

Metro Council Meeting August 11, 2022

>>The regular meeting of the Louisville Metro Council for August 11, 2022 will please come to order.

Please rise for the pledge 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.

>>This meeting is being held pursuant to KRS 61.826 and Council Rule 5A.

Madam Clerk, could you please call the roll and make note that Council members Dorsey, Arthur and Hollander have excused absences.

>>So noted.

Council Member Bowens? >>Present.

>>Council Member Shanklin? >>Present.

>>Council Member Dorsey is excused.

Council Member Arthur's excused.

Council Member Purvis? >>Present.

>>President James? >>Here.

>>Council Member McCraney? >>Here.

>>Council Member Armstrong? >>Here.

>>Council Member Hollander's excused.

Council Member Mulvihill? >>Here.

(people laughing)

>>Council Member Kramer? >>Here.

>>Thank you, sir.

Council Member Kramer?

Council Member Blackwell? >>Here.

>>Council Member Fox? >>Here.

>>Council Member Fowler? >>Here.

>>Council Member Triplett? >>Here.

>>Council Member Reed? >>Here.

>>Council Member Winkler? >>Here.

>>Council Member Parker? >>Here.

>>Council Member Piagentini? >>Here.

>>Council Member Benson? >>Present.

>>Council Member George?

Council Member Engel? >>Present.

>>Council Member Peden? >>Here.

>>Council Member Flood? >>Here.

>>Council Member Holton Stewart?

>>Here.

>>Council Member Ackerson? >>Here.

>>And then Council Member Kramer, Council Member George,  
Mr. President, you have...

One moment.

You have 21 intercom, sir.

>>Thank you.

Colleagues, we are still in the red zone with COVID.

Our community has lost 16 people this past week.

Our confirmed COVID cases have increased  
by 2,652 in this last week.

So please,

remind people to get vaccinated and stay safe.

But I also would like to recognize  
that we had a tragedy in Eastern Kentucky  
very recently due to massive flooding.

Many people have lost their lives  
and there's a massive reconstruction effort going on  
to help the folks there.

And as we think about our friends  
that live there,

I would like for us to have a moment of silence for them.

Thank you.

>>Councilman Dr. President Blackwell,

I think you have some very special guests today.

>>Can you help him unmute?

Can you not just click on his last name?

>>Mr. President, I think is that,

are you sure that's this week's script?

I don't have that.

>>You don't have that?

>>Oh, that's not..

(indistinct)

>>Oh, all right.

>>Councilman Reed and Councilwoman McCraney,  
you have special guests.

>>There we go, thank you.

(indistinct chattering)

>>There you go.

I was trying to figure out what that was.

>>Mr. President and Council Members,

it is so wonderful to be able to share  
some good news about the educational system  
and some stars in our community

when we're in a climate where  
so many negative things are happening in the school system,  
with the shootings or what have you.

But tonight we are honored, Councilman Reed and I,

to recognize some champions,  
some big time champions in our district,  
and they are the Ballard Bruins.

(audience clapping)

The girls softball team.

And we want to present you  
with this proclamation that reads,

"To all whom these letters shall come, greetings.

Know ye that the Louisville Metro Council hereby honors  
and recognizes Ballard High School girls softball.

Whereas the number one ranked  
Ballard High School girls softball team  
entered the 2022 KHSAA softball state tournament undefeated.

Whereas the team won the championship  
by defeating Lexington Catholic three to two  
that included an exceptional triple play  
that will be long remembered.

And whereas we recognize  
and celebrate the Ballard High School girl softball team  
as they won their first KHSAA softball state championship  
and became just the third undefeated champion  
in Kentucky with the record of 39 and 0.'

(audience clapping)

'We hereby confer this honor with all the rights,  
privileges and responsibilities  
here unto appertaining in testimony whereof,  
we have caused these letters to be made.

And the seal of the Louisville Metro Government  
to be here unto affix."

Done in Louisville, Kentucky,  
this 11th day of August, 2022 by myself,  
Paula McCraney, District Seven Councilwoman  
and Mr. Scott Reed, the 16th district Councilman.

And Ballard high school is in District Seven.

But as you know, we border quite a few items.

So we do a lot of things together.

Coach Jones?

>>Yes, ma'am.

>>Please come forward.

(audience cheering)

>>Man, you should, you could be one of my coaches.

You got lot of enthusiasm.

>>Oh, I do, I do. >>We would love to have you-  
I got lot other things too I could probably help with,  
but I don't think you need my help.

And I want to present this to you

on behalf of the Louisville Metro Council.

>>Thank you so much. Thank you.

Thank you. It's an honor to be here and thank you all.

>>Thank you so much.

>>Thank you.

(audience clapping)

>>Councilman Reed?

>>Thank you.

>>Thank you.

First of all, I wanna ask where's Brooke?

Who's Brooke? >>Right here.

>>That is you?

Okay.

So Brooke has accepted scholarship offered from University of Louisville.

How about that?

(audience clapping)

And I just want you to know that in my prime,

I would've taken you deep.

No, I'm just kidding.

I see big struck out on three pitches actually.

But what a great team and what a great story.

And Alan, I know is a friend of our company at VG Reed, is a friend of everybody in Norton Commons as well.

But you guys have come so close for so long and to have done it like this, with this kind of panache, undefeated, did you make the SportsCenter Top 10?

>>We did.

>>How about that, SportsCenter Top 10?

(audience clapping)

With a triple play.

I mean, what a tremendous achievement and congratulations.

And I think you said

you are definitely gonna win it again next year, right?

>>We have everybody back except for one.

>>Everybody back except for one.

So just remember as the champs, everybody's gonna be gunning for you, big time.

>>Yep, she's the only senior.

>>I'll fill in.

>>I see that, but congratulations and very proud of you.

Thank you.

>>Thank you.

(audience clapping)

>>Mr. President, may we take up a little bit more time to have them gather here for a group picture?

>>Absolutely.  
Hold the thought for one second, Councilman Fox.  
>>Thank you.  
Who turned the Triple Play  
and will one of you come up and tell me about it?  
One of you come up to the mic  
and tell me how you turned the triple play.  
(audience clapping)  
>>What am I doing here?  
>>You tell that gentleman what happened.  
>>Tell him what happened. >>Okay.  
>>State your name please.  
>>Oh my name's Imari Golden.  
>>Awesome. Go right ahead.  
>>Oh, okay.  
So it was a line drive to second.  
So I caught it and then I threw it to Macy  
and then Macy threw it to Milby at second.  
>>Awesome. Good job.  
Good job ladies >>Y'all wanna talk.  
>>Congratulations.  
>>Tell him like what happened leading up to it?  
>>Well, it was like the sixth inning.  
Like it was like a serious time.  
The game was real close.  
We had runners on first and second with zero out.  
A girl on the team had just hit another home run  
and we're all stressing.  
And so at the time the triple play was very much needed.  
(audience laughing)  
>>Well, congratulations again, ladies.  
>>Thank you >>Thank you, Mr. President.  
>>Thank you.  
(indistinct chattering)  
>>4 3 6  
>>4 3 6.  
>>All right, well, come on down and let's get some pictures.  
>>Go ahead ladies.  
Go ahead.  
(audience murmuring)  
>>1 2 3  
1 2 3  
1 2 3  
Okay.  
(audience clapping)  
>>Yes. Rick can see.

>>Rick and I go together, against each other for 15 years.

>>So you used to coach against Rick Blackwell.

Ah, Rick was a great coach.

All right. I gotcha.

>>Mr. President.

>>All right, Councilman Blackwell.

>>I was gonna say, I was trying to get in.

>>There you go.

>>To congratulate my friend, coach Alan Jones.

Yeah. We've coached against each other

for a number of years and note that

he won a state championship after I stopped coaching.

But- >>I did.

>>But in all seriousness,

coach, there is nobody who cares more about his teams

and not just as athletes, not just as winning and losing,

but cares about them as people

and does everything that he can to make sure that they

feel cared for and that he takes care of all their needs,

not just their softball needs.

He is an awesome coach

and I congratulate him and job well done.

Good for you.

>>Thank you.

>>Thank you.

>>Thank you all again.

(audience clapping)

>>All council members attending virtually,

I'd like to remind you to,

you need to have your cameras turned on, please.

Thank you.

Madam Clerk, do we have any addresses to the council?

>>Yes sir, we do.

>>Let me remind those addressing the council,

please refrain from using any profanity

or making derogatory statements to council members.

Any speakers signed up to speak

about a proposed development.

Please know that any comments made tonight will not be

a part of the official public record on that case.

We encourage you to send any comments you have

to the planning and design services

so that they may be incorporated into that record

and ultimately considered by the council.

Madam clerk, please bring them forward.

>>Robert Arthur.

Robert Arthur.

Margaret Stewart.

>>I'm Margaret, but I speak for Laura, Preston, Jordan,

Margaret Ann, my children.

For Atlas, Nila, Avi, and Pierce, my grandchildren.

I speak for my neighbors and for friends

in Eastern Kentucky,

whose homes and lives were swept away by torrential floods.

I speak for those out west,

who've lost all to raging wildfires.

I speak for those here in France and everywhere,

oppressed by deadly heat waves and droughts.

I speak for scorched fields for birds, bees,

butterflies, trees, fishes, and seas.

For all life everywhere on this

beautiful blue ball we call home.

I speak for now and for posterity.

My message is simple.

Make renewable energy in Louisville your top priority.

I thank you for passing a renewable energy resolution,

but we must do more.

Our 1000 year floods and fires

that now occur every few years, the new norm.

No, the real new norm is total climate chaos.

Excuse me.

Extreme weather events will only grow more and more severe

and frequent until we make major changes.

We must pull out all the stops.

Stops on oil, coal, gas.

And we must pull out all the starts

on solar, wind, hydro, geothermal.

We must speed up our efforts.

The climate clock is ticking faster, faster.

Can you hear it?

The window of opportunity to act before

irreversible tipping points kick in is closing.

Decades ago climate scientist urged us to change.

We didn't.

Tick, tick, tick.

More than a century of fossil fuel combustion

has messed up our air, water, soil, and climate.

We are lost unless we break free of fossil fuels.

Break free into the sunlight of renewable energy.

You council members are smart.

So figure out what must be done and do it.

Work to ensure the goals of our resolution

are not only met, but exceeded.  
Educate yourselves.  
Attend the event on the handouts.  
I hope you have been.  
And so you can learn about what's working in other cities.  
Allocate funds for clean energy projects.  
Initiate your own proposals and keep on, keeping on.  
In conclusion I repeat,  
treat the climate crisis for the emergency it is.  
Don't ignore other needs,  
but make Louisville's transition to renewable energy  
your top priority.  
Act as if life on earth depends on your actions.  
Indeed, it does.  
Did you all get these handouts?  
Good. Thank you.  
>>Thank you. Steve Magre.  
>>Just for the record as Mr. Magre walks up,  
like to remind everybody this is former alderman,  
former council person, Steve Magre.  
Thanks for being here.  
>>Former president-  
>>You just call me an old man. How's that?  
In December 2015, with no community knowledge,  
the mayor shut down the urban government center.  
That's on Barrett Avenue.  
After more than six years,  
what does the city have to show for this move?  
Number one, 300 employees were displaced  
and a majority are now in offices  
where city taxpayers are literally paying the rent.  
Number two,  
each of the three separate proposals centered on the city,  
giving the property away for \$1.  
After six years and two failed efforts  
the city is left with the last bidder.  
Unlike the other two,  
this last one will be filling up the available acreage.  
No meaningful green space is suggested.  
What we will be living with is a hotel, an office complex,  
a separate apartment complex and housing units.  
This change out will see a move from the 2015 time  
when 300 people came to the location  
to work Monday through Friday,  
mostly day shifts to what will be now  
an influx of at least a 1000 persons,

seven days and nights a week at the updated property.  
Is the city in a position to cover these major changes  
with top level core services?

We say, they aren't.

Over the past six years,  
the number of full-time  
public health and safety professionals  
are down by unheard of numbers.

Police department, down 11%,  
fire, 10% and EMS, 15%.

In theory, area leaders can help define community benefits  
with the city and the developer,  
but only if these ideas have no cost.

So none of what I just shared is eligible.

There was a different failed city effort  
we've lived with for seven years.

The findings from a study reported in 2015  
had city blessing.

It was to be a basis on resolving  
serious environmental issues tied to CSX railroad Carter,  
but nothing ever happened.

Funding deserves to be found.

Why not with this?

Clearly city leader's best option will be there  
keeping the Barrett Avenue property  
and worker redevelopment plan with the next mayor.

We are asking the council to take us seriously.

Show us over our way that you care about our environment  
and also about keeping our available open spaces,  
just that, open.

Thank you.

>>Thank you. David Lindsay.

>>I just lost a bet by a sentence.

Judy said, "there's no way  
you would keep it under three minutes."  
(audience laughing)

>>David Lindsay.

David Lindsay.

Delores Butler.

>>Good evening, Mr. President and to the Metro Council.

I'm here as a Russell resident.

I have lived in the Russell community all my life.

I've seen the hardships.

I've seen the persecutions that some of our people  
have went through.

For so many years, I, myself didn't think I had a voice

or a say in anything that went on in my community.  
And I have become a part of an organization,  
which is called RPOP, Russell: A Place of Promise.  
Some of them are here with us today.  
And that organization is here to build  
and to grow the Russell community.  
What I'm here today is to talk to you about  
the 30th & Madison street facility.  
That facility is there to help with job creation  
for our youth,  
partnership with other organizations.  
Also home ownership for those in our community.  
And we're asking the council today  
to really consider that property for us,  
for the building a black wealth in our community.  
You know, we need to grow, to build and to achieve.  
And I believe we can do all things.  
I always say, we are all better together  
when we work together to build, to grow together.  
And so these are some of the things that we want  
the council to consider in this location at 30th & Madison.  
Thank you very much.

