRING \$10,000 FROM THE NEIGHBORHOOD DEVELOPMENT FUND (DISTRICT 12) TO LOUISVILLE METRO COUNCIL GENERAL OPERATIONS (DISTRICT 12).

Sponsors: Primary Rick Blackwell (D-12)

4. [O-032-20](#)

AN ORDINANCE AMENDING ORDINANCE NO. 81, SERIES 2019 AND ORDINANCE NO. 82, SERIES 2019 RELATING TO THE FISCAL YEAR 2019-2020 OPERATING AND CAPITAL BUDGETS, RESPECTIVELY, BY TRANSFERRING \$37,000 FROM THE DISTRICT 22 NEIGHBORHOOD DEVELOPMENT FUND TO THE DISTRICT 22 CAPITAL INFRASTRUCTURE FUND.

Sponsors: Primary Robin Engel (R-22)

Legislation assigned to BUDGET COMMITTEE

5. [O-035-20](#)

AN ORDINANCE REPEALING AND REPLACING ORDINANCE NUMBER 169, SERIES 2019 PASSED ON NOVEMBER 7, 2019 AND APPROVING A FORGIVABLE LOAN PURSUANT TO LOUISVILLE METRO CODE OF ORDINANCES § 39.131, TO REBOUND, INC. ON BEHALF OF THE COMMUNITY FOUNDATION OF LOUISVILLE, INC. AND REBOUND, INC. FOR THE DEVELOPMENT OF FOURTEEN UNITS OF MARKET RATE HOUSING IN THE RUSSELL NEIGHBORHOOD.

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

Attachments: [O-035-20 V.1 020620 Replacing Ord 169, 2019 for Forgivable Loan to Rebound, Inc for 14 Units of Housing in Russell Neighborhood.pdf](#)

6. [O-036-20](#)

AN ORDINANCE AMENDING CHAPTER XX OF THE LOUISVILLE METRO CODE OF ORDINANCES BY CREATING A NEW SECTION REGARDING A SURCHARGE ON TICKETS AND A TAX ON RESTAURANT GROSS RECEIPTS.

Sponsors: Primary Brent Ackerson (D-26)

Attachments: [O-036-20 V.1 020620 New LMCO Section for Surcharge on Tickets & Tax on Restaurant Gross Receipts.pdf](#)

Legislation assigned to COMMUNITY AFFAIRS, HEALTH AND EDUCATION COMMITTEE

7. [R-021-20](#)

A RESOLUTION HONORING REVEREND HERMAN WAYNE COLBERT BY DEDICATING THE NORTHEAST CORNER OF SOUTH 11TH AND 7TH STREETS AS “REVEREND H. WAYNE COLBERT WAY” IN HIS HONOR.

SPONSORED BY: PRESIDENT DAVID JAMES

Sponsors: Primary David James (D-6)

Attachments: [R-021-20 V.1 020620 – Honorary Sign for Rev. Colbert.pdf](#)

Legislation assigned to GOVERNMENT OVERSIGHT AND AUDIT

8. [ID 20-0200](#)

Revenue Commission - NaomiRose Paulin (New Appointment)

Attachments: [APT Revenue Commission 020620.pdf](#)

9. [ID 20-0201](#)

Okolona Fire Protection District Board - John Vickers (New Appointment)

Attachments: [APT Okolona Fire Protection 020620.pdf](#)

10. [ID 20-0203](#)

Kentuckiana Works - Greater Louisville Workforce Development Board - Eric Friggle, Sarah Davasher-Wisdom (New Appointment)

Attachments: [APT Kentuckiana Works WKD 020620.pdf](#)

11. [ID 20-0205](#)

Planning Commission - Patricia Seitz (Reappointment)

Attachments: [REAPT Planning Commission 020620.pdf](#)

Legislation assigned to LABOR AND ECONOMIC DEVELOPMENT COMMITTEE12. [R-010-20](#)

AN RESOLUTION RATIFYING AND APPROVING A COLLECTIVE BARGAINING AGREEMENT (DECEMBER 31, 2019 THROUGH JUNE 30, 2024) RELATING TO WAGES, HOURS, AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT BETWEEN LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AND TEAMSTERS LOCAL 783 AFFILIATED WITH THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS OF AMERICA REPRESENTING LOUISVILLE EMERGENCY MEDICAL SERVICES/METRO SAFE DEPARTMENT.

