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PRESIDENT TANDY: The regular meeting of October 8th, 2015, 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.

All right. Mr. Clerk, please call the roll.

MR. CLERK: Councilwoman Green.

COUNCILWOMAN GREEN: Here.

MR. CLERK: Councilwoman Shanklin.

COUNCILWOMAN SHANKLIN: Present.

MR. CLERK: Councilwoman Woolridge.

COUNCILWOMAN WOOLRIDGE: Present.

MR. CLERK: President Tandy.

PRESIDENT TANDY: Here.

MR. CLERK: Councilwoman Hamilton.

COUNCILWOMAN BRYANT HAMILTON: Here.

MR. CLERK: Councilman James.

COUNCILMAN JAMES: Here.

MR. CLERK: Councilwoman Leet.

COUNCILWOMAN LEET: Here.

MR. CLERK: Councilman Owen.

COUNCILMAN OWEN: Here.

MR. CLERK: Councilman Hollander.

COUNCILMAN HOLLANDER: Here.

MR. CLERK: Councilman Magre.

COUNCILMAN MAGRE: Here.

MR. CLERK: Councilman Kramer.

COUNCILMAN KRAMER: Here.

MR. CLERK: Councilman Blackwell.

COUNCILMAN BLACKWELL: Here.

MR. CLERK: Councilwoman Aubrey Welch.

COUNCILWOMAN AUBREY WELCH: Here.

MR. CLERK: Councilwoman Fowler.

COUNCILWOMAN FOWLER: Here.

MR. CLERK: Councilwoman Butler.

COUNCILWOMAN BUTLER: Here.

MR. CLERK: Councilman Downard.

COUNCILMAN DOWNARD: Mr. Clerk, with my phone turned off, I'm present.

MR. CLERK: Thank you, sir.

Councilman Stuckel.

COUNCILMAN STUCKEL: Here.

MR. CLERK: Councilwoman Parker.

COUNCILWOMAN PARKER: Here.

MR. CLERK: Councilwoman Denton.

Councilman Benson.

COUNCILMAN BENSON: Present.

MR. CLERK: Councilman Johnson.

COUNCILMAN JOHNSON: Here.

MR. CLERK: Councilman Engel.

COUNCILMAN ENGEL: Present.

MR. CLERK: Councilman Peden.

COUNCILMAN PEDEN: Here.

MR. CLERK: Councilwoman Flood.

Councilman Yates.

Councilman Ackerson.

COUNCILMAN ACKERSON: Here.

MR. CLERK: Councilman Yates.

COUNCILMAN YATES: Present.

MR. CLERK: Mr. President, you have 24 in attendance and a quorum.

PRESIDENT TANDY: Thank you, Mr. Clerk. Please allow the record to reflect that Council Members Denton and Flood both have excused absences for this evening.

MR. CLERK: So noted.

PRESIDENT TANDY: Thank you. Next we will have introduction of pages.

Councilman Engel, would you like to introduce your page?

COUNCILMAN ENGEL: Yes, sir, Mr. President. Colleagues, thank you very much. I'm proud to introduce Aaron McFall -- Aaron, if you can stand, the TV may pick you up here -- as my District 22 page here. He attends Bates Elementary School, where he is in the fifth grade and came highly recommended by his principal, Alicia Dunn.

Aaron's parents are here, Harry and Melody, and he is represented with two grandmothers, Diana and Cynthia. Aaron is highly regarded by both his teachers and peers and is adored by his mother, father, little brother Noah and grandmothers. Listen to the outstanding achievements of this young man and you will wonder, fifth grade only? Aaron created a campaign to engage all students at Bates Elementary to be a buddy, not a bully, and hopes to make this a national campaign. Aaron has been nominated to join the Junior National Young Leaders conference in Washington D.C. in 2016. Aaron broke a school record in 2014 for the most money ever raised by one student for Jump Rope for Heart, with a whopping donation of \$940. Aaron ran Louisville's triple crown of running in 2015. Aaron is a news anchor on Bates WBES news team. Aaron is a member of the quick recall team. Aaron was awarded with the young scientist award. Aaron is an aspiring guitarist who takes weekly lessons. Aaron attends Young Rembrandt's art classes, and Aaron participated in Manuel's Young Writers Workshop in 2015.

Colleagues, please join me in welcoming Aaron McFall as my special guest and District 22 page this evening.

[Applause.]

That's a lot of words, Mr. President, and I'm going to bring the proclamation down.

PRESIDENT TANDY: Okay. Thank you, Councilman. Aaron, welcome. We are glad to have you. And we want to encourage you to keep on being an active citizen in our community.

Next we will have Councilman Peden. You want to introduce your guest?

COUNCILMAN PEDEN: Good evening, colleagues. It's actually been a long time since I have been in front of this mic.

I would like to introduce everyone to Caleb Payne. Caleb has been a friend of mine for over 25 years. We met years ago when he joined the Highview Fire Department, which I was a part of. Later he became part of the career staff in Highview and put his talents over and finished his career at both Linden and Worthington. Part of what led to Caleb looking as young as he is retiring is why he is here tonight. And one of the things -- and I guess the part of my story, I'll turn it over to Caleb here in a minute, but why I wanted Caleb to come here and talk to all of us and to the viewing public is Caleb is a cancer survivor completely by accident. Caleb got injured in the fire service and only because of that did the doctors actually find out he had stage four colon cancer. And as he and I spoke in the driveway the other day, had it not been for that injury, Caleb wouldn't be standing here now.

What he has done to draw attention to that and what really caught my eye, after Caleb retired, he did one of the coolest things that anybody who has ever been an outdoorsman wants to do. Caleb has hiked the entire 2,190 miles of the Appalachian Trail to bring awareness.

[Applause.]

Along the way, he blogged and he posted things on the web. And again, all along trying to bring awareness to the situation. So I'm going to present this to Caleb after he makes a few remarks, but I just thought everything he has done over the past couple years deserves our and the entire city's attention.

CALEB PAYNE: Thank you. Again, I am Caleb Payne. And it is true. I got injured, hurt my ribs and I was having complications from that, went to the doctor. Doctors said that ribs don't cause that type of problem. So can you go to a gastro doctor. He immediately diagnosed me while I was having my colonoscopy as advanced stage colon cancer. Later on, they told me that I wasn't going to be long for this life, and to go home and talk to my children. This was a very few months, a little bit over a year since I buried my daughter to cystic fibrosis. We did well. We got good cancer doctors here in Louisville. And I am now standing here cancer-free. And I'm glad of that.

[Applause.]

To make this quick, I handed out some pamphlets for colorectal cancer. It is the number two killer in the United States. Kentucky is right there with it. It is the number two killer in Kentucky. It is silent. The doctor would have told me I would have just woke up dead. Says you have gone way too far and nothing medically could have been done, just waiting for the day that I would have expired and go on with it. It's silent. You do have symptoms, but a lot of times you don't. I didn't have any symptoms at all and the cancer had been growing in my body. I have gone into small towns and talked to people about it. Please get checked, early screenings, early screenings. And last thing that I want to say, my advice for fighting cancer, the one thing that I want to say is, with me completing the Appalachian Trail, never, never let cancer take your dream away. Thank you.

[Applause.]

COUNCILMAN PEDEN: So to read, this is Caleb Payne as an ambassador goodwill. In recognition of outstanding achievement by spending five months hiking through 14 states and 2,190 miles of the Appalachian Trail to raise awareness for the Colon Cancer Prevention Project. Thank you.

[Applause.]

PRESIDENT TANDY: All right. Thank you, Councilman Peden.

Mr. Payne, thank you so much for being here and telling your story. Part of the reason -- I'm sure many of you will notice here in the chambers, we have our pink ribbons everywhere because obviously October is Breast Cancer Awareness Month. And we had a press conference earlier today with a lot of my colleagues who joined us to make the public aware, there's many different forms of cancer that are preventable if we go and get our screenings. And so whether it is breast cancer, whether it is colon cancer, prostate cancer, men, women, everybody, go and get your screenings done so that you can be of a benefit to your family, your loved ones, and to this community. All of us still have work to do if we go ahead and take care of ourselves. Again, we want to thank you for sharing that with us.

Next, we have addresses to council.

Mr. Clerk, if you would, please call the first addressee forward.

MR. CLERK: Daniel Cobble.

PRESIDENT TANDY: All right. Mr. Cobble, this is not necessarily directly to you, but I want to remind everyone who is addressing Council tonight to please refrain from my profanity or making any derogatory statements to council members.

DANIEL COBBLE: Yes, sir. Please enter this statement into the record:

I wish to reiterate my September 22nd, 2015, letter to the Metro Council that the US dollar is in imminent danger of collapsing, of becoming worthless for trading around the world. This problem is very simple. President Obama, the Federal Reserve, and key members of Congress have insisted on keeping the prime interest rate near 0 percent, 0.25 percent. This low rate results in low demand for the dollar so China is opening its own reserve bank called the AIIB to compete with 4.6 percent. So naturally, this much higher interest paid by China is prompting investors to sell off their US treasure bonds and notes for transfer to China. For example, on September 15th, 2015, Chase Bank, Citigroup, US Bank and Bank of America began selling off their US treasuries. This is why you keep hearing about government cutbacks and programs, because we depend on the purchase of US treasuries to finance our programs, most importantly, the US military. If this trend continues as China's reserve bank opens in December 2015 this year, the dollar has to collapse. It has to. To stop this bleeding of US treasuries, we must pressure government to promptly normalize the US prime rate to match or exceed China's 4.6 percent.

In a closely related disaster also showing President Obama and his cohorts as committing treason is the refusal to raise value on treasury war bonds. This prevents funding our military against ISIS. Even this week Obama proposed to Congress to cut US forces in Afghanistan from 10,000 troops to 1,000 at a time when the Afghans badly need our help for security against ISIS and the Taliban. Thus, this willful starving of military footing of war bonds explains why he keeps giving excuses for

nothing getting done in the middle east. Why is he sabotaging our war footing?

See attached the evidentiary allegation of treason sent by express mail to Obama, Yellen, US inspector general and John Boehner identifying three allegations of treason. This document will make it difficult for Obama to falsely blame collapse of the dollar on something else and it may be used to initiate impeachment proceedings and criminal charges. Some say the October 1, 2015, mass shooting in Roseburg, Oregon, was set up by government to promote gun control. And I say you keep your guns, America. You keep your guns. Thank you.

MR. CLERK: Connie Marshall.

CONNIE MARSHAL: Good evening. My name is Connie Marshall. My website is justiceforallcitizens.com. My e-mail address is ConnieCmarshall@gmail.com. My topic is setups and corruption.

Since 2012, I have been fighting a case with the Louisville Metro Police which involved me being stomped which caused chest contusion, mildly enlarged heart, and other injuries. Due to the fact that I would not plead guilty in the case, I received 22 combination death threats, sexual degradation and racial degradation e-mails threatening calls, was stopped, and one of the policeman attempted to break into my home. When they still could not terrorize me to plead guilty, an unsigned fabricated defamatory letter was placed from my case. The same prosecutor that attempted to cover up for a policeman's daughter, which was recently on the news. The letter incriminated my neighbors as the senders, though my neighbors did not send the letter.

However, I was not allowed by Judge Delahanty to subpoena my neighbors. The facts were of the facts, not of the county attorney's office. They sent the facts to themselves. I have worked in the office all my life, and when a fax is sent to another destination, it bears the fax number of the person sending the fax. Also, the judge and prosecutor verified that the fax number was the county attorney's fax number. I will now read the letter.

This letter is concerning an individual named Connie Marshall. Please forward the facts to the attorney prosecuting the case. It is my understanding Ms. Marshall is currently being prosecuted by the county

attorney's office regarding criminal activity against the Louisville Metro Police. I live on South 23rd, the same street as Ms. Marshall lives. Within the past several days, she has been going up and down the streets spitting on people's cars raving about the Louisville Metro Police Department. She has threatened violence against the police and made a variety of remarks against the police department and other people on the street. Having talked with a few other neighbors further down the street about this matter, we are now concerned for our safety and for the safety of the police department. Ms. Marshall's threats have escalated where she is now threatening to physically harm herself and others and that she is oppressed by the police department. She has also started banging things to get people's attention to signs she has made and spitting on people's vehicles. I ask the county attorney to please do something about this woman. She swings from good days to bad days. When she is having a bad day it is now to the point that people are afraid to let their children out and around her, and we are in fear.

That was a fabricated document by the attorney's office. Though I have no history of mental illness and did not meet the criteria, a 504 was written by the prosecutor and the judge and I was illegally taken for an evaluation. I have now filed federal lawsuits against all involved, citing title 18 violations, and I am still fighting the original case. I have also filed this corruption with the inter-American commission on human rights, the USDOJ, and the United Nations. For more information go to my website justiceforallcitizens.com, you may also find my videos on YouTube. I want a criminal investigation. Thank you.

MR. CLERK: Deborah O'Gorman.

DEBORAH O'GORMAN: Good evening, everyone. Downtown Louisville is getting bigger and better every day. We have got Fourth Street Live and our governor just gave Mr. David Cordish an award for 50 more a year. And we have more hotels coming. That means we are getting bigger and better every day. I live on Second and Muhammad Ali, in your district, President Tandy. And right across the street the Omni is coming. And I can't wait. The point is we go to Fourth Street Live, where it is safe. They have rules, no hineys showing. Excuse me. That is the way I show

it, no rudeness, no begging, nothing like that, and he has security. Do you think we have security on the streets?

