### **Louisville Metro Government**

601 W. Jefferson Street Louisville, KY 40202



### **Action Summary - Final**

Thursday, December 15, 2016 6:00 PM

**Council Chambers** 

### **Metro Council**

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

President: David Yates (25) Pro-Tem: Bill Hollander (9)

(D) - David Yates (25), (D) - Brent Ackerson (26)

#### **Call to Order**

President Yates called the meeting to order at 6:07 PM and asked all to rise for the Pledge of Allegiance.

#### **Members Roll Call**

Council Member Owen had an excused tardy and arrived at 7:13 PM.

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

Excused: 2 - Council Member Marianne Butler (D-15) and Council Member Brent Ackerson (D-26)

#### Support Staff

Paul Whitty, Jefferson County Attorney's Office Nick Kouloungis, Metro Department of Information Technology

#### **Clerks**

H. Stephen Ott, CKMC Jess Helton, CKMC

#### **Intofuction of Page(s)**

ID 16-1699

Council Member Benson introduced William Jones as the Page from District 20.

#### **Address to Council**

#### **2**. ID 16-1694

#### Addresses to Council - December 15, 2016

Attachments: 12-15-16 Address to Council Agenda.pdf

Address to Council Handout - Goodwill 12-15-16.pdf

Address to Council Handout - Cobble 12-15-16.pdf

Reed Statement Submitted to Clerk 12-15-16.pdf

The Clerk called forward the following speakers:

Amy Luttrell District 6

**Topic: Donations to Goodwill** 

Russell Greer District 9

Topic: Violation of Section 125 of MCO

Alex Bradshaw, Staff Representative with AFSCME

**District 8** 

**Topic: Metro Parks Third Party Contractor** 

Audrey Little District 4

**Topic: Affordable Housing (For)** 

Daniel Cobble District 11

**Topic: Corruption** 

Joshua Wysor District 8

**Topic: Metro Parks removing Picnic Tables** 

#### Guests

#### 3. <u>ID 16-1669</u>

Council Members Leet, Stuckel, Parker and Aubrey Welch recognized Susan Barto, Mayor of the City of Lyndon.

Point of Personal Privilege was granted to Council Member Denton to comment on Mayor Barto.

#### **Special Proclamation**

#### **4.** ID 16-1682

Council Member Johnson presented a special proclamation to C District Commissioner Stephen Fein.

Point of Personal Privilege was granted to Council Members Woolridge, Mulvihill, Blackwell, Aubrey Welch, Flood and President Yates to comment on Stephen Fein.

A video recorded message was presented to Mr. Fein from Coach Rick Pitino, University of Louisville Basketball.

#### **Council Minutes**

#### **5**. <u>ID 16-1671</u>

Regular: Metro Council - December 8, 2016

Attachments: 12-08-16 Action Summary.pdf

12-08-16 UNEDITED Transcript.pdf

Council Member Engel requested the Council Minutes be corrected by recording him present and not tardy.

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

#### **Committee Minutes**

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

#### **6.** ID 16-1667

Regular: Committee on Sustainability and Parks - December 8, 2016

Attachments: 12-08-16 Sustainability & Parks Action Summary.pdf

#### **7.** ID 16-1668

Regular: Intergovernmental Affairs and Annexation Committee - December 8, 2016

Attachments: Intergov Affairs and Annex Action Summary 120816.pdf

#### **8.** ID 16-1672

Regular: Committee of the Whole - December 8, 2016

Attachments: 12-08-16 COW Action Summary .pdf

#### **9**. ID 16-1678

Regular: Budget Committee - December 9, 2016

Attachments: Budget Action Summary 120916.pdf

**10**. ID 16-1679

Regular: Planning/Zoning, Land Design and Development Committee - December 13,

2016

Attachments: P&Z Action Summary 121316.pdf

**11.** <u>ID 16-1673</u>

Special: Appropriations, NDFs and CIFs Committee - December 13, 2016

Attachments: 12-13-16 Appropriations Action Summary.pdf

**12.** ID 16-1680

Regular: Labor and Economic Development Committee - December 13, 2016

Attachments: LED Action Summary 121316.pdf

**13.** <u>ID 16-1681</u>

Special: Budget Committee - December 13, 2016

Attachments: Budget Action Summary 121316.pdf

**14.** <u>ID 16-1674</u>

Regular: Committee on Appointments - December 14, 2016

Attachments: 12-14-16 Committee on Appointments Action Summary.pdf

**15**. <u>ID 16-1675</u>

Regular: Committee on Contracts - December 14, 2016

Attachments: Contracts Action Summary 121416.pdf

**16.** ID 16-1676

Regular: Committee on Sustainability and Parks - December 14, 2016

Attachments: 12-14-16 Sustainability & Parks Action Summary.pdf

**17**. <u>ID 16-1677</u>

Regular: Public Safety Committee - December 14, 2016

Attachments: 12-14-16 Public Safety Action Summary.pdf

#### **Consent Calendar**

#### Approval of the Consent Agenda

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

Yes: 23 - Green, Shanklin, Woolridge, Tandy, Hamilton, James, Leet, Hollander, Mulvihill, Kramer, Blackwell, Welch, Fowler, Downard, Stuckel, Parker, Denton, Benson, Johnson, Engel, Peden, Flood and Yates

**Excused:** 3 - Owen, Butler and Ackerson

#### Legislation forwarded from APPROPRIATIONS, NDFs, CIFs, COMMITTEE

#### **18.** O-432-16

AN ORDINANCE APPROPRIATING \$15,000 IN DISTRICT 5 NEIGHBORHOOD DEVELOPMENT FUNDS AND \$5,000 IN DISTRICT 6 NEIGHBORHOOD DEVELOPMENT FUNDS TO METRO PARKS DEPARTMENT FOR VARIOUS ACTIVITIES AND PROGRAMS TO BE HELD IN PARKS AND COMMUNITY CENTERS THROUGHOUT DISTRICT 5 AND DISTRICT 6.

