Louisville Metro Government

601 W. Jefferson Street Louisville, KY 40202



Action Summary - Final

Thursday, January 26, 2017 6:00 PM

Council Chambers

Metro Council

Jessica Green (D-1), Barbara Shanklin (D-2), Mary C. Woolridge (D-3),
Barbara Sexton Smith (D-4), Cheri Bryant Hamilton (D-5), David James (D-6),
Angela Leet (R-7), S. Brandon Coan (D-8), Bill Hollander (D-9), Pat Mulvihill (D-10),
Kevin Kramer (R-11), Rick Blackwell (D-12), Vicki Aubrey Welch (D-13),
Cindi Fowler (D-14), Marianne Butler (D-15), Scott Reed (R-16), Glen Stuckel (R-17),
Marilyn Parker (R-18), Julie Denton (R-19), Stuart Benson (R-20), Dan Johnson (D-21),
Robin Engel (R-22), James Peden (R-23), Madonna Flood (D-24), David Yates (D-25),
Brent Ackerson (D-26)

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

Call to Order

President Yates called the meeting to order at 6:05 PM and asked all to rise for the Pledge of Allegiance.

Members Roll Call

Present: 25 - Council Member Jessica Green (D-1), Council Member Barbara Shanklin (D-2), Council Member Mary C. Woolridge (D-3), Council Member Barbara Sexton Smith (D-4), Council Member Cheri Bryant Hamilton (D-5), Council Member David James (D-6), Council Member Angela Leet (R-7), Council Member S. Brandon Coan (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 Cindi Fowler (D-14), Council Member Marianne Butler (D-15), Council Member Glen Stuckel (R-17), Council Member Scott Reed (R-16), Council Member Julie Denton (R-19), Council Member Marilyn Parker (R-18), 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), Council President David Yates (D-25) and Council Member Brent Ackerson (D-26)

Excused: 1 - Council Member Vicki Aubrey Welch (D-13)

Support Staff

Matt Golden, Jefferson County Attorney's Office Nick Koulungis, Metro Department of Information Technology

Clerks

H. Stephen Ott, ,CKMC and David B. Wagner, Assistant Clerk

Address to Council

1. ID 17-0076

Addresses to Council - Janurary 26, 2017

Attachments: 1-26-17 Address Council Agenda.pdf

The Clerk called forward the following speakers:

Michael Williams

District 2

Topic: Homeless Veterans

Renee King District 9

Topic: Homeless Veterans

Marta Miranda

Center for Women & Families

District 4

Topic: Closing of the 2nd Street Kroger

Brad Alsop District 20

Topic: Back Yard Shooting Ranges

Brian Riendeau District 13

Topic: Dare to Care Food Bank

Thomas Pike (No Show)

District 10

Topic: Fines for Vacant Lots

Natalie Harris District 6

Topic: Report on the Homeless

<u>Swearing-in Ceremony of the Newly Elected Jefferson County Soil and Water</u> <u>Conservation Supervisors</u>

2. ID 17-0075

Jefferson County Soil and Water Conservation District Supervisors - Lisa Dettlinger, Bryan Burns, Jennifer Chappell and Michael Farmer.

President Yates administered the Oath of Office to the aforementioned Jefferson County Soil and Water Conservation District Supervisors.

Guests

3. ID 17-0042

Council Members James and Butler recognized Mimi Zinniel, President and CEO, Olmsted Parks Conservancy

Council Minutes

4. ID 17-0025

Regular: Metro Council - January 5, 2017

Attachments: 01-05-17 FINAL MC Action Summary.pdf

Certificate of Elections Even Number Districts 2017.pdf

01-05-16 UNEDITED Transcript.pdf

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

Communication From the Mayor

The Clerk read the appointments into the record. Those appointments requiring Council approval were assigned to the Committee on Appointments.

5. ID 17-0066

Code Enforcement Board - Aaron Cole, Jeremy Kirkham, David Pearl, Mike Morris, (New Appointments)

Attachments: APTS CODE ENFORCEMENT BOARD 01.23.17.pdf

6. ID 17-0067

Highview Fire Protection District Board - Nathanael Ingersoll, (New Appointment).

