

Louisville Metro Government

601 W. Jefferson Street
Louisville, KY 40202



Action Summary - Final

Monday, January 5, 2015

5:00 PM

ORGANIZATIONAL MEETING

Council Chambers

Metro Council

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

*President: Jim King (10)
Pro-Tem: David James (6)*

Call to Order

According to Section 2.02 of the Metro Council Rules, the President had notified the Clerk of his absence for this meeting and therefore President pro tem, David James chaired this meeting of the Metro Council.

President pro tem David James called the meeting to order at 6:06 PM and asked all to rise for the Pledge of Allegiance.

Reading of the Certificates of Election - Introduction of Newly Elected Council Members

The Clerk read the Certificates of Election into the record. See attachments.

Members Roll Call:

Present: 24 - Council Member Jessica Green (D-1), Council Member Barbara Shanklin (D-2), Council Member Mary C. Woolridge (D-3), Council Member David Tandy (D-4), Council Member Cheri Bryant Hamilton (D-5), Council Member David James (D-6), Council Member Angela Leet (R-7), Council Member Tom Owen (D-8), Council Member Bill Hollander (D-9), Council Member Kevin Kramer (R-11), Council Member Rick Blackwell (D-12), Council Member Vicki Aubrey Welch (D-13), Council Member Cindi Fowler (D-14), Council Member Marianne Butler (D-15), Council Member Kelly Downard (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), Council Member James Peden (R-23), Council Member Madonna Flood (D-24) and Council Member Brent Ackerson (D-26)

Excused: 2 - Council President Jim King (D-10) and Council Member David Yates (D-25)

Jefferson County Attorney

Sarah Martin, Assistant County Attorney, Paul Whitty, Assistant County Attorney, and Nick Lococo, Assistant County Attorney

Clerks

H. Stephen Ott, CKMC and Mary Whitlock, CKMC

Welcome to the Newly Elected Council Members

President pro tem introduced and welcomed the following new Council Members: Jessica Green (D-1), Angela Leet (R-7), Bill Hollander (D-9), and Julie Denton (R-19).

Council Member Shanklin called for a recess. Without objection President pro tem James honored a fifteen minute recess beginning at 5:17PM and ending at 5:32PM.

Election of Metro Council President - 2015

ID 15-019**Election of Metro Council President - 2015**

With Councilwoman Butler's nomination, District 10 Councilman Jim King, having acquired the necessary votes, is the President of the Metro Council for 2015. The voting tabulation follows:

Yes: 15 - Green, Shanklin, Woolridge, Tandy, Hamilton, James, Owen, Hollander, Blackwell, Welch, Fowler, Butler, Johnson, Flood and Ackerson

Present: 9 - Leet, Kramer, Downard, Stuckel, Parker, Denton, Benson, Engel and Peden

Excused: 2 - King and Yates

Comments by the newly elected Council President

Councilwoman Butler read the following comment from President King into the record:

"Colleagues, it is my distinct honor and privilege to accept your nomination and vote for Metro Council President. Your continuing support and confidence by electing me to a fifth consecutive term as President is both appreciated and humbling. I am so sorry that an illness prevents me from joining you this evening. Please rest assured that I am looking forward to leading this very talented body in 2015 and to addressing the challenges and opportunities that lie before us. I will be forwarding additional comments and goals to you in the near future. As I have said in the past, my election as President does not put me in charge. It puts me in position of service to you since any power the President has comes from you.

Thank you.