**Sponsors:** Primary Cheri Bryant Hamilton (D-5)

Attachments: O-432-16 D5 TO MP.pdf

O-432-16 D6 TO MP.pdf

ORD 204 2016.pdf

This Ordinance was passed on the Consent Agenda.

Enactment No: Ordinance 204-2016

#### **19.** <u>O-424-16</u>

AN ORDINANCE APPROPRIATING \$7,000 FROM DISTRICT 22 NEIGHBORHOOD DEVELOPMENT FUNDS, THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO CHILDREN HAVE OPTIONS IN CHOOSING EXPERIENCES, INC. (C.H.O.I.C.E., INC.), FOR THE "DARE TO DREAM" SPORTS LEADERSHIP AND MENTORING PROGRAM.

Sponsors: Primary Robin Engel (R-22)

Attachments: 0-424-16 CHOICE.pdf

ORD 205 2016.pdf

This Ordinance was passed on the Consent Agenda.

Enactment No: Ordinance 205-2016

#### **20**. O-426-16

AN ORDINANCE APPROPRIATING \$7,000 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$4,000 FROM DISTRICT 22; \$2,000 FROM DISTRICT 24; AND \$1,000 FROM DISTRICT 23; THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO FERN CREEK/HIGHVIEW UNITED MINISTRIES, INC. FOR CAPITAL IMPROVEMENT EXPENSES ASSOCIATED WITH REPLACING THE FLOOR OF A FOOD PANTRY

<u>Sponsors:</u> Primary Robin Engel (R-22), Primary Madonna Flood (D-24) and Primary James Peden (R-23)

Attachments: O-426-16 FCHUM.pdf
ORD 206 2016.pdf

This Ordinance was passed on the Consent Agenda.

Enactment No: Ordinance 206-2016

#### Legislation forwarded from BUDGET COMMITTEE

#### **21**. O-421-16

AN ORDINANCE AMENDING ORDINANCE NO. 101, SERIES 2016 AND ORDINANCE NO. 102, SERIES 2016 RELATING TO THE FISCAL YEAR 2016-17 OPERATING AND CAPITAL BUDGETS, RESPECTIVELY, BY TRANSFERRING \$125,000 FROM THE DISTRICT 17 NEIGHBORHOOD DEVELOPMENT FUND TO THE DISTRICT 17 CAPITAL INFRASTRUCTURE FUND.

Sponsors: Primary Glen Stuckel (R-17)

Attachments: ORD 207 2016.pdf

This Ordinance was passed on the Consent Agenda.

Enactment No: Ordinance 207-2016

#### **22**. <u>O-427-16</u>

AN ORDINANCE AMENDING ORDINANCE NO. 101, SERIES 2016 AND ORDINANCE NO. 102, SERIES 2016 RELATING TO THE FISCAL YEAR 2016-17 OPERATING AND CAPITAL BUDGETS, RESPECTIVELY, BY TRANSFERRING \$15,000 FROM THE DISTRICT 20 NEIGHBORHOOD DEVELOPMENT FUND TO THE DISTRICT 20 CAPITAL INFRASTRUCTURE FUND.

Sponsors: Primary Stuart Benson (R-20)

Attachments: ORD 208 2016.pdf

This Ordinance was passed on the Consent Agenda.

Enactment No: Ordinance 208-2016

#### **23**. O-437-16

AN ORDINANCE AMENDING ORDINANCE NO. 102, SERIES 2016 AND ORDINANCE NO. 101, SERIES 2016 RELATING TO THE FISCAL YEAR 2016-17 CAPITAL AND OPERATING BUDGETS, RESPECTIVELY, BY TRANSFERRING \$20,000 FROM THE DISTRICT 4 CAPITAL INFRASTRUCTURE FUND TO THE DISTRICT 4 NEIGHBORHOOD DEVELOPMENT FUND AND BY TRANSFERRING \$10,000 FROM THE DISTRICT 4 NEIGHBORHOOD DEVELOPMENT FUND TO THE DISTRICT 4 OPERATIONS.

Sponsors: Primary David Tandy (D-4)

Attachments: ORD 209 2016.pdf

This Ordinance was passed on the Consent Agenda.

Enactment No: Ordinance 209-2016

#### Legislation forwarded from COMMITTEE ON APPOINTMENTS

#### 24. AP121416LST

APPOINTMENT OF LINDSEY STOUGHTON TO THE BUTCHERTOWN ARCHITECTURAL REVIEW COMMITTEE (ARC). TERM EXPIRES 3 YEARS.

Attachments: APT BUTCHERTOWN ARCHITECTURAL REVIEW
COMMITTEE.pdf

This Appointment was approved on the Consent Agenda.

#### 25. AP121416SW

APPOINTMENT OF STEPHANIE WOOD TO THE AFFORDABLE HOUSING TRUST FUND BOARD. TERM EXPIRES DECEMBER 31, 2019.

