# **Louisville Metro Government**

601 W. Jefferson Street Louisville, KY 40202



# **Action Summary - Tentative**

Thursday, February 7, 2019 6:00 PM

**Council Chambers** 

# **Metro Council**

Jessica Green (D-1), Barbara Shanklin (D-2), Keisha Dorsey (D-3),
Barbara Sexton Smith (D-4), Donna Purvis (D-5), David James (D-6),
Paula McCraney (D-7), Brandon Coan (D-8), Bill Hollander (D-9), Pat Mulvihill (D-10),
Kevin Kramer (R-11), Rick Blackwell (D-12), Mark H. Fox (D-13), Cindi Fowler (D-14),
Kevin Triplett (D-15), Scott Reed (R-16), Markus Winkler (D-17),
Marilyn Parker (R-18), Anthony Piagentini (R-19), Stuart Benson (R-20),
Nicole George (D-21), Robin Engel (R-22), James Peden (R-23), Madonna Flood (D-24),
David Yates (D-25), Brent Ackerson (D-26)

President: David James (D-6)
President Pro-Tem: Pat Mulvihill (D-10)

#### **Call to Order**

President James called the meeting to order at 6:02 PM and asked all to rise for the Pledge of Allegiance.

#### Members Roll Call

The Clerk called the roll. A quorum was established.

Council Member Kramer arrived at 6:05 PM and Council Member Flood arrived at 6:07 PM.

Present: 25 - Council Member Jessica Green (D-1), Council Member Barbara Shanklin (D-2), Council Member Keisha Dorsey (D-3), Council Member Barbara Sexton Smith (D-4), Council Member Donna L. Purvis (D-5), Council Member David James (D-6), Council Member Paula McCraney (D-7), Council Member 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 Mark H. Fox (D-13), Council Member Cindi Fowler (D-14), Council Member Kevin Triplett (D-15), Council Member Scott Reed (R-16), Council Member Markus Winkler (D-17), Council Member Marilyn Parker (R-18), Council Member Anthony Piagentini (R-19), Council Member Stuart Benson (R-20), Council Member Nicole George (D-21), Council Member Robin Engel (R-22), Council Member James Peden (R-23), Council Member Madonna Flood (D-24) and Council Member Brent Ackerson (D-26)

Excused: 1 - Council Member David Yates (D-25)

#### **Support Staff**

Sean Dennis and Paul Whitty, Jefferson County Attorney's Office Joan Scheffer, Department of Information Technology

#### Clerk(s)

Jess Helton, CKMC David B. Wagner, CKMC Lisa Franklin Gray, Assistant Clerk

#### **Addresses to Council**

#### ID 19-0182

Addresses to Council for February 7, 2019

Attachments: 020719 Addresses to Council AO 020619.pdf

Russell Greear - Roberts Rules of Order/Abiding by the US and State **Constitution SPOKE** 

William Nunery - Support Renewable Energy by 2030 (Support #1) SPOKE Eric Swink - Training for Police, EMS, and Fire Fighters, on how to deal with individuals with Alzheimer's and Dementia SPOKE

**Charles Logan - Youth Concerns NO SHOW** 

Tim Darst - Renewable Energy (Support #2) SPOKE

**Barbara Beckett - Metro Transportation SPOKE** 

**Daniel Cobble - Continuing Bacteria Outbreaks SPOKE** 

President James relinquished the Chair to President Pro-Tem Mulvihill at 6:27 PM.

#### **Special Proclamation**

#### **2**. ID 19-0152

President James presented a special proclamation to Hans-Peter Gabski, a District 6 constituent, for his dedication to Clariant.

President James resumed the Chair at 6:33 PM.

#### **Council Minutes**

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

**3**. <u>ID 19-0039</u>

Regular: Metro Council - December 13, 2018

Attachments: 12-13-18 MC Action Summary TENTATIVE.pdf

12-13-18 UNEDITED Transcript.pdf

**4.** ID 19-0181

Regular: Metro Council Meeting - January 7, 2019

Attachments: 01-07-19 MC Action Summary TENTATIVE.pdf

010719 UNEDITED Transcript.pdf

#### **Committee Minutes**

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

**5**. ID 19-0189

Regular: Committee on Committees - December 11, 2018

Attachments: 121118 COC Action Summary TENTATIVE.pdf

**6.** ID 19-0190

Regular: Committee of the Whole - December 13, 2018

<u>Attachments:</u> 121318 COW Action Summary TENTATIVE.pdf

**7**. ID 19-0132

Special: Planning and Zoning Committee - January 29, 2019

Attachments: Planning and Zoning Action Summary 01.29.19 - TENTATIVE.pdf

**February 7, 2019** 

#### **8.** ID 19-0130

Special: Public Works Committee - January 29, 2019

Attachments: Public Works Action Summary 01.29.19 - TENTATIVE.pdf

#### **9**. ID 19-0131

Special: Budget Committee - January 31, 2019

Attachments: Budget Action Summary 01.31.19 - TENTATIVE.pdf

#### **10.** ID 19-0191

Special: Committee on Committees - February 5, 2019

Attachments: 020519 COC Action Summary TENTATIVE.pdf

#### Communication From the Mayor

The Clerk read the following appointment letters into the record. Those appointments requiring Council approval were assigned to the Government Accountabilty and Audit Committee.

#### **11.** ID 19-0173

Louisville Regional Arena Authority Board - Leslie Geoghegan (New Appointment). Metro Council approval is not required.

