



Louisville Metro Government

601 W. Jefferson Street
Louisville, KY 40202

Action Summary - Final Parks and Sustainability Committee

Chair Person Cindi Fowler (D-14)
Vice Chair Pat Mulvihill (D-10)
Committee Member Mark H. Fox (D-13)
Committee Member Kevin Triplett (D-15)
Committee Member Marilyn Parker (R-18)
Committee Member Nicole George (D-21)
Committee Member James Peden (R-23)

Thursday, December 5, 2019

3:00 PM

Council Chambers

Call to Order

Chair Person Fowler called the meeting to order at 3:10 p.m.

Roll Call

Chair Person Fowler introduced the committee members present. A quorum was established.

Council Member Peden arrived at 3:20 p.m.

Present: 7 - Chair Person Cindi Fowler (D-14), Vice Chair Pat Mulvihill (D-10), Committee Member Mark H. Fox (D-13), Committee Member Kevin Triplett (D-15), Committee Member Marilyn Parker (R-18), Committee Member Nicole George (D-21), and Committee Member James Peden (R-23)

Support Staff

Sean Dennis, Jefferson County Attorney's Office
Jason Fowler, Jefferson County Attorney's Office

Clerk(s)

Sonya Harward, Assistant Clerk

Pending Legislation

Chair Person Fowler stated that Item 3 would be held in Committee and that Item 2 would be considered first.

1. [O-385-19](#)

AN ORDINANCE AMENDING CHAPTER 42 OF THE LOUISVILLE/JEFFERSON COUNTY METRO CODE OF ORDINANCES TO PROVIDE FOR THE ABILITY OF A PERSON OR ENTITY TO MANAGE TWO METRO OWNED GOLF COURSES.

Sponsors: Primary Cindi Fowler (D-14)

Attachments: [O-385-19 V.1 112119 Amend LMCO Chapter 42.pdf](#)

A motion was made by Committee Member Fox, seconded by Committee

Member George, that this Ordinance be recommended for approval.

Chair Person Fowler explained that the Ordinance was necessary in case enough people have not come forward in the RFP process to manage the Metro golf courses. She also mentioned that she wanted to amend language regarding how many holes one person could manage rather than the number of golf courses, i.e., instead of two golf courses a person could manage up to 27 holes.

Committee Member George asked Chair Person Fowler how she came up with 27 holes, and Chair Person Fowler explained that it would be a challenge for one person to manage a 27-hole course and an 18-hole course at the same time effectively.

Committee Member Peden said that he thought 36 holes or two golf courses would be fine, especially since a person must be a golf pro to manage a course rather than a course manager that is not a golf pro, and he is not sure that Louisville has the manpower for that anymore. He is willing to try what is being suggested through the spring when the golf season picks up and it can be better assessed. He reiterated that he thinks they should go with 36 holes or consider changing the requirement of having to be a golf pro in order to manage a course.

Committee Member Fox spoke about the death of a pro, retirement, or seperation causing a gap in course management. He stated his opinion that the golf pro is really running a pro shop and personnel, and that the number of holes would not really make a difference.

Chair Person Fowler asked Sean Dennis if he had the language for the amendment being discussed regarding the number of holes one person can manage. There was discussion to clarify what the current proposed legislation actually says versus what it being discussed regarding the language that addresses the number of holes one person can manage. Vice Chair Mulvihill asked for clarity on what is currently allowed in the LMCO, and it was stated that a golf pro can currently manage only one golf course.

Committee Member Peden asked about the language that refers to a golf pro filling in to manage a golf course temporarily. He feels that it should not be temporary and that one golf pro should be allowed to manage more than one golf course on an on-going basis if a contract is signed to do so.

Sean Dennis read from LMCO 42.43(B) and then stated that the language being considered today regarding the temporary management of a course is to provide for a fuller understanding of LMCO 42.43(B)..

Vice Chair Mulvihill pointed out that it still limits the criteria to death or seperation of employment in order for one person to manage more than one course, and suggests they use "two courses" rather than a number of holes. He explains that the new language should be similar to LMCO 42.43(B), which does not reference the number of holes and only references more than one golf course.

Chair Person Fowler explains that the language being proposed in the Ordinance before them is to limit how long Metro Parks can manage a golf

course, and that that Metro Parks needs to find someone in that time period to manage the course.

Committee Member Peden stated his opinion that one person should be able to bid on two courses and run them as a single entity and discussed how this could allow for some flexibility. He stated that he does not want a single corporation managing every course.

Sean Dennis clarified that the language being proposed allows one person to run more than one golf course on a temporary basis.

Committee Member Peden agreed that they should vote on this Ordinance, and suggested Chair Person Fowler seek assistance from the Assistant County Attorney for language to make amendments she may want to offer at the Council meeting.

The motion to recommend for approval carried by the following vote and the Ordinance was sent to Old Business.