My father was a city policeman fourth district West End 34th Street in the '70s and '80s. You go sit there in front of Pot Bellies, Dunkin Donuts, Smash Burgers, and you have the so-called singers, players, playing their fiddles, ha, ha, and the ukuleles and they are begging people for money. They are begging our tourists. Now we have the hotels. And we are getting more places for the people to come. We have 60,000 Future Farmer America kids coming at the end of the month. This week we have 8,000 men coming. I can't wait for that. The point is, we were going to have a lot of tourists. And these peddlers are chasing our tourists away from our beautiful city. When they don't give them money they are saying nasty things like, excuse me, female dog, I'm not saying it. I didn't say it.

PRESIDENT TANDY: Okay. Go ahead.

DEBORAH O'GORMAN: They're saying lesbian, they are saying gay, and so forth. And the law is that cannot be 50 feet from an ATM machine or a bank. And they are. And we have called our city, 574-7111, and the police say we can't do anything about it. Baloney. And they are going up to car windows, Jesus says help the people. Now, I think something in that territory, when the people are going from the hospital -- excuse me, the hospitals -- the hotels, going to Fourth Street or going on that beautiful Pedway to eat, we have to make sure the tourists have, what, safety? We have the police. Stop getting beggars. Does that make sense? It does make sense? If they are going to play music, play it the right way, go to Yum.

MR. CLERK: Bill Wells.

BILL WELLS: I have an extra minute. Thank you. To speak about the topic of indirect murder, as an experience and the potential to realize a response is a topic I have weighed heavily on. From my own experience with mental illness, in the seemingly more dramatic expressions of violence now being reported. Certainly my behavior has been strange from self at times and even of late I have been accused of showing emotion. But if you move to a town to practice a profession that requires credentials, advanced education, along with experience, then how would you

respond to human behavior within self as well as organizational behavior atypical and typical of Louisville. And later when you ran for office to articulate several issues around the civil rights of disability, green design, quality improvement, and hear the words, "We can't get involved. The city gives us money." Later, when I would raise funds and serve in the creation of the self-help mental health organization, the experience was from the local banker, the government takes care of the handicapped. The silence aligned with the destruction of people in World War II, I thought, would have been a warning for never again. To know the mental health care and vocational rehab system, indirectly and directly, political actions, all too often are played at the local, state, and federal level. And it is in this sense that it feeds a certain sickness. All too often the manifestation of recent violence over and is an expression of an unbearable pain that escalates from verbal to physical and sexual violence and ends indirectly and too often in death, whether it is what you see in the press or in the back wards of an institution. And so I ask you, why are there not questions? Questions that get to the root of our behavior. And why is there not a consciousness of character that makes wholeness out of brokenness?

Last month, I would be in Frankfort with my state representative, Tom Reinert. And I would observe the committee in action as they discuss capital funding for universities. The men and women would ask questions to make sense of the funding request. And later, out in the hall, I would hear the professional, Sheila Schuster's, voice coming out of the overflow room during the process about Tim's Law that is being discussed regarding commitment, forced commitment proceedings.

And modern technology is good. And like a birding to, I would find a way into the hearing, just as I would hear her words proclaim to the committee, "The issue is not about money." Oh, but it is. It's about the economies that are being created at huge scales that you never see the player who is pulling the strings. So, Mr. Tandy and members of the board, the creation and cost of economies that are shaped by people with indifference to the silence of being silenced is deafening. And I only wonder how my cry, your cry, and our cry will be heard if the voices of the oppressed can no longer be verbalized in the arts and sciences. And

just before coming down here, as I read a beautiful book, and I would suggest it for anyone in here, it's titled "Towards a Meaningful Life" by the wisdom of a Rebbe Schneerson. It doesn't matter what faith, but it does matter how we respond. Thank you.

PRESIDENT TANDY: Thank you.

MR. CLERK: Bani Hudson.

BANI HUDSON: It's Bani Hudson. The New York Times had a big article on how the Fischer Administration in Louisville has as its model Mayor Bloomberg in New York City. Wealthy businessman, check, growing inequality, check, developers transform in and around the business shutting out low income and working class, check, more attuned to profit than people, check and double check. This Bloomberg/Fischer context says how they will be given prime real estate with \$1 and how the sewer district's overflow basin would be planned for Olmstead park and Shawnee with in mature trees being cut down without outrage by members of the conservancy program -- in spite of its first in the US proximity to homes, churches, and a fragile residency base, and how a phone call to a wealthy friend might get an inappropriate institutional endorsement post this in haste. The Bloomberg/Fischer model of business first and inequality, oh well, shows how the rejection of methane would be arrogantly met with insulting references of scientific ignorance of the people. Let's be clear, science says there are always risks present where there is methane, no matter how safely operated. That's a fact the people already know, and the EPA or Nature's Methane cannot deny. This model of business first would definitely explain why the mayor would continue to support a methane plant for the convenience of Heaven Heals' wealthy owner. This in spite of a logical landfill location presented to the mayor's staff by the most respected environmentalist in the state of Kentucky. What is not so easy to explain is why we hesitate to call them racist, class warfare, or hesitate to call the mayor out at all. He is the leader of the Metro Government. With friends to West Louisville like this, who needs traditional enemies?

MR. CLERK: Donovan Taylor.

DONOVAN TAYLOR: Good evening. My name is Donovan Taylor, resident of the Chickasaw neighborhood District 1 and serve as the

president of the Chickasaw Neighborhood Federation. The fight against waste continues West Louisville. As Chickasaw resident, we have just learned and got aware that MSD sewage storage tank will be located in the front of Shawnee Park, one of our esteemed Olmstead parks. One of the outrage from the local residents near the park in Chickasaw, Shawnee, Portland, and really the city at large is the fact that MSD has not engaged with the community properly on this development. Supposedly MSD had a meeting this past September and March in the community. I know they had one this past march in District 5, but I would say that the MSD did a very poor job in hosting the meeting. It was not well informed and promoted in the community where residents could participate and be involved in and engaged in the project. Very little information was shared with the community after this meeting. Subsequent meetings were supposed to be held by MSD on the project that were not held and have not been held and there's no notice that the meetings will be held.

Chickasaw Federation is here to you today asking Metro Council asking that MSD host a public meeting whereby residents can be made fully aware of the project, developments and its outcomes. We have learned this project will be located right in the front of the park right along the parkway where beautiful homes are located. This will impact the value of these homes, the quality of life of the residents who live in these homes. Over 60 trees will be destroyed for the installation of this basin. 50 mature trees. That is the health of the park and community that are dependent on trees. You have over the past recently the city has been advocating the need to build our tree canopy as we destroy several trees in Shawnee Park.

Secondly, the storage tank will be as large as a football field. And one of the major concerns of that, in an area that is actually using the park. And residents are concerned what will be the use of this area after the basin? Will residents still be able to use this area of the park or would it be off limits permanently for the park? This project will last two and a half years, and for that, what is the impact of entering the park since this is going to be located near the entry of the park? How is it going to impact traffic of the area with construction being at the corner of Broadway and Southwestern Parkway?

One of the major concerns is, as you have a large sewage basin in the front of the park, odor. And lastly I just learned last night that supposedly MSD will be sponsoring an outdoor learning center constructed in the park. What if we don't want the storage tank in the park, will MSD back off on the learning center? We demand a public meeting be held and one be held now and very soon.

MR. CLERK: David Snardon.

DAVID SNARDON: Good evening. I'm Reverend David Snardon, Pastor of Joshua Tabernacle Missionary Baptist Church located in the Russell neighborhood. I live in the Chickasaw neighborhood just a few blocks from Shawnee Park. I also sit on the board of the Chickasaw Federation and I come before you today with the simple message that the residents of the Shawnee and Chickasaw communities do not want MSD's overflow basin in Shawnee Park. After a meeting that was held two weeks ago with Mimi Zanelli from the Olmstead park organization, organized by Vanessa Laki, president of the Westover federation and the president of the Chickasaw Neighborhood Federation. It was alarming to hear the number of residents who were not aware of what was taking place in our own neighborhood and the lack of communication and transparency that MSD has had with the community. They are wanting to put a sewage basin the size of a football field in Shawnee Park to store waste for at least 48 hours before they pump it out. Our simple message is, no, we do not want a sewage basin in Shawnee Park. It should be obvious as to why the residents don't want this cesspool of waste in the park. No one would want that kind of waste accumulating in their neighborhood, and that includes us. We don't want the added toxic smell in our neighborhood, especially with all the other health risks that Rubbertown brings into our community. We say no to over 60 healthy trees designated to be cut down to make room for this cesspool in our community. We say no to the risk of the quality of health that this cesspool will cause in our community, including increased bugs and rodents. Furthermore, this is not just a west end Shawnee or chick saw the issue, but it is really a city issue. Because there's a number of people who utilize the park. There's baseball games, there's football games, people run and walk through the park. Children play in the park. And not far from the park is an elementary

school where children are bussed in. And many of the city's bicyclists ride through and around the park. I pray that you hear our message loud and clear and side with the people and not with corporations and not with businesses. No, we don't want our park and community turned into a cesspool. We are not a dumping ground for all things toxic, smelly, and wasteful. No to MSD's waste basin in Shawnee Park. Thank you.

[Applause.]

MR. CLERK: Chip White.

CHIP WHITE: Hi. I would like to thank you for being allowed to speak as a Louisville citizen. I'm here on behalf of Laneer Hobbs. There was a docket getting him on the docket so I would like to read a letter. Good evening, I am one of the principals or members of ideal construction and supply LLC, a certified MBE and open shop company which specializes in all aspects of concrete work, excavation and supply. I am also associated with JW financial services. Firstly, I would like to give a little history of myself. I worked at UPS for 23 years before retiring in 2002. I was the division manager for the engineering department and responsible for planning which formulate the plan on the package movement for the entire UPS network during the Christmas season I also manage the national service center, human resources, safety, and worked in legal, and regulatory and contract negotiations. The reason I come here before you today is to express the importance of the Omni Hotel project and what it means to our local, small, and minority businesses and the economic impact on our communities in conjunction with the road map we have put in place to meet and exceed the established goals already in place by the Louisville Metro council.

Our main goal is to be able to work successfully within our scope of work and represent my company and our city in the efforts. Ideal currently employs 18 people and will need at least 40 for the project. The big question is, where can I find 22 qualified people with the skill level needed to ensure the quality and professionalism that my customers have become accustomed to receiving? The answer became abundantly clear. Part of our success on this project and future projects would depend on our ability to obtain qualified individuals from our local unions. We have aligned ourselves, our joint venture, with a major local company that

has a long successful history and is capable of performing work in all the areas that we are not capable of providing. For example, drilling and pouring of deep piers as well as pilasters, which is part of the project. However, like most of the contractors in the area, they are a union contract. We need an agreement pass that will allow us to obtain skilled workers. In summary the road map designed for the success of my company has been put in place and implemented. However, none of it will work without an agreement to help acquire skilled manpower. This agreement will allow small contractors like us to work alongside with any other contractor, whether they are union or not. But more importantly, it would allow us the opportunity to break down the barriers which are holding our local workforce hostage to these larger projects. This is affecting local employment opportunities and deferring tax dollars outside of our community. So please help us to help ourselves and pass some kind of agreement.

MR. CLERK: Jeffrey Green.

JEFFREY GREEN: Good evening. My name is Jeff Green, also a Louisville resident. I would like to address a few of my concerns with the Omni project. One of my concerns is that Louisville, Kentucky residents will lose job opportunities to out-of-state workers. Apprenticeship programs will not be utilized. These programs provide young men and women the necessary skills to succeed, giving them the opportunity to start a career, not a job. Provides the ability to earn a sustainable wage with health insurance with their families. In many cases, breaking the chain of poverty, which was my case. I am concerned if value resources in our community will be overlooked such as the Urban League pipeline bridges to opportunity program. And many others that provide opportunities to our youth. I'm also concerned that many of our local construction companies will be pushed aside with the influx of out-of-state workers, out-of-state contractors. Taking our hard-earned tax dollars out of state. I am also asking that you protect the working families and contractors that pay taxes in this community every day. Just this evening I met a young man named Desmond Connolly -- I believe he is here -- he is a locally owned contractor. He is a minority-owned contractor and he told me some of the common problems they find being a

minority-owned contractor are attaining financing, bonding, not having the experienced workforce to get the job done. With opportunities such as the Omni, investors are stepping to the plate to help companies such as Desmond's provide the resources that will address all but one of these issues.

What companies like Desmond really need is language to help them secure a qualified workforce. Thank you.

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

PRESIDENT TANDY: Thank you, Mr. Clerk.

Next we will have a special proclamation read -- we have two of those that will be read by Councilwoman Woolridge.

Councilwoman Woolridge, if you would, please read your first proclamation.

COUNCILWOMAN WOOLRIDGE: Thank you, Mr. President. October is a beautiful month. It is reminding us that winter will soon be here as colors change all around us. October is also a very important month for women because it is Breast Cancer Awareness Month. As a woman, a mother, a grandmother, I want to encourage all women over the age of 40 to get an annual mammogram. And I would like to read this proclamation, Mr. President, at this time.

Proclamation to Louisville Metro Council. To all whom these letters shall come, Greetings: Know ye, that the Louisville Metro Council hereby proclaims October as Breast Cancer Awareness Month:

WHEREAS, National Breast Cancer Awareness Month educates women about the importance of early detection, and encourages all women to be proactive by performing monthly breast self-examinations And scheduling regular clinical breast exams and mammograms.

And WHEREAS, as a result of more women getting mammograms to detect breast cancer in its earliest stages before physical symptoms can be seen or felt, breast cancer deaths are on the decline, and data indicates that breast cancer deaths could decline even more if all women age 40 and above received Mammograms at regular intervals.

And WHERAS, the National Breast Cancer Foundation, Inc., among other things, encourages women and breast cancer support groups to utilize

its educational resources, such as the video entitled, "Beyond the Shock", to help in the ultimate control of breast cancer; and to host fundraisers to help provide mammograms for women in need.