Attachments: APT Louisville Regional Arena Authority Board 02.07.19.pdf

#### **12**. ID 19-0174

Louisville Zoo Board - Dave Tummonds (New Appointment). Metro Council approval is not required.

Attachments: APT Louisville Zoo Board 02.07.19.pdf

#### **13.** ID 19-0175

South Floyds Fork Neighborhood Advisory Group - Senator Julie Adams, Bill Bardenwerper, Juva Barber, Frances Aprile, Pat Dominik, Mike Farmer, Teena Halbig, Harrell Hurst, Anita Johnson, David Kaelin, Kurt Mason, Shelia Mead, Matt Michaud, Greg Oakley (New Appointments). Metro Council approval is not required.

Attachments: APT South Floyds Fork Neighborhood Advisory Group 02.07.19.pdf

#### **14.** <u>ID 19-0176</u>

Louisville Regional Airport Authority Board - Dale Boden (New Appointment).

Attachments: APT Louisville Regional Airport Authority Board 02.07.19.pdf

#### **15.** ID 19-0177

California Neighborhood Advisory Group - Henrietta Dean, Dino Johnson (New Appointments). Metro Council approval is not required.

Attachments: APT California Neighborhood Advisory Group 02.07.19.pdf

#### **16.** ID 19-0178

Bowman Field Neighborhood Advisory Group - Patrick MacDonald, Anne Faulls, Mark Klein, Mayor Rebecca Beld, Dan Mann, John Hayden, Tom Wissinger, Sara Sievert, Rabbi Michael Wolk, Mayor David Brown, Diane Partridge (New Appointments). Metro Council approval is not required.

Attachments: APT Bowman Field Neighborhood Advisory Group 02.07.19.pdf

#### **17.** ID 19-0179

Extension Board - Lisa Hite (New Appointment).

Attachments: APT Extension Board 02.07.19.pdf

#### **Special Legislation**

#### ID 19-0226

**Suspension of Metro Council Rules** 

A motion was made by Council Member Fowler, seconded by Council Member Shanklin, to suspend Council Rule 4A.02 regarding Appointments as a standing committee and place the responsibility of Appointments under the Government Oversight and Audit Committee. The motion carried by a voice vote.

#### **18.** R-021-19

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 2019.

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

Attachments: R-021-19 V.1 020719 MC 2019 Calendar.pdf

R-021-19 V.1 020719 ATTACH A - MC 2019 Calendar.pdf

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

Enactment No: Resolution 001-2019

President James grouped items 19 through 26 and asked the Clerk to read them into the record.

#### **19.** OR-001-19

AN ORDER TO APPROVE A \$10,000 FAITHFUL PERFORMANCE BOND FOR BARBARA WEAKLEY-JONES, M.D. IN HER CAPACITY AS CORONER FOR JEFFERSON COUNTY, KENTUCKY.

Sponsors: Primary David James (D-6)

<u>Attachments:</u> OR-001-19 V.1 020719 Performance Bond for Coroner Barbara

Weakley Jones.pdf

OR-001-19 V.1 020719 ATTACH Performance Bond for Coroner

Barbara Weakley Jones.pdf

This order was adopted.

Enactment No: Order 001-2019

#### **20**. OR-002-19

AN ORDER TO APPROVE A \$2,000 FAITHFUL PERFORMANCE BOND FOR EACH DEPUTY CORONER (AS LISTED) IN THEIR CAPACITY AS JEFFERSON COUNTY DEPUTY CORONER.

Sponsors: Primary David James (D-6)

Attachments: OR-002-19 V.1 020719 Performance Bond for each Deputy

Coroner.pdf

OR-002-19 V.1 020719 ATTACH Performance Bond for each Deputy

Coroner.pdf

This order was adopted.

Enactment No: Order 002-2019

#### **21.** OR-003-19

AN ORDER TO APPROVE A \$500,000 FAITHFUL PERFORMANCE BOND FOR BARBARA A. HOLSCLAW IN HER CAPACITY AS COUNTY CLERK OF JEFFERSON COUNTY, KENTUCKY.

Sponsors: Primary David James (D-6)

Attachments: OR-003-19 V.1 020719 Performance Bond for County Clerk Bobbie

Holsclaw.pdf

OR-003-19 V.1 020719 ATTACH Performance Bond for County Clerk

Bobbie Holsclaw.pdf

This order was adopted.

Enactment No: Order 003-2019

#### 22. OR-004-19

AN ORDER TO APPROVE A \$10,000 FAITHFUL PERFORMANCE BOND FOR QUEENIE AVERETTE IN HER CAPACITY AS COUNTY JUDGE EXECUTIVE OF JEFFERSON COUNTY, KENTUCKY.

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

Attachments: OR-004-19 V.1 020719 Performance Bond for Jefferson County Judge

Exec Queenie Averette.pdf

OR-004-19 V.1 020719 ATTACH Performance Bond for Jefferson

County Judge Exec Queenie Averette.pdf

This order was adopted.

Enactment No: Order 004-2019

#### **23.** OR-005-19

AN ORDER TO APPROVE A \$10,000 FAITHFUL PERFORMANCE BOND FOR MICHAEL S. THOMPSON IN HIS CAPACITY AS CONSTABLE OF JEFFERSON COUNTY, KENTUCKY.

Sponsors: Primary David James (D-6)

Attachments: OR-005-19 V.1 020719 Performance Bond for Constable Michael S.

Thompson.pdf

OR-005-19 V.1 020719 ATTACH Performance Bond for Constable

Michael S. Thompson.pdf

This order was adopted.