Attachments: Board Details - Affordable Housing 12.5.16.pdf

Apt Stephanie Wood -Affordable Housing.pdf

Stephanie Wood 12.05.16.pdf

Applicants for Board - Affordable Housing Trust Fund 12.5.16.pdf

Current Board - Affordable Housing Trust Fund 12.5.16.pdf

This Appointment was approved on the Consent Agenda.

#### 26. RP121416TY

# RE-APPOINTMENT OF TRAVIS YATES TO THE AFFORDABLE HOUSING TRUST FUND BOARD. TERM EXPIRES DECEMBER 31, 2019.

Attachments: Board Details - Affordable Housing 12.5.16.pdf

Re-Apt Travis Yates - Affordable Housing.pdf

Travis Yates 12.05.16.pdf

Applicants for Board - Affordable Housing Trust Fund 12.5.16.pdf

Current Board - Affordable Housing Trust Fund 12.5.16.pdf

This Appointment was approved on the Consent Agenda.

#### **27**. RP121416NH

# RE-APPOINTMENT OF NATALIE HARRIS TO THE AFFORDABLE HOUSING TRUST FUND BOARD. TERM EXPIRES DECEMBER 31, 2019.

Attachments: Board Details - Affordable Housing 12.5.16.pdf

Re-Apt Natalie Harris Affordable Housing.pdf

Natalie Harris 12.05.16.pdf

Applicants for Board - Affordable Housing Trust Fund 12.5.16.pdf

Current Board - Affordable Housing Trust Fund 12.5.16.pdf

This Appointment was approved on the Consent Agenda.

#### 28. AP121416DRC

# APPOINTMENT OF DR. RENEE CAMPBELL TO THE DOMESTIC VIOLENCE PREVENTION COORDINATING COUNCIL. TERM EXPIRES DECEMBER 31, 2018.

Attachments: Board Details - Domestic Violence Prevention (DVPCC) 12.10.16.pdf

APT DOMESTIC VIOLENCE PREVENTION COORDINATING

COUNCIL 12.5.16.pdf

Dr. Renee Campbell 12.05.16.pdf

Applicants for Board 12.5.16.pdf

Current Board - Domestic Violence Prevention Coordinating Council

12.5.16.pdf

This Appointment was approved on the Consent Agenda.

#### 29. AP121416JCS

# APPOINTMENT OF JC STITES TO THE TRANSIT AUTHORITY OF RIVER CITY (TARC) BOARD. TERM EXPIRES JUNE 30, 2018.

Attachments: Board Details - TARC 12.5.16.pdf

APT TARC BOARD.pdf

John Clay (JC) 12.05.16.pdf

Applicants for Board 12.5.16.pdf

Current Board - 12.5.16.pdf

This Appointment was approved on the Consent Agenda.

#### Legislation forwarded from COMMITTEE ON SUSTAINABILITY AND PARKS

#### **30.** R-156-16

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE KENTUCKY REGIONAL PLANNING AND DEVELOPMENT AGENCY IN THE AMOUNT OF \$13,720 TO PROVIDE TITLE III-B ACTIVITY SERVICES AS INDICATED IN THE KENTUCKY REGIONAL PLANNING AND DEVELOPMENT AGENCY'S FISCAL YEAR 2017 UNIFIED PLANNING WORK PROGRAM.

**Sponsors:** Primary Julie Denton (R-19)

<u>Attachments:</u> \$13K KIPDA Title III activities agreement PARKS OCT2016

RES 141 2016.pdf

This Resolution was adopted on the Consent Agenda.

Enactment No: Resolution 141-2016

#### **31.** R-166-16

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT \$1,114,000 FROM THE LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT FOR REMEDIATION OF SHAWNEE PARK TO BE ADMINISTERED BY THE METRO PARKS DEPARTMENT.

Sponsors: Primary Cheri Bryant Hamilton (D-5)

<u>Attachments:</u> \$1.1M MSD Agreement - Shawnee Basin 2016 06 03 Executed

**FINAL** 

RES 142 2016.pdf

This Resolution was adopted on the Consent Agenda.

Enactment No: Resolution 142-2016

#### **32**. R-167-16

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT \$350,000 FROM THE LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT FOR REMEDIATION OF LANNAN PARK TO BE ADMINISTERED BY THE METRO PARKS DEPARTMENT.

Sponsors: Primary Cheri Bryant Hamilton (D-5)

Attachments: \$350K MSD Agreement - Lannan Park - Portland Basin 2016 10 11

EXECUTED RES 143 2016.pdf

This Resolution was adopted on the Consent Agenda.

Enactment No: Resolution 143-2016

#### **33**. R-164-16

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT \$30,000 OF FUNDING FROM THE UNITED STATES DEPARTMENT OF INTERIOR, FISH AND WILDLIFE SERVICE FOR THE SALT RIVER CONSERVANCY PROJECT TO BE ADMINISTERED BY THE METRO PARKS AND RECREATION DEPARTMENT.

**Sponsors:** Primary Cindi Fowler (D-14)

Attachments: \$30K US Fish and Wildlife Salt River Conserv. PARKS NOV16

This Resolution was adopted on the Consent Agenda.

Enactment No: Resolution 144-2016

# Legislation forwarded from INTERGOVERNMENTAL AFFAIRS AND ANNEXATION COMMITTEE

#### **34**. <u>O-412-16</u>

AN ORDINANCE OF THE LOUISVILLE METRO COUNCIL TO APPROVE THE ANNEXATION BY JEFFERSONTOWN OF HILLRIDGE SUBDIVISION.