THEREFORE, BE IT RESOLVED THAT the Louisville Metro Council hereby proclaims the month of October as National Breast Cancer Awareness Month and encourages all women and their families in the Metropolitan area to get the facts about mammography; and further urges all women 40 years of age and older to get mammograms on a regular basis.

BE IT FURTHER RESOLVED THAT the Council calls upon the people of the Louisville metropolitan area to Participate in National Breast Cancer Awareness Month with appropriate educational activities such as Educational and breast cancer screening fairs, promotions, fundraisers, breast cancer support groups, and monetary contributions as they may be willing and able to do so.

Done in Metro Louisville This 8th Day of October, 2015.

Councilwoman Mary Woolridge.

[Applause.]

Mr. President, I would also like to read the Domestic Violence Awareness Month we are also making folks aware of, domestic violence.

And it reads: Proclamation by the Louisville/Jefferson County Metro Council. To whom all these letters shall come, Greetings: Know Ye, that the Louisville Metro Council Hereby proclaims October as Domestic Violence Awareness Month:

Whereas, domestic violence impacts women, men, and children of Every age, background, and belief. Nearly 1 in 4 women and 1 in 7 men in The United States have suffered severe physical violence by an intimate Partner. Victims are deprived of their autonomy, liberty, and security, and Face tremendous threats to their health and safety.

And Whereas, during Domestic Violence Awareness Month, we reaffirm our dedication to forging a community where no one suffers the hurt and Hardship that domestic violence causes -- and we recommit to doing everything in our power to uphold the basic human right to be free from Violence and abuse.

Whereas, while physical marks may often be the most obvious signs of the harm caused by domestic violence, the true extent of the pain

goes Much deeper. Victims not only face abuse, but often find themselves left With significant financial insecurity.

And Whereas, children who witness domestic violence often experience Lifelong trauma. These heinous acts go against all we know to be humane And decent, and they insult our most fundamental ideals. We all have to be responsible to try to end this grave problem.

THEREFORE, BE IT RESOLVED THAT the Louisville Metro Council Proclaims that during Domestic Violence Month, October 2015, we commit to being a part of the solution and rededicate ourselves to creating a Society where violence is not tolerated, survivors are supported, and all People are able to pursue their fullest measure of happiness without fear of Abuse or assault.

Done in Metro Louisville This 8th Day of October 2015.
Councilwoman Mary Woolridge.

And I would like to move both of those into the record,
Mr. President.

PRESIDENT TANDY: Thank you, Councilwoman. Both of those will be submitted for the official record of the Council.

Next item of business, we will have the approval of our committee minutes -- excuse me -- council minutes for the Regular Meeting of September 24, 2015. Are there any corrections or deletions? Is there a motion to approve?

>> So moved.

PRESIDENT TANDY: Is that second?

>> Second.

PRESIDENT TANDY: All right. Any discussion? Seeing none, all those in favor please signify by saying aye. All opposed? The ayes have it. The minutes are approved as written.

Next we will have the approval of the following committee minutes, all of which are in 2015:

Regular: Committee of the Whole, September 24.

Special: Community Affairs Committee, September 28.

Regular: Planning/Zoning, Land Design and Development Committee, September 29.

Regular: Labor and Economic Development Committee, September 29.

Regular: Public Works, Bridges and Transportation Committee, September 29.

Regular: Appropriations, NDFs and CIFs Committee, September 29.

Regular: Public Safety Committee, September 30.

Regular: Ad Hoc Committee on the Land Development Code, October 5.

Are there any corrections or deletions? Is there a motion?

>> So moved.

PRESIDENT TANDY: Second?

>> Second.

PRESIDENT TANDY: Properly moved and seconded. It is before us. All those in favor please signify by saying aye. All opposed? The ayes have it. The minutes are approved as written.

Next, Mr. Clerk, do we have any communications from the Planning and Design Services Committee?

MR. CLERK: We do, sir.

PRESIDENT TANDY: Would you please read those for the record.

MR. CLERK: The memorandum reads: To David Tandy, president of the members of council, from Emily Liu, Director of Planning and Design Services.

In accordance with the Landmarks Commission Ordinance, the Commission has appointed the following member to the Old Louisville Architectural Review Committee.

Ms. Bethany Adams, resident, new appointment.

By ordinance, these are landmarks commission, not mayoral commitments, and require Metro Council approval. Committee members serve a three-year term. Your prompt action on this appointment is most appreciated.

Read in full.

PRESIDENT TANDY: Thank you, Mr. Clerk. That appointment will be forwarded to the Committee on Contracts and Appointments for further action.

Mr. Clerk, do we have any communications from the mayor?

MR. CLERK: We do, sir.

PRESIDENT TANDY: Would you please read those into the record?

MR. CLERK: Dear President Tandy:

In accordance with the Citizens Commission on Affordable Housing Trust Fund Board Ordinance, I am appointing the following to the Affordable Housing Trust Fund Board:

Theresa Zawacki, new appointment, term expires December 31, 2017.

Your prompt action on this appointment is most appreciated.
Sincerely, Greg Fischer, Mayor.

Dear President Tandy:

In accordance with the Kentuckiana Works - Workforce Investment Board Ordinance, I am appointing the following to the Kentuckiana Works - Workforce Investment Board:

Jennifer Hancock, re-appointment, term expires June 30, 2017.

Your prompt action on this appointment is most appreciated.
Sincerely, Greg Fischer, Mayor.

Dear President Tandy:

In accordance with the Science Center Board Ordinance, I am appointing the following to the Science Center Board:

Katie Dailinger, new appointment, term expires July 1, 2018.

Amy Ross, new appointment, term expires July 1, 2018.

Steve Schmitt, new appointment, term expires July 1, 2018.

Donna Harges, re-appointment, term expires July 1, 2018.

Kevin Swiatek, re-appointment, term expires July 1, 2018.

Metro Council approval of these appointments is not required.
Sincerely, Greg Fischer, Mayor.

Read in full.

PRESIDENT TANDY: Thank you, Mr. Clerk, those items requiring council approval will be submitted to the committee on contracts and appointments for further action.

Next item of business is the Consent Calendar. Our Consent Calendar currently comprises items 19 through 21; is that correct? Are there any additions or deletions?

COUNCILWOMAN BRYANT HAMILTON: Mr. President.

PRESIDENT TANDY: Councilwoman Hamilton.

COUNCILWOMAN BRYANT HAMILTON: Did you add item 22?

COUNCILMAN MAGRE: Second.

PRESIDENT TANDY: So we will take that in the form of Councilwoman Hamilton's asking for item 22 to be added to the Consent Calendar. It was seconded by Councilman Magre. Are there any objections?

Seeing none, we will move to the new Consent Calendar. It will now consist of items 19 through 22.

Mr. Clerk, a second reading of these items.

MR. CLERK: A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A GRANT OF \$75,000 FROM THE UNITED STATES DEPARTMENT OF AGRICULTURE TO BE ADMINISTERED BY LOUISVILLE FORWARD.

A RESOLUTION APPROVING THE GRANTING OF LOCAL INDUCEMENTS TO KOROSEAL INTERIOR PRODUCTS, LLC AND ANY SUBSEQUENT ASSIGNEES OR APPROVED AFFILIATES THEREOF PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 32.

AN ORDINANCE ADOPTING THE JACOBS NEIGHBORHOOD PLAN AND INCORPORATING ITS EXECUTIVE SUMMARY INTO THE CORNERSTONE 2020 COMPREHENSIVE PLAN (Case Nos. 15NeighPlan1000 & 15NeighPlan1001).

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A DONATION OF FURNITURE FROM HUMANA WITH AN ESTIMATED VALUE OF \$50,000 TO BE ADMINISTERED BY FACILITIES WITHIN THE OFFICE OF MANAGEMENT AND BUDGET.

Read in full.

PRESIDENT TANDY: Is there a motion to approve?

>> So moved.

>> Second.

PRESIDENT TANDY: Properly moved and seconded. We now have the Consent Calendar before us. This was a vote that calls for a roll call vote, so, Madame Clerk, please open the voting. The voting is closing. The voting is closed.

MR. CLERK: 23 yes votes and three not voting.

PRESIDENT TANDY: All right. The Consent Calendar passes. Our next item of business is item number 23.

Mr. Clerk, a reading of this ordinance.

MR. CLERK: AN ORDINANCE APPROPRIATING \$5,001 FROM DISTRICT 10 NEIGHBORHOOD DEVELOPMENT FUNDS, THROUGH THE OFFICE OF MANAGEMENT AND

BUDGET, TO SERVICE FOR PEACE, INC., FOR THE 9/11 SALUTE TO OUR HEROES WALKATHON AND FAMILY FESTIVAL.

Read in full.

>> So moved.

>> Second.

PRESIDENT TANDY: Properly moved and seconded. We now have the ordinance before us. Is there any discussion?

Councilman Magre.

COUNCILMAN MAGRE: Well, I am the sponsor on behalf of Peter Hayes and his organization, and what we did in tabling last time was there wasn't a clear determination of who was sponsoring at what amounts, and several of the council people were not there for that specific vote, so we tabled and brought it back this evening.

What I have is a list right now is Councilwoman Woolridge at 500, Councilman James at 500, President Tandy at 500, Councilman Johnson at 500, Councilman Peden at 250, and myself at a thousand. So I think we are at 3,250. And as I understand it from Peter, there's several other council people who have indicated that they will probably chime in to provide support, and certainly those that I have just mentioned, if they want to speak, would be welcome to. That's what we have for right now.

PRESIDENT TANDY: Okay. Councilwoman Leet.

COUNCILWOMAN LEET: District 7 would like to add 500.

PRESIDENT TANDY: Councilman Engel.

COUNCILMAN ENGEL: District 22, 500, please.

PRESIDENT TANDY: Councilwoman Hamilton.

COUNCILWOMAN BRYANT HAMILTON: District 5, 500, please.

PRESIDENT TANDY: Councilman James.

COUNCILMAN JAMES: District 6, 500, please.

PRESIDENT TANDY: That's just reflecting what was said by Councilman Magre, correct?

COUNCILMAN JAMES: Yes, sir.

PRESIDENT TANDY: The other persons who were mentioned by Councilman Magre, you'll need to formally state that amount. Okay?

Councilwoman Shanklin.

COUNCILWOMAN SHANKLIN: District 2, 500.

PRESIDENT TANDY: Councilwoman Woolridge.

COUNCILWOMAN WOOLRIDGE: District 3, 500. And he already announced it, Mr. President. Thank you.

PRESIDENT TANDY: We just wanted to make sure that the record's clean on that so it is very clear you approved that.

Councilman Johnson.

COUNCILMAN JOHNSON: District 21, 500.

PRESIDENT TANDY: Councilman Peden.

COUNCILMAN PEDEN: 500.

PRESIDENT TANDY: District 4, 500.

Councilman Yates.

COUNCILMAN YATES: District 24, 500.

PRESIDENT TANDY: Are there any others wishing to make additions to this NDF?

Seeing none, we will accept that in the form of a motion to amend. Is there a second?

>> Second.

PRESIDENT TANDY: Properly moved and seconded. We have the amendment before us. Any discussion on the amendment?

Seeing none, all those in favor please signify by saying aye. All opposed? The ayes have it. The amendment carries. We now have the amended ordinance before us. Is there any further discussion on the ordinance? And that's less than what was asked for, is that correct? All right.

Any further discussion on the amended ordinance?

Councilman Magre.

COUNCILMAN MAGRE: I just want to make sure. The end result is that we are funding -- it is not an add. I'm reducing to 5,001 -- that's what I introduced to think that we would get over it. So my part is 1,000.

PRESIDENT TANDY: Okay. So you are making that motion to amend. You are down.

COUNCILMAN MAGRE: I just want to make sure that the amount should be 5,750 total.

PRESIDENT TANDY: All right. So let's make sure we are very clear. We have the amendments that we have approved. Now we have Councilman Magre making a motion to amend his amount down from 5,001 down to 1,000.

COUNCILMAN MAGRE: That is correct.

PRESIDENT TANDY: That is correct? Okay.

COUNCILMAN MAGRE: We have Peter's blessing.

PRESIDENT TANDY: Any further amendments to this amendment? We will take that in the form of a motion. Is there a second to that amendment?

>> Second.

PRESIDENT TANDY: Properly moved and seconded. Any discussion? Seeing none, all those in favor please signify by saying aye. All opposed? The ayes have it. So that amendment carries.

We now have the amended version of the ordinance before us, the new amended version of the ordinance before us. Any further discussion? Seeing none, this is an ordinance calling for a roll call vote, so, Madame Clerk, please open the voting. The voting is closing. And the voting is closed.

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

PRESIDENT TANDY: The ordinance as amended passes.

Our next item of business is item number 24.

Mr. Clerk, a reading of this ordinance.

MR. CLERK: AN ORDINANCE APPROPRIATING \$15,500 FROM DISTRICT NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$4,500 FROM DISTRICT 12; \$2,000 FROM DISTRICT 24; \$1,500 FROM DISTRICT 14; \$1,000 EACH FROM DISTRICTS 15, 13, 20, 16; \$500 EACH FROM DISTRICTS 9, 22, 21, 1, 3, 2, 10; THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO HARBOR HOUSE OF LOUISVILLE, INC., FOR PROGRAM EXPENSES ASSOCIATED WITH THE KEN-DUCKY DERBY (AS AMENDED).

Read in full.

>> Motion to approve.

>> Second.

PRESIDENT TANDY: Properly moved and seconded. It is before us. Is there any discussion?

Councilman Blackwell.

COUNCILMAN BLACKWELL: Thank you, Mr. President. This came out of committee. The ask for the Kentucky Derby was 52,000 total. We did add some in the committee, and I think we might have a few that would add on tonight as well.