Enactment No: Order 005-2019

#### 24. OR-006-19

AN ORDER TO APPROVE A \$10,000 FAITHFUL PERFORMANCE BOND FOR BRUCE BOGGS IN HIS CAPACITY AS CONSTABLE OF JEFFERSON COUNTY, KENTUCKY.

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

Attachments: OR-006-19 V.1 020719 Performance Bond for Constable Bruce

Boggs.pdf

OR-006-19 V.1 020719 ATTACH Performance Bond for Constable

Bruce Boggs.pdf

This order was adopted.

Enactment No: Order 006-2019

#### 25. OR-007-19

# AN ORDER TO APPROVE A \$10,000 FAITHFUL PERFORMANCE BOND FOR ANDRE THOMAS IN HIS CAPACITY AS CONSTABLE OF JEFFERSON COUNTY, KENTUCKY.

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

<u>Attachments:</u> OR-007-19 V.1 020719 Performance Bond for Constable Andre

Thomas.pdf

OR-007-19 V.1 020719 ATTACH Performance Bond for Constable

Andre Thomas.pdf

This order was adopted.

Enactment No: Order 007-2019

#### 26. OR-008-19

AN ORDER TO APPROVE THREE FAITHFUL PERFORMANCE BONDS AND THE AMOUNTS THEREOF FOR COLONEL JOHN E. AUBREY IN HIS CAPACITY AS SHERIFF OF JEFFERSON COUNTY, KENTUCKY.

Sponsors: Primary David James (D-6)

Attachments: OR-008-19 V.1 020719 Performance Bonds for Sheriff John Aubrey.pdf

OR-008-19 V.1 020719 ATTACH 1 Performance Bonds for Sheriff John

Aubrey.pdf

OR-008-19 V.1 020719 ATTACH 2 Performance Bonds for Sheriff John

Aubrey.pdf

OR-008-19 V.1 020719 ATTACH 3 Performance Bonds for Sheriff John

Aubrey.pdf

A motion was made by Council Member Fowler, seconded by Council Member Kramer, that items 19 through 26 be approved. The motion carried by a voice vote and the Orders were adopted.

Enactment No: Order 008-2019

#### **Consent Calendar**

#### Approval of the Consent Agenda

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

Yes: 25 - Green, Shanklin, Dorsey, Sexton Smith, Purvis, James, McCraney, Coan, Hollander, Mulvihill, Kramer, Blackwell, Fox, Fowler, Triplett, Reed, Winkler, Parker, Piagentini, Benson, George, Engel, Peden, Flood and Ackerson

Excused: 1 - Yates

#### **Legislation forwarded from BUDGET COMMITTEE**

#### **27**. O-003-19

AN ORDINANCE AMENDING ORDINANCE NO. 054, SERIES 2016 AND AMENDING ORDINANCE NO. 115, SERIES 2017 AS PERTAINING TO THE FISCAL YEAR 2017-18 CAPITAL BUDGET AND AMENDING ORDINANCE NO. 109, SERIES 2018 AS PERTAINING TO THE FISCAL YEAR 2018-2019 CAPITAL BUDGET FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT BY REALLOCATING \$93,041.51 OF COUNCIL DISTRICT 9 PUBLIC WORKS & ASSETS CAPITAL PROJECTS FUNDS TO COUNCIL DISTRICT 9 SIDEWALK PROJECTS.

Sponsors: Primary Bill Hollander (D-9)

<u>Attachments:</u> O-003-19 V.1 010719 Amending Capital Budget Ordinances by

Reallocating \$91,041.51 from D9 PWA Capital Projects Funds to D9

Sidewalk Projects.pdf

This Ordinance was passed on the Consent Agenda.

Enactment No: Ordinance 003-2019

#### Legislation forwarded from PLANNING AND ZONING COMMITTEE

#### **28**. **O-018-19**

AN ORDINANCE CLOSING THE 10 FOOT ALLEY EAST OF N. JOHNSON STREET TO ITS TERMINUS AND BEING IN LOUISVILLE METRO (CASE NO. 18STREETS1016).

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

Attachments: 18STREETS1016.pdf

O-018-19 V.1 010719 Closure of 10' Alley E of N Johnson St

18STREETS1016.pdf

O-018-19 V.1 010719 ATTACH Closure Plat 18STREETS1016.pdf

18STREETS1016 legal desc.pdf 18STREETS1016 Minutes.pdf 18STREETS1016 staff rpts.pdf

This Ordinance was passed on the Consent Agenda.

Enactment No: Ordinance 004-2019

#### Legislation forwarded from PUBLIC WORKS COMMITTEE

#### **29**. R-218-18

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT \$305,600 OF ADDITIONAL FUNDING FROM THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET FOR THE HUBBARDS LANE IMPROVEMENT PROJECT TO BE ADMINISTERED BY PUBLIC WORKS & ASSETS.

**Sponsors:** Primary Bill Hollander (D-9)

Attachments: R-218-18 V.1 121318 Accept funding from KYTC for Hubbards Ln

Improvement Project.pdf

RES \$305,600 KYTC Hubbards Ln ROW phase supp PWA

DEC2018.pdf

This Resolution was adopted on the Consent Agenda.