>>Thank you. Frank Ford.

>>My name is Frank Ford. I live at 1038 Lampton Street.  
It's the corner of Vine and Lampton.

It's across the street from the Urban Government Center.

My neighbors in Paristown, the Highlands,  
Germantown, Smoketown and Phoenix Hill  
need to be very concerned

about the proposed development plan for that property.

The same could be said of people in Downtown  
or NuLu or anybody that passes through that area.

The proposed development could easily  
have implications on Irish Hill and Tyler Park.

The proposal is that big.

The density of the proposal is off the charts.

A 110 room hotel, 450 apartment units,  
a commercial office building and other facilities.

The developer is pretty much going to pave  
the entire piece of property.

And yet they say that they're concerned  
about Louisville's tree canopy.

Many more motorized vehicles are going  
to be in the area that is not equipped for it.

There could easily be more than 600 additional cars  
on Vine Street every day,

and many of them will be going back and forth all day long.  
Streets in the area are narrow and discontinuous.  
Residents are likely to use narrow alleyways  
that were never meant to be thorough affairs.  
Many residents are going to be headed east  
off of that property,  
and that's the hardest route to negotiate.  
The developer has said that residents  
are likely to use TARC,  
but the demographics of the people that he expects  
in those apartments is not the same as current TARC users.  
It's inconceivable that TARC could be part of the solution  
for these future traffic problems.  
I ask does the proposed development provide  
the city with anything that we need?  
There was a 110 room hotel, but the occupancy rate of hotels  
in nearby Downtown is not high.  
There was a boutique hotel in Tyler Park  
that has not yet shown success.  
There's another boutique hotel on Baxter,  
just a few blocks away.  
There are 450 apartment units planned,  
even though we've got apartments at Baxter and Broadway,  
we've got apartments on Lexington Road.  
We've got apartments in Germantown.  
All very nearby.  
Distillery Commons is being redeveloped for apartments.  
There's apartments coming at Campbell and Main.  
Louisville sees too many complexes  
that look great in the beginning,  
but before long there's more traffic and more crime.  
And then after two or three decades,  
there's two or three changes in ownership  
and things only get worse.  
This is probably true everywhere all over the city.  
And do we need more commercial office space?  
There's so many vacancies around town.  
This is just adding more  
to a pool of offices that we don't need.  
Visitors to the area  
already create a parking challenge.  
The current things in Paristown are great assets,  
but the area is often at its limit.  
The development is going to bring  
more than a little overflow onto the surrounding streets.  
It's going to be constant and ongoing.

It's not gonna be incidental like we have now.  
It's going to be  
traffic problem on top of traffic problem  
and parking problem on top of parking problem.  
If the property is 12 acres,  
600 people is going to result in 50 people per acre  
in an area that is used to 5 or 10 people per acre.  
It's to be plopped down in the middle of Paristown,  
but the ripple effect is gonna go many blocks beyond there  
and way beyond just my house.

Thank you.

>>Thank you.

Mr. President, that concludes the addresses to counsel.

>>Thank you.

Councilman Piagentini.

I think you have a point of personal privilege.

>>I do. Thank you very much, Mr. President.

Unfortunately, somebody that wanted to address counsel  
just due to scheduling conflicts, couldn't be here  
but they wanted to mention what's going on next door.

So right next door at our abandoned,  
well now abandoned former LMPD headquarters,  
there was a movie shoot going on.

And first of all,

there was an invitation to stop by and see it  
as I think districts 1 through 15 noticed  
they don't have access to their parking spaces right now.

And that's because they're gonna be shooting  
at twilight time, right?

Sweet time, probably 7:30 to 09:00 down Congress Alley.

So when you're coming out, take a look at the shoot,  
right, stop by, say hello.

Wanted to point out that this was made possible  
through the state film tax incentive.

The vast majority of that film tax incentive  
is being spent in the city of Louisville.

And the results of that are both local job growth,  
as well as importing labor.

So a lot of these shoots, which is happening next door,  
they are hiring local labor at great rates.

And then where there's, you know, very highly skilled,  
sort of very highly technical people  
they're bringing them in  
but you're talking big catering budgets,  
hotel space, the whole deal, right?

So it's a terrific opportunity,

a terrific potential future growth driver for the city.  
I wanted to make sure everybody was where.  
I do wanna point out that as luck would have it,  
the plot of the film and you can't make this one up  
is that it's going to be a police officer  
leaving the headquarters of their police department  
as it's being closed down for the final time  
as zombies and the apocalypse come in.  
So luckily we had the perfect place for them.  
So the really funny thing is I found out  
I stopped by downstairs, I know somebody  
that's involved in the production company  
and they had to spend,  
the production company had to spend money,  
remediating the mold, and then went back  
and painted mold to make it look like there was mold,  
but, you know, we had it all ready to go.  
But for some reason, I guess,  
health and safety didn't like the actual mold on the walls.  
So, but nonetheless, did wanna point that out  
that something that was passed by our legislature  
and it is providing very clear  
economic benefit to this city.  
So thank you very much, Mr. President.

>>All right. Thank you.

Next we have approval of the council minutes  
for the Regular meeting of July 28, 2022.

Are there any corrections or deletions?

>>Motion to accept.

>>Have a motion by Councilman Triplett,  
second by Councilman Piagentini.

The minutes have been properly moved and seconded.

All those in favor, please say, aye.

>>Aye.

>>Opposed.

>>Aye.

The ayes have it.

These minutes are approved as written.

Next we have approval of the following committee minutes  
all in 2022.

Regular Committee of the Whole - July 28, 2022,

Regular Planning and Zoning Committee - August 2, 2022,

Regular Labor and Economic Development Committee

>>August 2, 2022,

Regular Public Works Committee - August 2, 2022,

Regular Government Oversight and Audit Committee

>>August 2, 2022,  
Regular: Community Affairs, Housing,  
Health and Education Committee - August 3, 2022,  
Regular Public Safety Committee Meeting - August 3, 2022,  
Regular Appropriations Committee - August 3, 2022,  
Regular Budget Committee - August 4, 2022,  
Regular Committee on Committees - August 9, 2022.

Are there any corrections or deletions?

>>Motion to accept.

>>I have a motion to Councilman Triplett,  
seconded by Councilman Winkler.

Minutes been properly moved and seconded.

All those in favor, please say aye.

>>Aye.

>>Aye.

>>All opposed

The ayes have it.

These minutes are approved as written.

Madam clerk, do we have any communications from the mayor?

>>Yes, sir. We do.

>>Madam clerk, please read the letter from the mayor.

Please read the letter from Mayor Fischer  
regarding release of modification  
of private access easement into the record  
and then I'll have Mr. Fiechter speak to that.

>>Actually sir, the letter is addressed from me.

>>Oh. >>Okay.

>>Gotcha. Thank you.

>>I did not write it, Attorney Fiechter did.

"Release of Modification of Private Access Easement  
per LDC 6.3.4.C.

Dear President James,

Pursuant to land development code 6.3.4.C.3.E

the Metro Council Clerk,

as the 'Clerk of the legislative body having jurisdiction',  
has received a request to release or modify  
an access easement.

Of the other modified agencies/utilities,  
Planning and Design Services and the agencies responsible  
for police and fire services have responded  
and raised no objections to the proposal.

The documents related to the proposal have been attached.

Any questions about the proposal can be directed  
to Assistant County Attorney Travis Fiechter.

Sincerely Sonya Harward, Metro council clerk."

Read in full.

>>Thank you. And Mr. Fiechter could you explain to the council exactly what that is?

>>I can. Hello everybody.

Travis Fiechter, Assistant County Attorney.

This is a weird item and one, hopefully you'll never see again.

It's a rarely used portion of the land development code.

Effectively we have a property here.

It was formally three properties and there was a joint access agreement

between those property owners or it may have been a single property owner, but at least between the Parcels.

Those Parcels have since been consolidated and a single building constructed.

And somehow through that process, the closure of the easements was overlooked.

And so that's what we're dealing with now.

When instead of, you know, as part of a development plan or rezoning, the easements are individually closed.

They have this process and among the many agencies that need to be notified are the Metro Council Clerk.

I do not know why the land development code specifies the clerk and not the council.

Doesn't make sense to me.

It was there before my time.

But in discussing with Clerk Harward, we felt it appropriate to at least notify the Council that this request was received.

Again, the Parcels already been consolidated and new building has been constructed, police and fire both feel that the current access is adequate.

They signed off when they saw the plan when this was originally done.

So, this is all a very strange item.

Again, no Council action is required or even expected per the land development code, but we wanted to at least give you all an FYI that one of these requests was received.

And if any of you would like to clean up this section to make it less confusing in the future, I would be open to working with you.

>>All right. Thank you.

Does anybody have any questions for Mr. Fiechter?

Councilwoman McCraney.

>>Yes. Thank you, Mr. President.

I was just wondering if that's such an odd thing, could we change that ruling by Ordinance?

>>We certainly could.

Obviously Council has a lot of land development code-related interest at the moment.

We have several resolutions out.

And I know that PDS is a bit spread thin, but I think this would be an appropriate place for some revisions in the future.

It just, it seems overly burdensome on any applicant to go through like eight different agencies.

Police and fire makes perfect sense, because they're the ones who need to get important vehicles in and out for emergency access.

But I can't imagine why the Council Clerk or the Board of Health or BellSouth would object.

Those are among the other listed agencies.

So, thank you.

>>Thank you.

Any other questions?

Thank you. Thank you, Mr. Fiechter Madam Clerk, could you please read the rest of the communications into the record?

>>Yes, sir.

And luckily for them I don't object.

Anyhow, "Dear president James, In accordance with the Cemetery Board Ordinance, I am appointing the following to the board.

Ameerah Granger, a new appointment term expires April 13th, 2024.

Your prompt action on this appointment is most appreciated.

Sincerely Greg Fischer, Mayor."

"Dear President James,

In accordance with the Louisville Convention and Visitor Bureau Ordinance,

I'm reappointing the following,

Ryan Bridgeman reappointment term expires August 17th, 2025.

Chris Poynter reappointment term expires August 16th, 2025.

Sarah Robbins reappointment term expires July 31st 2025.

Your prompt action on these appointment is most appreciated.

Sincerely, Greg Fischer, Mayor."

"Dear President James,

In accordance with the TARC Ordinance,

I am reappointing the following to the board,

Carla Dearing reappointment term expires August 31st, 2025.  
Your prompt action on this appointment is most appreciated.  
Sincerely, Greg Fischer, Mayor."

"Dear President James,  
In accordance with the Volunteer Fire Districts Ordinance,  
I am appointing the following  
to the Jeffersontown Fire Protection District Board.  
Kyle Rieber new appointment term expires June 30th 2023.  
Your prompt action on this appointment is most appreciated.  
Sincerely, Greg Fischer, Mayor."

"Dear President James,  
In accordance with the Housing Authority Board Ordinance,  
I am appointing and reappointing the following to the board,  
Nicole Nally a new appointment term  
expires August 15, 2023.  
Geoffrey Ellis reappointment term expires August 15th, 2025.  
Gena Harris reappointment term expires August 15th, 2025.  
Mary Miles reappointment term expires August 15th, 2025.  
Your prompt action on these appointment is most appreciated.  
Sincerely, Greg Fischer, Mayor."

"Dear President James,  
In accordance with the MSD Ordinance,  
I'm reappointing the following to the board:  
Ricky Mason reappointment term expires July 31st, 2025.  
Your prompt action on this reappointment  
is most appreciated.  
Sincerely, Greg Fischer, Mayor"

Read in full.

>>Thank you.

Those appointments needing Council approval  
will be forwarded to the Government Oversight  
and Audit Committee.

And our next item of business is Consent Calendar.  
Consent Calendar comprises of items 20 through 42.

Are there any additions or deletions?

Madam Clerk, a second reading of these items please.

>>"The following Legislation was forwarded  
from the Appropriations Committee, item 20.

An Ordinance appropriating \$10,000  
from Neighborhood Development Funds in the following manner,  
\$1,000 each from Districts 9, 10, 12, 13 and 24;  
\$500 each from Districts 6, 14, 15, 17, 19, 20,  
22, 23 and 25;  
and \$250 each from Districts 3 and 21;  
through the Office of Management and Budget,  
to the Coalition for the Homeless, Inc.

for programming expenses associated with Project Stand Down.

The following Legislation was forwarded from the Budget Committee, item 21.

An Ordinance approving a fifth round of American Rescue Plan, ARP

Local Fiscal Recovery Funding to address the continued impact of COVID-19 on the economy, public health, state, and local governments, individuals, and business.

Item 22,

A resolution of official intent of the Louisville/Jefferson County Metro Government to finance the acquisition, construction, renovation and improvement of certain capital projects of the Louisville/Jefferson County Metro Government and its agencies and departments from the proceeds of one or more proposed issues of General Obligation Bonds and General Obligation Notes.

The following Legislation was forwarded from the Government Oversight and Audit Committee, item 23.

Appointment of Dr. Tamara Sluss to the Louisville Metro Tree Advisory Committee, term expires November 29, 2024.

Item 24, Appointment of Kristen English to the Louisville Metro Tree Advisory Committee, term expires November 29, 2024.

Item 25, Appointment of Inga Arvin to the Waterfront Development Corporation Board, term expires July 31, 2025.

Item 26, Appointment of Joshua Watkins to the Waterfront Development Corporation Board, term expires July 31, 2025.

Item 27, Reappointment of Kevin Fields to the Waterfront Development Corporation Board, term expires July 31, 2025.

Item 28, Appointment of Larry Ash to the Fern Creek Fire Protection District Board, term expires June 30, 2026.