Pres. Jim"

Election and Swearing in of Metro Council Clerk - 2015**ID 15-020****Election of Metro Council Clerk - 2015**

With Councilman Engel's nomination, H. Stephen Ott, having acquired the necessary votes, is the Clerk of the Metro Council for 2015. The Honorable Judge Ann Bailey Smith, 13th Circuit Court, administered the Oath of Office to the Clerk. The voting tabulation follows:

Yes: 24 - Green, Shanklin, Woolridge, Tandy, Hamilton, James, Leet, Owen, Hollander, Kramer, Blackwell, Welch, Fowler, Butler, Downard, Stuckel, Parker, Denton, Benson, Johnson, Engel, Peden, Flood and Ackerson

Excused: 2 - King and Yates

Council Minutes

1. ID 14-1601**Regular: Metro Council Meeting - December 18, 2014****Attachments:** [12-18-14 Action Summary](#)[O-470-14 PROPOSED AMENDMENT 1 FOWLER FLOOR AMEND
MINIMUM WAGE
12-18-14 UNEDITED Transcript](#)

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

Committee Minutes**2. ID 14-1602****Regular: Committee of the Whole - December 18, 2014****Attachments:** [COW Action Summary 12-18-14](#)**3. ID 14-1603****Regular: Budget Committee - January 5, 2015****Attachments:** [010515 Budget Action Summary](#)
[010515 PowerPoint](#)

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

Communication From Planning and Design Services

The Clerk read the following appointment into the record. This appointment needing Council approval was assigned to the Committee on Appointments.

4. ID 15-013**Clifton Architectural Review Committee - Jessica Murphy (New Appointment)****Attachments:** [ARC Appointment Jessica Murphy Redacted](#)**Special Legislation - Performance Bonds****5. R-001-15****A RESOLUTION RATIFYING A PERFORMANCE BOND FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CLERK FOR THE 2015-2016 PERIOD.****Sponsors:** Marianne Butler (D-15)**Attachments:** [RES 001 2015](#)

A motion was made by Council Member Owen, seconded by Council Member Shanklin, that this Resolution be adopted. The motion carried by a voice vote.

Enactment No: Resolution 001-2015

Without objection, the President pro tem moved the following elected officials and appointees having secured bonds for their respective office, in the described amount and pursuant to the applicable KRS.

The Clerk read the following Motions into the record.

6. M-001-15

A MOTION TO APPROVE A \$2,000 FAITHFUL PERFORMANCE BOND FOR EACH DEPUTY CORONER AS LISTED ON ATTACHMENT A, IN THEIR CAPACITY AS JEFFERSON COUNTY, KENTUCKY DEPUTY CORONER.

Enactment No: Motion 001-2015**7. M-002-15**

A MOTION TO APPROVE A \$10,000 FAITHFUL PERFORMANCE BOND FOR BARBARA WEAKLEY-JONES IN HER CAPACITY AS JEFFERSON COUNTY CORONER OF JEFFERSON COUNTY, KENTUCKY.

Enactment No: Motion 002-2015**8. M-003-15**

A MOTION TO APPROVE TWO SEPARATE FAITHFUL PERFORMANCE BONDS, AND THE AMOUNTS THEREOF, FOR JOHN E. AUBREY IN HIS CAPACITY AS SHERIFF OF JEFFERSON COUNTY, KENTUCKY.

Enactment No: Motion 003-2015**9. M-004-15**

A MOTION TO APPROVE A \$500,000 FAITHFUL PERFORMANCE BOND FOR BARBARA A. HOLSCLOW IN HER CAPACITY AS JEFFERSON COUNTY CLERK OF JEFFERSON COUNTY, KENTUCKY.

Enactment No: Motion 004-2015**10. M-005-15**

A MOTION TO APPROVE A \$10,000 FAITHFUL PERFORMANCE BOND FOR QUEENIE AVERETTE IN HER CAPACITY AS COUNTY JUDGE EXECUTIVE OF JEFFERSON COUNTY, KENTUCKY.

Enactment No: Motion 005-2015**11. M-006-15**

A MOTION TO APPROVE A \$10,000 FAITHFUL PERFORMANCE BOND FOR RICHARD S. MATHENY IN HIS CAPACITY AS JEFFERSON COUNTY SURVEYOR OF JEFFERSON COUNTY, KENTUCKY.