Enactment No: Resolution 002-2019

#### **Old Business**

#### **30.** R-008-19

A RESOLUTION REQUESTING THE LOUISVILLE METRO DEPARTMENT OF PUBLIC WORKS TO DEVELOP A POLICY REGARDING CONSTRUCTION ACTIVITY IN PRESERVATION DISTRICTS. (AS AMENDED)

Sponsors: Primary David James (D-6)

Attachments: R-008-19 V.2 CAM 012919 Requesting Public Works Develop a

Policy Regarding Construction in Preservation Districts.pdf
R-008-19 V.1 010719 Requesting Public Works Develop a Policy

Regarding Construction in Preservation Districts.pdf

A motion was made by Council Member Fowler, seconded by Council Member Green, that this Resolution be approved.

Council Member Coan spoke to the item.

The motion carried by a voice vote and the amended Resolution was adopted.

Enactment No: Resolution 003-2019

#### **31**. O-493-18

AN ORDINANCE APPROVING THE MODIFICATION OF THE TERMS OF TWO MORTGAGE LOAN AGREEMENTS BETWEEN NEW DIRECTIONS HOUSING CORPORATION AND LOUISVILLE/ JEFFERSON COUNTY METRO GOVERNMENT FOR BRANDEIS APARTMENTS.

Sponsors: Primary David James (D-6)

Attachments: O-493-18 V.1 121318 Loan Forgiveness to NDHC - Brandeis

<u>Apartments sjm-sd 12-13-18.pdf</u> <u>O-493-18 V.1 121318 ATTACH.pdf</u>

A motion was made by Council Member Benson, seconded by Council Member George, that this Ordinance be approved.

Council Member Hollander spoke to the item.

The motion carried by the following vote and the Ordinance passed:

Yes: 23 - Green, Shanklin, Dorsey, Sexton Smith, James, McCraney, Coan, Hollander,

Mulvihill, Kramer, Blackwell, Fox, Fowler, Triplett, Reed, Winkler, Parker, Benson,

George, Engel, Peden, Flood and Ackerson

No: 1 - Purvis

Present: 1 - Piagentini

Excused: 1 - Yates

Enactment No: Ordinance 005-2019

#### **32.** O-487-18

AN ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY TO OR-3 OFFICE/RESIDENTIAL ON PROPERTY LOCATED AT 9101 AND 9104R LANTANA DRIVE CONTAINING 4.45 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 18ZONE1045).

Sponsors: Primary Madonna Flood (D-24)

Attachments: 18zone1045.pdf

O-487-18 V.1 121318 Rezoning from R4 to OR3 at 9101-9104R

Lantana Dr 18ZONE1045.pdf 18ZONE1045 PC Minutes.pdf

18ZONE1045 Other Minutes.pdf

18ZONE1045 Staff Reports.pdf

18ZONE 1045 Legal Description.pdf

18ZONE1045 Applicant Booklet.pdf

18ZONE1045 Justification Statement.pdf

18ZONE1045 Public Materials.pdf

18ZONE1045 Plan.pdf

A motion was made by Council Member Peden, seconded by Council Member Shanklin, that this Ordinance be approved.

Council Members Flood and Peden spoke to the item.

The motion carried by the following vote and the Ordinance passed:

Yes: 25 - Green, Shanklin, Dorsey, Sexton Smith, Purvis, James, McCraney, Coan,

Hollander, Mulvihill, Kramer, Blackwell, Fox, Fowler, Triplett, Reed, Winkler, Parker,

Piagentini, Benson, George, Engel, Peden, Flood and Ackerson

Excused: 1 - Yates

Enactment No: Ordinance 006-2019

#### **33.** O-001-19

AN ORDINANCE APPROVING THE FAIRDALE VILLAGE CENTER NEIGHBORHOOD PLAN AND APPROVING ITS EXECUTIVE SUMMARY AS AN AMENDMENT TO THE PLAN 2040 COMPREHENSIVE PLAN (CASE NOS. 18NEIGHPLAN1005 & 18NEIGHPLAN1006).

Sponsors: Primary Madonna Flood (D-24)

Attachments: 18NeighPlan10051006.pdf

O-001-19 V.1 010719 Fairdale Village Center Neighborhood Plan

18NEIGHPLAN1005 and 18NEIGHPLAN1006.pdf

18NeighPlan1005 & 1006 Fairdale Village Center Plan Staff Report

Final.pdf

**Executive Summary.pdf** 

Fairdale Village Center-DRAFT20181130.pdf

Fairdale-DRAFT-Cover20181130.pdf

A motion was made by Council Member Benson, seconded by Council Member George, that this Ordinance be approved.

Council Members Flood and Fox spoke to the item.

The motion carried by the following vote and the Ordinance passed:

Yes: 25 - Green, Shanklin, Dorsey, Sexton Smith, Purvis, James, McCraney, Coan,

Hollander, Mulvihill, Kramer, Blackwell, Fox, Fowler, Triplett, Reed, Winkler, Parker,

Piagentini, Benson, George, Engel, Peden, Flood and Ackerson

Excused: 1 - Yates

Enactment No: Ordinance 007-2019

#### **34.** O-019-19

AN ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY TO PRD PLANNED RESIDENTIAL DEVELOPMENT ON PROPERTY LOCATED AT 14706 AND 14714 OLD HENRY ROAD CONTAINING 5.69 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 18ZONE1033) (AS AMENDED).

