

Louisville Metro Government

*601 W. Jefferson Street
Louisville, KY 40202*



Meeting Agenda - Final

Thursday, April 10, 2014

6:00 PM

Council Chambers

Metro Council

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

President: Jim King (10)

Pro-Tem: Vicki Aubrey Welch (13)

Members Roll Call:**Address to Council**

1. [ID 14-484](#) Address to Council for April 10, 2014

Attachments: [4-10-14- Address to Council Agenda](#)

Introduction of Page(s)

2. [ID 14-489](#) President King will introduce Alexis King and Olivia King as the Pages from District 10.

Guests

3. [ID 14-483](#) Councilwoman Butler will recognize Milt Tandy.

Council Minutes

4. [ID 14-485](#) Metro Council Minutes - March 27, 2014

Attachments: [03-27-14 Action Summary](#)

Committee Minutes

5. [ID 14-491](#) Special: Public Safety Committee - March 26, 2014

Attachments: [3-26-14 Public Safety Minutes](#)

6. [ID 14-492](#) Special: Appropriations, NDF's, CIF's Committee - March 26, 2014

Attachments: [Minutes 3-26-14](#)

7. [ID 14-486](#) Special: Committee on Health, Education and Housing - March 27, 2014

Attachments: [032714 Health Action Summary](#)

8. [ID 14-493](#) Regular: Committee on Sustainability - March 27, 2014

Attachments: [3-27-14 Committee on Sustainability](#)

9. [ID 14-494](#) Regular: Committee of the Whole - March 27, 2014

Attachments: [Action Summary 03-27-14](#)

10. [ID 14-496](#) Special: Appropriations, NDF's, CIF's Committee - April 7, 2014

Attachments: [Minutes 4-7-14](#)

11. [ID 14-497](#) Regular: Ad Hoc Committee on Land Development Code - April 7, 2014

Attachments: [4-7-14 LDC Minutes](#)

12. [ID 14-495](#) Regular: Committee on Committees - April 8, 2014

Attachments: [04-08-14 COC Action Summary](#)

Communication From the Mayor

13. [ID 14-478](#) Tree Advisory Board - Nelson Maynard, (New Appointment), Todd Eberle, Robert Eberenz, Jr., (Re-Appointments) (Metro Council approval is not required)

Attachments: [Tree Advisory Board 4 7 2014 1](#)

14. [ID 14-487](#) Convention and Visitors Bureau Commission - Michael Berry, (New Appointment)

Attachments: [CVB Commission 4 7 2014 1](#)

Consent Calendar

Legislation forwarded from AD HOC COMMITTEE ON LAND DEVELOPMENT CODE

15. [R-081-14](#) A RESOLUTION REQUESTING THAT THE PLANNING COMMISSION HOLD A PUBLIC HEARING AND FORWARD A RECOMMENDATION TO THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT REGARDING A PROPOSED AMENDMENT TO SECTION 8.1.4 OF THE LAND DEVELOPMENT CODE WHICH WOULD ALLOW FOR THE RELOCATION OF NONCONFORMING ON-PREMISES SIGNS WHEN THE GOVERNMENT EXERCISES EMINENT DOMAIN OVER PROPERTY UPON WHICH THE SIGN IS LOCATED AND REQUIRES ITS REMOVAL. (Action required by September 2014)

Sponsors: James Peden (R-23)

Attachments: [O-217-14 PC TO HOLD PH RE AMEND LDC SECTION 8.1.4](#)

Legislative History

4/7/14	Ad Hoc Committee on Land Development Code	recommended for approval to the Metro Council
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Legislation forwarded from APPROPRIATIONS, NDFS AND CIFS