Sponsors: Primary Pat Mulvihill (D-10) and Primary Kelly Downard (R-16)

<u>Attachments:</u> Filing Annexation by City of Jeffersontown - Hillridge Subdivision

This Ordinance was passed on the Consent Agenda.

JTown Hillridge 1.pdf

JTown Hillridge 2.pdf

JTown Hillridge 3.pdf

JTown Hillridge 4.pdf

Enactment No: Ordinance 210-2016

### Legislation forwarded from LABOR AND ECONOMIC DEVELOPMENT COMMITTEE

#### **35**. O-411-16

AN ORDINANCE ESTABLISHING A DEVELOPMENT AREA PURSUANT TO PROVISIONS OF KRS 65.7041- 65.7083 TO BE KNOWN AS THE FOURTH AND GUTHRIE DEVELOPMENT AREA, DESIGNATING THE METRO DEVELOPMENT AUTHORITY, INC. AS AN "AGENCY", ADOPTING A DEVELOPMENT PLAN, APPROVING ENTERING INTO A LOCAL PARTICIPATION AGREEMENT, AUTHORIZING THE PAYMENT OF THE "RELEASED AMOUNT" PURSUANT TO THE TERMS AND CONDITIONS OF THE LOCAL PARTICIPATION AGREEMENT, REQUIRING THE SUBMISSION OF REGULAR REPORTS TO LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AND AUTHORIZING THE EXECUTION AND DELIVERY OF ANY OTHER DOCUMENTS AND THE TAKING OF ANY OTHER ACTIONS NECESSARY TO ACCOMPLISH THE PURPOSES AUTHORIZED BY THIS ORDINANCE.

Sponsors: Primary David Tandy (D-4)

<u>Attachments:</u> O-411-16 EXHIBIT A DEVELOPMENT PLAN FOURTH AND

**GUTHRIE DEVELOPEMNT AREA TIF** 

O-411-16 EXHIBIT B MAP OF DEVELOPMENT AREA

O-411-16 EXHIBIT C LOCAL PARTICIPATION AGREEMENT

FOURTH AND GUTHRIE DEVELOPEMNT AREA TIF

ORD 211 2016 Part 1.pdf

ORD 211 2016 Part 2.pdf

This Ordinance was passed on the Consent Agenda.

Enactment No: Ordinance 211-2016

#### **36.** R-169-16

A RESOLUTION RATIFYING AND APPROVING A COLLECTIVE BARGAINING AGREEMENT (NOVEMBER 14, 2016 TO JUNE 30, 2023) RELATING TO WAGES, HOURS, AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT BETWEEN LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AND LOUISVILLE CORRECTIONS FRATERNAL ORDER OF POLICE, LODGE NO. 77, CONCERNING CERTAIN SWORN EMPLOYEES OF THE LOUISVILLE METRO CORRECTIONS DEPARTMENT IN THE CLASSIFICATIONS OF CORRECTIONS OFFICER AND CORRECTIONS SERGEANT.

Sponsors: Primary Cheri Bryant Hamilton (D-5)

<u>Attachments:</u> SKM C224e16111416310

RES 145 2016.pdf

This Resolution was adopted on the Consent Agenda.

Enactment No: Resolution 145-2016

#### **37.** R-170-16

A RESOLUTION APPROVING THE GRANTING OF LOCAL INCENTIVES TO MESA FOODS, LLC, AND ANY SUBSEQUENT ASSIGNEES OR APPROVED AFFILIATES THEREOF PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 32.

Sponsors: Primary Cheri Bryant Hamilton (D-5)

Attachments: MESA Foods LLC - Local Support Jefferson County

Mesa Foods, LLC - KBI Board Report - Jan 30 2014

RES 146 2016.pdf

This Resolution was adopted on the Consent Agenda.

Enactment No: Resolution 146-2016

#### **38.** O-402-16

AN ALLEY CLOSURE ORDINANCE OF 626-656 BAXTER AVENUE, 1203-1249 E. BROADWAY AND 1014-1026 ROGERS STREET AND BEING IN LOUISVILLE METRO (CASE NO. 16STREETS1011).

**Sponsors:** Primary Madonna Flood (D-24)

Attachments: 16streets1011.pdf

16streets1011 Plan.pdf

16STREETS1011 Staff Report.pdf

16STREETS1011 Legal Description.pdf

16STREETS1011 PC Minutes 10.20.16.pdf

ORD 212 2016.pdf

This Ordinance was passed on the Consent Agenda.

Enactment No: Ordinance 212-2016

### Legislation forwarded from PLANNING/ZONING, LAND DESIGN AND DEVELOPMENT COMMITTEE

#### **39.** O-430-16

AN ORDINANCE ADOPTING THE DEER PARK NEIGHBORHOOD PLAN AND INCORPORATING ITS EXECUTIVE SUMMARY INTO THE CORNERSTONE 2020 COMPREHENSIVE PLAN (CASE NOS. 16NEIGHPLAN1007 & 16NEIGHPLAN1008)

**Sponsors:** Primary Madonna Flood (D-24)

Attachments: MC powerpoint 16NEIGHPLAN1007 (2).pdf

2016.12.01 PC Minutes Deer Park Plan ONLY.pdf 16NEIGHPLAN1007 & 1008 PCommittee minutes.pdf

16NEIGHPLAN1007 & 1008 Deer ParkNeighborhood Plan Staff

Report.pdf

16NEIGHPLAN1007 & 1008 Deer Park Neighborhood Plan FINAL

DRAFT Nov 2016.pdf ORD 213 2016.pdf

This Ordinance was passed on the Consent Agenda.