Sponsors: Primary Madonna Flood (D-24)

<u>Attachments:</u> O-019-19 V.2 FAM 020719 Rezoning from R4 to PRD at 14706-14714

Old Henry Rd 18ZONE1033.pdf

O-019-19 V.1 020719 PROPOSED FAM Rezoning from R4 to PRD at

14706-14714 Old Henry Rd 18ZONE1033.pdf

O-019-19 V.1 010719 Rezoning from R4 to PRD at 14706-14714 Old

Henry Rd 18ZONE1033.pdf

18zone1033.pdf

18ZONE1033 PC Minutes.pdf

18ZONE1033 Other Minutes.pdf

18ZONE1033 Staff Reports.pdf

18ZONE1033 Legal Description.pdf

18ZONE1033 Applicant Booklets.pdf

18ZONE1033 Applicant Studies.pdf

18ZONE1033 Justification Statement.pdf

18ZONE1033 Plan.pdf

A motion was made by Council Member Benson, seconded by Council Member Shanklin, that this Ordinance be approved.

Council Members Flood and Winkler and Paul Whitty, Jefferson County Attorney's Office, spoke to the item.

A motion was made by Council Member Peden, seconded by Council Member Flood, that this Ordinance be amended by adding binding element number 21 which reads as follows:

"21. No later than 180 days after construction activity specifically involving improvements to the portion of Old Henry Road adjacent to or including the development site has ceased, pursuant to KYTC Project No. 5-367.20, applicant/developer shall submit for approval to Louisville Metro Planning and Design Services a landscape/tree canopy plan whereon the required tree plantings shall establish a tree canopy of no less than 40% of the development site, as calculated in Chapter 10 of the Land Development Code. The cessation of construction activity referred to herein shall be confirmed by KYTC in writing (email correspondence is sufficient)."

The motion to amend carried by a voice vote.

Enactment No: Ordinance 008-2019

A motion was made by Council Member Peden, seconded by Council Member Piagentini, that this Ordinance be amended by adding binding element number 22 which reads as follows:

"22. Amendments to binding elements shall require the Louisville Metro Council's approval."

The motion to amend carried by a voice vote.

Enactment No: Ordinance 008-2019

The motion to approve carried by the following vote and the amended Ordinance passed:

Yes: 20 - Green, Shanklin, Sexton Smith, Purvis, James, McCraney, Coan, Hollander, Mulvihill, Kramer, Blackwell, Fowler, Triplett, Reed, Parker, Benson, George, Engel, Flood and Ackerson

No: 5 - Dorsey, Fox, Winkler, Piagentini and Peden

Excused: 1 - Yates

Enactment No: Ordinance 008-2019

#### **35**. O-020-19

AN ORDINANCE CHANGING THE ZONING FROM R-6 AND R-7 RESIDENTIAL MULTI-FAMILY AND C-M COMMERCIAL MANUFACTURING TO R-8A RESIDENTIAL MULTI-FAMILY ON PROPERTY LOCATED AT 1043, 1045 AND 1051 E. WASHINGTON STREET AND PARCEL 019G02150000 CONTAINING 0.49 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 18ZONE1035).

Sponsors: Primary Madonna Flood (D-24)

Attachments: 18zone1035.pdf

O-020-19 V.1 010719 Rezoning from R6-R7-CM to R8A at 1043-1051 E Washington St and Parcel ID 019G02150000 18ZONE1035.pdf

18ZONE1035 PC Minutes.pdf

18ZONE1035 LDT Minutes.pdf

18ZONE1035 legal desc.pdf

18ZONE1035 news article.pdf

18ZONE1035 staff rpts.pdf

18ZONE1035 Stmt of Compliance.pdf

18zone1035\_Plan.pdf

A motion was made by Council Member Benson, seconded by Council Member Shanklin, that this Ordinance be approved.

Council Members Flood and Sexton Smith spoke to the item.

The motion carried by the following vote and the Ordinance passed:

Yes: 25 - Green, Shanklin, Dorsey, Sexton Smith, Purvis, James, McCraney, Coan,

Hollander, Mulvihill, Kramer, Blackwell, Fox, Fowler, Triplett, Reed, Winkler, Parker,

Piagentini, Benson, George, Engel, Peden, Flood and Ackerson

Excused: 1 - Yates

Enactment No: Ordinance 009-2019

#### **36**. <u>O-021-19</u>

AN ORDINANCE CHANGING THE ZONING FROM PEC PLANNED EMPLOYMENT CENTER TO OR-1 OFFICE RESIDENTIAL ON PROPERTY LOCATED AT 11700 INTERCHANGE DRIVE CONTAINING 5.526 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 18ZONE1032).

Sponsors: Primary Madonna Flood (D-24)

Attachments: 18zone1032.pdf

O-021-19 V.1 010719 Rezoning from PEC to OR1 at 11700

Interchange Dr 18ZONE1032.pdf 18ZONE1032 PC Minutes.pdf

18ZONE1032\_LDT Minutes.pdf

18ZONE1032 legal desc.pdf

18ZONE1032 Plan.pdf

18ZONE1032 staff rpts.pdf

18ZONE1032 Stmt of Compliance.pdf

A motion was made by Council Member George, seconded by Council Member Peden, that this Ordinance be approved.

Council Members Flood and Fox and Paul Whitty, Jefferson County Attorney's Office, spoke to the item.

A motion was made by Council Member Fox, seconded by Council Member Flood, that this Ordinance be tabled. The motion to table carried by a voice vote.

#### **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 COMMITTEE

#### **37**. O-034-19

AN ORDINANCE APPROPRIATING \$19,665 FROM DISTRICT 1 NEIGHBORHOOD DEVELOPMENT FUNDS TO THE CRIMINAL JUSTICE COMMISSION FOR PROGRAMMING NEEDS OF THE OPPORTUNITY NETWORK.