Yes: 7 - Fowler, Mulvihill, Fox, Triplett, Parker, George, and Peden

2. [R-102-19](#)

A RESOLUTION FOR 100% CLEAN RENEWABLE ELECTRICITY FOR METRO GOVERNMENT OPERATIONS BY 2030, 100% CLEAN ENERGY FOR METRO GOVERNMENT OPERATIONS BY 2035 AND 100% CLEAN ENERGY COMMUNITY-WIDE BY 2040 (AS AMENDED).

Sponsors: Primary Brandon Coan (D-8)

Attachments: [R-102-19 CAM 12-5-19 Clean Energy.pdf](#)

[R-102-19 Financial Impact Statement RE Clean Energy Resolution 111419.pdf](#)

[R-102-19 V.1 080819 Clean Renewable Electricity for Metro Government.pdf](#)

[10.17.19 B. Zalph Presentation to Metro Council](#)

[10.31.19 LGE Presentation.pdf](#)

[10.31.19 LGE Flyers.pdf](#)

[11.14.19 Ready for 100 Presentation.pdf](#)

A motion was made by Committee Member Fox, seconded by Committee Member George, that this Resolution be untabled.

Chair Person Fowler noted that the sponsor of the legislation, Council Member Coan, was not in attendance.

Committee Member George requested to be a sponsor and spoke about the last three months of discussion about this legislation and how its Metro Council's responsibility to see what the future can look like. She also read the following amendments to the Resolution:

- page 1, first whereas clause, add "transported," after "generated,"
- page 1, first whereas clause, add "significant" after "future"
- page 1, add a new whereas clause after the first whereas clause as follows:
WHEREAS, according to the Sierra Club, "[a] community is powered with 100%

renewable energy when the amount of energy generated from the renewable energy source equals or exceeds 100% of the annual energy consumed within the community.”

- page 3, last whereas clause, add "and solar farms" after "rooftops"

- page 4, Section I, add a new number 3 as follows: (3) the opening of free market pricing for electrical generation and guarantee of total cost access to the electrical grid in order to provide the public with cleaner and cheaper electricity.

A motion was made by Committee Member George, seconded by Committee Member Triplett, that the amendments be approved.

Committee Member George also commented that these amendments were out of respect for all of those that have provided feedback during the discussions in the last three months and how it overall provides for a higher quality legislative product.

Committee Member Fox asked about the proposed amendment to Section I regarding "opening the free market pricing" and whether that was currently prohibited by State law and would require a legislative change. Committee Member George responded that he was correct, and that the language only says that the Council was in support of and not responsible for that.

Committee Member Triplett asked about the addition of the word "significant" and who would define that, as that term is ambiguous. Committee Member George responded that she was open to suggestions of a better term. After Committee Member Triplett suggested removing the word "significant" instead of replacing it, Committee Member George explained that the purpose was to recognize that there could be some threat to life, such as a bird flying into a windmill.

Chair Person Fowler asked if Committee Member Triplett would allow the amendment to stand and discuss it further when the sponsor was present since this was not to be voted out of Committee today. Committee Member Triplett agreed.

Vice Chair Mulvihill spoke about his conflict of interest due to his wife's employment at LG&E and he would be abstaining from all discussion and votes.

The motion to amend passed with a voice vote.

Chair Person Fowler spoke about the previous meeting where the need for a financial impact study was discussed, and the questions about whether a Financial Impact Statement could be submitted for a resolution. She discussed her plan to address the issue with legislation submitted for New Business on the next Metro Council meeting agenda that will allow for a financial impact statement to be submitted for resolutions as well as ordinances.

Sean Dennis spoke to Rule 4.07(e) and the purpose of a financial impact statement and the effect legislation may have on the current or upcoming budget. He additionally noted that the best course of action would be to amend the Rules to include "resolutions" as it pertains to financial impact

statements.

Committee Member Parker asked Mr. Dennis for the best way to implement a financial impact statement, and he suggested that they could ask the Auditor to come before the Committee to address how she would consider addressing a financial impact statement as it pertains to this legislation. Mr. Dennis also noted that he was not sure if a financial impact statement would be the best tool at their disposal, and suggested the testimony of those they call in to speak as another tool.

A motion was made by Committee Member Fox, seconded by Committee Member George, that this amended Resolution be tabled. The motion carried with a voice vote.

3. [O-319-19](#)

AN ORDINANCE REPEALING SECTIONS 42.40 THROUGH 42.42 AND AMENDING SECTION 42.43 OF THE LOUISVILLE METRO CODE OF ORDINANCES REGARDING METRO-OWNED GOLF COURSES.

Sponsors: Primary Bill Hollander (D-9)

Attachments: [O-319-19 V.1 091219 Repealing Sec. 42.40-42.42 Amending Sec. 42.43.pdf](#)

This item was held in Committee.

Adjournment

Chair Person Fowler thanked Sean Dennis for his dedication and hard work.

Without objection, Chair Person Fowler adjourned the meeting at 3:55 p.m.

*NOTE: Items sent to Old Business will be heard before the full Council at the Metro Council Meeting on December 12, 2019.