Enactment No: Ordinance 213-2016

#### **40**. O-441-16

AN ORDINANCE AMENDING CHAPTERS 2, 5, 7 AND 10 OF THE LAND DEVELOPMENT CODE PERTAINING TO LANDSCAPING-APPLICABLE SECTIONS ARE MORE SPECIFICALLY SET FORTH BELOW IN EXHIBIT A-WHICH IS PART OF A CONTINUING EFFORT TO UPDATE THE ZONING REGULATIONS FOR LOUISVILLE METRO (CASE NO. 14AMEND1003).

Sponsors: Primary James Peden (R-23)

Attachments: ORD 214 2016 (CASE NO. 14AMEND1003).pdf

This Ordinance was passed on the Consent Agenda.

Enactment No: Ordinance 214-2016

#### Legislation forwarded from PUBLIC SAFETY COMMITTEE

#### **41**. R-175-16

A RESOLUTION RATIFYING AND APPROVING A COLLECTIVE BARGAINING AGREEMENT (JULY 1, 2015 TO JUNE 30, 2023) RELATING TO WAGES, HOURS, AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT BETWEEN LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AND TEAMSTERS LOCAL 783 AFFILIATED WITH THE INTERNATIONAL BROTHERHOOD OF TEAMSTERS OF AMERICA REPRESENTING LOUISVILLE EMERGENCY MEDICAL SERVICES AND OFFICE OF MANAGEMENT AND BUDGET -- EMS BILLING SERVICES

**Sponsors:** Primary David James (D-6)

Attachments: R-175-16 COLLECTIVE BARGAINING AGREEMENT LOCAL783

EMS .pdf

RES 147 2016.pdf

This Resolution was adopted on the Consent Agenda.

Enactment No: Resolution 147-2016

Council Member Johnson requested Items 42 - 44 be moved to the Consent Calendar. Without objection, President Yates moved Items 42 - 44 from Old Business to the Consent Calendar.

#### **42**. R-165-16

A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED NEW CONTRACT - (ENERGY SAVERS, LLC - \$250,000.00).

Sponsors: Primary Dan Johnson (D-21)

Attachments: Energy Savers LLC
RES 148 2016 .pdf

This Resolution was adopted on the Consent Agenda.

Enactment No: Resolution 148-2016

#### **43**. R-153-16

A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED PROFESSIONAL SERVICE CONTRACT (MICHAEL HERRICK- \$36,480.00).

**Sponsors:** Primary Dan Johnson (D-21)

Attachments: lan Herrick

RES 149 2016.pdf

This Resolution was adopted on the Consent Agenda.

Enactment No: Resolution 149-2016

#### **44**. R-171-16

A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED SOLE SOURCE CONTRACT - (CEPHEID - \$40,000.00).

**Sponsors:** Primary Dan Johnson (D-21)

Attachments: Cepheid Inc

RES 150 2016.pdf

This Resolution was adopted on the Consent Agenda.

Enactment No: Resolution 150-2016

#### **Old Business**

Items 42 - 44 were moved from Old Business to the Consent Calendar.

#### **45**. <u>O-403-16</u>

AN ORDINANCE CLOSING ZIB LANE, FRED LANE, FAULKNER LANE(,) AND PAUL ROAD(, LOTUS AVENUE, COTNEY COURT AND ORCHARD AVENUE) WITHIN THE RENAISSANCE BUSINESS PARK AND LOTUS AVENUE, COTNEY COURT AND ORCHARD AVENUE WITHIN THE FORMER EDGEWOOD NEIGHBORHOOD AND BEING IN LOUISVILLE METRO (CASE NO. 16STREETS1015). (AS AMENDED)

Sponsors: Primary Madonna Flood (D-24)

Attachments: O-403-16 COMM AMEND AO 121316 LRAA Street Closures of Zib

Ln Fred Ln Paul Rd Lotus Ave Cotney Ct Orchard Ave

16STREETS1015.pdf 16streets1015.pdf

16STREETS1015 PC Minutes 10.20.16.pdf

16STREETS1015 plat.pdf

16STREETS1015 Staff Report.pdf

16STREETS1015 Legal Description.pdf

ORD 215 2016 (AS AMENDED).pdf

A motion was made by Council Member Woolridge, seconded by Council Member Benson, that this amended Ordinance be approved. The motion carried by the following vote and the amended Ordinance passed:

Yes: 23 - Green, Shanklin, Woolridge, Tandy, Hamilton, James, Leet, Hollander, Mulvihill, Kramer, Blackwell, Welch, Fowler, Downard, Stuckel, Parker, Denton, Benson,

Johnson, Engel, Peden, Flood and Yates

Excused: 3 - Owen, Butler and Ackerson

Enactment No: Ordinance 215-2016

#### **46**. O-404-16

AN ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY TO C-1 COMMERCIAL ON PROPERTY LOCATED AT 5501 LOVERS LANE AND 5502 BILLTOWN ROAD CONTAINING 0.21 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 15ZONE1059).