PRESIDENT TANDY: All right. Councilwoman Leet.

COUNCILWOMAN LEET: Yes. District 7 would like to add 500.

PRESIDENT TANDY: Councilman James.

COUNCILMAN JAMES: District 6 would like to add 500, please.

PRESIDENT TANDY: Councilman Stuckel.

COUNCILMAN STUCKEL: (Off mic).

PRESIDENT TANDY: Councilman Yates.

COUNCILMAN YATES: I was thinking I was already on, but if I'm not, I would like to add \$500.

PRESIDENT TANDY: Let's confirm that first. Is Councilman Yates --

COUNCILMAN YATES: I'm not seeing it up there.

PRESIDENT TANDY: No? Okay. So it is 500?

COUNCILMAN YATES: Yes.

PRESIDENT TANDY: All right. Any further amendments? We will take those collectively as a motion to amendment. Is there a second?

>> Second.

PRESIDENT TANDY: Properly moved and seconded. Any discussion on the amendment? Seeing none, all those in favor please signify by saying aye. All opposed? The ayes have it.

We now have the amended version of the ordinance before us. Any further discussion on the ordinance? Seeing none, this is an ordinance calling for a roll call vote.

Madame Clerk, please open the voting. The voting is closing. And the voting is closed.

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

PRESIDENT TANDY: The ordinance as amended carries.

We now have item number 25.

Mr. Clerk, a reading of this ordinance.

MR. CLERK: AN ORDINANCE APPROPRIATING \$6,250 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$1,500 FROM DISTRICTS 12, 5; \$750 FROM DISTRICT 1; \$500 FROM DISTRICTS 13, 14, 4, 25 \$250 EACH FROM DISTRICTS 10, 16; TO METRO PARKS FOR COSTS ASSOCIATED WITH THE CANOE MOBILE EVENT TO BE HELD OCTOBER 1ST FOR JCPS ECHO SCHOOL; OCTOBER 2ND AT SHAWNEE PARK AND OCTOBER 3RD AT RIVERVIEW PARK. (As Amended).

Read in full.

PRESIDENT TANDY: Is there a motion?

>> So moved.

>> Second.

PRESIDENT TANDY: Properly moved and seconded. It is before us. Any discussion?

Councilman Blackwell.

COUNCILMAN BLACKWELL: Thank you, Mr. President. This came out of committee. It too was amended. It's the Canoemobile event that we have had for several years. Most people, young students, during their off day last week out on the Ohio in canoes. And we got some decent weather and some not so decent weather on Saturday, a little rough, but I understand they were still out there going strong. We are still \$250 short of their total ask, so if anyone would like to add, that's the limit that we have, only \$250 left.

PRESIDENT TANDY: All right. Councilwoman Leet.

COUNCILWOMAN LEET: I add the 250 from District 7.

PRESIDENT TANDY: All right. Is there a second?

>> Second.

PRESIDENT TANDY: Okay. So that amendment is properly moved and seconded. Any discussion on the amendment? Seeing none, all those in favor please signify by saying aye. All opposed? The ayes have it. The amendment passes.

We now have the amended version of the ordinance before us. Any further discussion? Seeing none, this requires a roll call vote, so, Madame Clerk, please open the voting. The voting is closing. And the voting is closed.

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

PRESIDENT TANDY: The ordinance as amended passes.

Our next item of business is item number 26.

Mr. Clerk, a reading of this ordinance.

MR. CLERK: AN ORDINANCE AMENDING ORDINANCE NO. 136, SERIES 2015 BY ADDING \$400 FROM DISTRICT 11 AND \$600 FROM DISTRICT 21 NEIGHBORHOOD DEVELOPMENT FUNDS TO THE ALREADY APPROVED \$17,250 FOR A NEW TOTAL OF \$18,250; THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE WAR AGAINST VIOLENCE CORPORATION FOR COSTS ASSOCIATED WITH THE "YOUTH ALERT!" VIOLENCE PREVENTION/HEALTH COMMUNITY OUTREACH PROGRAM (As Amended).

Read in full.

>> So moved.

>> Second.

PRESIDENT TANDY: Properly moved and seconded. It is before us. Any discussion?

Councilman Blackwell.

COUNCILMAN BLACKWELL: This is pretty self-explanatory. We came back before us so a couple council members could add on to the program that had already been passed previously. They may want to speak to it.

PRESIDENT TANDY: Are there any members wishing to speak?

Councilman Kramer.

COUNCILMAN KRAMER: Jeffersontown High School had approached us after the paperwork had already been completed and asked if they could be included, so we simply went back with the amendment to make it possible. Thank you.

PRESIDENT TANDY: Any further discussion? Seeing none, this is an ordinance that calls for a roll call vote.

Madame Clerk, please open the voting. The voting is closing. And the voting is closed.

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

PRESIDENT TANDY: The ordinance as amended passes.

Our next item of business is item 27.

Mr. Clerk, a reading of this ordinance.

MR. CLERK: AN ORDINANCE CHANGING THE ZONING FROM RR RURAL RESIDENTIAL TO R-5A RESIDENTIAL MULTI-FAMILY ON PROPERTY LOCATED AT 10509 BARDSTOWN BLUFF ROAD CONTAINING 33.972 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 15ZONE1015).

Read in full.

PRESIDENT TANDY: Is there a motion?

>> So moved.

>> Second.

PRESIDENT TANDY: Properly moved and seconded. We have the ordinance before us. Is there any discussion?

Councilman Stuckel.

COUNCILMAN STUCKEL: Yes. If you recall, this particular ordinance came before us at the last meeting and was sent back to committee at the request of Stuart Benson, in whose district this project is. It is now before us again. Stuart wanted some additional time to examine some of the items in it. It's a request to change the zoning from RR to RR-5 A on 33.97 acres which are currently used as single family agricultural. The proposed use is 135 one-story multifamily units. A waiver has been requested as well regarding this development not connecting with 21st Century Park property close by.

A public hearing was held on August 20th. Six people spoke in opposition dealing with issues such as protection of Floyd's Fork, traffic, and compatibility. The planning commission recommended approval by a vote of seven to one. A lot of discussion about the drainage and flooding but eventually recommended approval by a vote of four to one. This is in Councilman Benson's district, and I know he wants to comment on this.

PRESIDENT TANDY: Councilman Stuckel -- excuse me -- Benson.

COUNCILMAN BENSON: Thank you, Mr. President. It was my fault that it was sent -- my fault that I didn't pay attention that it was up the first time. But this kind of really concerns me. There's a lot of constituents in my area who are against it, maybe not the same reason I am. We have had a lot of flooding in our community in the past year, and almost always the people who say this is okay, we will take care of all the flooding, in their hearts I think they figured out that it will work, but years later come to find out maybe it wasn't. And we are building into the floodplain part of this and I was worried that from the edge of the floodplain of where they are building on to the other side it would narrow the channel that would cause water to back up upstream. I have

been assured in the last couple days that there are several places along upstream that are as narrow as this place is. So that kind of cleared up some things for me.

But on the other side of the road on Bardstown Road there is a lot of vacant lot, acreage. And there's a five-foot culvert that goes underneath Bardstown Road and runs into Floyd's Fork Creek. I'm concerned that when it comes across they will turn it 90 degrees and run it towards the creek. Are they going to be able to handle all the water? Everybody says they are and they will review it a number of times to make sure everything works out okay. I hate to say I'm a little negative about government at times. I think their hearts are in the right place at different times but a lot of times we build roads and they are inadequate and they say they will be okay, and then we say, wait a minute. I'm just a little bit nervous of this. I'm voting against this. I wish that I had more information or felt comfortable about the whole development. The concept of these patio homes, it's a pretty nice idea. I just don't know if this area can handle that with the build-up in the floodplain. So a lot of people smarter than I am have looked at it and they think it is okay. Time will tell. But at this moment I'm not comfortable, so I'm voting against it. Thank you.

PRESIDENT TANDY: Councilman Peden.

COUNCILMAN PEDEN: Thank you. I too will be voting no, along with Councilman Benson, for the same reasons. I have seen the actual project and I know based on the rules, voting no does not stop the project. It is an issue when we spend probably 15 caucus time where are we on the MSD buyout, where are we on the downtown buy-outs. And all I can think of in my head of projects like this, way out in Fern Creek, there was a first one of these downtown, in Fairdale at some point, that said to themselves, oh, we will raise them up, we will make these houses just fine. Well, the fact is the rain's still going to come down. It is going to go somewhere. So whether you are solving the problem for these 20 acres now you are moving the problem somewhere upstream, downstream, etc. It may just be time that we change a few rules and make it a little more stringent on you probably can't build in the floodplain anymore and

save the Metro Council 50 years from now a whole lot of headache solving the problem. I will be voting no. Thank you.

PRESIDENT TANDY: Councilwoman Fowler.

COUNCILWOMAN FOWLER: I will also be voting no. I sat on the Planning/Zoning committee and I have reservations about it myself. The recent rain event in South Carolina could tell us all it could happen to us. And I don't care it is best practice to be building in the floodplain. So I will be voting no.

PRESIDENT TANDY: Councilman Magre.

COUNCILMAN MAGRE: I support all the reasons that have been stated, plus it is coming from the council person who is actually representing where this would be going, so I will be voting no.

PRESIDENT TANDY: Councilman Johnson.

COUNCILMAN JOHNSON: I'm really concerned about flooding, and I will be voting no too.

PRESIDENT TANDY: Councilwoman Woolridge.

COUNCILWOMAN WOOLRIDGE: Thank you, Mr. President. I always think the council person that represents an area knows more about it than probably the folks that don't represent the area, so since he is voting no, I will be voting no against this project as well. Thank you.

PRESIDENT TANDY: Councilman Owen.

COUNCILMAN OWEN: Mr. President and colleagues, I just want to raise an issue with this. And I think I'm responding in part to what I understood my colleague Mr. Peden said. Our vote would not stop this proposal, if I understood him to say that correctly. My understanding is that if a majority of us tonight vote no to this ordinance that is a rezoning ordinance, the project stops. Maybe a point of clarification. Am I missing something?

PRESIDENT TANDY: Let me ask that of our county attorney, Ms. Bilitski, would you identify for the record?

DEBORAH BILITSKI: Deborah Bilitski with the Jefferson County Attorney's Office. In order to overturn a recommendation, you will need a majority of the entire legislative body. You need 14 votes in order to overturn the planning commission recommendation, you also need findings of fact to support that. So we would need to do a resolution to include some

findings of facts, and you would need 14 votes. Otherwise, the planning commission's recommendation will stand after 90 days.

>> If I may, Mr. President.

PRESIDENT TANDY: Hold on just a second. Go ahead, Councilman Owen.

COUNCILMAN OWEN: I was just saying, it appears to me that we are moving toward a no vote on this. And if that's the case, would we need the findings of fact tonight in order to do that?

PRESIDENT TANDY: Ms. Bilitski?

DEBORAH BILITSKI: It looks like the 90 days will expire on November 20th. So you could do one of two things: Either way, you could either table it tonight, you could send it back to the committee for further consideration, but, yeah, we don't have any findings of fact tonight in order for you to take any action that would overturn the planning commission. So we need either to be tabled or brought back to the council or sent back to committee and sent back. Your deadline to act is November 20th. If you don't act by then the planning commission's approval will go into effect by object to the form of the question of law.

PRESIDENT TANDY: Councilman Peden.

COUNCILMAN PEDEN: I just wanted to clarify. When I made my reference to we can't -- we won't stop it by a bunch of no votes, and that is -- and our attorney just clarified what I'm about to say -- but it is my understanding, 14 of us vote yes for something. Even if 18 of however many of us are here tonight vote no, all it really does is put it off until that November 20th date and it still becomes an approved plan. It's that we -- she skipped over the step that I was saying, which is no votes don't kill a Planning/Zoning project. 14 yes votes saying we don't support the planning commission stop a planning case. So we have to change it into something that the majority of us vote yes on, which is in this case we all agree to not support the planning commission. That's what stops it. So that was what my comment was that a bunch of no votes won't kill this project, granted, I didn't anticipate 15 or 16 no votes when I made that comment, but if it does go that direction, again, I'll repeat what she said. We have to create something that the majority of us vote yes on before it stops it. So thank you.

PRESIDENT TANDY: So just so that I'm clear, the options that are before us would be to either send it -- if there is still some uneasiness you can always send it back to the committee, you could keep it held at the council level until a date certain, which of course we would have to act before November 20th -- is that correct?

DEBORAH BILITSKI: Correct.

PRESIDENT TANDY: And then if there was a vote taken here that was in the negative with regard to the decision of the Planning Commission, what would be the next step to that? If we took action that was in the negative, what would happen?

DEBORAH BILITSKI: You would then need to introduce some new legislation in the form of a resolution and then it would have to go to committee. So you are running close to that 90 days if you have to introduce a new piece of legislation. You would still have time, I think, because you have first and third Thursdays in November. So you may have enough time if you introduce something new at the next meeting on October 22nd, send it to committee, and then get it back to the council before the 20th. So you could vote down the ordinance tonight and then somebody else could introduce a new piece of legislation. That's another option.

PRESIDENT TANDY: Okay. All right. Further discussion?
Councilwoman Shanklin.

COUNCILWOMAN SHANKLIN: Yes. If it does go back to the committee, I am voting no. I have three houses sitting there from the flood with flood damage, trash and everything in the yards. The city won't clean it up and the people have left the houses. And we are sitting there with houses with all of this flood damage in the front yard. So I don't want to see that happen again. We can't even get what we had from back in June cleaned up.

PRESIDENT TANDY: Councilman Yates.