Item 29, Appointment of Daniel Hoskins to the Fern Creek Fire Protection District Board, term expires June 30, 2023.

Item 30, Appointment of Dr. Patricia Bautista-Cervera to the Board of Health, term expires July 31, 2025.

Item 31, Reappointment of Karyn Hascal to the Board of Health,

term expires July 31, 2025.

Item 32, Reappointment of Dr. Anthony Zipple to the Board of Health, term expires July 31, 2025.

Item 33, Reappointment of William Brandt Ford to the Board of Zoning Adjustment, term expires June 30, 2025.

Item 34, Reappointment of Yani Vozos to the Board of Zoning Adjustment, term expires June 30, 2025.

The following Legislation was forwarded from the Labor and Economic Development Committee.

Item 35, A resolution pursuant to the Capital and Operating Budget Ordinances approving the appropriation to fund the following noncompetitively negotiated sole source contract for the office of safe and healthy neighborhoods concerning a media campaign for its trauma resilient community program- Outfront Media LLC, \$60,000.

Item 36, A resolution ratifying and approving a Collective Bargaining agreement effective June 23, 2022 through June 30, 2028, relating to wages, benefits and other terms and conditions of employment between Louisville/Jefferson County Metro Government and the National Conference of Fireman and Oilers District of local 32BJ/SEIU chapter 320.

Item 37, A resolution pursuant to the Capital and Operating Budget Ordinances approving the appropriation to fund the following noncompetitively negotiated sole source contract for Louisville Metro Public Health and wellness, LMPHW concerning evaluation services for the Healthy Start Program- (Alliance Consulting Services LLC- \$36,000).

Item 38, A resolution pursuant to the Capital and Operating Budget Ordinances approving the appropriation to fund the following noncompetitively negotiated Professional Service Contract for the Office of Management and Budget (OMB) concerning Federal Affairs Assistance- (Simon and Company, Incorporated- \$60,000).

Item 39, A resolution pursuant to the Capital and Operating Budget Ordinances approving the appropriation to fund the following noncompetitively negotiated sole source contract for Emergency Medical Services (EMS) concerning CPR, first aid and cardiovascular care materials, (American Heart Association, Inc.,- \$300,000).

Item 40, A resolution pursuant to the Capital and Operating Budget Ordinances approving the appropriation to fund the following noncompetitively negotiated sole source contract for Animal Services concerning a bloodwork analysis device (IDEXX Distribution, Inc.- \$85,000).

The following Legislation was forwarded from the Planning and Zoning Committee.

Item 41, An Ordinance relating to the Butchertown-Phoenix Hill-NuLu Neighborhood plan and approving its executive summary as an amendment to the plan 2040 comprehensive plan (Case No. 21-Area-0001).

The following Legislation was forwarded from the Public Safety Committee.

Item 42, An Ordinance amending section 36.03 of the Louisville Metro Code of Ordinances, ("LMCO") relating to the participation in the Kentucky Law Enforcement Foundation Program Fund." Read in full.

>>Thank you.

May I have a motion and a second for approval?

Motion by Councilman Winkler

Second by Councilman Piagentini.

The Content Calendar has been properly moved and seconded requiring a roll call vote.

Madam Clerk, please open the roll.

>>Yes, sir.

>>Madam Clerk,  
please call the roll for those nine in chambers.

>>Council Member Bowens. >>Yes.

>>Council Member Shanklin. >>Yes.

>>Council Member Dorsey, Council Member Arthur.

Council Member Purvis. >>Yes.

>>Council Member Hollander,  
Council Member Mulvihill. >>Yes.

>>Council Member Blackwell. >>Yes.

>>Council Member Fowler. >>Yes.

>>Council Member Flood. >>Yes.

>>Council Member Holton Stewart.

>>Yes.

>>Mr. President, you have 23 yes votes.

>>Thank you.

The Consent Calendar passes.

The sponsor has pulled sponsorship of item number 43.

It will be introduced at a later time.

The next item on the agenda is emergency legislation pursuant to Rule 7.0 subsection (a), stating that the legislation may be passed at the same meeting it is introduced.

If the emergency function,  
if it is an emergency function of the Council.

Do I have a motion and a second to invoke Rule 7.0 subsection (a)?

>>Motion to move >>Second.

>>Motion by Councilman Triplett  
seconded by Councilman Reed.

All those in favor, please say aye.

>>Aye.

>>All- >>Aye

>>All opposed.

Madam Clerk reading of item number 44.

>>An emergency resolution approving an Interlocal Cooperation Agreement among Louisville/Jefferson County Metro Government, the City of Hillview, and the Louisville and Jefferson County Metropolitan Sewer District relating to wastewater services and acquisition facilities.  
Read in full.

>>Thank you. May I have a motion and a second.

>>Motion. >>Second.

>>Second Triplett.

>>Motion by Councilman Winkler.

Second by Councilman Triplett. The resolution is before us.

Is there any discussion? Councilman Winkler.

>>Thank you, President James.

For those of you that were not present in Committee of the Whole, we had an extensive discussion on this topic.

I took copious notes, so I'm happy to recount most of the discussion, but this is an emergency Ordinance before us because we've got 30 days to act on this.

As President James indicated we were out on break

and so we're pushing up against the clock.  
That's why before us is an emergency.  
Basically this enabled MSD to complete the purchase  
of the Prologis facility for wastewater treatment,  
as was testified by the folks from MSD  
during Committee of the Whole.  
This really has no impact on Jefferson County rate payers,  
as there's essentially a firewall between costs and revenues  
generated in Louisville County  
and those generated in Jefferson County.  
So, would encourage your affirmative vote tonight.

Thank you.

>>Thank you, Councilman Winkler.

Councilman Piagentini. >>Thank you Mr. President.

I just wanna, I'm gonna vote for it.

I just wanna point something out for future.

If this ever happens again,

I don't think this needed to be an emergency.

My understanding of when it was handed to us  
is what has created the emergency.

We weren't on break 30 days ago as,  
and the last Council Meeting was two weeks ago.

We could have introduced it in the first reading then,  
had a committee hearing on it  
and voted on it today

and hit a 30 day timeline without sweating.

So I'm just bringing that up, just for the future.

Not a big deal tonight, but I would ask that MSD  
and whoever else has things like this  
to be cognizant of that

and attempt to introduce this at an appropriate time,  
that gives us the ability to not have to do this  
via an emergency, in the future.

Thank you, Mr. President.

>>Thank you, Councilman.

Any further discussion?

Hearing none.

This is resolution allowing for a roll,

I mean, for voice vote.

All those in favor, please say aye.

>>Aye.

>>All opposed.

The resolution passes.

Madam Clerk, reading of item number 45.

>>An Ordinance amending the Metro Land Development Code  
relating to truck parking requirements

(Case No. 21-LDC-0010) (As amended).

Read in full.

>>Second Engel.

>>And motion by Councilman Peden.

Second by Councilman Triplett.

The Ordinances before. Is there any discussion?

Councilwoman Flood.

>>Thank you, Mr. President.

This has been in committee since October of last year.

And you may recall that in the beginning of early 21, there was a resolution passed to ask the Planning Commission

or excuse me,

the Planning and Design in the Planning Commission to look at answering questions and make recommendations that are intended to address the issue of unlawful truck parking by broadening permitted locations for off street parking.

The proposal expands permitted locations in industrial and commercial area zones.

During the last committee meeting,

it was noted that they are going to allow it in C-2 and C-3 with the Conditional Use Permit.

But we did put some stipulations on here and these I'm gonna read some of these areas that are of this Ordinance that are non waivable, which means that they can't be waived.

They have to be met, or the answer is no.

"They're not permitted in Downtown, or Neighborhood, or Traditional Marketplace Corridor,

Traditional Neighborhood or Village Form Districts.

They cannot be parked within 200 feet of any property developed with one or more of the following uses:

Boarding Houses; Convents and Monasteries; Day Care Centers;

Hospitals; Hotels; Motels; Nursing Homes;

Rehabilitation Homes; Religious Building;

Residential Care Facilities; Residential Dwellings; Parks;

Recreation Uses; Schools; and Transitional Housing.

The distance shall be measured in a straight line from the parking space to the nearest applicable, excuse me, property line.

The provision is not waivable.

Driveway connections for heavy truck access shall only be to/from a street classified as a minor arterial, or major arterial.

This provision cannot be waived.

Any refrigerated trailers are not permitted

to be in operation when they're parked.  
This is non waivable.  
The property shall not be located closer than  
1000 feet to any property  
on which a heavy truck principal use is situated.  
It shall be measured in a straight line  
from the nearest property to the nearest property line.  
And then there's another one,  
Operators are not permitted to rest or reside  
in any truck or trailer while stored on property."  
And there was a few other minor changes  
that changed some of the language in this.  
And this was actually sponsored  
by Councilwoman Nicole George  
And I'd like you to recognize her,  
but before you go to that,  
I'd like to thank Joe Haberman for working so hard on this  
and all the other Planning and Design staff that helped out.  
And Councilwoman Nicole George for all of her patience  
and all her due diligence on this.  
So if you would recognize Nicole, I would appreciate it.  
>>Thank you, Councilwoman.  
Councilwoman George.  
>>Thank you, President.  
And thanks to Council Member Flood for all her work.  
In addition to all the folks that she mentioned,  
just wanna say that, you know, in Louisville,  
we're really proud to be a logistical hub  
for an ever growing sector, but in many ways,  
our built environment hasn't caught up  
with the changing times.  
Many of our neighborhoods see semi's parked  
on local roads often in concentrated numbers.  
You heard our colleague Councilman Fox  
a couple of months ago mention seeing 11 semi's parked  
on a local road there at Southland Blvd  
in front of Rutherford Elementary,  
which is unfortunately not uncommon.  
We also know that we often see semi's parked  
in vacant spaces, in commercial properties  
and lots across Metro.  
And so we know that of course,  
that often happens where folks who are vulnerable,  
about those areas.  
And so while we appreciate those who drive trucks,  
and we know that 90% of the goods and services

that we receive are delivered by trucks.  
There is an impact, and we know that  
because of those who inherently drive trucks  
and where they live and proximity to intensive uses  
this issue is not felt equally across Metro.  
In District 21, we undertook as part of a work group,  
an effort to really be able to better understand,  
why this is happening?  
And so in 2019,  
we really looked at overnight storage  
and what options exists in our community.  
What we found in an informal survey of going down,  
looking, doing Google searches,  
going down the list of call facilities.  
What we found is that there were very few options available.  
Of the options that exist they tend to be concentrated  
in certain areas and they're often very expensive.  
Because quite frankly,  
the market hasn't allowed for more options.  
The market hasn't allowed for more options,  
we believe in part  
because of land use, because prior to these changes,  
you had to have a manufacturing use  
in order to be permitted,  
to have that sort of overnight storage.  
So with that, I am proud to be part of this work  
and be supporting this effort.  
And I'm happy to take questions  
along with Council Member Flood.  
>>Thank you, Councilwoman.  
Councilman Winkler.  
>>Yeah. Thank you.  
And just have a couple of questions that I'm hoping  
either the sponsor or someone can address.  
And so I just want to confirm, right,  
for any C-2 development,  
you would get a conditional use permit  
and then you could basically make your parking lot  
a truck parking lot.  
Is that correct?  
>>Well, it is correct in the sense  
that there are several carved out protections.  
Whether it's the separation rule,  
so that we ensure that we're not eroding  
the economic fabric of a particular corridor.  
So we don't see an entire corridor full of semi parking.

Whether it's prohibitions around residential uses, we see protections around hazardous materials and what uses can be close to those sort of trucks that are storing that material.

So I would encourage folks to read down the list. I know Council Member Flood read through that.

So the answer is yes, with a CUP it would be allowed in C-2 and C-3.

However, there's an array of protections and we've created non waivable conditions.

>>Yeah, I guess what I would say is, I mean, I've got the same concern that I raised several months ago when this came up, which is, so an area like mine, which is very heavily commercial.

Okay.

Lots of retail in the area does not necessarily have these excluded uses abutting in terms of, you know, 200 feet from Religious Structure or Residential Areas or those parts that,

I do have a concern that those parking lots could theoretically become truck parking lots.

I don't know that that's good.

I am very sympathetic and wanna address the root problem, which is the root problem we're trying to solve is, trucks parked illegally on streets, right?

I don't know that the solution...

I worry that the solution is making this available in commercial spots.

That that's really the best approach and I can be convinced, but that's the concern that I have.

>>May I respond?

>>I'm sorry.

Okay. Thank you, Councilwoman Flood.

>>Oh, if Nicole wants to go,

I was gonna, Pres. Fiechter is on the line too.

It's my understanding, if you're talking about something that's already developed with the development plan, there are required parking spaces that were on that development plan.

So they can't just willy-nilly start and get a CUP without having the development plan answered according to their parking spaces.

And just because they apply for the CUP

does not mean that it'll be granted.  
They still have to go in front of BOZA.  
>>Can I- >>If that helps,  
>>Can I ask a follow-up question?  
>>Yes.  
>>So, and maybe this is directed at the County Attorney.  
So if I'm big-box retailer, right.  
And I've got my giant parking lot.  
I do have the parking requirement,  
but does this prohibit me  
from using those spots after hours to park semi's there.  
>>Travis Fiechter, Assistant County Attorney.  
So I think, admittedly,  
I haven't thoroughly researched this question  
or even run it by sort of  
what Planning and Design had pictured.  
But my general read is that there are developments  
which have a, you know,  
based on the type of use and such  
have a parking requirement.  
And that parking requirement is to be met.  
My suspicion, I don't know this for fact,  
my suspicion is that no CUP would be granted  
for those required parking spots because, you know,  
what's the risk of a truck being left  
during the daytime taking up more spots.  
However, if you were over parked,  
let's say you had a 100 extra spots,  
you might be able to acquire a CUP  
for the over parked area, for this use.  
>>Yeah. I think I may have actually answered  
my own question and my concerns maybe alleviated  
by (l) which I think I overlooked the first time.  
So if the sponsor could just confirm that  
if I read L correctly,  
if I want to apply for a CUP on my parking lot,  
I have to meet this requirement that I have a specially  
hedged off section that is screened.  
So it is, is that a correct reading?  
Okay. So it is,  
I think that sort of changes my opinion then,  
because I have to actually create a dedicated spot.  
It's not in the evening.  
I can let a bunch of trucks park there,  
ask him to leave by 7:00 a.m.  
I apologize for overlooking that the first time.