**Sponsors:** Primary Madonna Flood (D-24)

Attachments: 15zone1059.pdf

15ZONE1059 LD&T Minutes 09.22.16.pdf

15ZONE1059 Legal Description.pdf

15ZONE1059 PC Minutes 10.20.16.pdf

15ZONE1059 Report Of Geotechnical Engineering Investigation.

pdf

15ZONE1059 Staff Reports.pdf

15ZONE1059 Development Plan.pdf

15ZONE1059 Exhibit Book.pdf

15ZONE1059 Findings Of Fact.pdf

15ZONE1059 Justification Statement.pdf

ORD 216 2016.pdf

A motion was made by Council Member Woolridge, seconded by Council Member James, that this Ordinance be approved. The motion carried by the following vote and the Ordinance passed:

Yes: 23 - Green, Shanklin, Woolridge, Tandy, Hamilton, James, Leet, Hollander, Mulvihill, Kramer, Blackwell, Welch, Fowler, Downard, Stuckel, Parker, Denton, Benson, Johnson, Engel, Peden, Flood and Yates

Excused: 3 - Owen, Butler and Ackerson

Enactment No: Ordinance 216-2016

#### **47**. O-405-16

AN ORDINANCE CHANGING THE ZONING FROM M-2 INDUSTRIAL AND OR-2 OFFICE/RESIDENTIAL TO C-2 COMMERCIAL ON PROPERTY LOCATED AT 1125 AND 1127 LOGAN STREET CONTAINING 0.22 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 16ZONE1018)

Sponsors: Primary Madonna Flood (D-24)

Attachments: 16zone1018.pdf

16ZONE1018 Legal Description.pdf

16ZONE1018 PC Minutes 10.20.16.pdf

16zone1018 Plan.pdf

16ZONE1018 Staff Reports.pdf

16ZONE1018.Findings Of Fact.pdf

16ZONE1018 Justification Statement.pdf

16ZONE1018 LD&T Minutes 09.22.16.pdf

ORD 217 2016.pdf

A motion was made by Council Member Peden, seconded by Council Member Woolridge, that this Ordinance be approved. The motion carried by the following vote and the Ordinance passed:

Yes: 23 - Green, Shanklin, Woolridge, Tandy, Hamilton, James, Leet, Hollander, Mulvihill, Kramer, Blackwell, Welch, Fowler, Downard, Stuckel, Parker, Denton, Benson, Johnson, Engel, Peden, Flood and Yates

Excused: 3 - Owen, Butler and Ackerson

Enactment No: Ordinance 217-2016

#### **48**. O-435-16

AN ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY TO R-5A RESIDENTIAL MULTI-FAMILY AND OR-1 OFFICE/RESIDENTIAL ON PROPERTY LOCATED AT 4208 TAYLORSVILLE ROAD CONTAINING 82,747 SQUARE FEET AND BEING IN LOUISVILLE METRO (CASE NO. 16ZONE1026).

Sponsors: Primary Madonna Flood (D-24)

Attachments: 16zone1026 Staff Presentation 111416.pdf

16zone1026 Applicant LDT pres 10316.pdf

16ZONE1026 Development Plan.pdf

16zone1026 LDT Staff Report 101316.pdf

16ZONE1026 Legal Description.pdf

16zone1026 Opposition Letters.pdf

16zone1026\_PC Staff report\_111416.pdf

16zone1020 Applicant materials.pdf

16ZONE1026 2016.10.13 LDT Minutes.pdf

16ZONE1026 2016.11.14 PC Minutes Night Hearing.pdf

16ZONE1026\_OR-1 Legal Description.pdf

ORD 218 2016.pdf

A motion was made by Council Member Woolridge, seconded by Council Member James, that this Ordinance be approved. The motion carried by the following vote and the Ordinance passed:

Yes: 22 - Green, Shanklin, Woolridge, Tandy, Hamilton, James, Leet, Hollander, Mulvihill, Blackwell, Welch, Fowler, Downard, Stuckel, Parker, Denton, Benson, Johnson, Engel, Peden, Flood and Yates

Present: 1 - Kramer

Excused: 3 - Owen, Butler and Ackerson

Enactment No: Ordinance 218-2016

#### **49**. O-433-16

AN ORDINANCE CHANGING THE ZONING FROM W-3 WATERFRONT TO C-M COMMERCIAL MANUFACTURING ON PROPERTY LOCATED AT 2700 BUDDEKE DRIVE CONTAINING 8.31 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 16ZONE1062).

**Sponsors:** Primary Madonna Flood (D-24)

Attachments: 16zone1062 Staff Pres2 0111716.pdf

16ZONE1062 Justification Statement.pdf

16ZONE1062 Legal Description.pdf

16ZONE1062 PC Minutes 11.17.16.pdf

16ZONE1062 Staff Reports.pdf

16ZONE1062 Applicants Booklet.pdf

16ZONE1062 Development Plan.pdf

ORD 219 2016.pdf

A motion was made by Council Member James, seconded by Council Member Woolridge, that this Ordinance be approved. The motion carried by the following vote and the Ordinance passed:

Yes: 22 - Green, Shanklin, Woolridge, Tandy, Hamilton, James, Hollander, Mulvihill, Kramer, Blackwell, Welch, Fowler, Downard, Stuckel, Parker, Denton, Benson, Johnson, Engel, Peden, Flood and Yates