COUNCILMAN YATES: Thank you, Mr. President. Normally on an issue like this when there is approval by the committee, you would make that assumption and it passes. I'm seeing a lot of questions here today amongst my colleagues. I would have issue with us voting it down without questions being answered. I know that it looks like it has been approved. My engineers have looked at it. It looks like there has been a lot of

investment and time put into it and it looks like we have a lot of questions to be answered. And I will make the motion to accepted it back to committee so we can make a better and more informed decision. With that, I will make a motion to send back to committee.

PRESIDENT TANDY: Is there a second?

>> Second.

PRESIDENT TANDY: Properly moved and seconded. Any discussion on the motions?

Councilman Downard.

COUNCILMAN DOWNARD: Thank you, Mr. President. I'm kind of a little bit confused by what is going on right now. This was sent back to committee for a specific review of drainage issues. And it came back to committee. And the committee reviewed those issues in great detail. There are provisions added to this that require MSD to do a complete review of the drainage effect on the area before it is approved. And the committee voted unanimously to approve this with the exception of Councilman Benson, who was added to that because he was there.

I'm a little confused -- we have a lot of things being said here. There was enormous work done by the Planning Commission staff prior to coming back to the committee for the second time so that we could review whether this was being done haphazardly or quickly. I might add, we talk about neighbors, the Floyd's Fork Park wrote a letter saying we are in support of this transaction. We are in support of this development. It has been done so it will not harm the park or any of Floyd's Fork. We went through this in such great detail. If you will send it back to committee you'll get another unanimous vote. I would ask you to please don't think that -- and Councilwoman Flood's not here -- I wish she was because she headed that meeting, both of them, as a matter of fact, and we took great pains. If doing that job was not sufficient, I don't know why we have committees. This wasn't something that just went through committee. It came back and that was the only reason it was there. And we had testimony from people all across the line.

Councilman Benson said tonight he has been told recently that the drainage issues above this area are just as bad as the one he was concerned about and they have not caused that problem. So I think when

they think about what happened here in April, none of us really trust in our hearts that every review we do on drainage is exactly right because it didn't work. And it didn't work in a lot of places in this community. And I made that statement in committee, which is why we made them go to the additional extra time to come back and say here it is, we reviewed it, they cannot start this development without a formal letter from MSD saying they have done in great detail what the committee has asked them to do above and beyond, whether they think they have already done it, to do it again. And I could ask you, just please trust that we didn't do this haphazardly. It was done, I think, pretty thoughtfully. I don't know what else you can do. You can write findings of fact that somebody has to make up because there is no testimony for them, there is no testimony at the Planning Commission, there was none here tonight, there was none in committee. I'm just a little -- I would ask you, please stop and think that we asked the committee at our last meeting -- I voted for it and so did Councilwoman Flood -- we supported the fact that there were concerns and that we need to take a hard look at it. And we thought we did. But all of a sudden there is the confusion of what happened in the spring coming into this and I'm not sure it belongs there. And if the neighbors -- some of the neighbors I guess are against this. But I'm going to tell you all of them aren't. We had letters in testimony before the Planning Commission of people who were this favor. No one spoke against it at the Planning Commission.

So it gets confusing when things go along that nobody has a problem with, we had a problem, sent it back and looked very deeply into that issue and still nobody had a problem. So I would just ask you, please, there needs to be some respect for the process. And if we didn't do it right, somebody read from the minutes, somebody tell me where the committee didn't do their job, except for you just sort of feel that way. We have a responsibility in this community to do our job professionally all the time. I'm just asking you that I think that the four people who were there did that, I thought. And if we didn't, then I understand. Somebody tell us where rather than just -- so I have probably said more than I probably should, but I thank you, Mr. President. I'm going to vote in favor of this again. Thank you.

PRESIDENT TANDY: Colleagues, let me ask you to do this, because I know there are other people who want to speak on the motion that was made to send this back to committee. If you are already logged in to our system to speak but you are not wanting to speak on that motion, go ahead and log out for me so I'm very clear as to who wants to speak on what matter.

Councilman Hollander.

COUNCILMAN HOLLANDER: I'm a member of the committee too and I was there at both meetings, actually. The upstream flooding issue which Councilman Benson raised was the only issue really raised at that time at the committee. And as I understand it, that issue has been resolved favorably to the applicant, at this point.

The other comment I would make, and this was made very well by Councilman Downard and others, a number of MSD approvals are required before any construction can start on this project. This is a rezoning, this is not a construction permit. The plans say very clearly, and what came to us very clearly is that all construction shall conform with MSD, FEMA, and other department approvals where final design can be changed. And for that reason I will be voting yes.

PRESIDENT TANDY: Councilman Ackerson.

COUNCILMAN ACKERSON: Thank you, Mr. President. It is not often that Councilman Downard and I are in agreement on controversy. He is right. Simple as that. And for me to say that should go a long way.

The reality here, for us to send this back to committee to vote it down is setting a tremendously bad precedent. Close to one eighth of this county is in the floodplain. And are we to set a precedent here tonight that essentially from now on we are not going to develop one eighth of the county because it happens to be in a floodplain? That's a poor precedent. With all due respect to my honorable colleague from the 20th, I didn't hear one thing here tonight to convince me otherwise other than he has a knee-jerk reaction that he just doesn't feel good about it. In fact, we heard him in the Committee of the Whole speak favorably but he says I don't know and so because I don't know I'm going to vote no. And a lot of times we try to defer to the council person whose district it is in and try to give them some deference, but the problem with that theory

tonight is, again, we have not been given any solid evidence of why to defer to that. No good reasoning.

And at the end of the day we should not send this back to committee. It has been there. We have vetted it. We should not set the precedent of one eighth of the county we will not develop, and we should trust the system. So again, Councilman Downard is right, and I would urge we not send this back and we pass this out tonight. Thank you.

PRESIDENT TANDY: Mr. Clerk, please clock the time and the date of said statement by Councilman Ackerson.

MR. CLERK: So noted.

PRESIDENT TANDY: Councilwoman Parker.

COUNCILWOMAN PARKER: Yes. Thank you, Mr. President. I was one of the four that was on this committee at the last one and then also the previous one. And it is my understanding that this development, it is bounded by the park, which is in favor, Bardstown Road. The line of the floodplain -- somebody can correct me if I'm wrong -- was pushed back so this development is not actually in the floodplain. We ask if there was any other homes close to this that we would need to have concern about, and there wasn't. They were building remedial basins, as they are required to do. And then as Councilwoman Flood during the meet so very eloquently addressed, when you have seven inches of rain in an hour, there is no amount of infrastructure that you can build that can remediate that kind of rainfall that quickly. It just has to take its time to dissipate. And if we are concerned about developing our building, we just need to shut down all development and there goes a lot of development that we are wanting to be built for many different reasons. So I supported the project then, and then I will still support it now. Thank you.

PRESIDENT TANDY: Councilwoman Leet.

COUNCILWOMAN LEET: Yes. I would like to be an record saying that I also will support passing this and urge it not to go back to committee. As a developer and an engineer and having spent several of the last months of my life working on flood mitigation, I'm more than aware -- and we should all be at this point -- that these developments are not occurring because our rules and our oversight through a variety of different agencies doesn't allow us to actually build in the floodplain

without mitigation. So we need to be cognizant of that. You can build things like a parking lot but you cannot build a structure without proper mitigation and getting it out of the floodplain level. So I don't want people to emotionally react to something that will be addressed through the process and has been addressed through the process. And for that reason I urge you to vote yes for this project.

PRESIDENT TANDY: Councilman Magre.

COUNCILMAN MAGRE: Well, frankly, I remain gun-shy about it all. Number one, I respect that Councilman Benson has concerns. We have enough time that his concerns can be further addressed in more detail and it gives him an opportunity to outline and specify it. But the idea that there are 5.67 inches of rain, I have never had flooding at my house on Rammers Avenue. There are a lot of parts in Louisville, Kentucky, that are away from the floodplain that don't flood. With the floodplain, there is development with a lot of concrete laid out, a lot of paving, a lot of things covering grass that create flooding regardless of how they divide it and show it in formulas and calculate it and how it is engineered. There's a damn lot of flooding in Louisville, Kentucky, when it rains hard. And it will rain hard. We will have three, four, five-inch rains. It will happen a lot. And it really does concern me in terms of -- there's a concern on behalf of one of our constituents, and you cannot say 100 percent of -- or one of our colleagues -- you cannot say 100 percent of his constituents around this project are in support. In fact, some of them, quite a few are for a variety of reasons, including this one. I think since we have the time, it would be wise to, again, send it back to committee, understanding a no vote creates that opportunity based on what its definition is. It doesn't kill the project. I thank Councilman Owen for clarifying that. If need be, we will go all the way through with this. A no vote I would support. But I think I'm speaking to a motion to send it back to committee. That was my understanding.

PRESIDENT TANDY: That is correct.

COUNCILMAN MAGRE: So I would support sending it back to committee.

PRESIDENT TANDY: Councilman Yates.

COUNCILMAN YATES: Thank you, Mr. President, and thank you for the members of the committee for speaking up. I'm watching the pinnacle shifting back and forth. It looked like we had an outpouring of people who were going to vote against this, and I think that we talk about wanting to support development and create jobs and investing back in our community, and my knee-gut reaction to that was we don't want to vote something down without having all the information in front of us. The first few speakers that I heard were saying they need additional information in order to vote for this. Since then, we have had several of the committee members chip in and say that information was supplied, it has been properly vetted. I would choose before we voted this down at committee today that we send it back as a council today and accepted it back to committee and get some additional information, make whatever changes need to be made to make everyone feel right. But if we are going to pass this today -- and I fully support this -- what I'm not in favor of is bringing the votes together -- and I know we are missing several colleagues today so I don't even know if we would have the support to vote it down -- I guess we would -- but in the event that we think we are going to pass this today, I would be willing to withdraw my motion.

I'm withdrawing my motion to send it back to committee after hearing the support of the committee members and the discussion today. I wasn't aware that it had been sent back to committee already, that it had been vetted. And so with that I will withdraw my motion to send it back to committee.

PRESIDENT TANDY: Who was the person who seconded?

COUNCILWOMAN AUBREY WELCH: I was.

PRESIDENT TANDY: Councilwoman Welch, do you withdraw?

COUNCILWOMAN AUBREY WELCH: I will withdraw my second. And I would like to say that I have many warehouses being developed now in my district, and most of my district is underwater. And they all have to be brought up out of the floodplain and they are all required to make new retention basins, which end up helping all of the surrounding neighborhoods and preventing further flooding for my neighborhoods that are already there. So I think that MSD in that regard is doing a good job with development going forward, and I will be a yes vote.

PRESIDENT TANDY: So the motion to send back to the committee has been withdrawn and the second has been as well. We have the ordinance before us. Is there any further discussion on the ordinance?

Councilman Benson.

COUNCILMAN BENSON: Thank you, Mr. President. There was some opposition. But not the same as I was. The people who were objecting to it live on that road, Bardstown Bluff Road. There's about four or five people who live on the road, they will worry they can't get out anymore. And it is in a curb, it is hard to negotiate, people are going -- the speed limit's 55, people are going 70. They are really concerned that it is going to be a problem. I know that life changes when you have zoning changes. And believe it or not, I'm smart enough to get out of the rain. I can even use an umbrella at times. Am I smart enough to know about flooding?

I am a tool maker and I know how to build things. Above this case that is being zoned is a lot of vacant land. And someday that will be developed. I know that 5/8th of an inch cannot run off a property. If you get more than that, it's okay if it runs off. Where is it going to run? Into the creek. As time goes on, and you have to figure, Ms. Leet, I know a little bit about that, before that was built they probably didn't have as much flooding. And after that, they meant to take care of it. Now they want to buy a bunch of houses. I'm concerned that we look at this really good. One person says it is okay, did the figure, and now everybody says, well, MSD or whoever, is it one person or 20 people? I'm not really comfortable. On the other side of the street there's a five foot diameter culvert and it is not developed either. And if it gets developed, how does the water go under Bardstown Road over to the creek? And like I told them, I said if it went straight across to the creek it would be one thing. It comes across the road and turns 90 degrees. Now if you know anything about volume, when you turn 90 degrees, you slow down the volume. Those are just questions. Are we doing things adequately?

Now, like Councilman Ackerson says, I get emotional about something, and maybe I don't think through these things, I promise you, I think about everything, and I didn't come to my conclusion -- now I have had several cases in my district that I voted against, and some of y'all

voted with me, had resolutions. We went against 2020 on several of them, and I lost. So in my mind, do I want to stop this, probably. Can I? No. So I'm just telling you how I feel. I appreciate Ms. Woolridge, she always stands with me and I'm humbled that she feels that I know a little bit about something, and I appreciate that.

I will be voting against it and I am smart enough to get out of the rain. And I know just because I was a shop teacher, a tool maker, I'm not that smart so just pat me on the head and I'm okay. This is wrong and I'm against it. Thank you, Mr. President.

PRESIDENT TANDY: Councilwoman Woolridge.

COUNCILWOMAN WOOLRIDGE: Thank you, Mr. President. I was in the queue earlier and I withdrew my request to speak, however, I feel compelled to speak after reading the minutes. I believe one of my colleagues perhaps said there were no people against this project. And that's not exactly what I read in the minutes.

Again, we have plenty of time to send this back to committee. And my question here is, the resolution for finding of the facts, I have heard enough facts here tonight just from the council person that represents this district, so can someone -- would you ask the county attorney to please explain to me what the finding of facts are?

PRESIDENT TANDY: Ms. Bilitski.