Sponsors: Primary Jessica Green (D-1)

<u>Attachments:</u> O-034-19 V.1 020719 D1 NDF to Criminal Justice Commission.pdf

O-034-19 CJC.pdf

#### **38.** <u>O-036-1</u>9

AN ORDINANCE APPROPRIATING \$46,000 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$28,000 FROM DISTRICT 23; \$12,000 FROM DISTRICT 24; AND \$6,000 FROM DISTRICT 13; TO METRO PARKS FOR THE 2019 FRIDAYFEST CONCERT SERIES AT HIGHVIEW PARK.

<u>Sponsors:</u> Primary James Peden (R-23), Primary Madonna Flood (D-24) and Primary Mark H. Fox (D-13)

<u>Attachments:</u> O-036-19 V.1 020719 NDF to Metro Parks for FridayFest.pdf
SKMBT 28319012915560.pdf

#### **39**. <u>O-041-19</u>

AN ORDINANCE AMENDING ORDINANCE NO. 215, SERIES 2018 APPROPRIATING \$11,324.19 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$3,774.73 FROM DISTRICTS 7, 16, AND 17 TO SOLID WASTE MANAGEMENT SERVICES TO FUND A COMMUNITY RECYCLING EVENT HELD AT BALLARD HIGH SCHOOL ON OCTOBER 6, 2018 TO A NEW TOTAL OF \$22,252.35 WITH EACH OF THE AFOREMENTIONED DISTRICTS CONTRIBUTING THE NEW AMOUNT OF \$7,417.45.

<u>Sponsors:</u>Primary Scott Reed (R-16), Primary Markus Winkler (D-17) and Primary Paula McCraney (D-7)

Attachments: O-041-19 V.1 020719 NDF amendment to SWMS Ballard Recyling

Event.pdf

Ballard Recycling Amend Ordinance.pdf

#### **40**. O-043-19

AN ORDINANCE APPROPRIATING \$13,750 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$8,000 FROM DISTRICT 14; \$2,000 FROM DISTRICT 9; \$1,000 EACH FROM DISTRICTS 1 AND 13; \$500 EACH FROM DISTRICTS 7, 10, AND 21; \$250 FROM DISTRICT 8; THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO LOUISVILLE ASSET BUILDING COALITION, INC. FOR OPERATING EXPENSES ASSOCIATED WITH COORDINATING THE VOLUNTEER INCOME TAX ASSISTANCE PROGRAM (VITA).

<u>Sponsors:</u>Primary Cindi Fowler (D-14), Primary Jessica Green (D-1), Primary Paula McCraney (D-7), Primary Brandon Coan (D-8), Primary Bill Hollander (D-9), Primary Pat Mulvihill (D-10), Primary Mark H. Fox (D-13) and Primary Nicole George (D-21)

Attachments: O-043-19 V.1 020719 NDF to Louisville Asset Building Coalition for

VITA.pdf

O-043-19 LABC.pdf

#### **41**. <u>O-047-19</u>

AN ORDINANCE APPROPRIATING \$40,000 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$25,000 FROM DISTRICT 19; AND \$5,000 EACH FROM DISTRICTS 17, 18, AND 20; THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO JEFFERSON COUNTY PUBLIC EDUCATION FOUNDATION, INC. FOR THE EASTERN HIGH SCHOOL TRACK 400M RENOVATION PROJECT.

<u>Sponsors:</u>Primary Anthony Piagentini (R-19), Primary Markus Winkler (D-17), Primary Marilyn Parker (R-18) and Primary Stuart Benson (R-20)

Attachments: O-047-19 V.1 020719 NDF to JCPEF for Eastern HS Track

Renovation.pdf
O-047-19 JCPEF.pdf
Colored Map by Zip Code
D17 Signature Email

#### Legislation assigned to BUDGET COMMITTEE

#### **42**. <u>O-038-19</u>

AN ORDINANCE AMENDING LOUISVILLE METRO CODE OF ORDINANCES 110.01 REGARDING THE DEFINITION OF INTERNAL REVENUE CODE.

Sponsors: Primary Bill Hollander (D-9)

Attachments: O-038-19 V.1 020719 Amend LMCO 110.01 Definition of Internal

Revenue Code.pdf

#### Legislation assigned to COMMUNITY AFFAIRS COMMITTEE

#### **43**. R-018-19

A RESOLUTION HONORING HERB FINK BY DEDICATING LEE STREET BETWEEN SECOND AND THIRD STREETS AS "HERB FINK WAY" IN HIS HONOR.

Sponsors: Primary David James (D-6)

Attachments: R-018-19 V.1 020719 RESOLUTION HONORING HERB FINK.pdf

#### Legislation assigned to LABOR AND ECONOMIC DEVELOPMENT COMMITTEE

#### **44.** R-011-19

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 CONCERNING DATA COLLECTION AND REPORTING SERVICES TO SUPPORT THE STATE-MANDATED USE OF KENTUCKY'S PATIENT SERVICES REPORTING SYSTEM AND ITS ENVIRONMENTAL HEALTH MANAGEMENT INFORMATION SYSTEM - (CUSTOM DATA PROCESSING,

INC. - \$71,000.00).

Sponsors: Primary Pat Mulvihill (D-10)

<u>Attachments:</u> R-011-19 V.1 020719 Res CUSTOM DATA PROCESSING.pdf

R-011-19 ATTACH Res CUSTOM DATA PROCESSING.pdf

#### **45**. R-012-19

A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED SOLE SOURCE CONTRACT FOR METRO ANIMAL SERVICES CONCERNING CARE AND MANAGEMENT OF COMMUNITY CATS (ALLEY CAT ADVOCATES, INC. - \$50,000.00).