I think that does alleviate my concerns. Thank you.

>>Thank you, Councilman.

Councilman Peden.

>>Thank you.

I'm gonna, again,

I would like to thank Nicole for working on this.

It's an issue.

Councilman Peden can vouch for the fact,

for instance, that the shopping center,

where the Preston cinemas are,

is just full of trucks constantly.

The problem that I see with this is even though

we're now going to create this nice new law,

we still don't have a whole lot of enforcement.

There's still not exactly a semi truck.

You know, the wreckers that can tow semi-trucks

are not exactly out running around

and IPL and the police are not exactly out

writing tickets.

So I'm not sure where we go from here.

I would also like to support Councilman Winkler's concerns

on the C-2 issue, even though he found line L, which says,

you have to put up a hedge, I'll go one better,

and that would be all of us who have ever had

and only until recently,

several of us were still had empty Kmart's.

You can't tell me that the low hanging business,

the low hanging fruit for as long as the one at Hikes lane

and the one in on Poplar Level road,

those things were empty forever.

That somebody wouldn't have snatched those up

and just done a CUP on the,

they may have tore the building down

and just said, "Park your trucks here".

So it's not as simple as you know him and his hedge.

He's probably right.

They're not gonna drop any of these

in the middle of Springhurst anytime soon,

which is something that Councilman Winkler  
was probably concerned about.

But if you've got a vacant spot, I mean,

the Jefferson mall is already using probably

40% of their parking lot to park Ford trucks.

The ones that are missing the chips and so on.

I mean, it's just what they're doing now.

I mean, that's how some,

that's how some retailers are staying in business,  
is renting space to Ford.  
For all their SUVs and pickups  
that are immovable at the moment.  
This is, it's another step in that direction.  
So I have, I'm kind of concerned with the fact  
that C-2 is in here without some other because he's right.  
If you're, I mean,  
I'll go back to the Preston cinemas.  
It's flush up against some residential apartments  
on the north side.  
>>I'm gonna interrupt you for one second.  
>>Yeah.  
>>Madam clerk, can you let the record reflect  
that Councilman Winkler's gonna take the chair.  
>>So noted.  
>>So, the Preston cinemas,  
they have a distance issue to those apartments.  
There's some other things like you said,  
they're not gonna plant any screening.  
They're not gonna make that place legal.  
On the other hand, if you're already empty  
because you're a mall.  
I mean not every mall gets Topgolf.  
Some of 'them get, you know,  
will get truck parking before this is over,  
up and down Dixie Highway.  
There's some empty spots in there.  
Landlords looking to make a dollar.  
They're just gonna go get a CUP, it doesn't come to us.  
There's no zoning change.  
And there's a lot of C-2 out there.  
And that's my big concern.  
Again, I'm not arguing with the intent of this Ordinance.  
It is desperately needed.  
It is especially desperately needed over  
where you're blocking elementary school access, you know,  
which is kind of what got everyone's attention.  
I mean, you look at all the empty land  
in and around the airport between Preston Highway and 65,  
because Nicole's also been working on the whole Preston,  
you know, pick it up, and pretty it up and everything else,  
but some landowners gonna come through, they could,  
they now have the ability.  
If it's already pre C-2 like that dilapidated hotel  
at Fern Valley Road in 65.

Make it truck parking.  
I'm just thinking of all the options  
that I know are C-2 just from experience.  
And then I'm gonna finish up with  
part of our problem is we want to be a logistics hub.  
We approve all these big warehouses.  
We approve all of those slots and bays  
for them to back trucks in and not once,  
nowhere in our Land Development Code,  
is there a requirement to have an extra  
three acres over here to the side.  
Because 50% of the truck drivers that come in  
have reached their 12 hour limit  
on how long they're allowed to be on the road  
and have to get eight hours of sleep.  
So I mean, if we're going to pass,  
if we're gonna start passing laws like this,  
we need to adjust the Land Development Code.  
That if you want to have a big space center  
and a big warehouse,  
then you have to have a proportional amount  
to however many bays you have, of people dropping stuff off.  
You have to have a proportional amount of space set aside,  
so truck drivers can pull over and doze  
and you know, get their requisite DOT sleep.  
I mean, and I, because I have my CDL, I know what it is  
and they aren't fooling.  
The only thing that's keeping,  
the only reason truckers aren't getting cited  
more and more these days we don't have enough people  
working the way stations anymore either,  
just like we don't have enough cops anywhere else.  
So, but it's an issue.  
So I think some of you  
who are gonna be around here longer than me,  
need to work on that one.  
About taking these warehouses and saying,  
you're gonna cut it down a few thousand square feet  
off the size of the building  
and create a parking lot for trucks after hours.  
Because that's what this is.  
they drop stuff off.  
And then they drive to the closest exit  
and park their truck in the emergency lane.  
Because there's just nowhere else for them to park  
in these giant warehouse zones.

So. All right.

Thank you.

>>Thank you, Councilman Peden.

Councilwoman Fowler.

>>Thank you, Councilman Winkler.

So, you know, I have a real problem with this because you know, I'm very stingy about the M uses that allow truck parking on in any area, but especially South Dixie, that whole area South of Gene Snyder is gonna become one giant parking lot for trucks.

We already have trouble as it is.

And you know, just trying to enforce this in my area South of the Gene Snyder is gonna be problematic.

So, you know, I'm really thinking I'm gonna vote no on this because I've got enough problems as it is with truck parking.

And then I look at the people that have tried to do it legitimately and legally and how much trouble they had to get the, use zoning change.

I don't know. It just, I don't know.

Thank you.

>>Thank you, Councilwoman Fowler.

Councilwoman Chambers Armstrong.

>>Thank you Mr. President Pro Tem.

I have a question for this sponsor, going back to the issue of what is an enforcement issue and what is a capacity issue.

I heard you saying, and I know we've talked about this before and I just wanna make sure that I have the most up to date understanding, that we know that it has to do with like there not being enough available lots or there being far away.

Could you talk to me, what data do we have about either how many folks with CDLs or commercial trucks might live in Louisville compared to the available spots?

Do we know anything like, are there waiting lists that some of the spaces that exist, how many collective truck parking spaces do we have in the city?

What makes us think that this isn't someone just saying, I don't wanna drive 15 minutes to a parking lot.

I'd rather just park on my street.  
And if that's the case, what makes us think that  
this is going to address that problem?  
>>Councilwoman George.  
>>Thank you.  
So a couple of things, first of all,  
I just wanna say I echo everyone's concerns.  
They're really valid,  
and they are the things that we grapple with every day.  
And that is to say, we have trucks on our roadways,  
they're in our communities,  
quite frankly, in a very disproportionate way often,  
and they're not going away.  
So the concerns that we have around  
they're parked at the cinemas  
or they're parked in a, you know, commercial space  
that's like a former Kmart that's vacant.  
This does allow, is a place to create new spaces  
for trucks to park legitimately,  
because that is fundamentally the problem that we have.  
We know this based on Planning and Designs  
research and study of the issue  
where they brought in maps and showed  
the very limited options as it relates to M-2 and M-3.  
We also know this, again, informally  
small work group worked with public works  
with an array of partners in District 21  
to randomly call and see what options  
were available at the time.  
And again, this was in 2019,  
but I have no reason to believe anything has changed  
since 2019, absent Councilman Fox's recent rezoning.  
What we found is that there were out of 12 places  
that you could find through a Google search.  
There were two viable options, one charged \$10 a day,  
and the other charged \$150 a month.  
And so for most folks who drive a truck,  
we know that's just not affordable.  
And we have an issue within the market, which is to say,  
if there's only two options available,  
they can charge what they want.  
So to answer your question,  
we know we have a capacity issue that was part  
of the research done by planning and Design.  
We know that we see that in the community.  
The other piece to say is that

there is an enforcement issue.

And so I don't want us to be naive  
to think that because we set up more,  
quite frankly, more regulations around  
and more options around where trucks can go.

That means this is gonna, you know,  
magically wave the wand  
and we won't have these trucks parked.

We have an enforcement issue.

With that being said,  
this is the step that we can take today  
to make things better, which is to say more parking options.

Hopefully we see more businesses.

I mean, quite frankly, if we're lucky  
we see more places to park trucks.

because if we're lucky we then see them  
follow the regulation set out in these proposed changes.

Thank you.

>>Can I ask one more question, Mr. President?

Thank you for that answer.

The other question I had was around this 250 feet  
away from childcare facilities and schools and whatnot.

And I was curious,

I imagine that that's because we're concerned  
about either hazardous substances leaking out of containers  
or concerned about idling trucks and air pollution and kids.

And I'll be honest,

250 feet seemed a little lower  
than what I've seen for some other things.

And I was curious how 250 feet came to be?

How it compares to other requirements for potential hazards  
being set away from young children  
who often play outside and are, you know,  
breathing vigorously and more susceptible to air pollution?

So could you talk to me a little bit  
about where those numbers came from?

>>Yes. Sorry, Councilwoman Chambers.

>>Thank you.

>>I took for granted that you were gonna answer.

>>Thank you.

Obviously certainly a concern of mine,  
as I have shared routinely in what we see in District 21  
and in many of our communities where,  
because of the lack of capacity and the lack of enforcement,  
we see trucks parked anywhere and everywhere.

So sometimes that is near childcare centers and schools.

I believe, and I'll defer to either Travis or Council Member Flood.

We had Air Pollution Control District come in and speak at our last Planning and Zoning meeting. They supported or I think affirmed that there were no concerns with what was proposed.

And I cannot remember specifically what drove 250 feet in the way of consistency, but I do believe that was a place where there was a level of comfort.

Does anyone wanna speak to the specifics around 250 feet?

>>Travis Fiechter, Assistant County Attorney.

I don't know that I have really more to add beyond, you know, APCD did weigh in and didn't raise, didn't suggest a higher number, for example.

>>I was in the queue.

Mr. President Pro Tem, may I address the council?

>>You may.

And before you do that Chairwomen Flood, let the record reflect I'm releasing the chair back to President James.

>>So noted.

>>I believe also in our meetings with Joe Haberman, there was some information in, Travis or Councilman George can correct me if I'm misstating this, wasn't there some talk about what would be dispensable according to some of the standards in the Land Development Code, as it is now.

>>I'm confident there were.

I don't believe I was in many of these sort of organizational meetings around this.

Laura may have been in some of those.

Whenever we come up with a, some sort of distance requirement, that's certainly a conversation.

There is certainly a theoretical limit in which we would be overturned.

I can't tell you what that would be on any specific case.

But that always factors in when we're creating these distance requirements, there's always some theoretical maximum and it's, you know, better to be on the reasonable end than it is to get challenged and risk losing the regulation.

>>And this is not allowed in C-1.

It's only allowed in C-2 and C-3, but they have to, the CUPs have to meet the criteria that's in the Ordinance

that goes all the way from A through O, that has to be met.  
Also to, for a conditional use, to be considered,  
and some of those over about half of those are not waivable.  
That means they cannot ask for a waiver on those at all.

One would not be granted  
because it would be against the Ordinance.

>>Thank you, Councilwoman Chambers Armstrong.

>>Just one more question, Mr. President.

And I'll tell you,  
before I ask it sort of what I'm struggling with,  
because I'm a little on the fence here,  
is I recognize that we shouldn't be disproportionately  
burdening any particular parts of our city  
with these issues.

I also have a hard time when it comes to, you know,  
everything that we talk about with  
our urban heat island and our tree canopy,  
doing anything that is going to over incentivize  
more paving in our communities.

And so my questions around sort of supply demand  
or whatnot are trying to in my mind, see, is the balance.

What's the problem? Is it an enforcement issue?

Do we know how many truck parking spaces  
just exist in the city of Louisville?

I know you said that there were only two  
that were desirable out of the study.

Do we know sort of setting aside,  
you know, desirable, undesirable?

What I guess word you used was feasible.

How many spaces actually exist right now?

>>Councilwoman George.

>>Thank you.

I can't tell you off my head how many parking spots exist  
and I'm not even sure that that was the information  
that was presented by Planning and Design.

What I would imagine would happen  
because I'm certainly sensitive to not wanting  
to create more impervious surface in our community.

What I would expect would happen is,  
and particularly in the spirit of economics  
and folks wanting to save money,  
is you would see reuse of existing paved space  
in the way of tempting to,  
you know, make best use of existing space.