DEBORAH BILITSKI: Sure. In zoning cases it is required that your decision be based on findings of fact that are based on a record of a public hearing. And the findings of facts have to be based on the criteria set forth in the Kentucky Revised Statutes. Does it comply with the comprehensive plan? Have there been major changes of an economic, social, or physical nature? Or is the proposed rezoning more appropriate than the existing zoning? Your findings of fact have to be based very specifically on the evidence that is in the record as compared to those criteria, and it is not something that you can just articulate a one-or-two-line sentence. It is something that needs to be very thoroughly contained in writing in the resolution or ordinance.

So when you look at the Planning Commission minutes, for example, for that case, all those whereas clauses that talk about the Cornerstone 2020 guidelines and policies, that's the sort of that I think

we would need to do to support a decision of denial. You would have to find facts in the record that would support and then write those up. Does that make sense?

>> Again, Mr. President, I would like to make a motion to send this back to committee.

PRESIDENT TANDY: Is there a second? All right. Seeing there is no second for that, that motion will fail.

Any further discussion on the ordinance?

Councilwoman Leet.

COUNCILWOMAN LEET: Yes. I just wanted to comment that in my response I never insinuated anything about whether someone knew more or less about a specific topic other than to suggest my own experience. And I don't doubt that there are some concerns, but I don't believe that if we are in a situation where we do have undisturbed ground in the area that we should just automatically set a roadblock in the way to prevent development in an area where we have set up a process and that process has been followed and all concerns have been vetted. So I'm simply stating my position as well, and honoring your decision to have a different opinion.

PRESIDENT TANDY: Seeing there's no one else in the queue to speak on this ordinance, this is an ordinance that will require a roll call vote.

Madame Clerk, please open the voting.

COUNCILWOMAN SHANKLIN: I still will be voting against it because until you can come to my area and see all this wet stuff laying out in the yards, MSD's not taking responsibility, the city's not taking responsibility. This was just the way I feel. This is my opinion I have, is that when it comes to floodplain areas, they do not take care of it in my area. I have houses that are abandoned, and it is just a mess. And nobody in this city will come over and do anything about it. So I will be voting no.

PRESIDENT TANDY: All right. And the voting is now closed.

MR. CLERK: 16 yes votes, eight no votes, and two not voting. The no votes are Council Members Shanklin, Woolridge, James, Magre, Fowler, Benson, Johnson, and Peden.

PRESIDENT TANDY: All right. The ordinance passes. Aaron, you got all that down now? You didn't think you would get all of this as a page tonight, huh? All right. This is democracy in action.

COUNCILMAN ENGEL: Mr. President.

PRESIDENT TANDY: Yes, sir, Councilman Engel.

COUNCILMAN ENGEL: In the interest of full disclosure I told my page that there were no controversial votes tonight, at least I thought.

PRESIDENT TANDY: Those are famous last words, I'm telling you. Our next item of business is item number 28.

Mr. Clerk, a reading of this ordinance.

MR. CLERK: AN ORDINANCE AMENDING SECTIONS OF CHAPTERS 2 AND 9 OF THE LAND DEVELOPMENT CODE PERTAINING TO BOARDING AND LODGING HOUSES-APPLICABLE SECTIONS ARE MORE FULLY SET FORTH BELOW IN EXHIBIT A-WHICH IS PART OF A CONTINUING EFFORT TO UPDATE THE ZONING REGULATIONS FOR LOUISVILLE METRO. (CASE NO. 15AMEND1000). (AS AMENDED).

Read in full.

PRESIDENT TANDY: Is there a motion?

>> So moved.

>> Second.

PRESIDENT TANDY: Properly moved and seconded. It is before us, is there any discussion?

Councilman Peden.

COUNCILMAN PEDEN: Thank you. This is kind of the second time around for this particular ordinance. It has been part of our mission to update the Land Development Code. This one was specifically picked out by Councilwoman Cheri Bryant-Hamilton, and you should probably address her as soon as I am finished.

It came out of committee with -- I guess the best word, we held it over for one meeting because we thought we might want to amend it. Councilwoman Hamilton and staff sat down and decided they would do it more administratively and therefore it came out of committee unanimously for your support. Thank you.

PRESIDENT TANDY: Councilwoman Hamilton, do you wish to address?

COUNCILWOMAN BRYANT HAMILTON: Sure. Thank you, Mr. President. You will recall we did pass at the council level some recommendations to

change the Land Development Code regarding boarding and lodging houses. They had a public hearing in June, and so it has come back to us. Since the public hearing, there were a couple of items that needed to be clarified, and so what we have are two amendments that we made that are here tonight. One was to talk about the type of resident population intended to be served. That's the new language. And the other one is that the operators of a boarding and lodging house shall maintain a registry of residents which will document the term of stay of each resident. The registry shall be made available for inspection by a code enforcement officer in order to determine the total number of residents residing in the boarding and lodging house at any given time and whether or not a term of stay is temporary or permanent.

Also, it goes on to say that the operator is not required to collect and maintain records that may be used for discriminatory purposes under the fair housing act, including but not limited to records of race, religion, gender, national origin, family status, and disability of any resident. So that was just some clarification, some language that was added to the amendment, the attachment A. Nothing else was changed. So we ask for your support.

PRESIDENT TANDY: All right. Any further discussion? All right. Seeing none, this is an ordinance calling for a roll call vote. Madame Clerk, please open the voting. The voting is closing. And the voting is closed.

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

PRESIDENT TANDY: The ordinance as amended passes.

Our next item of business is item number 29.

Mr. Clerk, a reading of this ordinance.

MR. CLERK: AN ORDINANCE AMENDING THE FOLLOWING SECTIONS OF CHAPTER 2 OF THE LAND DEVELOPMENT CODE PERTAINING TO PERMITTED/CONDITIONAL USES-APPLICABLE SECTIONS ARE MORE SPECIFICALLY SET FORTH BELOW IN EXHIBIT A-WHICH IS PART OF A CONTINUING EFFORT TO UPDATE THE ZONING REGULATIONS FOR LOUISVILLE METRO (CASE NO. 14AMEND1003). (AS AMENDED).

Read in full.

PRESIDENT TANDY: Is there a motion?

>> So moved.

>> Second.

PRESIDENT TANDY: Properly moved and seconded. We now have this ordinance before us. Is there any discussion?

Councilman Peden.

COUNCILMAN PEDEN: Thank you. This one is a little more complicated just from the perspective of our passage and that we need to amend a couple things.

This was original filed to move all commercial uses, all permitted commercial uses, to all industrial zoning districts. The committee had some issue with that. Staff then came back and said, well, if you don't like that we need to change some other stuff back to the way it was. Further discussion revealed that part of what stimulated this is the continuing microbrewery microdistillery industry that we have going on downtown and some industrial properties right on the fringe of the business district that would like to have some of these uses on industrial property, again, to continue to promote and expand the downtown area.

So as a compromised position from the original mass change on uses, the amendment that you have before you that the clerk was nice enough to label 0-270-125 has been put in front of all of you. And this was created by Councilman Magre and planning staff and reviewed by the committee. For the record, I would like to make this an amendment by substitution over the original ordinance, please.

>> Second.

PRESIDENT TANDY: Properly moved and seconded. It is now before us. Any further discussion on the amendment?

COUNCILMAN PEDEN: You might want to ask the county attorney if I should read the specific changes.

DEBORAH BILITSKI: Yes, I think that would probably be a good idea.

COUNCILMAN PEDEN: And for those of you who would like to follow along they are underlined and highlighted. Adding line four, commercial uses limited to banks, credit unions, savings and loans and similar financial institutions, convenience groceries, restaurant, taverns, bars, and saloons are permitted in the C-2 commercial district, and vehicle service station or repair. It also appears that there is a date change

directly above that. That exact same line is added to 2.5.2 M two industrial district commercial uses limited to banks, credit unions, savings and loans and similar financial institutions, convenience groceries, restaurant, taverns, bars, and saloons are permitted in the C-2 commercial district and vehicle service station or repair.

If you would then flip to the back the same exact verbiage is added to M-3. Again, I'll read for the record: Commercial uses limited to banks, credit unions, savings and loans and similar financial institutions, convenience groceries, restaurant, taverns, bars, and saloons are permitted in the C-2 commercial district and vehicle service station or repair, and the additional added at the bottom, because this is being located on industrial property and there will be food products involved, it simply bumps an environmental study from the end of the process to the beginning of the process, which again as I have said, is generally required anyway. So now it is part of your development plan, not part of your financing plan.

To read that commercial uses limited to banks, credit unions, savings and loans and similar financial institutions, convenience groceries, restaurant, taverns, bars, and saloons are permitted in the C-2 commercial district and vehicle service station or repair may be permitted within the M-1, M-2 industrial districts provided the operation is in accordance with the following standards: No hazardous materials may be stored onsite. And I'm going to go with that one and you are going to have to bear with me and my fire department experience when I tweak that one in just a second.

The applicant shall submit a phase one phase two phase three environmental site assessment to planning and design services indicating that the site is not contaminated and thereby is safe for such commercial development. C, the applicant shall receive approval from the air pollution control district which may condition its approval as may be necessary and appropriate to protect human health and the environment consistent with applicable laws and regulations relating to ambient air quality.

Read in full.

PRESIDENT TANDY: So any further discussion on the amendment?

Councilman Magre.

COUNCILMAN MAGRE: Well, when you read, I think you said "and phase three."

COUNCILMAN PEDEN: It is or? It should be "or." If I read "and," it is "or."

PRESIDENT TANDY: Councilwoman Leet.

COUNCILWOMAN LEET: Just because I haven't had a chance to review the amendment may we ask a question about the amendment?

PRESIDENT TANDY: We are in the discussion phase of the amendment.

COUNCILWOMAN LEET: I'm concerned about the statement of no hazardous material may be stored onsite. With vehicle use and stores, you will have --

COUNCILMAN PEDEN: That's why you heard me comment I will take issue with that one in a minute. If you want me to do it now, she is exactly correct. There are lots of restaurants, every business has some hazardous materials just because of cleaning supplies and everything else. They are required to post that on MSDS sheet, which is available in the beginning at the entrance to most locations so the fire service can find it, etc.

Having no hazardous materials maybe is definitely over the top. My suggestion as I was thinking through this would be the term reportable quantities because that is actually a federal -- every product has a reportable quantity as far as the DOT is concerned. I'll go over to the engineer who does this for a living and see can you come up with some verbiage that makes this plausible?

PRESIDENT TANDY: Hold on. Let me make this a suggestion. Let us --

>> Adopt this first?

PRESIDENT TANDY: Yeah.

>> I got that.

PRESIDENT TANDY: And then we will come back. So now we have the amendment by substitution before us. We need to vote on that.

COUNCILWOMAN LEET: I still have concerns about the amendment that we are about to vote on.

PRESIDENT TANDY: On the substitute?

COUNCILWOMAN LEET: Yes.

PRESIDENT TANDY: So let's table that discussion first.

COUNCILWOMAN LEET: Can I ask another question while I had the floor? Or raise another issue on item C in the same provision.

PRESIDENT TANDY: So you are not talking about Councilman Peden's proposed amendment.

COUNCILWOMAN LEET: Not talking about item A, talking about item C under the same 4.3.go two.

PRESIDENT TANDY: Go ahead.

COUNCILWOMAN LEET: Because I am wondering what the thought process was behind having to receive approval from the air pollution control district for some of these types of operations that are discussed in this commercial use. And the wait and delay that might be caused having to go through that review or process and the extra work required that we are putting on the air pollution control district for retail facilities or banking facilities. I question the merit of that.

PRESIDENT TANDY: Councilman Magre, do you wish to address that?

COUNCILMAN MAGRE: Honestly, what I would address here is B. That was really my only concern in what I specified in terms of how A and C ended up and what Joe wrote and put out there, I'm not sure why that was included. But I would be willing to strike A and C. Again, my major concern -- and I presented it during the discussion we had in committee -- was that it seems to me the appropriate place, if we are really allowing for commercial to be developed on industrial property in Louisville, Kentucky, which has a history of industrial properties that have some environmental concerns, why not require the applicant to go ahead and get the phase one, which generally clears it up if there's some problems on the findings of phase one. And if there's a phase two remediation requirement, it often leads to applicant to walk away from doing it and find some other property. Certainly, that would be the case if they went all the way to a phase three. But I'm comfortable with B only.

Everything I spoke to in committee, I think Councilwoman Hamilton and Councilman Peden were with us there, I never mentioned an A

or C. I was just feeling that whoever wrote this probably was giving what he thought was in the best interest.

COUNCILMAN PEDEN: As the maker of the motion, I'm willing to amend my motion by substitution and I can vouch for the fact, Councilman Magre, B is all he really brought up. I just assumed that staff put A and C in there for a reason and there was some discussion about it, but that would solve a whole lot of issues if we just took A and C out.

PRESIDENT TANDY: So we are going to accept that as a friendly amendment.

COUNCILMAN PEDEN: I will amend my motion if someone whoever seconds it.

>> Second.

>> Second.

>> Second.

COUNCILMAN PEDEN: No need to take a vote.

PRESIDENT TANDY: I think without objection, A and C, we will take that out of the amendment by substitution.

So now we have further discussion. Well, let's go ahead and just vote on that just to be very clear. All in favor of the --

>> Motion to remove A and C.

PRESIDENT TANDY: Motion to remove A and C, all those in favor please signify by saying aye. All opposed?

>> No. I oppose.

PRESIDENT TANDY: And opposed there is one no vote. In the opinion of the chair, the ayes have it. So we have that amendment before us.

So now we have further discussion on the amendment by substitution.

Councilman Owen.

COUNCILMAN OWEN: What remains is what concerns me most. And it focuses on the language. Not contaminated.

I'm concerned that we need to be providing incentives for the redevelopment frequently of abandoned industrial sites about which we have many near the city center, both east, south and west. And if the standard is literally interpreted as advocates for a position will always assert,

this site cannot be contaminated even before you go to talk to a bank about financing, a major concern.