**Sponsors:** Primary Pat Mulvihill (D-10)

Attachments: R-012-19 V.1 020719 Res Animal Services - Contract -Alley Cat

Advocates Inc Resolution .pdf

R-012-19 ATTACH Res Animal Services - Contract - Alley Cat

Advocates.pdf

#### **46**. R-013-19

A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED PROFESSIONAL SERVICE CONTRACT FOR LMPHW CONCERNING THE RETENTION OF AN ACADEMIC HEALTH COORDINATOR - (UNIVERSITY OF LOUISVILLE - \$87,380.00).

**Sponsors:** Primary Pat Mulvihill (D-10)

Attachments: R-013-19 V.1 020719 Res RETENTION OF AN ACADEMIC HEALTH

COORDINATOR - (UNIVERSITY OF LOUISVILLE - \$87,380.00).pdf R-013-19 ATTACH Res RETENTION OF AN ACADEMIC HEALTH COORDINATOR - (UNIVERSITY OF LOUISVILLE - \$87,380.00).pdf

#### **47**. R-014-19

A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED PROFESSIONAL SERVICE CONTRACT FOR LMPHW CONCERNING ITS EMPLOYMENT OF A LABORATORY DIRECTOR - (UNIVERSITY OF LOUISVILLE - \$51,078.60).

**Sponsors:** Primary Pat Mulvihill (D-10)

Attachments: R-014-19 V.1 020719 Res LMPHW CONCERNING ITS

EMPLOYMENT OF A LABORATORY DIRECTOR - (UNIVERSITY OF

LOUISVILLE - \$51,078.60).pdf

R-014-19 ATTACH Res LMPHW CONCERNING ITS EMPLOYMENT
OF A LABORATORY DIRECTOR - (UNIVERSITY OF LOUISVILLE -

\$51,078.60).pdf

#### **48.** R-016-19

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

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

Attachments: R-016-19 V.1 020719 Incentives to Isopure Corp.pdf

R-016-19 V.1 020719 ATTACH Incentives to Isopure Corp KEDFA

Prelim Board Summary.pdf

R-016-19 V.1 020719 ATTACH Incentives to Isopure Corp Mayor

Support Letter.pdf

#### **49**. R-017-19

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

Sponsors: Primary David Yates (D-25)

<u>Attachments:</u> R-017-19 V.1 020719 Res GRANTING OF LOCAL INCENTIVES TO

**ZOELLER COMPANY.pdf** 

R-017-19 ATTACH Res GRANTING OF LOCAL INCENTIVES TO

**ZOELLER COMPANY.pdf** 

#### **50**. R-019-19

A RESOLUTION OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AUTHORIZING THE APPOINTMENT OF PNC CAPITAL MARKETS LLC AS A CO-REMARKETING AGENT FOR THE \$128,000,000 OUTSTANDING PRINCIPAL AMOUNT OF LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, KENTUCKY, POLLUTION CONTROL REVENUE BONDS, 2003 SERIES A (LOUISVILLE GAS AND ELECTRIC COMPANY PROJECT); AUTHORIZING THE EXECUTION AND DELIVERY OF A LETTER AGREEMENT IN CONNECTION WITH THE REMARKETING OF THE \$40,000,000 OUTSTANDING PRINCIPAL AMOUNT OF LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, KENTUCKY, POLLUTION CONTROL REVENUE BONDS, 2005 SERIES A (LOUISVILLE GAS AND ELECTRIC COMPANY PROJECT); AND TAKING OTHER ACTIONS RELATED TO THE REMARKETING OF THE ABOVE-IDENTIFIED BONDS

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

Attachments: R-019-19 V.1 020719 Remarketing of LG&E Pollution Control Rvenue

Bonds.pdf

R-019-19 V.1 020719 ATTACH Letter Agreement Remarketing of

LG&E Pollution Control Rvenue Bonds.pdf

#### Legislation assigned to PARKS AND SUSTAINABILITY COMMITTEE

#### **51.** O-052-19

AN ORDINANCE AMENDING CHAPTER 42 OF THE LOUISVILLE METRO CODE OF ORDINANCES ("LMCO") BY CREATING A NEW SECTION REGARDING MAJOR CHANGES TO ANY METRO-OWNED PARK AND REMOVING REGULATION OF METRO-OWNED PARKS FROM THE SUBSECTION ON GOLF COURSES.

Sponsors: Primary Cindi Fowler (D-14)

Attachments: O-052-19 V.1 020719 ORD AMENDING LMCO 42 REGARDING

METRO PARKS AND GOLF COURSES.pdf

O-052-19 V.1 020719 ORD AMENDING LMCO 42 REGARDING

METRO PARKS AND GOLF COURSES.pdf

#### Legislation assigned to PLANNING AND ZONING COMMITTEE

#### **52**. **O**-024-19

AN ORDINANCE CHANGING THE ZONING FROM R-6 RESIDENTIAL MULTI-FAMILY TO C-1 COMMERCIAL ON PROPERTY LOCATED AT 2516 S. 4TH STREET CONTAINING 0.15 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 18ZONE1042).