Excused: 3 - Owen, Butler and Ackerson

Abstain: 1 - Leet

Enactment No: Ordinance 219-2016

#### **50**. O-434-16

AN ORDINANCE DENYING THE ZONING REQUEST TO CHANGE THE ZONING DESIGNATION FROM R-R RURAL RESIDENTIAL TO C-1 COMMERCIAL ON PROPERTY LOCATED AT 14005 TAYLORSVILLE ROAD CONTAINING 5.89 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 14ZONE1064)

Sponsors: Primary Madonna Flood (D-24)

Attachments: 14zone1064 Staff Pres 111716.pdf

14ZONE1064 PC minutes 11.17.16.pdf

14ZONE1064 Other Minutes.pdf

14ZONE1064 staff reports.pdf

14ZONE1064 Denied Plan.pdf

14ZONE1064 appl justification.pdf

14ZONE1064 legal desc.pdf

14ZONE1064 Public Materials.pdf

14ZONE1064\_Traffic Study.pdf

ORD 220 2016.pdf

A motion was made by Council Member Woolridge, seconded by Council Member Benson, that this Ordinance be approved. The motion carried by the following vote and the Ordinance passed:

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

Excused: 2 - Butler and Ackerson

Enactment No: Ordinance 220-2016

#### **51.** O-431-16

AN ORDINANCE CHANGING THE ZONING FOR 146 PROPERTIES FROM VARIOUS ZONING DESIGNATIONS. INCLUDING R-4 SINGLE-FAMILY RESIDENTIAL. R-5 SINGLE-FAMILY RESIDENTIAL, R-5A MULTI-FAMILY RESIDENTIAL, R-6 MULTI-FAMILY RESIDENTIAL, R-7 MULTI-FAMILY RESIDENTIAL, OR-1 OFFICE RESIDENTIAL, OR-3 OFFICE RESIDENTIAL, C-N COMMERCIAL NEIGHBORHOOD, C-1 COMMERCIAL, C-2 COMMERCIAL, C-M COMMERCIAL MANUFACTURING, AND M-2 INDUSTRIAL TO PD PLANNED DEVELOPMENT DISTRICT; AND CHANGING THE FORM DISTRICT FROM **NEIGHBORHOOD TO TOWN CENTER FOR 93 PROPERTIES AND FROM TOWN** CENTER TO NEIGHBORHOOD FOR 3 PROPERTIES: AND ADOPTING THE PD PLAN AND GUIDELINES FOR PROPERTIES FRONTING ALONG BOTH SIDES OF FEGENBUSH LANE BETWEEN FEGENBUSH LANE'S INTERSECTIONS WITH VAUGHN MILL ROAD AND BEULAH CHURCH RD AND ADDITIONAL PROPERTIES LOCATED WITHIN AN AREA GENERALLY BOUNDED BY BEULAH CHURCH RD, DELIGHTFUL WAY, HAPPINESS WAY, OUTER LOOP, APPLE VALLEY DR, VAUGHN MILL RD, BRISCOE LN, GLASER LN AND WATTERSON TRAIL, CONTAINING APPROXIMATELY 236.26 ACRES AS MORE PARTICULARLY DESCRIBED IN THE HIGHVIEW PD PLAN. AND BEING IN LOUISVILLE METRO (16AREA1004).

Sponsors: Primary James Peden (R-23)

Attachments: highview neighborhood adopted plan with exec summary.pdf

highview pdd draft jrk 10 04 2016 singlepages.pdf

16area1004 PC Staff report 11 17 16.pdf

Highview Plan Development District public hearing

16AREA1004.pptx.pdf

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

A motion was made by Council Member Peden, seconded by Council Member Downard, that this Ordinance be Tabled until the Metro Council meeting on January 5, 2017.

The motion to Table carried.

#### **52.** R-177-16

A RESOLUTION OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AUTHORIZING THE MAYOR TO NEGOTIATE A SECOND AMENDED AND RESTATED MEMORANDUM OF AGREEMENT FOR THE LOUISVILLE ARENA PROJECT AND TO PRESENT SUCH NEGOTIATED SECOND AMENDED AND RESTATED MEMORANDUM OF AGREEMENT TO THE COUNCIL FOR APPROVAL

<u>Sponsors:</u>Primary Marianne Butler (D-15), Primary Angela Leet (R-7), Primary Kelly Downard (R-16), Primary David Yates (D-25), Primary Cheri Bryant Hamilton (D-5), Primary Rick Blackwell (D-12), Primary Vicki Aubrey Welch (D-13), Primary Marilyn Parker (R-18), Primary Kevin Kramer (R-11), Additional Barbara Shanklin (D-2) and Additional Mary C. Woolridge (D-3)

Attachments: RES 151 2016.pdf

A motion was made by Council Member Woolridge, seconded by Council Member Johnson, that this Resolution be approved.

By request and without objection, Council Member Woolridge was added as a Co-sponsor.

A motion was made by Council Member Johnson, seconded by Council Member Woolridge, that this Resolution be amended by inserting a Section 3 (c) that reads as follows:

"The University of Louisville or the University of Louisville Athletic Association agree to new terms including the day before and after UofL game days, luxury box terms, and advertising rights."