Similarly, can we agree one of the most contaminated sites in all of Metro Louisville is where children play football, Papa John's stadium and Papa John's parking lot, it is vastly massively contaminated. All we have done, all the state has done is not removing the contamination. Please understand not removing the contamination but sealing the site. Where we are doing our tailgating for U of L ball games is a massively contaminated site. And I don't believe I'm making that up. I think I'm being very, very accurate. And all we did was allow -- so what I'm saying is that would not meet the standard. What I understand this language to say it must be brought, before you can go talk to your bank about financing, before you can secure the financing to do a full removal of the contamination, you have to have it not contaminated. And that gives me very grave concern.

PRESIDENT TANDY: Councilman Hollander.

COUNCILMAN HOLLANDER: I share Councilman Owen's concern. I would also say this amendment is a bit of overkill. We are talking about property that was zoned industrial. It may not have even been used for an industrial purpose but someone wants to put a bank on it and we will make them have a phase one environmental assessment whether it has been used for an industrial purpose or not? I just think the amendment is an unnecessary burden.

PRESIDENT TANDY: Councilwoman Hamilton.

COUNCILWOMAN BRYANT HAMILTON: Yes. I'm a member of that committee, and I had a bit of a problem understanding the justification that Councilman Magre was putting forth for this. Because, as was originally amended, it was for the microbreweries and being able to have the restaurant or tavern or something, trying to specifically target it. And so the three amendments that we came up with as far as M-1, M-2 and M-3 were fine.

And then after Mr. Magre raised his points, it went back to the attorneys to draft something so that we could discuss it tonight and pass it. So we really didn't get into a full discussion of the implications. I was fine with A and C coming out and now I'm looking at B and I'm

wondering, well, what is a phase one, two, three environmental site assessment? I don't know what that is and what it entails and what kind of requirements we are putting on these businesses. So I'm not sure if this part is even ready or not.

PRESIDENT TANDY: Councilman Downard.

COUNCILMAN DOWNARD: Thank you, Mr. President. Let me address some of that. We could probably stop after phase one, phase two, or phase three, because one thing that Councilman Owen's right about, you come to the bank to borrow your money, unless you are going to build a bank, they will say give me a phase one. A phase one says they have reviewed history. And history indicates there should not be a problem and they will provide the history and the phase one will say it is a positive result. If it doesn't, they will require a phase two. History says there might have been a rail yard here 45 years ago, we need to look at phase two and see if they did anything to clean it up.

Well, they didn't do anything. Now we will get a phase three because we don't want anybody dying or being injured because of something that is there in the soil. So the phase three will say you have to encapsulate it, build across it, what they did at Papa John's, they encapsulated all the earth that was underneath there so nothing can come up. That was expensive, but that is what you do. To say that it is safe for commercial development, whoa, when you say something is not contaminated, I don't know where there is an area that is not contaminated with something at some level underneath that earth. I'm sure there are, a lot of them, but not that many. But when you go to do any kind of development, first thing they do is test it. They go for the history. What has been in this property for the last 50 or 100 years, they go back a hundred years sometimes if they can get it. And if they find out there is anything there that might have spilled anything -- gas stations are wonderful, there's a tank out there -- they make them take them out but they don't all come out. There is an old gas tank that probably leaked. So they have to do those things. And if they don't find anything in the history, then they say it probably doesn't have any issue.

The person building still has responsibility because they have liability if anything ever does happen. So the phase one is not all that

expensive. And it is pretty well done, in most cases. There are five or six firms in town that do all of them. I shouldn't say that. Probably a hundred now. I'm going to get beat up when I get back to the office tomorrow morning. But to have a phase one, you are going to have to have that anyway probably in a phase one, two, or three, you will have one of those, probably. If you are going to build on your own property, you may not. You may accept that liability. But not if you are going to go borrow money. So I think Councilman Owen and Councilman Hollander hit it right on the nose. I'm not sure -- I know the reason for this is very valid. We have to be very concerned when we are dealing with industrial areas, which is what this is doing. It is adding to commercial uses in an industrial area. Industrial area you say oh, my gosh, industrial area probably did something to contaminant somewhere along the lines so it will probably have a phase one anyway. But I just think that if we are going to do that, let's don't start qualifying putting our definitions of what is contaminated. We are going to prove that the site's not contaminated. Who is going to sign off on that? You can sound off on saying it is not harmful, that any contamination will not rise to the level, those kinds of things can do, but, gosh, if you want to leave in submit a phase 12, or three, that's probably not all that harmful and it is probably not all that expensive.

And it probably does achieve the issue which I think Councilman Magre was trying to get at. We don't want people moving into the industrial areas and putting a bar down there and find out, oh my gosh, something coming up through the floors that is not good for people. So I think the phase one, two, three probably solves the issue. If we start saying and defining what we call the sites not contaminated, I don't know. I think Councilman Owen's right. There's not many of those around. Thank you, Mr. President.

PRESIDENT TANDY: Councilman Johnson.

COUNCILMAN JOHNSON: I just wanted to call the question.

>> Objection.

>> Objection.

PRESIDENT TANDY: All right. There is an objection to the question being called. I think we have a couple more people in the queue who want to discuss this.

Councilman Peden.

COUNCILMAN PEDEN: Thank you, Mr. President. I was going to actually make -- since, again, I seem to be the official maker of the motion at this point still, I was actually going to make a motion that mirrored what Councilman Downard just said -- man, I should have gotten bifocals, hang on. Now I have to wait to focus. I would delete everything after B shall now read, as far as my motion is concerned: The applicant shall submit a phase one phase two or phase three environmental site assessment to Planning and Design Services upon their application.

>> Second.

PRESIDENT TANDY: Okay. And then you are striking everything else.

>> Striking everything else. Yep.

PRESIDENT TANDY: Okay. So we now have this amendment before us that has been properly moved and seconded. Is there any discussion on this amendment?

Councilman Benson, you are in the queue right now.

Anybody in the queue right now want to speak on this?

Councilman Magre.

COUNCILMAN MAGRE: Very quickly, I think I should have just wrote this myself. What we have right now is really all I ever spoke to.

PRESIDENT TANDY: Those dad-gone attorneys.

Any further discussion on the amendment that is before us?

Councilwoman Fowler.

COUNCILWOMAN FOWLER: I just wonder whether or not we can still leave that it is safe for commercial development. Why?

PRESIDENT TANDY: Councilman Downard.

COUNCILMAN DOWNARD: Because it is a determination that any two people can make differently. The phase one that comes in will indicate probabilities of any issues that might be there. The phase two, if it is required, will go much deeper and say what happened and what problems could come out because of the rail yard that was there 30 years ago that

kept dropping oil from all the engines. And so the phase three would do the same thing. If we say that we want to indicate to say that it is safe, I don't know what safe is. If safe is when people don't drive over 30 miles an hour? I don't know. It is a vision that is hard to define.

COUNCILWOMAN FOWLER: Thank you.

PRESIDENT TANDY: Any further discussion?

Councilman Hollander.

COUNCILMAN HOLLANDER: Just one comment. I don't like to defend lawyers very much. I think the fact is that this amendment by substitution was not written by or reviewed by the Jefferson County Attorney's Office at all. So when we say blame the lawyers, we can't do it in this case. Thank you.

PRESIDENT TANDY: Thank you. And I'm the one who made the joke. Protect the profession.

So just so that we are clear, we have the amendment by substitution still before us. All the language that is in the body of the ordinance stays the same. We are amending exhibit A.

>> We are amending 4.3.22 B, which now technically becomes A because we got rid of A.

PRESIDENT TANDY: Of exhibit A is what I'm referring to.

>> Oh, yes, I'm sorry. Of exhibit A.

Technically, the only -- what we have amended tonight on the floor would be on page four, the back. We have gotten rid of the AUC, CUC, and we amended B to say "the applicant shall submit a phase one, two, three environmental assessment to Planning and Design Services upon application."

PRESIDENT TANDY: Just so everybody's clear, that is what is before us right now.

Any further discussion on the proposed amendment? No? Okay. Seeing none, all those in favor please signify by saying aye. All opposed? The ayes have it. And so the amendment carries.

We still need to -- so we voted on the amendment by substitution, we voted on the amendment to the amendment by substitution. So we now have that ordinance before us. Is there any further discussion?

Councilman Peden.

COUNCILMAN PEDEN: We do have one more amendment, and this is because Mr. Baker of the county attorney's office changed one of the whereases. And so if everyone still has their amendment you were provided, the third whereas shall now be read -- and I have to switch over to my new piece of paper here -- the third whereas shall now read: On October 5th, 2015, the Ad Hoc Committee of the Metro Council concurred with and adopted the findings and recommendations of the Planning Commission in case number 14 amend 1003 but with revisions to the commission's recommended language as more specifically set forth in exhibit A attached hereto, the committee's revisions denoted by double underlines and double strike-throughs. That is what Mr. Baker would like as a whereas to make it legal, I guess.

PRESIDENT TANDY: And that's how the third whereas should read?

COUNCILMAN PEDEN: That's how the third whereas should read. I make that as a motion.

>> Second.

PRESIDENT TANDY: Properly moved and seconded before us. Any discussion?

All right. Seeing none, all those in favor please signify by saying aye. All opposed? The ayes have it. So that amendment carries.

We now have the amended substitution amended ordinance by substitution before us.

Is there any discussion?

COUNCILWOMAN BRYANT HAMILTON: Question.

PRESIDENT TANDY: Councilwoman Hamilton.

COUNCILWOMAN BRYANT HAMILTON: On the agenda it reads the following sections of chapter two and in the version we have the title says chapters two and four. So I just wanted to make sure that's what we are doing.

PRESIDENT TANDY: Mr. Clerk. Do you see what Councilwoman Hamilton is referring to?

MR. CLERK: In the title you are referring to? Okay.

COUNCILWOMAN BRYANT HAMILTON: Yes.

>> Actually, what is on the screen does say chapter two but the amendment by substitution says two and four.

MR. CLERK: The amendment by substitution would include and four, so with that amendment of substitution it now reads two and four.

PRESIDENT TANDY: So you disregard what is on the screen because that has been substituted by what the title is that is before us.

MR. CLERK: Right.

PRESIDENT TANDY: Any further discussion?

Councilman Benson, did you want to speak?

COUNCILMAN BENSON: Yes, I would. On what Councilman Downard talked about, contamination, if something grows on a piece of property that is contaminated, we don't want to eat it. Most of the contamination in most industrial area is oil. I changed two cars this week of oil, dealt with it on my hands and I have not been hurt so far. And did some brake work. There's a lot of things that we -- we don't want to eat food -- if this is going to be farmed, we don't want somebody to farm in a place that would be something that would cause our food product. But if it is oil and somebody says that will cause a lot of problems, we are going to put asphalt on top of it, and it kind of bothers me because asphalt is oil. And so I would like to see the rulings on how anybody wants to take a piece of property and say oh, this is an industrial and now it is brown field, we can't use it. To me the application of what you are going to use it for really makes a big difference.

Usually, if you are building a bank, for example, if you are going to have concrete floor, you'll put some gravel and then take a plastic over the top of the gravel to have a barrier so that you don't have radon coming up through and then you pour your concrete. There's nobody that will get contaminated there. And right outside there will be a parking lot. I have a lot of trouble can when we start throwing words, contamination, contamination, that we are almost causing people to run away instead of saying, hey, we can work with you here. So if we can define what is hazardous to your health. Now if it is somebody's -- yeah, maybe. Something that you would breathe and comes out of the ground, that needs to be dealt with no matter what we do with it. And we ought to try to address that. But anything where there is oil, that's not to me a problem. And I would like to make sure that somehow -- maybe somebody's

listening -- let's identify so that we don't stop somebody who wants to do something in an area and is not run away. Thank you.

PRESIDENT TANDY: Councilwoman Woolridge.

COUNCILWOMAN WOOLRIDGE: Thank you, Mr. President. And I would like for everybody to remember what my colleague just said about growing things to eat in perhaps a contaminated area. Soon -- and I don't know how soon -- this council's going to have to give away 24,000 acres of land West Louisville. This was formally where the national tobacco company was, 30th and Muhammad Ali. What is proposed there is a food port. So we need to think about what is going to come out of the ground and how this property is probably contaminated. I just wanted to put that on the record for tonight. Thank you.

PRESIDENT TANDY: Any further discussion? All right. Seeing none, we are voting on the amended ordinance by substitution. This is going to call for a roll call vote.

So, Madame Clerk, please open the voting. The voting is closing. And the voting is closed.

MR. CLERK: 23 yes votes and three not voting.

PRESIDENT TANDY: The ordinance by substitution as amended passes.

Next item of business will be new business. Colleagues, as you leave the chambers please do so quietly so the clerk may read new business. I would ask those council members that wish to make announcements to remain in the chambers and request to do so once the system is made available for you to log in. New business comprises items 31-53.

Mr. Clerk, a reading of those items and their assignments to committee.

MR. CLERK: The following legislation will be assigned to the Appropriations, NDFs, and CIFs Committee.

AN ORDINANCE APPROPRIATING \$12,500 FROM DISTRICT 10 NEIGHBORHOOD DEVELOPMENT FUNDS, TO THE DEPARTMENT OF COMMUNITY SERVICES & REVITALIZATION, TO INCREASE THE ALLOCATED FUNDS TO THE MINISTRIES UNITED OF SOUTH CENTRAL LOUISVILLE (MUSCL) SENIOR WELLNESS CENTER AS ADOPTED IN ORDINANCE NO. 103, SERIES 2015.