So I guess at this point,  
what I would say is while we don't know

what we can expect in the way of the market for this,  
and who's gonna wanna step in  
and fill those positions and those spots  
and ensure that we have parking in our community.  
I think what is known is we have a capacity issue.  
We heard that from advanced Planning and Design.  
We know that fundamentally in the communities  
that we see just to give a good scenario,  
I was at Iroquois park this week.  
It's not uncommon for semi trucks to park in the park there,  
beside the amphitheater and the person that I encountered  
had no knowledge of where to park.  
Lived across the street.  
And so we know we have gaps.  
I can't tell you exactly how many spots we have  
versus how many CDLs we have.  
Quite frankly, that would be to my knowledge,  
really difficult to assess given the fact  
that lots of our communities have people visiting.  
We have newcomers, whatever the license number is,  
as it relates to Jefferson County,  
wouldn't be a fair reflection of how many trucks  
we actually see in our community.  
>>Thank you. Thank you, Mr. President.  
>>Thank you, Councilman.  
Councilwoman George. I see you in the..  
No. Okay.  
And Councilman Peden.  
>>Yeah. Couple quick questions.  
If you removed C-2 from this,  
what percentage of the possible locations would you lose?  
>>Councilwoman.  
>>Thank you.  
And I welcome Council Member Flood to chime in.  
I can't tell you specifically about the removal of C-2.  
What I do know is if you remove C-2 and C-3,  
it wouldn't get to impact.  
We debated that in committee,  
as well as looking at suburban form districts.  
And what we saw with the maps that were presented  
by Planning and Design, is that if you remove those  
as options.  
>>Just C-2, not C-3.  
>>Yeah.  
So again, and I would defer to Council Member Flood  
if she remembers differently.

I don't think we looked at just parsing out C-2.  
But if you remove C-2 and C-3  
or you remove suburban form districts,  
it makes this almost ineffective.

>>Right.

Okay. And then second question.

And that would be item L says,

"truckers cannot sleep in their trucks overnight".

>>Right.

>>That's what truck drivers do, I mean.

>>Councilwoman George.

>>So I wanna be really clear to say  
that this the problem to be solved here  
is not with the trucks that you described  
that park on the ramps, and in the lanes, on the interstate.

This is to fill the gap with overnight storage.

So in our communities,

what we see often is people who live in the neighborhoods  
and they don't have any place for their trucks.

So they're either visiting someone like family,  
or they live in the vicinity.

It's not designed,

and I don't wanna speak for anyone else.

I don't see people sleeping in their trucks in that areas,  
because they're not right off in interstate, right?

They're very intentionally going somewhere.

It's either home or they're going to visit someone.

So this is not designed and that's why  
there are several reference in here to idling.

It's not designed to fill that gap.

And that is a gap that you mentioned.

It's not designed to fill that gap.

>>Thank you, Councilwoman.

Councilwoman Fowler.

>>Thank you, Mr. President.

So Councilman Peden was hitting along some of the lines  
that I'm questioning.

So, I mean, like we live close to Riverport  
and there is ample parking throughout that whole complex,  
even at South Dixie phase five, there's ample parking.

So did we consider just doing M.

I mean, even C-3 and I could live with that.

But I just can't live with C-2.

Was there any discussion at all about doing M?

>>Councilwoman George.

>>There was discussion on M and what we came to

and what Planning and Design came to is that to just include M does not it doesn't include enough land space options to have an impact.

Without including C-2 and C-3 it was clear that there were not enough options in the way of existing zoning to have an impact.

>>Thank you Councilwoman.

Councilwoman- >>Thank you.

>>Okay.

Councilwoman Flood.

Did you want to comment to that question also?

>>Yeah. When the maps were sent out that were sent out to Committee Members, and I don't know if all the Council Members got them or not.

But with just by right, most of this would end up in District 21.

District one would follow because it's along river, you know, like where Riverport is.

So when we added the CUP for C-2 and C-3, we thought it would tighten up,

because there's so many things that cannot be waivable, so many things that have to be done.

And so many things that, especially the 1000 feet away from another, even if it was a by right and an M-1, M-2 or M-3, you still could not put a 500 foot a C-2, could not get a CUP to put another trucking station in.

>>Did that help you Councilwoman Fowler?.

>>Somewhat, but I still am not there.

>>Okay.

>>Thank you, Councilwoman Flood.

>>Thank you, Councilman Winkler.

>>So again, I mean, I think my concerns are the same and really for me, what this boils down to is,

are you confident in the BOZA process that if you have a C-2 structure, like an abandoned Kmart in your area, there are none of these qualifying structures within a 1000 or 250 feet that I can't just put an eight foot privacy fence,

apply for a CUP and that BOZA will equally weigh the concerns of the neighbors.

And I don't know whether you have confidence on that or not.

I hate to see good work fall apart over an issue like this.

And so what I would recommend  
or amend is, and I'm gonna make this in the form  
of an amendment in just a moment,  
pulling the C-2 out for now.  
Perhaps we see by having C-3, having M-2,  
having M-1 in there, does the problem get better?  
We can always add if it doesn't mitigate the issue at all,  
you can always come back and revisit again  
and add C-2 at a later state.  
But at least you are,  
you're not losing the work that you've done.  
You are adding capacity through the M-1 and the C-3 zoning,  
but not adding the risk associated with C-2,  
which I think I would argue is primarily  
going to be the things we're concerned about.  
Because that's sort of in our neighborhoods, right?  
That most people would associate with. So-  
>>Can I just, I wanted add something  
since you said, everybody keeps saying Kmart, Kmart, Kmart.  
I just looked up the old Kmart area on Poplar Level Road.  
That's C-1.  
They've only required C-2 for higher density things.  
Usually it includes alcohol sales.  
So, and now Jefferson mall is C-2  
because they had restaurants inside there  
and they still have restaurants on the outside  
that serve alcohol.  
But that's just, I wanted to point out  
because everybody keeps saying Kmart.  
And Kmart were on C-1 on Poplar Level Road.  
>>Thank you, Councilwoman.  
Councilwoman George, did you want to respond  
to Councilman Winkler's comment?  
>>Before I make the the motion, if Councilwoman George,  
if you'd like to respond to that at all  
before I make a motion, I'm happy to.  
>>I would, thank you.  
First I would just remind folks that again,  
these trucks are already in our communities.  
They're already parked in the vacant Kmart spaces  
that we're all concerned about, right?  
The problem is there parked there  
with no regulation and really with no oversight.  
And so I think that's important to know.  
I think the other piece to know is that this  
came out of committee with all yes votes.

It came out, there was no opposition.  
And the reason why it's here, is for the amendments.  
So I guess I would suggest  
if there's not the will to move forward tonight  
that we send this back to committee  
rather than piece out  
something we're not real clear of the impact.  
Which is to say,  
what would happen with C-2 being removed and untangled?  
My preference would be to send it back to committee  
so that we can fully research and understand.  
Since again,  
there were multiple presentations over the course of months  
and we wanna make sure that we understand the impact  
to get it right.

>>Is there any objection  
to sending it back to committee from anybody?

All right. Thank you.

All right. We have a motion by Councilman Peden.

Second by Councilman Benson.

All in favor. Say aye.

>>Aye.

>>All oppose.

It goes back to committee.

Thank you, Councilwoman George.

>>Thank you, President.

I would just ask my colleagues to send any questions  
they have in advance and please participate  
in the committee process so that  
we can get all the questions answered  
and really have a clear understanding of the problem  
we're trying to solve and what solutions exist.

Thank you.

>>Thank you, Councilwoman.

Madam Clerk, reading of item number 46, please.

>>An Ordinance relating to the closure of a portion of the  
right-of-way of FegenBush Ln adjacent to 5905  
FegenBush Ln containing approximately 3.87 acres  
and being able to Metro (Case No. 22STRCLOSURE0004)  
(as amended).

Read in full.

>>Motion Winkler. >>Second Engel.

>>Motion by Councilman Winkler.

Second by Councilman Engel.

The Ordinances before us is there any discussion?

Councilwoman Flood.

>>Thank you, Mr. President.

You may recognize this.

This is the, it's about two buckets shy of four acres of right-of-way located at 5905 Fegenbush Ln.

It was before the council once before and we denied it.

Since then we've had many discussions over it and questions were posed

to the County Attorney Travis Fiechter concerning this area.

Can the city sell it?

We cannot sell it. We cannot market it.

And as it is currently our right-of-way,

the area will become taxable.

Now, if it is developed,

you cannot tie it to any binding elements

or any conditions of approval

because this is neither a zoning change

or a development plan approval.

Since all the discussions,

Councilwoman Shanklin offered changes to the WHEREAS.

And basically what it stipulates is that

since they did submit

somewhat of what they're gonna develop in the area,

and she requested that the WHEREAS's be changed

to reflect that and that the Council would be watching

to see what they do in this area right-of-way.

But we cannot sell it or market it as sellable.

I don't know if Councilwoman Shanklin,

did you wanna add something to this?

>>The only thing I wanted to say was of course

this was in Peden's District at one time.

And of course he went back and forth with it,

but this is a large piece of land and it's four acres.

And so it's worth quite a bit of money.

And you know,

we are looking at a person that's gonna get

a free piece of land and no telling

what he's gonna make out of it.

So we're gonna be watching it closely to see

that it's not anything negative

that would hurt the area with it.

That's about all we can do about it,

is just keep an eye on it and bring it back.

If it's some type of negativity that would've,

you know, against the neighborhood.

I think at one time they were talking about making,

doing a store when it was in Peden's District.

But you know, of course, you know, we don't know,  
it's just a large piece of free property  
and there's some concern about it.

>>Thank you, Councilwoman.

Councilman Piagentini.

>>Yes. Thank you, Mr. President.

Got a couple questions.

Let's start with

and look, I wasn't in these committee hearings,  
but I have yet to hear the explanation of this.

We say it can't be marketed, it can't be sold.

I'm not understanding that

because we sell property all the time,  
even property that has been designated  
as right-of-way in the past.

So I'm not sure I understand that.

>>Sure. Travis Fiechter, Assistant County Attorney.

So the short answer here.

Well, there's two pieces.

One, it's important to note, there is no associated  
Metro property adjacent to this.

And so in a case where we have Metro property adjacent  
to right-of-way, that's proposed to be closed,  
that defaults to Metro through the closure,  
and then we can effectively market it.

Two, the problem here is the sort of order of operations.

Currently, this property is classified as right-of-way.

In order to be developed it needs to be not right-of-way.

If we make it no longer right-of-way,  
the law functions to say that it defaults  
to the property owners that join what used to be now.

Oftentimes when we see these closures,

it is small alleys between lots  
and a homeowner gets 50 extra feet of their backyard  
all the way along the alley.

In this unique case,

there is a single owner  
all the way adjacent to this large property.

This is because this is a road realignment,  
which are not super common.

Fegenbush was significantly shifted.

So it created this large portion of right-of-way  
where Fegenbush used to run, that it does no longer.

And there's only a single adjacent owner and it's not Metro.

And so that's just sort of the way the statutes play out.

We can't sort of proactively say,

hey, so and so we're gonna sell you this property and then close the right-of-way in the back end because it's right-of-away.

It can't be sold as right-of-away.

I mean, it's a government sort of, you know, styling of property.

I don't know if that makes sense.

>>My understanding of this section of land is that the road was over this section of land prior the road moved.

Are we convinced that in perpetuity, we're never going to move that road again.

Because my understanding is that road is not in good condition.

We'll probably need some development.

So why are we doing this?

We don't know what the future of the development of that area looks like.

>>One second, Mr. Fiechter, I've had a request.

If you could remove your mask when you're speaking so people could hear you better.

>>Sure. Be happy to.

>>No, I don't wanna say either for myself or the city or public works that we know everything the future might hold here for this property.

That being said,

certainly the property's not currently being used.

>>We could hold it in perpetuity.

>>That was an unfair question because let me rephrase that question for the sponsors, for the Chairwoman Flood.

Was there any conversation at committee from public works about the future of that area

and whether or not any section of this may be needed for future road improvements right away?

>>I don't recall any, and I can't remember back when we first started discussing it and it was turned down by the committee and by the Metro Council, what they weighed in for. I know that several things have shifted out in that area.

Even the original way that Hurstbourne Ln and joins there at Fern Valley in Fegenbush,

that wasn't supposed to have happened that way.

That shift, it was supposed to have actually cut through what is known as Stone Bluff subdivision and Quail Run subdivision.

So there's been a lot of shifting of roads  
in that area already.

>>And I guess that's getting to a primary concern  
that I have here and I see Councilman Kramer  
ready to jump out of the seat.  
He's on the queue.  
So I will defer that conversation  
to Councilman Kramer and that, but I'll just say  
the comments that have already been made.  
Tell me, we have no idea.  
There's a lot of change there  
and we have no idea what's coming.  
In which case I have no desire to give up.  
What is hundreds of thousands of dollars worth of land  
when there's no need, when we are unsure  
about what the future need for us is.  
So I'll leave that for Councilman Kramer  
to dive into a little more deeply.  
He's more intimately aware of that area.  
Just to clarify the legal question if you don't mind  
which statutes prohibit us from selling or marketing  
or if you're not adjacent to it.  
Is that state or local?  
Can you describe which statutes those are?  
>>Yes. And I don't have them.  
I don't think they occur in the Ordinance,  
but I can look them up here shortly.  
But the short answer is,  
there isn't a statute that says  
you cannot market property if it's right-of-way,  
but there's well, there's some case law.  
There's not one that says you can't.  
There's nothing saying you cannot close right-of-way  
and keep it.  
There's a statute that says  
when you close right-of-away, this is what happens.  
If that makes sense.  
So it's instructive, not permissive or restrictive.  
So it's just the process is the road closes  
and the property defaults to nearby property owner.  
So it doesn't contemplate even whether or not  
governments would consider selling it  
because it says, you close the right-of-way  
and it goes to adjacent property owners.  
>>But yeah, but my question is,  
Is that a state statute or a local?