Sponsors:Primary David Yates (D-25)

Attachments: [R-010-20 V.1 020620 - ATTACH Teamsters Local 783.pdf](#)
[R-010-20 V.1 020620 - Teamsters Local 783CBA.pdf](#)

13. [R-011-20](#)

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

Sponsors:Primary David Yates (D-25)

Attachments: [R-011-20 V.1 020620 - DPL FINANCIAL PARTNERS, LLC.pdf](#)
[R-011-20 V.1 020620 - ATTACH DPL FINANCIAL PARTNERS, LLC.pdf](#)

14. [R-014-20](#)

A RESOLUTION SUPPORTING SUBMITTAL OF AN ECONOMIC DEVELOPMENT FUND APPLICATION TO THE KENTUCKY ECONOMIC DEVELOPMENT CABINET BY THE LOUISVILLE & JEFFERSON COUNTY RIVERPORT AUTHORITY FOR THE PREPARATION OF AN INDUSTRIAL PARK WITHIN LOUISVILLE/JEFFERSON COUNTY FOR FUTURE DEVELOPMENT.

Sponsors:Primary Anthony Piagentini (R-19)

Attachments: [R-014-20 V.1 020620 ECONOMIC DEV. FUND - RIVERPORT.pdf](#)

[Riverport Original Application.xlsx](#)

[Sample EDF Resolution Letter.pdf](#)

15. [R-020-20](#)

AN RESOLUTION RATIFYING AND APPROVING A COLLECTIVE BARGAINING AGREEMENT (FROM THE DATE OF ITS APPROVAL THROUGH JUNE 30, 2024) BETWEEN LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AND THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO, LOCAL 2629 (“AFSCME”) RELATING TO WAGES, HOURS, AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT OF ITS MEMBERS IN LOUISVILLE METRO CORRECTIONS DEPARTMENT.

Sponsors:Primary David Yates (D-25)

Attachments: [R-020-20 V.1 020620 –Res CBA AFL-CIO 2629.pdf](#)

[AFSCME Corrections Civilian CBA.pdf](#)

16. [R-024-20](#)

A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED SOLE SOURCE CONTRACT FOR METROSAFE CONCERNING 911 SYSTEM SUPPORT, UPGRADES, MAINTENANCE AND INSTALLATION - (AT&T CORP. - \$3,000,000.00).

Sponsors:Primary David Yates (D-25)

Attachments: [R-024-20 V.1 020620 - METROSAFE 911 - ATT.pdf](#)

[R-024-20 ATTACH 020620 -METROSAFE 911 - ATT.pdf](#)

[AT&T Corp resolution ES.pdf](#)

17. [O-026-20](#)

AN ORDINANCE AWARDING A COMMUNICATIONS SERVICES FRANCHISE TO SQF, LLC PURSUANT TO THE TERMS AND CONDITIONS IN CHAPTER 116 OF THE LOUISVILLE METRO CODE OF ORDINANCES.

Sponsors: Primary Brandon Coan (D-8)

Attachments: [O-026-20 V.1 020620 Communications Franchise - SQF.pdf](#)

[O-026-20 V.1 020620 - EXHIBIT A.pdf](#)

[O-026-20 V.1 020620 - EXHIBIT B.pdf](#)

Legislation assigned to PLANNING AND ZONING COMMITTEE18. [O-020-20](#)

AN ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY TO PRD PLANNED RESIDENTIAL DEVELOPMENT ON PROPERTY LOCATED AT 8700 SMITH LANE CONTAINING 7.937 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 19ZONE0026).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [19-ZONE-0026 PC Minutes_01.09.20.pdf](#)

[O-020-20 V.1 020620 Rezoning from R4 to PRD at 8700 Smith Ln_19ZONE0026.pdf](#)

[19-ZONE-0026_LDT Minutes_01.09.20.pdf](#)

[19-ZONE-0026 staff rpts.pdf](#)

[19-ZONE-0026_appl justification stmt.pdf](#)

[19-ZONE-0026_applicants booklet.pdf](#)

[19-ZONE-0026_legal desc.pdf](#)

[19-ZONE-0026_Noise Impact Study.pdf](#)

[19-ZONE-0026_Plan_01.09.20.pdf](#)

19. [O-021-20](#)

AN ORDINANCE CHANGING THE ZONING FROM R-6 RESIDENTIAL MULTI-FAMILY TO C-2 COMMERCIAL ON PROPERTY LOCATED AT 1008 E. OAK STREET CONTAINING 0.086 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 19ZONE0048).