16. [O-239-14](#) AN ORDINANCE RESCINDING ORDINANCE NO. 44, SERIES 2013, PASSED BY THE LOUISVILLE METRO COUNCIL ON MARCH 20, 2013, WHICH APPROPRIATED \$7,700 FROM DISTRICT NEIGHBORHOOD DEVELOPMENT FUNDS (NDF) IN THE FOLLOWING MANNER: \$1,500 FROM DISTRICT 25; \$1,000 EACH FROM DISTRICTS 12, 13, 24; \$500 EACH FROM DISTRICTS 6, 3, 14; \$400 EACH FROM DISTRICTS 23, 8; \$300 EACH FROM DISTRICTS 10, 15, 21; TO VALLEY VIEW BAPTIST CHURCH, INCORPORATED FOR EXPENSES CONNECTED WITH ITS SHOP WITH A HERO PROGRAM. (Action Required By: September 2014)
- Sponsors:** Rick Blackwell (D-12), David James (D-6), David Yates (D-25), Vicki Aubrey Welch (D-13), Madonna Flood (D-24), James Peden (R-23), Mary C. Woolridge (D-3), Cindi Fowler (D-14), Tom Owen (D-8), Jim King (D-10), Marianne Butler (D-15) and Dan Johnson (D-21)
- Attachments:** [ORD 044 2013](#)
[Rescinding Valley View](#)
- Legislative History**
- | | | |
|--------|---------------------------------------|---|
| 4/7/14 | Appropriations, NDFs & CIFs Committee | recommended for approval to the Metro Council |
|--------|---------------------------------------|---|
17. [O-257-14](#) AN ORDINANCE APPROPRIATING \$9,840 FROM DISTRICT 13 NEIGHBORHOOD DEVELOPMENT FUNDS, TO BRIGHTSIDE FOR INSTALLATION OF LANDSCAPING AND LANDSCAPING MATERIALS FOR TWO NEW "BRIGHT SITES" AT THE I-265 AND NEW CUT ROAD INTERCHANGE. (Action Required By: September 2014)
- Sponsors:** Vicki Aubrey Welch (D-13)
- Attachments:** [NDF040714B13](#)
- Legislative History**
- | | | |
|--------|---------------------------------------|---|
| 4/7/14 | Appropriations, NDFs & CIFs Committee | recommended for approval to the Metro Council |
|--------|---------------------------------------|---|

Legislation forwarded from COMMITTEE ON HEALTH, EDUCATION, AND HOUSING

18. [O-170-14](#) AN ORDINANCE RELATING TO THE SALE OF ELECTRONIC CIGARETTES ("E-CIGARETTES") OR E-CIGARETTE ACCESSORIES TO MINORS. (Action Required By: August 2014)
- Sponsors:** Vicki Aubrey Welch (D-13), Mary C. Woolridge (D-3) and Marilyn Parker (R-18)
- Attachments:** [E-Cigarettes Ordinance Draft 1 02072014](#)
- Legislative History**
- | | | |
|---------|---|---|
| 3/19/14 | Committee on Health, Education, and Housing | held |
| 3/27/14 | Committee on Health, Education, and Housing | recommended for approval to the Metro Council |

Old Business

19. [O-249-14](#) AN ORDINANCE APPROPRIATING (\$6,100) \$6,500 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$2,000 FROM DISTRICT 9; \$1,200 FROM DISTRICT 8; \$1,000 FROM DISTRICT 4; \$500 FROM DISTRICT 10; \$300 EACH FROM DISTRICTS 15, 21, 25; \$200 FROM DISTRICTS 13, 16; \$100 EACH FROM DISTRICTS 20, 12, 1, 5, 23; THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE LOUISVILLE INDEPENDENT BUSINESS ALLIANCE FOR PROGRAMMING COSTS OF THE SIXTH ANNUAL BUY LOCAL FAIR 2014 (As Amended). (Action Required By: September 2014)

Sponsors: Tina Ward-Pugh (D-9), Stuart Benson (R-20), Rick Blackwell (D-12), Marianne Butler (D-15), Attica Scott (D-1), David Tandy (D-4), Jim King (D-10), Vicki Aubrey Welch (D-13), Tom Owen (D-8), Dan Johnson (D-21) and David Yates (D-25)

Attachments: [NDF031914LIBA](#)

Legislative History

4/7/14	Appropriations, NDFs & CIFs Committee	recommended for approval to the Metro Council
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New Business**Legislation assigned to AD HOC COMMITTEE ON ANNEXATION**

20. [R-099-14](#) A RESOLUTION ANNOUNCING THE STATUTORY REQUIREMENTS AND RELEVANT ISSUES METRO COUNCIL WILL CONSIDER WHEN EVALUATING RESIDENTIAL ANNEXATION REQUESTS. (Action Required By: October 2014)

Sponsors: Kelly Downard (R-16)

21. [R-100-14](#) A RESOLUTION ANNOUNCING THE STATUTORY REQUIREMENTS AND RELEVANT ISSUES METRO COUNCIL WILL CONSIDER WHEN EVALUATING COMMERCIAL AND INDUSTRIAL ANNEXATION REQUESTS. (Action Required By: October 2014)

Sponsors: Kelly Downard (R-16)