Attachments: APT HIGHVIEW FIRE PROTECTION DISTRICT BOARD 01.23.17.pdf

7. ID 17-0070

Science Center Board of Directors - Johny Y. Brown, III, Jonathan Presser, Thomas Maziarz, Thomas Ferree, Mary Karen Stumbo, Jason Armao, Terry Tolan, Bradley Seigel, Susan Weiss, Tim Condon, (Re-Appointments), Dr. Stephen Pruitt, Carroll (Chip) Baker, Heather Harris, Sandra McCain, Shannon Lynn, Rick Hesterberg, David Tandy, (New Appointments). Metro Council approval is not required.

<u>Attachments:</u> APTS SCIENCE CENTER BOARD OF DIRECTORS 01.23.17 Metro

<u>Council approval is not required.pdf</u>

8. ID 17-0068

Revenue Commission - Travis Frick, (New Appointment), LaTanya, Henry, Nancy Grove (Re-Appointments).

Attachments: APTS REVENUE COMMISSION 01.23.17.pdf

9. ID 17-0069

Louisville Arena Authority, Inc. - William E. Summers, V - (Re-Appointment). Metro Council approval is not required.

Attachments: APT LOUISVILLE ARENA AUTHORITY, INC. 01.23.17 Metro
Council approval is not required.pdf

Special Legislation

10. R-004-17

A RESOLUTION RATIFYING A PERFORMANCE BOND FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CLERK FOR THE 2017-2018 PERIOD.

Sponsors: Primary David Yates (D-25)

Attachments: R-004-17 MC Clerk Performance Bond for 2017.pdf

A motion was made by Council Member Woolridge, seconded by Council Member Benson, that this Resolution be approved. The motion carried by a voice vote and the Resolution was adopted.

Enactment No: Resolution 001-2017

11. R-010-17

A RESOLUTION APPROVING THE COUNCIL AND COMMITTEE MEETING SCHEDULE OF THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (THE COUNCIL) FOR THE CALENDAR YEAR 2017.

Sponsors: Primary David Yates (D-25)

Attachment A FINAL 2017 METRO COUNCIL CALENDAR AO 012617 1515.pdf

A motion was made by Council Member James, seconded by Council Member Butler, that this Resolution be approved. The motion carried by a voice vote and the Resolution was adopted.

Enactment No: Resolution 002-2017

Old Business

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). AS AMENDED

Sponsors: Primary James Peden (R-23)

 $\underline{\textbf{\textit{Attachments:}}} \ \, \text{highview_neighborhood_adopted_plan_with_exec_summary.pdf}$

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 James, seconded by Council Member Woolridge, that this Ordinance be untabled. Without objection the Ordinance was untabled.

Enactment No: Ordinance 001-2017

A motion was made by Council Member Peden, seconded by Council Member Flood, that this Ordinance be amended by removing language that would prohibit drive-through facilities. The motion to amend carried by a voice vote.

The originial motion to approve (12-15-16) carried by the following vote and the amended Ordinance passed:

Yes: 25 - Green, Shanklin, Woolridge, Sexton Smith, Hamilton, James, Leet, Coan, Hollander, Mulvihill, Kramer, Blackwell, Fowler, Butler, Stuckel, Reed, Denton,

Parker, Benson, Johnson, Engel, Peden, Flood, Yates and Ackerson

Excused: 1 - Welch

Enactment No: Ordinance 001-2017

New Business

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

Legislation assigned to APPROPRIATIONS, NDFS AND CIFS COMMITTEE

13. <u>O-028-17</u>

AN ORDINANCE AMENDING ORDINANCE NO. 206, SERIES 2016 RELATING TO AN APPROPRIATION FROM NEIGHBORHOOD DEVELOPMENT FUNDS TO FERN CREEK/HIGHVIEW UNITED MINISTRIES, INC. IN ORDER TO INCREASE THE AMOUNT APPROPRIATED FROM DISTRICT 23 FROM \$1,000 TO \$3,000.

Sponsors: Primary James Peden (R-23)

Attachments: O-426-16 FCHUM.pdf

Action Required By: July 2017

Legislation assigned to BUDGET COMMITTEE

14. O-014-17

AN ORDINANCE AMENDING ORDINANCE NO. 102, SERIES 2016 AS PERTAINING TO THE 2016-2017 CAPITAL BUDGET AND AMENDING ORDINANCE NO. 1, SERIES 1998-1999 AS PERTAINING TO THE FORMER JEFFERSON COUNTY, KENTUCKY GOVERNMENT BUDGET AND AMENDING ORDINANCE NO. 111, SERIES 2008 AS PERTAINING TO THE 2008-2009 CAPITAL BUDGET AND AMENDING ORDINANCE NO. 90, SERIES 2009 AS PERTAINING TO THE 2009-2010 CAPITAL BUDGET AND AMENDING ORDINANCE NO. 118, SERIES 2010 AS PERTAINING TO THE 2010-2011 CAPITAL BUDGET FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT.