>>Yes, it's state statute.  
I'll pull the KRS here shortly.  
>>That's okay. Yeah.  
I just wanted to know if it was state or local.  
That's okay.  
And then I had one more question about...  
No I'm good.  
Thank you very much, Mr. President.  
>>Thank you, Councilman.  
Councilman Reed.  
>>Thank you Mr. President.  
And before Councilman Kramer takes his deep dive,  
I wanted to ask, I did vote for this out of committee,  
but I wanted to ask who the applicant is.  
States at the bottom,  
the applicant for disclosure  
provided a sample development plan.  
Who is the applicant?  
>>Hull Condominiums.  
>>Okay.  
>>It's H-U-L-L.  
>>Got it. Okay.  
That's my only question.  
>>Thank you, Councilman. >>Thank you.  
>>Councilman Kramer.  
>>Thank you, Mr. President.  
I have a few questions.  
First of all,  
I'm gonna ask questions about the sale of the property.  
Although I will preface this by saying,  
in no way, shape or form, I think,  
we should sell the property. Period.  
As I understand Mr. Fiechter,  
what you're suggesting is that  
the right-of-way belongs to us, but the property doesn't.  
And that what we're actually trying to do  
is remove the right-of-way,  
which will make it possible for somebody to use that.  
What that means is, as I understand this,  
or as I'm trying to process it out,  
when we release the right-of-way on this  
nearly four acres of property,  
we are gonna make this piece of property  
incredibly valuable,  
and somebody is gonna make a huge profit here.  
It may not be us,

but we're freeing this property up so somebody can sell it.  
Is that accurate?

>>So when the right-of-way, if this were to,  
if the right-of-way were to be closed,  
then it defaults to Hull Condominiums.  
So they could, at that point, sell the property.  
They could develop the property.

They did provide.  
If you look at the applicant booklet on slides  
seven, eight, and nine,  
they show sort of where the property would be.  
And then on the street closure presentation from staff  
on slide eight,  
you have the applicant sample development plan,  
which includes a retail shop.  
Oh, I can't quite read it in this range,  
but it, two retail uses, a restaurant use,  
and I think it's a coffee shop.  
Now that's not a formally filed development plan.  
It's a conceptual one after the last hearing  
Council requested to see what might happen here.

>>So if I may,  
again, I'm trying to separate these two things,  
because in my mind there are two very different problems.  
Equally difficult problems that either one of which  
should say,  
absolutely colleagues, please join me in voting No.  
First the road that they are,  
there is an apartment complex that goes off of Fegenbush Ln.  
That the entrance to that complex was supposed to be  
the construction entrance into that property.  
They have since turned that into the actual entrance  
to the property and they were supposed  
to have made corrections to Fegenbush Ln.  
Those corrections were never made.  
And if you actually, if you have the map up in front of you,  
as you come in off of South Hurstbourne Ln  
and turned right onto Fegenbush Ln,  
precisely where this right-of-way is,  
Fegenbush Ln bends around this right-of-way,  
and literally falls apart.  
When they built this entrance to these condominiums  
or these apartments off of Fegenbush Ln,  
they took what was an emergency lane,  
when GE built the, when they turned  
some of those, some GEs property into warehouses

and when they brought FedEx in.  
They required them to put  
an extensive emergency lane along Fegenbush Ln.  
When they built those apartments,  
they turned that emergency lane into a driving lane.  
And then they shifted the road  
over a little bit towards this right-of-way.  
And that road is,  
the road bed itself is literally crumbling.  
If we're gonna fix Fegenbush Ln, right?  
I'm not talking about 10 years from now capacity.  
I'm talking about tomorrow.  
If we're gonna fix Fegenbush Ln, we need that right-of-way.  
So allowing them to give away the right-of-way  
so that somebody else can make lots and lots of money.  
And then at the same time,  
realize that those people who are gonna make  
lots and lots of money are gonna be  
connecting in through a road  
that was never supposed to be a road. Right?  
We're just adding problem on problem on problem  
out here at the corner of Hurstbourne Ln and Fegenbush Ln.  
So, the reading reason, you know, Councilman Piagentini  
points to the fact that I can't sit still,  
and I apologize for my, being quite so animated.  
I drive this stretch of Fegenbush Ln  
just about every day.  
Councilman Peden, I regret that  
he's walked outta the room.  
I drive this section of Fegenbush coming from Bardstown road  
where they've taken away the emergency lane.  
Councilman Peden drives Fegenbush Ln  
coming the opposite direction,  
where the road bed is so completely damaged,  
that if you're not in the left lane of traffic,  
you have to slow down.  
You're not slowing down because of traffic,  
you're slowing down because the road bed  
is in such bad shape  
that it's like driving over speed humps in a neighborhood.  
That's how bad it is.  
That's precisely where this right-of-way is.  
So we would be giving away right-of-way,  
that's necessary to make improvements.  
And at the same time, we're giving away right-of-way  
necessary to make improvements,

we would be giving away right-of-way to a company  
that's gonna make the situation worse, not better.  
So there's a reason we rejected it last time it was here.  
I'm imploring my colleagues, please, reject it again.  
If you're not willing to reject it tonight,  
I will not make a motion to send it back to committee.  
I'm gonna vote against it. I'm gonna ask you to do the same.  
if you're tempted to vote Yes,  
but you're willing to give it some consideration.  
please send this back to committee.  
And then you yourself go out  
and drive that stretch of Fegenbush Ln  
between South Hurstbourne Lane and Bardstown Road.  
All you have to do is you roll your car  
over that stretch of road one time.  
And you will realize that this is a huge mistake for us.  
That's, and I'll finish with,  
just so everybody understands where this is coming from.  
I teach at Mercy Academy,  
which is just beyond where this right-of-way is.  
We have for, the number of years, I've been there,  
paid police officers to direct traffic for our students  
and their parents as they're coming in  
and out at the beginning of the school day  
and the end of the school day.  
When they built the apartment complex next door,  
and they told us that that driving, that that lane  
was just for construction equipment.  
Then when they decided that that was actually  
gonna be the entrance,  
the temporary fix for Fegenbush Ln  
was to take away that emergency lane  
and turn that into a driving lane,  
which meant that the police officers  
who were directing traffic  
were parking in that emergency lane  
and they took the emergency lane away.  
So the police officers who are still doing a great job  
are parking their cars in a way  
that is considerably less safe for them today,  
than it was before Planning and Zoning  
or Planning and Design  
allowed this to be an actual entrance.  
Which again, I'll go back and say,  
none of the original proposals included this  
as the actual entrance and exit for that apartment complex.

So I'll stop there and just implore my colleagues.

Please, please, please join me in voting No.

>>Thank you, Councilman.

Councilman Ackerson.

>>Thank you. Travis

because this is gonna revert to the present property owner  
who's areas zoned C-1 is what I'm being told.

Well, this right-of-way,

that we are now giving and putting

in a part of that other parcel

that will automatically be zoned C-1, won't it?

>>Frankly, there isn't a crystal clear case on that,

which I desperately searched for,

but I think the general reading of the laws

that yes, it would assume the zone of the property

it is zoned into.

>>So when I heard earlier,

there was discussion about a new WHEREAS, where it said,

"WHEREAS the council's gonna take a close eye on this".

>>More

>>The reality here is if this property owner gets this

and decides to stick with the C-1 zoning,

we've got no say whatsoever,

which is gonna go in here. Correct?

>>So, not exactly.

They would still need a revised development plan

for this property, which you know,

could include Council review,

could include the creation of binding elements,

could include right-of-way dedication,

which seems backwards.

But they might be required by public works

to dedicate some of the property that was just reverted,

if public works wanted it.

>>Well, if it's zone C-1

and they're not changing the zoning,

it's not coming before this Council for approval, is it?

>>So not automatically,

but under 11-7.5 of the land development code.

Council does have the power

to take over review of development plans.

Assuming it would be a C-3

which consider this as undeveloped property, it would be.

>>Gotcha. Colleagues-

>>Sorry, my apologies. I said C-3.

I didn't mean the zoning C-3.

There's a, categories of review.  
>>Colleagues here's where I'm at.  
I'm joining Councilman Kramer in this aspect.  
Why, why are we doing this?  
There's a potential need for it.  
I've heard this, also some members of this Council  
talk about not looking to create new asphalt  
and new concrete.  
I mean, why out of nowhere are we giving somebody..  
I don't know what the value of this is,  
what, a million dollars?  
Four acres along that area.  
Why?  
Just so we can put back on the tax roll.  
That makes no sense to me whatsoever.  
You know, we had an item in public works on Tuesday,  
where we were declaring a piece of property worthless  
and giving away for a dollar  
to the business next door  
that was going to expand their business  
and take half of it and create office spaces and rent it.  
And the administration told us that,  
admit the property valuation had come in that day.  
The building needs help,  
it's dilapidated, but still was valued at \$118,000.  
117 and change, we rounded up.  
So we're declaring \$118,000 useless  
and gonna give away for a dollar.  
Again, we gotta start asking these questions. Why?  
At least with that, that stated committee,  
at least with that,  
the city could maybe send it to auction,  
or something else or sell it.  
Where's here with the right-of-way we can't,  
but we've got to start scrutinizing  
the giving away of property.  
Property that has the value.  
The question is,  
are we also making it fair for everyone to have a chance?  
I mean, hell I, public works,  
I said, I'll give you \$10,000 for it.  
That's \$10,000, that's \$9,999  
more than the other guy was gonna give you.  
And I'd make out like a bandit, on that still  
because 117,000,  
I'd throw it on the market for 70, it'd sell like hot cakes.

It even precludes us from being involved.  
You know, this stuff has to be open to everyone.  
And we've got to start questioning, Why?  
This piece of property from what I'm hearing  
from my colleague,  
that knows the area like the back of his hand,  
we're gonna need this.  
Which again, leaves us the question, Why?  
What's gonna go there, we've got no control over this.  
So I would join Councilman Kramer and say,  
this should be a No vote.  
Let's keep our powder dry.  
Thank you, Mr. President.  
>>Thank you, Councilman.  
Councilman Piagentini.  
>>Thank you, Mr. President.  
So got on logic, public, our public website,  
which breaks down plots of land.  
To be super clear, that's where we saw the zoning.  
We also looked at property value  
that current plot of land and the company  
that's gonna get it, Hull Street Condominiums.  
They currently have 15 acres there valued at 1.988 million.  
That's \$2 million essentially divided by 15 acres.  
It's 130,000 acre.  
This is land worth a little over \$500,000.  
Okay.  
So this is a half a,  
and this is again,  
for those that aren't familiar with the area.  
It abuts Mercy Academy,  
it abuts all of the FedEx freight appliance park.  
This is top, top dollar at C-1 zoning.  
Like this is, you know,  
in my day job as a commercial real estate agent,  
I would kill somebody to get this, okay,  
because I'm gonna make money on it.  
All right.  
That's how this is like very, very highly desirable.  
And to what Councilman Ackerson was talking about earlier.  
I mean, look, this is complex stuff.  
You know, when there's developed, when there's improvements,  
in other words, buildings on the land.  
It gets a little more complicated on valuing  
because the land can be worth something,  
but the cost of demoing a truly dilapidated building,

diminishes the value of the land and all of that.  
So, I mean, there's a lot of debate,  
but I'm with him on auctioning.  
There's ways that we could do this  
to find the true value of all this land,  
we are "giving away or selling",  
by using an auction service or something.  
In this case, we can't, which I totally get.  
But I don't see any compelling need  
when we can acknowledge that we know  
even the next five years  
as to what the public use need for this will be.  
And frankly, I'm fine with going to,  
if the state statute.  
It doesn't sound like there'd be a lot of political will  
to fight against.  
What would sounds like a fairly minor change to say,  
that just because, you know,  
you're eliminating the right-of-way  
it doesn't automatically go to the nearby landowner  
who hasn't paid for it, right?  
That it should be a public process.  
And maybe there's other,  
you know, stipulations given there's adjacent landowners.  
But that they need to pay some level of market rate,  
or there must be some compensation to the city.  
And, you know,  
I'm willing to wait a legislative cycle  
to see if we can do that.  
Again, and that's ignoring the fact  
that we don't know what needs are in the community  
from a public works point of view.  
And I understand what you're saying, Mr. Fiechter,  
that there is a way that we can take it.  
I can't remember the last time  
it wasn't a zoning case and we grabbed it.  
I just can't remember it.  
I'm been in here 3.5 years.  
I can't remember one time.  
So as much as I'd love to say, we do it, we don't.  
At least my experience is we don't.  
So I'm not really gonna trust that.  
And, so yeah,  
I'm gonna be sort of a hard no on this one.  
And I hope my colleagues join me. Thank you.  
>>Thank you, Councilman.

Councilwoman, Dr. Shanklin.

>>Thank you, Mr. President.

You know, this hasn't been my area very long.

It's just, you know, I was redistrict into that area,

but since I've been in that area,

I've had numerous calls from people

that live out there on Hurstbourne.

I think no, it's Fegenbush, on Fegenbush.

Same thing as Kevin said, that the road is so bad.

They said, you know, I need you to come out here and ride.

It's so bad.

So I agree with him.

We need to look at fixing the road

because right up there by Mercy, it's pretty rough.

So I'm for a No vote,

to make sure we can take care of that road. Thank you.

>>Thank you. Councilwoman.

Councilwoman Flood.

>>My questions for Travis Fiechter.

Travis, since it's right-of-way,

is there a way do you know of,

or maybe you need to explore this even more

that we can remove the right-of-way and the city retain it?

>>There is no existing way to do so now

without a change in State law.

>>Okay.

I just wanted to.. Okay, Thanks.

>>Thank you, Councilwoman.

Is there any further discussion?

All right.

Well- >>Kramer

>>Quick promise.

>>We missed the over and under, by the way.

Go ahead. >>Thank you.

I would simply point out that if we do this tonight

and remove the right-of-way

and the city decides in the not too distant future,

that they wanna repair this road

and they realize they need right-of-way.

They're gonna have to pay for it.

Right now we own that right-of-way.

If we remove it and get nothing out of it,

and then we decide we need it, we're gonna have to buy it.