Legislation assigned to AD HOC COMMITTEE ON LAND DEVELOPMENT CODE

22. [O-271-14](#) AN ORDINANCE APPROVING TEXT AMENDMENTS TO SECTIONS 2.6.4 AND 2.6.5 OF THE LAND DEVELOPMENT CODE CLARIFYING INDOOR AND OUTDOOR ALCOHOL SALES AND CONSUMPTION USES FOR RESTAURANTS AND ADDING TAVERNS AS A PERMITTED USE IN THE W-1 WATERFRONT AND THE W-2 WATERFRONT DISTRICTS AND BEING IN LOUISVILLE METRO (CASE NO. 14AMEND1000). (Action Required By: October 2014)

Sponsors: Madonna Flood (D-24)

Attachments: [O-271-14 ATTACH 2.6.4 AND 2.6.5 PROPOSED TEXT AMENDMENTS](#)
[14AMEND1000_PC Minutes](#)
[14AMEND1000 Planning Commission Staff Report 3-20-14](#)
[14AMEND1000_2-13-14 PC Minutes](#)

Legislation assigned to APPROPRIATIONS, NDFS AND CIFS

23. [O-266-14](#) AN ORDINANCE APPROPRIATING \$1,554 FROM DISTRICT 4 NEIGHBORHOOD DEVELOPMENT FUNDS AND AMENDING ORDINANCE NO. 39, SERIES 2014, ADOPTED BY THE LOUISVILLE METRO COUNCIL AT ITS REGULAR MEETING OF MARCH 13, 2014, WHEREBY AN APPROPRIATION OF \$12,250 FROM NEIGHBORHOOD DEVELOPMENT FUNDS WAS APPROVED AS FOLLOWS: \$5,000 FROM DISTRICT 21; \$2,000 FROM DISTRICT 12; \$1,500 EACH FROM DISTRICTS 13, 1; \$1,000 FROM DISTRICT 16 \$250 FROM DISTRICT 9; \$500 FROM DISTRICTS 8, 14; FOR A NEW TOTAL APPROPRIATION OF \$13,804; THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO STAGE ONE: THE LOUISVILLE CHILDREN'S THEATRE, INC., FOR SUPPLEMENTAL SALARIES FOR ACTORS PERFORMING IN "THE GLORIOUS ADVENTURES OF THE MIGHTY ROBIN HOOD" AT THE KENTUCKY CENTER FOR THE ARTS.

Sponsors: David Tandy (D-4)

Legislation assigned to BUDGET

24. [O-270-14](#) AN ORDINANCE AMENDING ORDINANCE NO. 118, SERIES 2010, RELATING TO THE FISCAL YEAR 2010-11 CAPITAL BUDGET FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, BY TRANSFERRING COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS TO A NEW PROJECT TITLED RICHMONT TERRACE ACQUISITION. (Action Required By: October 2014)

Sponsors: Kelly Downard (R-16)

25. [R-098-14](#) A RESOLUTION AMENDING THE TRANSIT AUTHORITY OF RIVER CITY (TARC) FISCAL YEAR 2014 BUDGET AS APPROVED BY RESOLUTION NO. 97, SERIES 2013 (Action Required By: October 2014)

Sponsors: Marianne Butler (D-15)

Attachments: [FY14 Budget Resolution - TARC Amendment.docx](#)

Legislation assigned to **COMMITTEE ON APPOINTMENTS**

26. [A042414MB](#) APPOINTMENT OF MICHAEL BERRY TO THE CONVENTION AND VISITORS BUREAU COMMISSION. TERM EXPIRES AUGUST 17, 2016.

Attachments: [APT Convention and Visitors Bureau 4-7-14](#)

27. [O-276-14](#) AN ORDINANCE AMENDING LOUISVILLE METRO CODE OF ORDINANCES (LMCO) SECTION 32.002 TO ADD UP TO FOUR ADDITIONAL MEMBERS TO THE COMMISSION ON PUBLIC ART. (Action Required By: October 2014)

Sponsors: Dan Johnson (D-21)

Legislation assigned to **COMMITTEE ON SUSTAINABILITY**

28. [R-083-14](#) A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT \$34,000 FROM THE PARKS FOUNDATION TO BE USED BY THE DEPARTMENT OF PARKS & RECREATION FOR RIVER CITY DRUM CORPS PROGRAMMING AT COMMUNITY CENTERS. (Action Required By: October 2014)

Sponsors: Dan Johnson (D-21)