Sponsors: Primary Madonna Flood (D-24)

Attachments: [19-ZONE-0048_PC_Minutes_01.09.20.pdf](#)

[O-021-20 V.1 020620 Rezoning from R6 to C2 at 1008 E Oak St 19ZONE0048.pdf](#)

[19-ZONE-0048_LDT_Minutes_12.12.19.pdf](#)

[19-ZONE-0048_staff_rpts.pdf](#)

[19-ZONE-0048_Applicants_justification_stmt.pdf](#)

[19-ZONE-0048_legal_desc.pdf](#)

[19-ZONE-0048_Plan_01.09.20.pdf](#)

20. [O-022-20](#)

AN ORDINANCE RELATING TO THE ZONING OF PROPERTY LOCATED AT 4612 PRESTON HIGHWAY CONTAINING APPROXIMATELY 1.72 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 19ZONE0054)

Sponsors: Primary Madonna Flood (D-24)

Attachments: [19-ZONE-0054_PC_Minutes_01.09.20.pdf](#)

[O-022-20 V.1 020620 Rezoning from C1 to C2 at 4612 Preston Hwy 19ZONE0054.pdf](#)

[19-ZONE-0054_LDT_Minutes_12.12.19.pdf](#)

[19-ZONE-0054_staff_rpts.pdf](#)

[19-ZONE-0054_applicants_booklet.pdf](#)

[19-ZONE-0054_Applicants_justification_stmt.pdf](#)

[19-ZONE-0054_geotech_study.pdf](#)

[19-ZONE-0054_legal_desc.pdf](#)

[19-ZONE-0054_Plan_01.09.20.pdf](#)

21. [O-023-20](#)**AN ORDINANCE RELATING TO THE ZONING OF PROPERTY LOCATED AT 1219 GILMORE LANE CONTAINING APPROXIMATELY 0.381 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 19ZONE0069)**

Sponsors: Primary Madonna Flood (D-24)

Attachments: [19-ZONE-0069 PC Minutes 01.09.20.pdf](#)

[O-023-20 V.1 020620 Rezoning from C1 to C2 at 1219 Gilmore Ln 19ZONE0069.pdf](#)

[19-ZONE-0069 LDT Minutes 12.12.19.pdf](#)

[19-ZONE-0069 staff rpts.pdf](#)

[19-ZONE-0069 applicants justification stmt.pdf](#)

[19-ZONE-0069 citizen letter.pdf](#)

[19-ZONE-0069 legal desc.pdf](#)

[19-ZONE-0069 Plan 01.09.20.pdf](#)

22. [O-025-20](#)**AN ORDINANCE RELATING TO THE ZONING OF PROPERTIES LOCATED AT 3109, 3115, AND 3119 CHENOWETH RUN ROAD CONTAINING APPROXIMATELY 4.16 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 19ZONE0023)**

Sponsors: Primary Madonna Flood (D-24)

Attachments: [19-ZONE-0023 PC Minutes.pdf](#)

[O-025-20 V.1 020620 Zoning to Remain R4 at 3109-3119 Chenoweth Run Rd 19ZONE0023.pdf](#)

[19-ZONE-0023 Other Minutes.pdf](#)

[19-ZONE-0023 Staff Reports.pdf](#)

[19-ZONE-0023 Legal Description.pdf](#)

[19-ZONE-0023 Applicant Booklets.pdf](#)

[19-ZONE-0023 Applicant Studies.pdf](#)

[19-ZONE-0023 Opposition Booklet.pdf](#)

[19-ZONE-0023 Opposition Letters.pdf](#)

[19-ZONE-0023 Public Materials.pdf](#)

[19-ZONE-0023 Plan.pdf](#)

Legislation assigned to PUBLIC SAFETY COMMITTEE23. [O-038-20](#)

AN ORDINANCE AMENDING LOUISVILLE METRO CODE OF ORDINANCE 91.023(D) TO CLARIFY RESPONSIBILITIES OF LICENSE AND PERMIT HOLDERS RELATING TO THE ANIMAL ABUSE OFFENDER REGISTRY.