So it just seems to me like we own it.

Why would we give it away?

So again, please vote No.

>>Thank you.

Councilman Winkler.

>>Yeah. I just wanna confirm for clarity that a no vote means we're not selling the property and that's it, right?

There's not alternative findings factor or anything like that.

It's a straight, yes, no. Simple vote.

>>Is that correct, Mr. Fiechter?

>>Yes, because this is not a zoning case.

You don't need to overturn the Planning Commission decision with formal findings. A No vote would effectively kill it.

Sorry. One other minor thing on what you just said, but I have already forgotten.

Probably fine.

>>All right. Thank you.

Any further questions?

>>Yes. Mr. President.

One quick question to Travis.

I may be able to save us a whole lot of trouble right now.

Travis, if I pull my sponsorship, since for some reason

it didn't come over and Councilwoman Shanklin's name, because she put the WHEREAS's in,

Will it just die?

>>Oh, sorry about that.

Yeah, that's a good question.

Did street closures automatically become, this may be governed by the rule.

I know that generally zoning cases are required to be under your name. >>Okay.

>>I don't know, off the top of my head, whether street closures are included in that or not.

>>No, I was just trying to, just make it go away completely, but that's fine.

We can just vote on it.

>>Gotcha.

It is right. So there is no 90 day rule here, so it wouldn't automatically go into effect.

It does require Council action.

I can never think of a case in which we have, had a pulled sponsor on a road closure.

So I don't wanna say definitively, it would absolutely kill it.

I would argue the safe option is to vote

rather than risk some unknown consequence.  
But in theory, it should kill it the same way  
it would any other item.

>>I don't think it does.

>>If sponsorship was pulled.

>>Call the question.

>>Question's been called.

All in favor of calling the question, say aye.

>>Aye.

>>All opposed.

All right.

Madam Clerk, would you please open the roll for voting.

Madam Clerk, please call the roll

for those that are not present in chambers.

>>Council Member Bowens. >>No.

>>Council Member Shanklin. >>No.

>>Council Member Dorsey, Council Member Arthur.

Council Member Purvis. >>No.

>>Council Member Hollander,

Council Member Mulvihill. >>No.

>>Council Member Blackwell. >>No.

>>Council Member Fowler. >>No.

>>Council Member Peden,

Council Member Flood. >>No.

>>Council Member Holton Stewart.

>>No.

>>Mr. President, you have 22 No votes.

>>Thank you. >>Thank you colleagues.

>>The Ordinance fails.

Madam Clerk, reading of item number 47.

>>An Ordinance relating to the zoning of properties

located at 10212 and 10302 Oak Grove Road

containing approximately 68.57 acres

and being in Louisville Metro (CASE NO. 21ZONE0059).

Read in full.

>>Thank you.

May I have a motion and a second.

>>Motion Engel.

>>Motion by Councilman Engel, second by Councilman Winkler.

The Ordinance is before us. Is there any discussion?

Councilwoman Flood.

>>Yes. Thank you, Mr. President.

You may recognize this case.

It was before us originally on December 16, 2021,

the Planning Commission voted on a five to two

to deny the change in zoning.

And it was sent back to the Planning Commission for reconsideration.

The original total of a single family units subdivision was 263.

It is now before us with 180 single family subdivision adjacent to Cedar Creek.

It consists of two contiguous parcels within the Fern Creek small area study.

Staff did not recommend approval.

The Fern Creek small area study recommends retaining the agricultural rural development.

The scale of the development is out of proportion to the infrastructure available, even with the proposed reduction in the lots.

On June 2, the planning commission voted seven to two, to recommend denial.

The committee recommended denial also.

So tonight when you vote,

a Yes vote is to uphold the planning commission's decision to deny the change in zoning.

And this is in Councilman Engel's District, he may wish to address us.

>>Thank you, Councilwoman.

Councilman Engel.

>>Thank you Mr. President.

Colleagues I want to thank really the neighboring residents who took the time out of their busy schedules to speak at each of these LD&T and Planning Commission meetings.

They brought valuable insight to the attention of the commissioners.

And it is great to have such participation in the planning process in this very rural area of District 22.

When I sent this case back to the Planning Commission last winter, I wanted to give all parties more time to review the impact of this potential rezoning.

This was another large development that proposed to put hundreds of houses in a location that is only accessible by driving on small farm to market roads.

10212 Oak Grove road is several miles from a major artery. It is not close to a source of employment or groceries, sidewalk connections, bike routes, and access to TARC routes are simply not available.

In many areas the roads are not the standard 18 feet and width. It is difficult for vehicles to pass each other and even fire trucks have trouble through these curbs. While District 22 is one of the fastest growing districts in Jefferson county, and has some of the best remaining land for development. I and we simply must balance the need to find more housing for residents, but also improving our limited infrastructure and preserving our rural heritage. I respect the viewpoints of the neighbors and the planning commissioners, as they worried through that surrounding infrastructure is as they worried that the surrounding infrastructure is insufficient for additional volume. Following the recommendation of the planning commission, I ask my colleagues to support in favor of denial of the change in zoning for Oak Grove road, from Rural-Rural to R-4. Thank you, colleagues.

>>Thank you, Councilman.

Is there any further discussion?

Hearing none.

This is an Ordinance requiring roll call vote.

Madam Clerk would you please open the voting.

Madam Clerk would you please call the roll for those that are not present.

>>Council Member Bowens?

I'm sorry ma'am, I didn't hear you.

>>Yes. >>Thank you.

Council Member Shanklin. >>Yes.

>>Council Member Dorsey, Council Member Arthur, Council Member Purvis. >>Yes.

>>Council Member Mulvihill. >>Yes.

>>Council Member Blackwell. >>Yes.

>>Council Member Hollander, Council Member Fowler. >>Yes.

>>Council Member Peden, Council Member Flood. >>Yes.

>>Council Member Holton Stewart.

I didn't hear you ma'am.

>>Yes.

>>Thank you.

Council Member Ackerson.

Mr. President, you have 21 Yes votes.

>>Thank you.

The Ordinance passes.

Madam Clerk, reading item number 48 please.

>>An Ordinance relating to the zoning of property located at 1118 South Shelby street containing approximately 0.0772 acres and being in Louisville Metro (CASE NO. 22ZONE0027).

Read in full.

>>Motion to approve, Engel

>>Motion by Councilman Engel,  
Second by Councilman Piagentini.

The Ordinance is before us. Is there any discussion?

Councilwoman Flood.

>>Thank you, Mr. President.

This is in President David James District.

The change in zone is from a U-N to C-1 with detailed district development plan.

The property rezoned was rezoned to U-N in the area wide rezoning back in 2002.

There's currently one Parcel

with a commercial structure on it,

and it's going to be used as a commercial structure.

It is in the Smoketown, Shelby Park neighborhood plan area.

The retail there, there's no actual parking

because 50 years ago there was no parking requirements in the Land Development code.

And I believe we're ready to vote on that.

I don't think Mr. James,

President James has anything to add to that.

>>Thank you, Councilwoman.

Is there any further discussion?

Hearing none.

Madam Clerk, please open the roll for voting.

Madam Clerk would you please call the roll for those that are not present in chambers.

>>Council Member Bowens. >>Yes.

>>Council Member Shanklin. >>Yes.

>>Council Member Dorsey, Council Member Arthur.

Council Member Purvis. >>Yes.

>>Council Member Hollander,

Council Member Mulvihill. >>Yes.

>>Council Member Blackwell. >>Yes.

>>Council Member Fowler. >>Yes.

>>Council Member Peden,

Council Member Flood. >>Yes.

>>Council Member Holton Stewart.

>>Yes.

>>Council Member Ackerson.

Mr. President you have 21 Yes votes.

>>Thank you.

The Ordinance passes.

Madam Clerk, reading of item number 49.

>>An Ordinance relating to the zoning of properties located at 2702 Chamberlain lane and 2320 and 2300 Collins lane containing approximately 6.61 acres and being in Louisville Metro (CASE NO. 22ZONE0018).

Read in full.

>>Thank you. May I have a motion and a second.

>>Motion.

>>Motion by Councilman Winkler.

>>Second.

>>Second by Councilman Piagentini.

The Ordinance is before us. Is there any discussion?

Councilwoman Flood.

>>Please.

>>I couldn't hear what you said.

>>I'm sorry. What was the address on that?

>>Chamberlain Lane.

>>3120 and 3200 Collins lane.

>>Oh, maybe I said the wrong thing.

Oh, it's 2702 Chamberlain lane and 3120 and 3200 Collins lane.

I'm sorry. Thank you.

>>That's okay.

This change in zonings from R-4 to C-1 and C-1 to Planned Employment Center.

The applicant proposes to construct a 67,000 square foot mixed use hall and offices for the UAW.

It's an expansion of local 862.

It is also, will have two access points, one off the Chamberlain lane and one off of Collins lane.

And this is in Councilman Winkler's District, if he may want to address us.

>>Counc- >>Yeah. Sorry.

Thank you, President James.

Thank you. Chairwoman Flood.

There's an existing UAW union hall here.

They've purchased couple of the adjoining lots.

There are basically were three lot, three homes on Collins lane.

Two of them have been purchased.

I would imagine the third one

will eventually be purchased by somebody as well.  
Basically the only remaining home is surrounded  
on all four sides by commercial or industrial uses.  
If you're familiar with this area of Chamberlain lane,  
sort of the whole section  
from La Grange road to Westport Road.  
There used to be a fair amount  
of residential area back there.  
That is all in the process of being bought up  
and converted into industrial uses.  
So this on Collins and then across the street on Chamberlain  
and on the north side of Chamberlain,  
there are few remaining homes.  
Again, some of them already have options on them  
by developers to, as those owners move out,  
those lots will also be developed  
into further industrial uses  
all around the KT, the Kentucky Truck plan.  
And I would encourage everybody's approval of this project.

>>Thank you, Councilman Winkler.

Any further discussion?

Hearing none.

Madam Clerk, would you please open the roll for voting.

Madam Clerk would you please call the roll  
for those that are not present in chambers.

>>Council Member Bowens. >>Yes.

>>Council Member Shanklin. >>Yes.

>>Council Member Dorsey, Council Member Arthur.

Council Member Purvis. >>Yes.

>>Council Member Hollander,

Council Member Mulvihill. >>Yes.

>>Council Member Blackwell. >>Yes.

>>Council Member Fowler. >>Yes.

>>Council Member Peden,

Council Member Flood. >>Yes.

>>Council Member Holton Stewart.

Ma'am I didn't hear you. >>Yes.

Thank you. You were gonna say yes.

Council Member Ackerson.

Mr. President, you have 21 Yes votes.

>>Thank you.

The Ordinance passes.

Madam Clerk, reading of item number 50 please.

>>An Ordinance relating to the zoning of property  
located at 2612 South English Station road  
containing approximately 6.89 acres

and being in Louisville Metro (CASE NO. 21ZONE0095).

Read in full.

>>Thank you.

Councilman Winkler made a motion  
and may I have a second.

>>Second.

>>Second by Councilman Fox.

The Ordinance is before us.

Is there any discussion?

Councilwoman Flood.

>>Yes. Thank you, Mr. President.

This is in the Floyds Fork Review Overlay.

The plan was for retail storage  
for salvaged building materials  
and called for the reuse of a structure associated  
with past agricultural land use of the property.

A 25,000 square foot building addition, a garden center,  
outdoor storage and associated parking.

The zoning request was for seven of the total of 24 acres.

The proposal calls for a higher intensity  
in the non residential district  
into a neighborhood formed district.

And the planning commission voted eight to zero  
to deny the change in zoning.

So tonight's vote would be to uphold the plan  
I guess, vote to uphold the planning commission's  
denial of the change in zoning.

And this is in Councilman Benson's District.

He may wish to address us.

>>Point of order, Mr. President.

>>Yes, sir.

>>To the Clerk,  
our screens are stuck on the voting screen  
from the last item.

>>Ah.

Madam-

>>Thank you.

>>You actually read stuff?

>>It's fixed now.

Where were we? I'm sorry.

>>I think-

>>Councilman Benson, that's correct?

>>Yes. Thanks. Mr. President.

Vote Yes is to go along  
with the Planning and Zoning committee and I agree.

>>Thank you, Councilman.

Is there any further discussion.

Hearing none.

Madam Clerk, would you please open the roll for voting.

Madam Clerk, Would you please call the roll  
for those that are not present in chambers.

>>Council Member Bowens. >>Yes.

>>Council Member Shanklin. >>Yes.

>>Council Member Dorsey, Council Member Arthur.

Council Member Purvis. >>Yes.

>>Council Member Hollander,

Council Member Mulvihill. >>Yes.

>>Council Member Blackwell. >>Yes.

>>Council Member Fowler. >>Yes.

>>Council Member Peden,

Council Member Flood. >>Yes.

>>Council Member Holton Stewart.

>>Yes.

>>Council Member Ackerson.

Mr. President you have 21 Yes votes.

Thank you.

The Ordinance passes.

Madam Clerk, the reading of item number 51 please.

>>An Ordinance relating to the zoning of properties  
located at 3200 through 3208 Maldon court  
and 5714, 5716 and 5718 through 5746  
Maldon Drive containing approximately 9.59 acres  
and being in Louisville Metro (Case No. 22ZONE0044).  
Read in full.

>>Thank you. >>Engel.

>>Motion by Councilman Winkler,  
second by Councilman Engel.

The Ordinance is before us.

Councilwoman Flood.

>>Thank you, Mr. President.

This site was previously recorded as a 30,  
or excuse me, as a 33 lot subdivision  
under docket number 10-12-02.

The roadways were built where no homes were ever built,  
Which is kind of out of the ordinary.

But the change in zoning would allow  
for a total of 47 lots for single families  
with an attached garage and no on-street parking  
to be developed on this site.