Sponsors: Primary Marianne Butler (D-15)

Action Required By: July 2017

15. <u>O-016-17</u>

AN ORDINANCE AMENDING ORDINANCE NO. 101, SERIES 2016, RELATING TO THE FISCAL YEAR 2016-17 OPERATING BUDGET FOR LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, BY TRANSFERRING \$20,000 FROM THE NEIGHBORHOOD DEVELOPMENT FUND (DISTRICT 15) TO LOUISVILLE METRO COUNCIL GENERAL OPERATIONS (DISTRICT 15).

Sponsors: Primary Marianne Butler (D-15)

16. O-029-17

AN ORDINANCE AMENDING ORDINANCE NO. 102, SERIES 2016 RELATING TO THE FISCAL YEAR 2016-17 CAPITAL BUDGET BY APPROPRIATING \$425,000 TO EMERGENCY SERVICES' EMERGENCY MANAGEMENT AGENCY RELATED TO RELOCATION AND PURCHASE OF EQUIPMENT ASSOCIATED WITH 1300 AND 1306 BARDSTOWN ROAD.

Sponsors: Primary Marianne Butler (D-15)

Action Required By: July 2017

Legislation assigned to COMMUNITY AFFAIRS, HOUSING, HEALTH AND EDUCATION COMMITTEE

17. R-006-17

A RESOLUTION OF LOUISVILLE METRO GOVERNMENT SUPPORTING AN NBA TEAM LOCATED IN METRO LOUISVILLE

<u>Sponsors:</u>Primary Dan Johnson (D-21), Primary Mary C. Woolridge (D-3), Primary Bill Hollander (D-9), Primary Cheri Bryant Hamilton (D-5) and Primary James Peden (R-23)

Action Required By: July 2017

Legislation assigned to CONTRACTS AND APPOINTMENTS COMMITTEE

18. AP020217AC

APPOINTMENT OF AARON COLE TO THE CODE ENFORCEMENT BOARD. TERM EXPIRES FEBRUARY 9, 2020.

<u>Attachments:</u> Board Details - Code Enforcement Board 01.23.17.pdf

APT CODE ENFORCEMENT BD. - Aaron Cole 01.23.17.pdf

Applicant for Board - Aaron Cole 01.23.17.pdf

Applicants for Board - Code Enforcement Bd. - 01-23-17.pdf

19. AP020217JK

APPOINTMENT OF JEREMY KIRKHAM TO THE CODE ENFORCEMENT BOARD. TERM EXPIRES FEBRUARY 9, 2020.

Attachments: Board Details - Code Enforcement Board 01.23.17.pdf

APT CODE ENFORCEMENT BD. Jeremy Kirkham 01.23.17.pdf

Applicant for Board - Jeremy Kirkhan 01.23.17.pdf

Applicants for Board - Code Enforcement Bd. - 01-23-17.pdf

20. AP020217DP

APPOINTMENT OF DAVID PEARL TO THE CODE ENFORCEMENT BOARD. TERM EXPIRES FEBRUARY 9, 2020.

Attachments: Board Details - Code Enforcement Board 01.23.17.pdf

APT CODE ENFORCEMENT BD. - David Pearl 01.23.17.pdf

Applicant for Board - David Pearl 01.23.17.pdf

Applicants for Board - Code Enforcement Bd. - 01-23-17.pdf

21. AP020217MM

APPOINTMENT OF MIKE MORRIS TO THE CODE ENFORCEMENT BOARD. TERM EXPIRES FEBRUARY 9, 2020.

Attachments: Board Details - Code Enforcement Board 01.23.17.pdf

APT CODE ENFORCEMENT BD - Mike Morris 01.23.17.pdf

Applicant for Board - Mike Morris 01.23.17.pdf

Applicants for Board - Code Enforcement Bd. - 01-23-17.pdf

22. AP020217NI

APPOINTMENT OF NATHANAEL INGERSOLL TO THE HIGHVIEW FIRE PROTECTION DISTRICT BOARD. TERM EXPIRES JUNE 30, 2019.