Legislation assigned to **LABOR & ECONOMIC DEVELOPMENT**

29. [R-092-14](#) A RESOLUTION DETERMINING ONE PARCEL OF REAL PROPERTY WITH IMPROVEMENTS LOCATED AT 1805 SOUTH BROOK STREET OWNED BY LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT ("METRO GOVERNMENT") AS SURPLUS AND NO LONGER NEEDED FOR A GOVERNMENTAL PURPOSE AND AUTHORIZING ITS TRANSFER. (Action Required By: October 2014)

Sponsors: Marianne Butler (D-15)

Attachments: [img004](#)

30. [R-093-14](#) A RESOLUTION APPROVING THE GRANTING OF LOCAL INDUCEMENTS TO ANGEL'S SHARE BRANDS, LLC AND ITS SUBSIDIARIES PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 32. (Action Required by: October 2014)
- Sponsors:** David Tandy (D-4)
- Attachments:** [Metro Council Facts Sheet - Angels Share Brands LLC](#)
31. [R-094-14](#) A RESOLUTION APPROVING THE GRANTING OF LOCAL INDUCEMENTS TO BRADY WORLDWIDE PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 32. (Action Required by: October 2014)
- Sponsors:** David Tandy (D-4)
- Attachments:** [Metro Council Facts Sheet - Brady Worldwide](#)
32. [R-095-14](#) A RESOLUTION APPROVING THE GRANTING OF LOCAL INDUCEMENTS TO WHITE CLAY CONSULTING, INC. PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 32. (Action Required By: October 2014)
- Sponsors:** David Tandy (D-4)
- Attachments:** [White Clay Consulting Inc](#)
33. [R-096-14](#) A RESOLUTION APPROVING THE GRANTING OF LOCAL INDUCEMENTS TO RXC ACQUISITION COMPANY DBA RXCROSSROADS PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 32. (Action Required By: October 2014)
- Sponsors:** David Tandy (D-4)
- Attachments:** [RxC Acquisition Company](#)
34. [R-097-14](#) A RESOLUTION APPROVING THE GRANTING OF LOCAL INDUCEMENTS TO CLICK LLC DBA CLICK IT STAFFING PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 32. (Action Required By: October 2014)
- Sponsors:** David Tandy (D-4)
- Attachments:** [Click LLC dba Click IT Staffing](#)

Legislation assigned to PLANNING/ZONING, LAND DESIGN and DEVELOPMENT

35. [O-272-14](#) AN ORDINANCE CHANGING THE ZONING FROM R-6 RESIDENTIAL MULTI-FAMILY TO C-2 COMMERCIAL ON PROPERTY LOCATED AT 979/983 GOSS AVENUE CONTAINING 0.294 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 13ZONE1014) (Action Required by: June 20, 2014)

Sponsors: Madonna Flood (D-24)

Attachments: [13ZONE1014_PC_Minutes_03.20.14](#)
[13ZONE1014_Legal_Description](#)
[13zone1014_PC_Staff_Report_032014](#)
[13ZONE1014_LDT_Minutes](#)
[13zone1014_LDT_Staff_Report_021314](#)
[13ZONE1014_Findings_of_Fact](#)
[13ZONE1014_Public_Comment](#)
[13ZONE1014_Development_Plan](#)

36. [O-273-14](#) AN ORDINANCE CHANGING THE ZONING FROM M-2 INDUSTRIAL TO C-1 COMMERCIAL ON PROPERTY LOCATED AT 920 DANDRIDGE AVENUE AND 900-904 CHARLES STREET CONTAINING .46 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 13ZONE1009). (Action Required by: June 20, 2014)

Sponsors: Madonna Flood (D-24)

Attachments: [13ZONE1009_PC_Minutes_03.20.14](#)
[13ZONE1009_Legal_Description](#)
[13zone1009_PC_staff_report_032014](#)
[13ZONE1009_LDT_Minutes](#)
[13zone1009_LDT_staff_report_022714](#)
[13ZONE1009_Findings_of_Fact](#)
[13ZONE1009_Zoning_Justification](#)
[13ZONE1009_Development_Plan](#)

Legislation assigned to **PUBLIC WORKS, BRIDGES & TRANSPORTATION**

37. [R-101-14](#) A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT \$19,500 FROM THE PAULA NYE FOUNDATION TO BE USED BY THE DEPARTMENT OF PUBLIC WORKS & ASSETS FOR THREE PROGRAMS REGARDING BICYCLE SAFETY. (Action Required By: October 2014)

Sponsors: Dan Johnson (D-21)

Adjournment

Announcements