Enactment No: Motion 006-2015

12. M-007-15

A MOTION TO APPROVE A \$10,000 FAITHFUL PERFORMANCE BOND FOR GEORGE EDWARD WILSON IN HIS CAPACITY AS JEFFERSON COUNTY CONSTABLE OF JEFFERSON COUNTY, KENTUCKY.

Enactment No: Motion 007-2015

13. M-008-15

A MOTION TO APPROVE A \$10,000 FAITHFUL PERFORMANCE BOND FOR JOHN ZEHNDER IN HIS CAPACITY AS JEFFERSON COUNTY CONSTABLE OF JEFFERSON COUNTY, KENTUCKY.

Enactment No: Motion 008-2015

14. M-009-15

A MOTION TO APPROVE A \$10,000 FAITHFUL PERFORMANCE BOND FOR MICHAEL THOMPSON IN HIS CAPACITY AS JEFFERSON COUNTY CONSTABLE OF JEFFERSON COUNTY, KENTUCKY.

Enactment No: Motion 009-2015

Having been read into the record, the motions carried by a voice vote.

Consent Calendar

Legislation forwarded from BUDGET**15. O-576-14**

AN ORDINANCE AMENDING ORDINANCE NO. 184, SERIES 2014 WHICH SHOULD HAVE READ AS FOLLOWS: APPROPRIATING (\$4,750) (\$5,750) \$7,250 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$1,000 EACH FROM DISTRICTS 13, 24; \$500 EACH FROM DISTRICTS 8, 21, 6, 1; \$250 EACH FROM DISTRICTS 16, 22, 17, 12, 10, 26, 9, 2, 3, 5, 14, 15, 25; THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE COALITION FOR THE HOMELESS, INC. FOR PROGRAMMING EXPENSES ASSOCIATED WITH THE "GIVE-A-JAM" EVENT TO RAISE FUNDS FOR HOMELESS EDUCATION AND YOUTH PROGRAMS; AND SPONSORED BY: COUNCIL MEMBERS AUBREY WELCH, FLOOD, OWEN, JOHNSON, DOWNARD, ENGEL, STUCKEL, BLACKWELL, KING, ACKERSON, WARD-PUGH, JAMES, SCOTT, SHANKLIN, WOOLRIDGE, BRYANT HAMILTON, FOWLER, BUTLER, YATES. (Action Required By: June 2015)

Sponsors: Vicki Aubrey Welch (D-13)

Attachments: [SKMBT_C45414121109110](#)

[ORD 001 2015](#)

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

Yes: 24 - Green, Shanklin, Woolridge, Tandy, Hamilton, James, Leet, Owen, Hollander, Kramer, Blackwell, Welch, Fowler, Butler, Downard, Stuckel, Parker, Denton, Benson, Johnson, Engel, Peden, Flood and Ackerson

Excused: 2 - King and Yates

Enactment No: Ordinance 001-2015

Old Business

16. O-544-14

AN ORDINANCE AMENDING THE UNIVERSITY OF LOUISVILLE DEVELOPMENT AREA (THE "DEVELOPMENT AREA"), AS ADOPTED BY ORDINANCE NO. 199, SERIES 2010, TO AMEND THE BOUNDARIES OF THE DEVELOPMENT AREA, TO ADOPT AN ADDENDUM FOR THE DEVELOPMENT PLAN FOR THE DEVELOPMENT AREA, AMENDING THE LOCAL PARTICIPATION AGREEMENT FOR THE DEVELOPMENT AREA, 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. (Action Required By: May 2015)

Sponsors: Marianne Butler (D-15)