Sponsors: Primary Brandon Coan (D-8)

Attachments: [O-038-20 V.1 020620 ORD - AMENDMENT TO ANIMAL OFFENDER REGISTRY.pdf](#)

Legislation assigned to PUBLIC WORKS COMMITTEE24. [R-013-20](#)

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT \$152,000 OF FUNDING FROM THE KENTUCKY FAIR BOARD AND \$75,000 FROM THE LOUISVILLE/JEFFERSON COUNTY VISITORS AND CONVENTION COMMISSION FOR THE PHILLIPS LANE SIDEWALK PROJECT TO BE ADMINISTERED BY PUBLIC WORKS & ASSETS.

Sponsors: Primary Nicole George (D-21)

Attachments: [R-013-20 V.1 020620 Mayor Accept \\$152K from KFB and \\$75K from VCC for Phillips Ln Sidewalk Project.pdf](#)
[RES \\$227,000 KFB and LVCC Phillips Ln Sidewalk Prj PWA JAN2020.pdf](#)

Pending Legislation

25. [R-177-19](#)

A RESOLUTION AMENDING SECTION 4.07 OF THE RULES OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT COUNCIL TO GIVE METRO COUNCIL THE OPTION OF REQUESTING A FINANCIAL IMPACT STATEMENT ON RESOLUTIONS PENDING BEFORE COUNCIL.

Sponsors: Primary Cindi Fowler (D-14)

Attachments: [R-177-19 V.1 120919 Amend Rules RE Financial Impact Statement.pdf](#)
[metro_council_rules_as_amended_on_10-28-19.pdf](#)

A motion was made by Vice Chair Winkler, seconded by Committee Member Reed, that this Resolution be untabled. The motion carried by a voice vote.

Council Member Fowler explained that this Resolution was initiated due to discussions regarding the financial impact the Clean Energy Resolution [R-102-19] will have on Metro Government. She pointed out that the paperwork to request a Financial Impact Statement included language regarding Resolutions though the Council Rules do not. She also mentioned that the Jefferson County Attorney's Office could not find an instance when a Financial Impact Statement was requested pursuant to a Resolution. She concluded by saying that the Council should have the ability to do a Financial Impact Statement on anything that comes before it that needs funding.

There was some discussion between Committee Member Kramer and Council President James regarding whether a Financial Impact Statement can be requested for a Resolution since it can be requested for an Ordinance, what the intent was of the Council Rule, and why this Resolution is necessary. Sarah Martin, Jefferson County Attorney's Office, stated that, prior to the revisions to the Council Rules that were adopted last year, the Council sometimes used "Ordinance" to also mean "Resolution" and the Council would interpret each depending on past practices. She explained that during the review and preparation of the revisions to the Council Rules the Workgroup assigned to that task deliberately decided whether each particular Rule was to consider an "Ordinance," "Order," or "Resolution," and the revisions were adopted by the Council. She stated that there were 92 places where "Ordinance" and "Resolution" are both considered and that Council Rule 4.07 is one of the few places where this is not the case. She also stated that the Council interprets its own rules and can move forward with requesting a Financial Impact Statement for a Resolution, but her office suggested to Council Member Fowler that Council Rule 4.07 be amended to include "Resolution" since it appears to be a deliberate decision not to have included it initially.

The motion to approve carried by a voice vote and the Resolution was sent to Special Legislation to be heard before the full Council at the Metro Council Meeting on February 6, 2020.

Adjournment

Without objection, Council President James adjourned the meeting at 4:28 p.m.

Clerk's Note: There was an error in loading the meeting that made the Final Agenda for this meeting and the information provided electronically to the Committee Members not match. The Final Agenda was the correct document used for actions taken at this meeting.