Sponsors: Primary Madonna Flood (D-24)

Attachments: 18zone1042.pdf

O-024-19 V.1 020719 Rezoning from R6 to C1 at 2516 S 4th St

18ZONE1042.pdf

18ZONE1042 PC Minutes.pdf 18ZONE1042 LDT Minutes.pdf 18ZONE1042 staff rpts.pdf

18ZONE1042 appl justification stmt.pdf

18ZONE1042 legal desc.pdf 18ZONE1042 news article.pdf 18ZONE1042 Plan 12.20.18.pdf

#### **53**. O-025-19

AN ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY TO PRD PLANNED RESIDENTIAL DEVELOPMENT ON PROPERTY LOCATED AT 4115-4117 TAYLORSVILLE ROAD CONTAINING 3.1 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 18ZONE1048).

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

Attachments: 18ZONE1048.pdf

O-025-19 V.1 020719 Rezoning from R4 to PRD at 4115-4117

Taylorsville Rd 18ZONE1048.pdf

18ZONE1048 PC Minutes 12.20.18.pdf

18ZONE1048 LDT Minutes 11.29.18.pdf

18ZONE1048 staff rpts.pdf

18ZONE1048 Appl Booklet.pdf

18ZONE1048 Appl Justification stmt.pdf

18ZONE1048 citizen emails.pdf

18ZONE1048 legal desc.pdf

18ZONE1048 Plan 12.20.18.pdf

### **54**. <u>O-0</u>29-19

AN ORDINANCE CHANGING THE ZONING FROM R-4 AND R-5 RESIDENTIAL SINGLE FAMILY AND M-2 INDUSTRIAL TO C-1 COMMERCIAL ON 2.083 ACRES AND CHANGING THE FORM DISTRICT FROM NEIGHBORHOOD TO SUBURBAN MARKETPLACE CORRIDOR ON 1.484 ACRES ON PROPERTY LOCATED AT 4734-4740 DIXIE HIGHWAY AND 1805-1807 KINGSFORD DRIVE AND BEING IN LOUISVILLE METRO (CASE NO. 18ZONE1053).

Sponsors: Primary Madonna Flood (D-24)

Attachments: 18ZONE1053.pdf

O-029-19 V.1 020719 Rezoning from R4, R5, & M2 to C1 and FD Change from N to SMC at 4734-4740 Dixie Hwy & 1805-1807

Kingsford Dr 18ZONE1053.pdf 18ZONE1053 Approved Plan.pdf

18ZONE1053 Justification Statement.pdf

18ZONE1053 Legal Description.pdf

18ZONE1053 Other Mins.pdf

18ZONE1053 PC Mins.pdf

18ZONE1053 Staff Reports.pdf

#### **55.** O-030-19

AN ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY TO C-1 COMMERCIAL AND CM COMMERCIAL MANUFACTURING AND CHANGING THE FORM DISTRICT FROM NEIGHBORHOOD TO SUBURBAN MARKETPLACE CORRIDOR ON PROPERTY LOCATED AT 8319 AND 8323 PRESTON HIGHWAY CONTAINING 28,500.19 SQUARE FEET AND BEING IN LOUISVILLE METRO (CASE NO. 17ZONE1067).

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

Attachments: 17ZONE1067.pdf

O-030-19 V.1 020719 Rezoning from R4 to C1 & CM and FD Change

from N to SMC at 8319-8323 Preston Hwy 17ZONE1067.pdf

17ZONE1067 Approved Plan.pdf

17ZONE1067 Justification Statement.pdf

17ZONE1067 Legal Description.pdf

17ZONE1067 Other Minutes.pdf

17ZONE1067 PC Minutes.pdf

17ZONE1067 Staff Reports.pdf

#### **56.** O-031-19

AN ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY AND OR-2 OFFICE/RESIDENTIAL TO PRD PLANNED RESIDENTIAL DEVELOPMENT AND OR-2 OFFICE/RESIDENTIAL ON PROPERTY LOCATED AT 4229 TAYLORSVILLE ROAD CONTAINING 5.146 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 18ZONE1068).

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

Attachments: 18ZONE1068.pdf

O-031-19 V.1 020719 Rezoning from R4 & OR2 to PRD & OR2 at

4229 Taylorsville Rd 18ZONE1068.pdf 18ZONE1068 Applicant Booklets.pdf

18ZONE1068 Approved Plan.pdf

18ZONE1068 Finding of Fact.pdf

18ZONE1068 Justification Statement.pdf

18ZONE1068 Legal Description.pdf

18ZONE1068 Other Minutes.pdf

18ZONE1068 PC Minutes.pdf

18ZONE1068 Public Materials.pdf

18ZONE1068 Staff Reports.pdf

#### **57.** R-020-19

A RESOLUTION REQUESTING THE LOUISVILLE METRO DEPARTMENT OF PLANNING AND DESIGN SERVICES TO REVIEW THE LAND DEVELOPMENT CODE AND MAKE RECOMMENDATIONS REGARDING THE VARIOUS FORMS OF TEMPORARY HOUSING IN RESIDENTIAL ZONING DISTRICTS.

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

Attachments: R-020-19 V.1 020719 Request PDS Review LDC for Temporary

Housing in Residential Zones.pdf

#### Legislation assigned to PUBLIC WORKS COMMITTEE

#### **58**. **O-046-19**

AN ORDINANCE AMENDING LOUISVILLE METRO CODE OF ORDINANCES § 76.03 REGARDING TRUCK TRAFFIC RESTRICTIONS ON CERTAIN STREETS.

Sponsors: Primary Brandon Coan (D-8)

Attachments: O-046-19 V.1 020719 AMEND LMCO § 76.03 TRUCK TRAFFIC

RESTRICTIONS ON CERTAIN STREETS.pdf

## **Announcements**

There were no announcements.

# **Adjournment**

Without objection, President James adjourned the meeting at 7:19 PM.