And this is in Councilwoman Angela Bowens District.

She may wish to address this.

>>Thank you, Councilwoman.

Councilwoman Bowens.

>>Thank you, President James.

This is a 47 lot, but it is off of Terry road.

And as she stated, the roads have been built,  
but there are no houses there.

So it sits in the neighborhood  
that it will be a compliment to the neighborhood  
versus the empty lot.

And I thank you for your vote today.

>>Thank you, Councilwoman.

Is there any further discussion?

Hearing none.

Madam Clerk, would you please open the roll for voting.

Madam Clerk, would you please call the roll  
for those that are not present in chambers.

>>Council Member Bowens. >>Yes.

>>Council Member Shanklin. >>Yes.

>>Council Member Dorsey, Council Member Arthur.

Council Member Purvis. >>Yes.

>>Council Member Hollander,

Council Member Mulvihill. >>Yes.

>>Council Member Blackwell. >>Yes.

>>Council Member Fowler. >>Yes.

>>Council Member Peden,

Council Member Flood. >>Yes.

>>Council Member Holton Stewart.

>>Yes.

>>Council Member Ackerson.

Mr. President you have 21 Yes votes.

>>Thank you.

The Ordinance passes.

Madam Clerk, reading of item number 52.

>>An Ordinance appropriating \$7,000  
from District 24 Neighborhood Development funds  
through the office of Management and Budget,  
to Jefferson County public education foundation, Inc.  
for program expenses associated with providing individual  
or group counseling services at the Youth Service Center  
at Southern High School.

Read in full.

>>Thank you. May I have a motion and a second?

>>Second.

>>Motion by Councilman Winkler,  
second by Councilman Piagentini.

The Ordinances before us is in discussion

Dr. President Blackwell.

>>Thank you.

This Ordinance passed out of committee with unanimous vote.

But I had to abstain because my son  
is an employee of Southern High School,  
and I'll need to do so again tonight.

>>Thank you, sir.

Is there any further discussion.

Hearing none.

Madam Clerk, would you please open the roll for voting.

Madam Clerk, would you please call the roll  
for those that are not present in the chambers.

>>Council Member Bowens. >>Yes.

>>Council Member Shanklin. >>Yes.

>>Council Member Dorsey, Council Member Arthur.

Council Member Purvis.

Did you, I am sorry ma'am.

Did we..

>>I think we just lost her.

We're gonna pause for a moment  
until we can try to get Councilwoman Purvis back.

>>Okay. Thank you.

>>Okay. You're welcome.

Councilwoman Purvis, are you able to turn on your camera?

>>Hold on. I'm trying.

Hold on please.

>>You're fine.

>>Hello?

>>Yes, ma'am we see you.

Council Member Purvis. >>Okay.

>>All right. We are back in session.

>>Yeah. I'm sorry, Mr. President.

I wanted to make a statement and I was trying  
to get your attention,

but I was losing you and everybody else,

but I wanted to know,

maybe it would be in my best interest to abstain from voting  
since I do substitute teach for JCPS.

>>Okay.

Do you wanna ask the County Attorney that ma'am?

>>Yes. Yes.

If I could, please. Thank you.

>>Mr. Fiechter- >>She's on there.

>>Are there- >>No.

>>There we go. >>She's right there.

>>Oh yeah. Catherine Menner Assistant County Attorney.

Can you restate why you thought

you might need to abstain please?

>>Substitute teach for JCPS.

>>I mean, if you would like to abstain you can,  
I don't know.

>>I mean, would there be a conflict?

>>I mean, I'm not sure  
that there would be a conflict necessarily,  
but it might be in your best interest to abstain,  
just to be safe.

Okay. It's your decision. Okay.

>>At this time, I will abstain from voting.

Thank you.

>>Okay. Thank you.

>>Let's see. One second.

Council Member Hollander,

Council Member Mulvihill. >>Yes.

>>Council Member Blackwell. >>Abstain.

>>Council Member Fowler. >>Yes.

>>Council Member Peden,

Council Member Flood. >>Yes.

>>Council Member Holton Stewart.

>>Yes.

>>Council Member Ackerson.

Mr. President, you have 19 Yes votes. Two abstentions.

>>Thank you. The Ordinance passes.

Madam Clerk, reading of item number 53.

>>A resolution pursuant to the Capital and Operating  
Budget Ordinances, approving the appropriation to fund.

The following noncompetitively negotiated amendment  
to professional service contract  
for Louisville Metro public health and wellness (LMPHW)  
concerning the services of a doctor to serve  
for the LMPHW Medical Director  
and as its director, Dr. Jeffrey Howard, Jr., M.D. -  
a new not-to-exceed amount of \$256,013 (As amended).

Read in full.

>>Thank you. May I have a motion and a second.

>>Motion.

>>Motion by Councilman Piagentini.

>>Second. >>Second by Councilman Engel.

The resolution is before us.

Is there any discussion?

Councilman Engel.

>>Thank you, Mr. President,  
the Labor and Economic committee was introduced  
to Dr. Jeffrey Howard at our committee.

As you recall, Dr. Sarah Moyer had left us for the private sector.  
But during that time, Dr. Howard served as the interim director and Chief Health Strategist. While awaiting his official time to step up and us to introduce him and hire him. And so he was and served as a senior leader in the department and helped facilitate external partnerships and support public health initiatives before joining Louisville Metro public health. Dr. Howard was appointed as White House fellow in 2019, where he served as a Health Policy Advisor to the Vice President of the United States. He's also served as the commissioner for public health and the Chief Medical Officer of the Commonwealth of Kentucky. He and his wife have two children and reside here in Louisville, and we're happy to have him Mr. President. So he was, we passed unanimously out of the committee and ask for your support. Thank you.  
>>Thank you.  
Is there any further discussion?  
Hearing none.  
This is a resolution allowing for a voice vote.  
All those in favor- >>I was in the system.  
>>Oh, I didn't see anything.  
>>Sorry, sorry, Mr. President.  
I believe I may be he's clicked in the wrong place.  
>>It's okay. >>Yeah.  
>>I apologize.  
I wanted to follow Councilman Engel's description of this, of this situation and point out that it is an interim position and, you know, with the Mayor's, with the situation that the Mayor's in. As I say, that comes out badly, there is an election in November and the current mayor will no longer be Mayor in January. That's through no fault of anybody's. And what that means is that hiring someone to fill that position, this Mayor hiring someone to fill that position will be incredibly difficult, if at all possible. And what this does is it actually allows that Dr. Howard serve as an interim

through the rest of this Mayor's term.  
And it doesn't go very far beyond that.  
So what it basically does is it says  
we need somebody in this position  
until we can hire someone new.  
We acknowledge, we can't hire someone new  
until the next Mayor takes office.  
And so again, it's feels to me like a no brainer.  
I think it came out with pretty strong vote Yes.  
So again, ask my colleagues vote Yes.  
>>Thank you. Any further discussion?  
So resolution allows for a voice vote.  
All those in favor, please say aye.  
>>Aye.  
All opposed.  
The ayes have it.  
The resolution passes.  
Madam Clerk, reading of item number 54.  
>>Resolution in support of issuing a stamp  
to honor Muhammad Ali.  
Read in full.  
>>Thank you.  
>>Motion by Councilman Triplett.  
Second by Councilman Winkler.  
The resolution is before us.  
Is there any discussion?  
Councilwoman Dr. Shanklin.  
>>Thank you, Mr. President.  
So supporting issue of a stamp to honor Muhammad Ali.  
It was passed out of committee,  
but I put it on old business  
to see if anybody else wants to be a sponsor  
or a co-sponsor.  
>>Thank you, Councilwoman.  
I don't wanna put anybody on the spot,  
but is there anybody that would object to being  
a co-sponsor on this particular resolution?  
All right. >>So-  
>>How about this? I'll make a motion.  
>>There we go.  
>>That everybody is added as-  
>>Motion unanimous of consent.  
>>There we go. >>Second.  
>>I don't know if we don't make a motion,  
will I be a sponsor? >>I will second that.  
>>Oh yeah?

>>Without objection everybody will be added as a sponsor.

>>Okay. >>All right.

>>Then David already got it.

>>But the three that are absent,

if they're not already sponsors, they will be sponsors, okay

>>Okay.

All right. We will all be sponsors.

>>Except for those three. >>Except for those three.

(Council Members laughing)

>>Well one of them is already a sponsor.

Two of them are already a sponsor.

>>Okay. >>So it's only one left.

>>It's only Hollander because..

I'll ask if he wants to be a sponsor.

We'll see.

>>Okay. All right.

Okay. Any further discussion?

Hearing none.

All in favor, please say aye.

>>Aye.

>>All opposed.

The ayes have it.

The resolution passes.

Congratulations, Wanda.

All right.

Next business is new business.

New business comprises items number 55 through 69.

Madam Clerk please read those items  
and their assignments to a committee.

>>The following Legislation was assigned  
to Appropriations Committee.

Item 55, an Ordinance appropriating \$5,000

from Neighborhood Development funds in the following manner:

\$5000 from District 15;

through the office of Management and Budget,  
to Moments Matter, Inc.

for programming expenses associated with Youth Day.

Item 56, an Ordinance appropriating \$2,000

from Neighborhood Development funds in the following manner:

\$2,000 from District 21;

through the office of Management and Budget,  
to South Louisville community ministries

for programming expenses associated  
with the taste of South Louisville.

Item 57, an Ordinance appropriating \$7,455.35

from District 23 Neighborhood Development funds,

through the office of Management and Budget,  
to Highview Business Owners Association, Inc.  
for website maintenance and programing expenses  
for the Highview Fall festival and Highview Holiday fest.  
The following Legislation was assigned  
to the Budget Committee.

In item 58, an Ordinance amending Ordinance No. 168,  
Series 2021 relating to the second round  
of the American Rescue Plan (ARP)  
local fiscal recovery by replacing  
the Permanent Supportive Housing project funding  
in the amount of \$11,417,313 with ARP home funds  
and adding new project titled Shelter Renovations  
to the administered by developed Louisville.

The following Legislation was assigned  
to the committee of Equity and Inclusion.

Item 59, an ordinance creating a new chapter  
of the Louisville/Jefferson County Metro code of Ordinances  
creating an open data policy and review process.

The following Legislation was assigned  
to Government Oversight and Audit Committee.  
For Reintroduction only.

Item 60, an Ordinance amending sections 21.02,  
21.05, 21.06 and 21.99  
of the Louisville Metro court of Ordinances ("LMCO")  
and creating new sections of the LMCO chapter 21  
relating to the lobbying of Metro officers.

(As amended by substitution).

The following Legislation was assigned  
to Labor and Economic Development Committee.

Item 61, a resolution pursuant  
to the Capital and Operating budget Ordinances  
approving the appropriation to fund  
the following amendment to the noncompetitively negotiated  
Professional Service contract  
for the Louisville zoo concerning a mentor/internship  
program for Louisville African petting zoo  
and Australian walkabout exhibits to interpret  
the animal history.

Item 62, a resolution pursuant  
to the Captain Operating budget Ordinances  
approving an appropriation to fund  
the following amendment to a noncompetitively negotiated  
Professional Service contract  
for Louisville Metro public health and wellness  
concerning clinic staff for COVID vaccines administration,

Kentucky Nurses Association,  
\$70,000 for the new not-to-exceed  
amount of \$300,000.

Item 63, a resolution pursuant  
to the Capital Operation and Budget Ordinances  
approving the appropriation to the fund  
the following noncompetitively negotiated  
Professional Service contract  
for Louisville Metro public health and wellness  
concerning clinic staff for COVID testing services-  
(Kentucky Nurses Association- \$200,000).

Item 64, a resolution pursuant  
to the Capital and Operating budget Ordinances  
approving the appropriation to the fund  
and the following noncompetitively negotiated  
sole source contract  
for PARC concerning parking meter replacement parts.

Item 65, a resolution ratifying and approving  
a collective bargaining agreement  
(August 1, 2020 to June 30, 2025)  
relating to wages, benefits and other  
terms and conditions of employment  
between Louisville/Jefferson County Metro Government  
and the International Brotherhood of electrical workers,  
AFL CIO-CLC, IBEW Local 369, concerning certain employees  
of the Louisville Metro Emergency Services/Metrosafe.

Item 66, a resolution pursuant  
to the Capital Operating budget Ordinances  
improving the appropriation  
to fund the following noncompetitively negotiated  
sole source contract  
from Parking Authority of River City (PARC)  
concerning maintenance services and replacement parts  
for proprietary products purchased  
from- (HUB Parking Technology USA, Inc.- \$220,755)

Item 67, a resolution pursuant  
to the Capital and Operating budget ordinances  
approving the appropriation to fund the following  
noncompetitively negotiated Professional Service contract  
for Louisville Metro Police Department  
concerning consulting services for training and planning  
to improve effectiveness and efficiency within  
the newly created bureau of accountability and improvement.  
The following Legislation was assigned  
to the Planning and Zoning Committee.

Item 68, an Ordinance relating

to the zoning and alternative plan  
for the connectivity for property  
located at 805 South English station road  
containing approximately 7.19 acres  
and being in the Louisville Metro (CASE NO. 22ZONE0049).

Item 69, an Ordinance relating  
to the zoning of properties  
located at 4490 and 4492 Brownsboro road  
containing approximately 2.177 acres  
and being in Louisville Metro (CASE NO. 22ZONE0022).  
Read in full.

>>Thank you, Madam Clerk.

Next we have announcements.

No announcements.

That concludes our meeting.

Our next Metro Council meeting  
is Thursday, August 25, 2022 at 6:00 p.m.

No further business to discuss.

Without objection, we stand adjourned.

(hammer banging)

(upbeat music continues)