Attachments: [O-544-14 ATTACH UNIVERSITY OF LOUISVILLE DEVELOPMENT AREA AMENDMENT](#)
[O-544-14 ATTACH2 UNIVERSITY OF LOUISVILLE DEVELOPMENT AREA AMENDMENT](#)
[Proposed Ackerson Amendmet 2](#)
[Proposed Ackerson Amendmet 3](#)
[Proposed Ackerson Amendmet 4](#)
[Proposed Ackerson Amendmet 1](#)
[Proposed Ackerson Amendment Map](#)
[010515 PowerPoint](#)
[UofL Belknap Aerial Exhibit \(Revised 10-06-2014\) RS](#)
[ORD 002 2015](#)

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

A motion was made by Council Member Ackerson, seconded by Council Member Johnson, that the Ordinance be amended by eliminating the 24.1 acres from the TIFF area in the northeast portion. Where an amendment allows for a voice vote, the President pro tem called for a roll call vote to allow for abstentions. The motion failed by the following vote:

Yes: 2 - Johnson and Ackerson

No: 16 - Woolridge, Tandy, Hamilton, Kramer, Blackwell, Welch, Fowler, Butler, Downard, Stuckel, Parker, Denton, Benson, Engel, Peden and Flood

Excused: 2 - King and Yates

Abstain: 6 - Green, Shanklin, James, Leet, Owen and Hollander

A motion to Call the Question was made by Council Members Butler and seconded by Council Member Engel. Without objection the question was called.

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

Yes: 17 - Woolridge, Tandy, Hamilton, Kramer, Blackwell, Welch, Fowler, Butler, Downard, Stuckel, Parker, Denton, Benson, Johnson, Engel, Peden and Flood

Present: 1 - Ackerson

Excused: 2 - King and Yates

Abstain: 6 - Green, Shanklin, James, Leet, Owen and Hollander

Enactment No: Ordinance 002-2015

New Business

Legislation assigned to COMMITTEE ON APPOINTMENTS

17. AP010515JM

APPOINTMENT OF JESSICA MURPHY TO THE CLIFTON ARCHITECTURAL REVIEW COMMITTEE. TERM EXPIRES DECEMBER 18, 2017. (Action Required By: July 2015)

Attachments: [ARC Appointment Jessica Murphy Redacted](#)

Legislation assigned to PLANNING/ZONING, LAND DESIGN and DEVELOPMENT

18. O-586-14

AN ORDINANCE CLOSING A 20' WIDE ALLEY LOCATED ON THE NORTH SIDE OF EASTBOURNE AVENUE, RUNNING BETWEEN THE PROPERTIES AT 3301 EASTBOURNE AVENUE AND 135-141 NORTH CRESTMOOR AVENUE CONTAINING 3,461 SQUARE FEET AND BEING IN LOUISVILLE METRO (CASE NO. 14STREETS1009). (Action Required By: March 4, 2015)

Sponsors:Madonna Flood (D-24)

Attachments: [14STREETS1009 PC minutes 12.04.14](#)
[14STREETS1009 legal desc with plat](#)
[14STREETS1009 staff reports](#)
[14STREETS1009 DRC minutes 12.03.14](#)
[14STREETS1009 plat only](#)

19. O-587-14

AN ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY TO OR-3 OFFICE/RESIDENTIAL ON PROPERTY LOCATED AT 12610 LA GRANGE ROAD CONTAINING 3.3 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 14ZONE1036). (Action Required By: March 4, 2015)

Sponsors:Madonna Flood (D-24)

Attachments: [14ZONE1036 PC minutes 12.04.14](#)

[14ZONE1036 legal desc](#)

[14ZONE1036 staff reports \(2\)](#)

[14ZONE1036 LDT minutes 11.13.14](#)

[14ZONE1036 appl justification](#)

[12 04 14 PH Exhibits Book sent 11.25.14](#)

[14ZONE1036 FOF](#)

Adjournment

A motion was made by Council Member Owen that the meeting be adjourned.
Without objection the meeting adjourned at 6:43PM.

Addendum

The following items were assigned to the Budget Committee. On January 9, 2015 President King reassigned the three items to the Ad Hoc Committee on Budget.