AN ORDINANCE APPROPRIATING \$9,797 FROM DISTRICT 9 NEIGHBORHOOD DEVELOPMENT FUNDS, THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE UNITED CRESCENT HILL MINISTRIES, INC., FOR THE PURCHASE OF A NEW PRINTER AND THREE NEW COMPUTERS.

AN ORDINANCE APPROPRIATING \$46,000 IN NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$28,000 FROM DISTRICT 23; \$12,000 FROM DISTRICT 24; \$6,000 FROM DISTRICT 13; TO METRO PARKS FOR A SUMMER CONCERT SERIES (FRIDAYFEST) IN HIGHVIEW PARK FOR 2015-16 SEASONS.

AN ORDINANCE APPROPRIATING \$8,250 FROM NEIGHBORHOOD DEVELOPMENT FUNDS, IN THE FOLLOWING MANNER: \$2,500 FROM DISTRICT 15; \$1,000 EACH FROM DISTRICTS 13, 24, 25; \$500 EACH FROM DISTRICTS 21, 12, 2, 4, 5; \$250 FROM DISTRICT 3; THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE YMCA OF GREATER LOUISVILLE FOR EXPENSES ASSOCIATED WITH THE TOGETHER 4 TEENS BREAKFAST AND DINNER AND THE SAFE PLACE HOLIDAY DINNER EVENTS.

AN ORDINANCE APPROPRIATING \$10,500 NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$5,000 FROM DISTRICT 15; \$1,000 EACH FROM DISTRICTS 4, 12, 13; \$500 EACH FROM DISTRICTS 21, 24, 2, 25, 5; TO METRO PARKS DEPARTMENT TO FUND THE 2015 LOUISVILLE JACK O' LANTERN SPECTACULAR HELD IN IROQUOIS PARK.

AN ORDINANCE APPROPRIATING \$10,000 FROM DISTRICT 17 NEIGHBORHOOD DEVELOPMENT FUNDS, THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE CITY OF ROLLING HILLS, PURSUANT TO LMCO 97.100 ESTABLISHING A METRO PARTNERSHIP PROGRAM WITH SUBURBAN CITIES, FOR ADA COMPLIANT SIDEWALK IMPROVEMENTS AT SIX INTERSECTIONS.

The following legislation will be assigned to the Budget Committee.

AN ORDINANCE AMENDING ORDINANCE NO. 104, SERIES 2015, RELATING TO THE FISCAL YEAR 2015-16 CAPITAL BUDGET BY CHANGING A CAPITAL PROJECT NAME FROM D15 PAVING PROJECTS TO D15 PAVING AND SIDEWALK PROJECTS.

AN ORDINANCE OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, PROVIDING FOR AND AUTHORIZING THE ISSUANCE OF CERTAIN GENERAL OBLIGATION BONDS OF THE METRO GOVERNMENT IN ONE OR MORE SERIES TO FINANCE THE COSTS OF THE PUBLIC PROJECTS AS DESCRIBED THEREIN; SETTING FORTH THE TERMS AND CONDITIONS ON WHICH THE BONDS 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 PROVIDING FOR THE APPLICATION OF THE PROCEEDS THEREOF; AND TAKING OTHER RELATED ACTION RELATING TO THE ISSUANCE AND SALE OF THE BONDS.

AN ORDINANCE AMENDING ORDINANCE NO. 103, SERIES 2015 RELATING TO THE FISCAL YEAR 2015-16 OPERATING BUDGET, RESTRICTING CHANGES TO THE ORGANIZATIONAL STRUCTURE AND FUNCTIONS OF NEIGHBORHOOD PLACE.

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

AN ORDINANCE ESTABLISHING THE LOUISVILLE METRO CEMETERY BOARD.

A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL SOLE SOURCE CONTRACT (PRIORITY DISPATCH CORPORATION - \$80,000.00).

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 RENEWAL SOLE SOURCE CONTRACT (YOUNG MEN'S CHRISTIAN ASSOCIATION OF GREATER LOUISVILLE \$55,000.00).

APPOINTMENT OF BETHANY ADAMS TO THE OLD LOUISVILLE ARCHITECTURAL REVIEW COMMITTEE (ARC). TERM EXPIRES IN THREE YEARS.

APPOINTMENT OF THERESA ZAWACKI TO THE AFFORDABLE HOUSING TRUST FUND BOARD. TERM EXPIRES DECEMBER 31, 2017.

APPOINTMENT OF JENNIFER HANCOCK TO THE KENTUCKIANA WORKS-WORKFORCE INVESTMENT BOARD. TERM EXPIRES JUNE 30, 2017.

The following legislation will be assigned to the Labor and Economic Development Committee.

A RESOLUTION DETERMINING THREE PARCELS OF REAL PROPERTY LOCATED AT 1300 AND 1306 BARDSTOWN ROAD AND OWNED BY LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AS SURPLUS AND NOT NEEDED FOR A GOVERNMENTAL PURPOSE AND AUTHORIZING ITS TRANSFER.

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A DONATION FROM THE GREATER LOUISVILLE ASSOCIATION OF REALTORS IN THE AMOUNT OF \$10,000 TO BE ADMINISTERED BY DEVELOP LOUISVILLE.

AN ORDINANCE OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AUTHORIZING A SECOND SUPPLEMENT TO THE INDENTURE OF TRUST RELATING TO METRO GOVERNMENT'S VARIABLE RATE DEMAND INDUSTRIAL BUILDING REVENUE BONDS, SERIES 2008 (SPALDING UNIVERSITY, INC. PROJECT), THE PROCEEDS OF WHICH WERE LOANED TO SPALDING UNIVERSITY, INC., AND TAKING OTHER RELATED ACTION.

The following legislation will be assigned to the Planning/Zoning, Land Design, and Development Committee.

AN ORDINANCE CLOSING PORTIONS OF WOODLAWN AVENUE, NEVADA AVENUE, PARK BOULEVARD, CRITTENDEN DRIVE, HIAWATHA AVENUE, ORANGE DRIVE AND ROSE DRIVE AND BEING IN LOUISVILLE METRO (CASE NO. 13STREETS1007).

The following legislation will be assigned to the Public Safety Committee.

AN ORDINANCE AMENDING APPENDIX A OF CHAPTER 91 OF THE LOUISVILLE METRO CODE OF ORDINANCES RELATING TO THE METRO ANIMAL SERVICES FEE SCHEDULE.

The following legislation will be assigned to the Public Works, Bridges, and Transportation Committee.

A RESOLUTION CONSENTING TO THE TRANSFER OF CONTROL OF INSIGHT KENTUCKY PARTNER II, L.P., FROM TIME WARNER CABLE, INC., TO CHARTER COMMUNICATIONS, INC., AND AUTHORIZING MAYOR TO EXECUTE A SETTLEMENT AGREEMENT WITH INSIGHT KENTUCKY PARTNER II, L.P. AND AN ASSUMPTION AGREEMENT WITH CHARTER COMMUNICATIONS, INC.

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT AND RECEIVE A STIPEND 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 2016 UNIFIED PLANNING WORK PROGRAM.

AN ORDINANCE AMENDING SECTION 50.32(A) OF THE LOUISVILLE METRO CODE OF ORDINANCES TO ADD SUBURBAN FIRE DISTRICTS TO PROPERTIES EXEMPT FROM MSD DRAINAGE SERVICE CHARGES.

Read in full.

PRESIDENT TANDY: All right. Thank you, Mr. Clerk.

Without objection, we will stand adjourned. And next we will have announcements. And we will begin our announcements with Councilman Owen.

COUNCILMAN OWEN: Thank you, Mr. President. A few things going on in the eighth Metro Council district, generally the Highlands, this weekend, the eighth and ninth of October. Friday evening from about 6:00 to 11:00 and 11:00 to 11:00 on Saturday will be the Belknap Fall Festival. That is right at Douglas Loop. There will be music, vendors, activities, family activities as well. It is always a good time. We are hoping for good, good weather on Friday night and Saturday, October 8th and ninth.

On Bardstown Road -- and this is both great news and also an announcement there will be a street closing on that major thoroughfare on two occasions in October. The first occasion for closing the street between Broadway and Grinstead Drive, a narrower focus this year, will be the annual Halloween parade. Now that's always a very popular event. That will be on October 16th, Friday, October 16th. Starting at 7:00 o'clock. And then -- so that involves closing that section of Bardstown Road between Broadway and Grinstead only this year for the Halloween parade on the 16th.

And then on the 18th just two days later, closing Bardstown Road on a Sunday, and that will be from early afternoon to about 5:30 or 6:00 o'clock, and that is Cyclouvia. Cyclouvia has been on Broadway, Frankfort Avenue, and now it is back to Bardstown Road. That will be Sunday October 18th. There will be a good stretch of Bardstown Road and highlands closed but not as much traffic on a Sunday. That will be the 18th of October. Thank you, Mr. President.

PRESIDENT TANDY: Thank you, Councilman Owen.

Next we have Councilwoman Woolridge.

COUNCILWOMAN WOOLRIDGE: Thank you, Mr. President. District 3 has a couple announcements regarding the Hallmark Neighborhood Association. This particular flier reads here Hallmark Neighborhood Association to meet with Major Tom Dreyfur. He is our new major at the second division of LMPD. We are asking and urging everyone to come out on Monday night, October 12th, at the Southern Star Missionary Baptist Church

located at 2304 Algonquin Parkway, lower level. Bring your concerns, questions and also bring a friend. We don't want our new major sitting there talking to the tables and chairs, so we are expecting you to come out. If you need further information regarding this announcement, phone my office at 574-1103.

The other announcement that I have is also for Hallmark Neighborhood Association. It is a fundraiser. They take a trip for one day, November 14th, Saturday, the trip cost twenty-five dollars. For more information regarding this day trip phone the president of the Hallmark Neighborhood Association, bonny Robinson at 772-two three one four, or Ms. Mary Vaughn at 778-3508. And if you didn't get those numbers you can phone my office at 574-1103. Thank you.

PRESIDENT TANDY: Thank you, Councilwoman Woolridge.

I actually have a couple of announcements to make as well. The first one is going to be regarding on October 10th, the Willy Bright Resource Fair that we have in the fourth district will be held on October tenth from 1:00 p.m. to 4:00 p.m. at Shelby Park. This event, as many of you already know, is free and open to the public. In particular for fourth district residents, but people all across Jefferson County are welcome to attend. The purpose of the event is to bring the community together and bring people together with resources that they need to help them live a high quality of life. So you have an opportunity there for free health screenings from our health department and other health partners that we have across Jefferson County.

There will also be people there to help you if you want to further your education, if you want to go and get your GED, we can show you how to go about doing that. You want to go on to college? We have a number of different colleges, whether they be the University of Louisville, whether it be Simmons College of Kentucky, Spalding University, whether it be JCTC. So a number of different places for you to come to further your education or your training, if you want to go into a vocational and technical field, we have those opportunities for you as well.

There will also be the metro agencies through Metro Government that will be there to answer your questions and hear your concerns. And

also there will be some different vendors there who are looking to hire people for different jobs that are available in the community. So we want you to come out, again, on October 10th, this Saturday, from 1:00 p.m. to 4:00 p.m. at Shelby Park to come for the willy bright resource fair. There will be free food, fun activities for kids and everyone, and we will have music being played by B96.5.

The other event that we have is on October 13th. This will be the Louisville Metro diversity business fair. It will be held from 8:00 p.m. to 12 noon at Fourth Street Live in the tavern restaurant there on Fourth Street Live. This is an event that is open to all companies that are MBEs, minority business enterprises, women-owned businesses, and disadvantaged businesses. If you are wanting to participate to get yourself, your business, you are looking to grow it and expand it, we have invited over 30 major procurers of goods and services from across Jefferson County. Groups like Signature Health Care will be there; Humana will be there; Yum Brands will be there. So a whole host of these larger companies as well as Louisville Metro Government and our various departments are going to be there. So we want you to come to this event to meet up with these different procurers and give you an opportunity to make those business and personal connections with the people at these larger companies so that you can grow your business and sell your goods and your products to these people. The price of admission is free, but you do have to be certified by the Louisville Metro human rights commission as an MBE, WBE, or a DBE. If you are not already certified as such, don't let that hold you back. Come to the resource fair and we are registering people onsite to get you in the door and through that process. Again, that is for October 13th from 8:00 a.m. to 12 noon at Fourth Street Live, the Louisville Metro diversity business fair.

And finally, that evening, so we have taken care of you if you have your own business or you want to start your own company. If you are looking for employment, if you are looking for a job, I would be remiss if I did not announce this on behalf of congressman John Yarmuth, with whom my wife is his district director, so y'all are helping me at home by listening to this. On October 13th, from 4:30 to 7:30 p.m.,

Congressman Yarmuth is having his annual jobs fair. It will be held at the Kentucky International Convention Center. There will be over 80 employers looking to fill over 1,000 job openings that are here in Louisville Metro. So if you are looking for a job, if you are looking for a place to get employed, if you are looking to advance your career and looking to seek other opportunities, come to this job fair October 13th from 4:30 p.m. to 7:30 p.m. at the Kentucky International Convention Center, and you can find a job there. Admission is free, so come, dress to impress and ready to engage these employers who are looking for high quality employees to come to work for them.

So that is all of the announcements that we have here at the Metro Council. We certainly encourage each and every one to have you to take advantage of the opportunities that you have heard here today as well as recognize the month of October as Breast Cancer Awareness Month and take the opportunities that you have available to you to get your health screenings done. We recognize there are certain forms of cancer that if we catch them early enough we have high survival rates and you can continue to be an asset to your family and this community. We look forward to seeing you again on our next council meeting, which will be October 22nd at 6:00 p.m. right here in our chambers.

Until that time, we wish you all the best. God bless you and we will see you next time.

[Regular Meeting adjourned.]