The motion to amend failed by the following vote:

Yes: 1 - Johnson

No: 21 - Green, Shanklin, Woolridge, Tandy, Hamilton, Leet, Hollander, Mulvihill, Kramer, Blackwell, Welch, Fowler, Downard, Stuckel, Parker, Denton, Benson, Engel, Peden, Flood and Yates

Excused: 2 - Butler and Ackerson

Abstain: 2 - James and Owen

Enactment No: Resolution 151-2016

The motion to approve carried by the following vote and the Resolution was adopted:

Yes: 22 - Green, Shanklin, Woolridge, Tandy, Hamilton, Leet, Hollander, Mulvihill, Kramer, Blackwell, Welch, Fowler, Downard, Stuckel, Parker, Denton, Benson, Johnson, Engel, Peden, Flood and Yates

Excused: 2 - Butler and Ackerson

Abstain: 2 - James and Owen

Enactment No: Resolution 151-2016

#### **53.** R-174-16

# A RESOLUTION ENCOURAGING LOUISVILLE METRO GOVERNMENT TO INTERVENE IN THE LOUISVILLE GAS AND ELECTRIC COMPANY'S RATE CASE FILED WITH THE KENTUCKY PUBLIC SERVICE COMMISSION

<u>Sponsors:</u>Primary Bill Hollander (D-9), Primary Mary C. Woolridge (D-3), Primary David James (D-6), Primary Rick Blackwell (D-12), Primary Dan Johnson (D-21), Primary David Yates (D-25), Additional Marilyn Parker (R-18), Additional Kelly Downard (R-16), Additional Kevin Kramer (R-11), Additional Cindi Fowler (D-14), Additional Cheri Bryant Hamilton (D-5), Additional Angela Leet (R-7), Additional Stuart Benson (R-20), Additional Julie Denton (R-19), Additional Robin Engel (R-22), Additional Madonna Flood (D-24), Additional Jessica Green (D-1), Additional Tom Owen (D-8), Additional James Peden (R-23), Additional Barbara Shanklin (D-2), Additional Glen Stuckel (R-17) and Additional Vicki Aubrey Welch (D-13)

Attachments: RES 152 2016.pdf

A motion was made by Council Member Woolridge, seconded by Council Member James, that this Resolution be approved.

Without objection, all Council Members present were added as Co-sponsors.

Although the Resolution allows for a voice vote, a roll call vote was taken to allow for abstentions. The motion carried by the following vote and the Resolution was adopted:

Yes: 20 - Green, Shanklin, Woolridge, James, Leet, Owen, Hollander, Kramer, Blackwell, Welch, Fowler, Downard, Stuckel, Parker, Denton, Benson, Engel, Peden, Flood and Yates

Excused: 2 - Butler and Ackerson

Absent: 2 - Hamilton and Johnson

Abstain: 2 - Tandy and Mulvihill

Enactment No: Resolution 152-2016

#### **54.** O-438-16

AN ORDINANCE AUTHORIZING YEAR-END OPERATING BUDGET TRANSFERS BETWEEN VARIOUS AGENCIES FOR FISCAL YEAR 2015-2016 AND TO PROVIDE VARIOUS TRANSFERS AS DETAILED HEREIN. (AMENDED BY SUBSTITUTION)

**Sponsors:** Primary David Yates (D-25)

Attachments: O-438-16 COMM ABS AO 121316 FY16 Year End Adjusting

Ordinance Amendment 3.pdf

O-438-16 HANDOUT PROPOSED AMEND BY SUB 121316 by James and Hamilton FY16 Year End Adjusting Ordinance

Amendment 3.pdf

ORD 221 2016 (AMENDED BY SUBSTITUTION).pdf

A motion was made by Council Member Woolridge, seconded by Council Member James, that this Ordinance be approved. The motion carried by the following vote and the Ordinance passed:

Yes: 24 - Green, Shanklin, Woolridge, Tandy, Hamilton, James, Leet, Owen, Hollander, Mulvihill, Kramer, Blackwell, Welch, Fowler, Downard, Stuckel, Parker, Denton,

Benson, Johnson, Engel, Peden, Flood and Yates

Excused: 2 - Butler and Ackerson

Enactment No: Ordinance 221-2016

#### **Special Presentation**

The Council honored the three outgoing Council Members and former Council Presidents, David Tandy, Tom Owen and Kelly Downard.

#### **New Business**

The Clerk provided a first reading of the New Business items and their respective Committee assignments into the record.

#### Legislation assigned to COMMITTEE ON CONTRACTS

**55.** R-178-16

A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED PROFESSIONAL SERVICE CONTRACT - (DR. MARK JORRISCH, M.D. - \$90,000.00).

Sponsors: Primary Dan Johnson (D-21)

Attachments: PSC Dr Mark S Jorrisch MD.pdf

R-178-16 ATTACH.pdf

Action Required By: June 2017

# Legislation assigned to PLANNING/ZONING, LAND DESIGN AND DEVELOPMENT COMMITTEE

**56.** O-440-16

AN ORDINANCE CHANGING THE STREET NAME OF A SECTION OF HIGH WICKHAM PLACE TO JAMES THORNTON WAY AND BEING IN LOUISVILLE METRO (CASE NO. 16STREETS1016).

**Sponsors:** Primary Julie Denton (R-19)

Attachments: 16STREETS1016 - 11.14.16 Staff Report.pdf

16STREETS1016 - 11.14.16 Minutes.pdf

16STREETS1016 - Plan.pdf

Action Required By: June 2017

#### **Adjournment**

Without objection President Yates adjourned the meeting at 8:37PM.

### **Approval Signatures**

The above Action Summary has been approved by the Metro Council.	
H. Stephen Ott	
Clerk of the Louisville Metro Council	
David Yates	
President of the Council	
D. de	
Date	