20. O-001-15

AN ORDINANCE OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, PROVIDING FOR AND AUTHORIZING THE ISSUANCE OF CERTAIN GENERAL OBLIGATION BONDS AND NOTES OF THE METRO GOVERNMENT IN ONE OR MORE SERIES TO FINANCE THE COSTS OF THE DEVELOPMENT OF THE CENTER CITY PROJECT IN THE LOUISVILLE DOWNTOWN REVITALIZATION DISTRICT DEVELOPMENT AREA; SETTING FORTH THE TERMS AND CONDITIONS ON WHICH THE BONDS AND NOTES ARE TO BE ISSUED AND PROVIDING FOR A COMPETITIVE, ADVERTISED SALE THEREOF; DEFINING AND PROVIDING FOR THE RIGHTS OF THE HOLDERS OF THE BONDS AND NOTES AND PROVIDING FOR THE APPLICATION OF THE PROCEEDS THEREOF; AND TAKING OTHER RELATED ACTION RELATING TO THE ISSUANCE AND SALE OF THE BONDS AND NOTES. (Action Required By: July 2015)

Sponsors:Marianne Butler (D-15), Jim King (D-10) and David Tandy (D-4)

21. O-002-15

AN ORDINANCE AMENDING ORDINANCE NO. 179, SERIES 2007 IN ORDER TO AMEND THE BOUNDARIES OF THE CENTRAL DOWNTOWN REVITALIZATION DISTRICT DEVELOPMENT AREA, APPROVING ENTERING INTO A SECOND AMENDED AND RESTATED LOCAL PARTICIPATION AGREEMENT, REDUCING THE AMOUNT OF THE MINIMUM CAPITAL INVESTMENT DECLARING CERTAIN PROPERTIES SURPLUS AND AUTHORIZING THEIR SALE AND AUTHORIZING THE EXECUTION AND DELIVERY OF ANY OTHER DOCUMENTS AND THE TAKING OF ANY OTHER ACTIONS NECESSARY TO ACCOMPLISH THE PURPOSE AUTHORIZED BY THIS ORDINANCE AND AMENDING ORDINANCE NO. 102, SERIES 2014 RELATING TO THE FISCAL YEAR 2014-15 OPERATING BUDGET FOR THE LOUISVILLE/JEFFERSON COUNTY GOVERNMENT, BY AUTHORIZING AN ADDITIONAL APPROPRIATION TO THE OFFICE OF MANAGEMENT AND BUDGET IN ACCORDANCE WITH A CERTAIN DEVELOPMENT AGREEMENT ENTERED INTO JULY 5, 2001, AS AMENDED. (Action Required By: July 2015)

Sponsors: Marianne Butler (D-15), Jim King (D-10) and David Tandy (D-4)

Attachments: [O-002-15 General Ordinance ATTACH 2](#)

[O-002-15 General Ordinance ATTACH 1](#)

22. O-003-15

AN ORDINANCE OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, AUTHORIZING AND DIRECTING THE PARKING AUTHORITY OF RIVER CITY, INC., TO ISSUE ITS TAXABLE FIRST MORTGAGE REVENUE BONDS (CENTER CITY GARAGE PROJECT) TO FINANCE THE ACQUISITION AND DEVELOPMENT OF PARKING FACILITIES TO BE LOCATED IN THE CENTER CITY PROJECT IN THE CENTRAL DOWNTOWN REVITALIZATION DISTRICT DEVELOPMENT AREA; AUTHORIZING THE EXECUTION OF A SUPPLEMENTAL INDENTURE AND SUPPLEMENTAL LEASE NECESSARY TO EFFECT THE ISSUANCE OF SUCH BONDS; AND TAKING OTHER RELATED ACTION. (Action Required By: July 2015)

Sponsors: Marianne Butler (D-15), Jim King (D-10) and David Tandy (D-4)