Attachments: Board Details Highview Fire Protection District Board 01.23.17.pdf

APT HIGHVIEW FIRE PROTECTION DISTRICT BOARD

01.23.17.pdf

Applicant for Board - Nathanael Ingersoll 01.23.17.pdf

Applicants for Board - Highview Fire Protection District Bd.

01-23-17.pdf

Current Board- Highview Fire Protection Board 0123.17.pdf

23. AP020217TF

APPOINTMENT OF TRAVIS FRICK TO THE REVENUE COMMISSION. TERM EXPIRES OCTOBER 1, 2019.

Attachments: Board Details - Revenue Commission 01.23.17.pdf

APT-REVENUE COMMISSION -Travis Frick 01.23.17.pdf

Applicant for Board - Travis Frick 01.23.17.pdf

Applicants for Board - Revenue Commission 01.23.17.pdf

Current Board - Revenue Commission 01.23.17.pdf

24. RP020217LH

RE-APPOINTMENT OF LATANYA HENRY TO THE REVENUE COMMISSION. TERM EXPIRES OCTOBER 1, 2019.

Attachments: Board Details - Revenue Commission 01.23.17.pdf

RE-APT REVENUE COMMISSION - LaTanya Henry 01.23.17.pdf

Applicant for Board - LaTanya Henry 01.23.17.pdf

Applicants for Board - Revenue Commission 01.23.17.pdf

Current Board - Revenue Commission 01.23.17.pdf

25. RP020217NG

RE-APPOINTMENT OF NANCY GROVE TO THE REVENUE COMMISSION. TERM EXPIRES OCTOBER 1, 2019.

Attachments: Board Details - Revenue Commission 01.23.17.pdf

RE-APT REVENUE COMMISSION - Nancy Grove 01.23.17.pdf

Applicant for Board - Nancy Grove 01.23.17.pdf

Applicants for Board - Revenue Commission 01.23.17.pdf

Current Board - Revenue Commission 01.23.17.pdf

Legislation assigned to LABOR AND ECONOMIC DEVELOPMENT COMMITTEE

26. R-007-17

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A GRANT FROM THE COMMONWEALTH OF KENTUCKY IN THE AMOUNT OF \$50,000 TO BE ADMINISTERED BY ECONOMIC DEVELOPMENT FOR REMEDIATION SERVICES.

Sponsors:Primary David James (D-6)

Attachments: LouisvilleMetroApplicationKYBrownfieldRLFSubgrant.pdf

PON2 1600001926 RLF Louisville Metro EXTENSION OF

CONTRACT.pdf

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

27. O-004-17

AN AREA-WIDE ZONING CHANGE ORDINANCE AFFECTING 3,647 PARCELS IN THE PORTLAND NEIGHBORHOOD AND BEING IN LOUISVILLE METRO (CASE NO. 15AREA1004).

Sponsors: Primary Madonna Flood (D-24)

Attachments: 15AREA1004 LDT Minutes.pdf

15AREA1004 Public Hearing Minutes.pdf

15AREA1004 Staff Reports.pdf
15AREA1004 Findings Of Fact.pdf
15area1004 Excluded property.pdf

Action Required By: March 15, 2017

28. <u>O-005-17</u>

AN AREA-WIDE ZONING CHANGE ORDINANCE CHANGING THE ZONING FROM R-6 AND R-7 RESIDENTIAL MULTI-FAMILY AND OR-2 OFFICE/ RESIDENTIAL TO C-1 COMMERCIAL AND OR OFFICE/ RESIDENTIAL AFFECTING 12 PARCELS IN THE JACOBS NEIGHBORHOOD AND BEING IN LOUISVILLE METRO (CASE NO. 16AREA1003).

Sponsors: Primary Madonna Flood (D-24)

Attachments: 16AREA1003 Public Hearing Minutes.pdf

16AREA1003 Staff_Reports.pdf 16AREA1003 LDT Minutes.pdf

Action Required By: March 15, 2017

29. O-006-17

AN ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY TO C-1 COMMERCIAL ON PROPERTY LOCATED AT 6300 GREENWOOD ROAD CONTAINING 4.67 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 16ZONE1033).

Sponsors: Primary Madonna Flood (D-24)

Attachments: 16ZONE1033 Findings Of Fact.pdf

16ZONE1033 Justification Statement.pdf

16ZONE1033 LD&T Minutes.pdf

16ZONE1033 Legal Description.pdf

16ZONE1033 Public Hearing Minutes.pdf

16ZONE1033 Staff Reports.pdf

16ZONE1033 Applicant Booklet.pdf

16ZONE1033 Applicant Studies.pdf

16ZONE1033 Development Plan.pdf

Action Required By: March 15, 2017

30. <u>O-007-17</u>

AN ORDINANCE CLOSING THE NORTHERN TERMINUS OF WEBSTER STREET CONTAINING 0.205 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 16STREETS1009).

Sponsors: Primary Madonna Flood (D-24)

Attachments: 16STREETS1009 Public Hearing Minutes.pdf

16STREETS1009 Staff Reports.pdf

16STREETS1009 Street Closure Plat.pdf

16STREETS1009 Legal Description.pdf

Action Required By: July 2017

31. O-008-17

AN ALLEY CLOSURE ORDINANCE OF A PORTION OF A 10' ALLEY NORTH OF E. WASHINGTON STREET AND SOUTHWEST OF BUCHANAN STREET AND BEING IN LOUISVILLE METRO (CASE NO. 16STREETS1019).

Sponsors: Primary Madonna Flood (D-24)

Attachments: 16STREETS1019 Staff Reports.pdf

16STREETS1019_Street_Closure_Plat.pdf

16STREETS1019 Legal Description.pdf

16STREETS1019 Public Hearing Minutes.pdf

32. O-010-17

AN ORDINANCE CHANGING THE ZONING FROM R-4 AND R-5 RESIDENTIAL SINGLE FAMILY TO R-5A RESIDENTIAL MULTI-FAMILY ON PROPERTY LOCATED AT 11404, 11312 AND 11314 TAYLORSVILLE ROAD CONTAINING 29.071 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 16ZONE1020).

Sponsors: Primary Madonna Flood (D-24)

Attachments: 16ZONE1020 PC Minutes.pdf

16ZONE1020 Other Minutes.pdf 16ZONE1020 Staff Reports.pdf

16ZONE1020 Legal Description.pdf 16ZONE1020 Applicant Booklets.pdf 16ZONE1020 Applicant Studies.pdf

16ZONE1020 Justification Statement.pdf

16ZONE1020 Public Materials.pdf

16ZONE1020 Plan.pdf

Action Required By: March 12, 2017

Legislation assigned to PUBLIC SAFETY COMMITTEE

33. R-008-17

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT \$51,728.00 FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY HAZARD MITIGATION GRANT PROGRAM AND \$8,966.00 FROM THE CARLISLE COUNTY FISCAL COURT TO BE USED BY THE EMERGENCY SERVICES' EMERGENCY MANAGEMENT AGENCY FOR THE LOUISVILLE METRO HAZARD MITIGATION 5 YEAR PLAN UPDATE.

Sponsors: Primary David James (D-6)

Attachments: DR-4217-0012, FEMA Approval Letter, 10-19-2016.pdf

Action Required By: July 2017

Legislation assigned to PUBLIC WORKS, PARKS, SUSTAINABILITY AND TRANSPORTATION COMMITTEE

34. R-003-17

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT \$297,000 OF ADDITIONAL FUNDING FROM THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET FOR CONTINUED DESIGN OF THE HUBBARDS LANE PROJECT TO BE ADMINISTERED BY PUBLIC WORKS & ASSETS.

Sponsors: Primary Bill Hollander (D-9)

Attachments: \$297K KYTC Hubbards Ln Supp No 2 Prj PWA.pdf

35. R-005-17

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT \$400,000 OF FUNDING FROM THE KENTUCKY TRANSPORTATION CABINET TO BEGIN DESIGN WORK FOR IMPROVEMENTS TO DIXIE HIGHWAY FROM CRUMS LANE TO BROADWAY TO BE ADMINISTERED BY DEVELOP LOUISVILLE.

Sponsors: Primary Mary C. Woolridge (D-3)

Attachments: \$400K KYTC TAP Dixie Highway PWA Proj JAN17.pdf

Action Required By: July 2017

Adjournment

Without objection, President Yates adjourned the meeting at 6:51 PM.

The next scheduled meeting of the Council is February 9, 2017.

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	
Date	