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LOUISVILLE METRO COUNCIL
REMOTE BROADCAST CAPTIONING
THURSDAY, JANUARY 9, 2020

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>> PRESIDENT JAMES: THE REGULAR LOUISVILLE COUNCIL MEETING
OF JANUARY THE 9, 2020, WILL PLEASE COME TO ORDER. PLEASE RISE
FOR THE PLEDGE OF ALLEGIANCE TO THE FLAG. [PLEDGE OF ALLEGIANCE]

>> PRESIDENT JAMES: MADAM CLERK, A ROLL CALL PLEASE.

>> MADAM CLERK: YES, SIR. COUNCILWOMAN GREEN.

>> MADAM CLERK: COUNCILWOMAN SHANKLIN.

>> MADAM CLERK: COUNCILWOMAN DORSEY.

>> MADAM CLERK: COUNCILWOMAN SEXTON SMITH.

>> PRESENT.

>> MADAM CLERK: COUNCILWOMAN PURVIS FOSTER.

>> MADAM CLERK: PRESIDENT JAMES.

>> PRESIDENT JAMES: HERE.

>> MADAM CLERK: COUNCILWOMAN

>> HERE. MCCRANEY.

>> MADAM CLERK: COUNCILMAN COAN.

>> MADAM CLERK: COUNCILMAN HOLLANDER.

>> MADAM CLERK: COUNCILWOMAN MULVIHILL.

>> MADAM CLERK: COUNCILMAN KRAMER.

>> HERE.

>> MADAM CLERK: COUNCILMAN BLACKWELL.

>> HERE.

>> MADAM CLERK: COUNCILMAN FOX.

>> MADAM CLERK: COUNCILWOMAN FOWLER.

>> MADAM CLERK: COUNCILMAN TRIPLETT.

>> HERE.

>> MADAM CLERK: COUNCILMAN REED.

>> HERE.

>> MADAM CLERK: COUNCILMAN WINKLER.

>> HERE.

>> MADAM CLERK: COUNCILWOMAN PARKER.

>> HERE.

>> MADAM CLERK: COUNCILMAN PIAGENTINI.

>> HERE.

>> MADAM CLERK: COUNCILMAN BENSON.

>> PRESENT.

>> MADAM CLERK: COUNCILWOMAN GEORGE.

>> HERE.

>> MADAM CLERK: COUNCILWOMAN ENGEL.

>> HERE.

>> MADAM CLERK: COUNCILMAN PEDEN.

>> MADAM CLERK: COUNCILWOMAN FLOOD.

>> MADAM CLERK: COUNCILMAN YATES.

>> PRESENT.

>> MADAM CLERK: COUNCILMAN ACKERSON.

>> HERE.

>> MADAM CLERK: COUNCIL MEMBER FOWLER. COUNCIL MEMBER
PEDEN.

>> HERE.

>> MADAM CLERK: COUNCIL MEMBER FLOOD.

>> MADAM CLERK: THERE ARE 23 PRESENT.

>> PRESIDENT JAMES: MR. DORSEY HAS AN EXCUSED ABSENCE.

BEFORE WE BEGIN, I WANT TO TAKE A MOMENT. WE LOST TWO MEMBERS RECENTLY, DOMINIC CHERRY, A LOUISVILLE SANITATION EMPLOYEE, STRUCK BY A DRUNK DRIVER AND PASSED AWAY DECEMBER 28. LARRY KAISER WAS KILLED ATTEMPTING TO TOW AN ABANDONED VEHICLE. SOMETHING WENT WRONG AND HE BECAME TRAPPED UNDERNEATH THE VEHICLE AND DIED FROM INJURIES ON DECEMBER THE 31ST. I WANT TO TAKE A MOMENT FOR SILENCE AND THOUGHTS FOR THEIR FAMILIES PLEASE. [MOMENT OF SILENCE OBSERVED]

>> PRESIDENT JAMES: THANK YOU. AT THIS TIME, I WOULD LIKE PRESIDENT PRO TEM MARKUS WINKLER TO PLEASE TAKE THE PRESIDENT'S CHAIR TO RUN THE ELECTION FOR PRESIDENT. FIRST, I WILL GO OVER THE RULES AND ASK FOR NOMINATION.

>> NOMINATIONS CAN BE MADE FROM THE FLOOR. NO SECONDS ARE NEEDED. YOU DO NOT HAVE TO BE NOMINATED TO BE VOTED FOR. CAST YOUR VOTE BY STATING THE NAME OF THE COUNCIL MEMBER YOU ARE VOTING FOR. THE MEMBER NEEDS 14 VOTES TO BE ELECTED. ARE THERE ANY QUESTIONS ON HOW THIS ELECTION WILL RUN? HEARING NONE, NOMINATIONS ARE IN ORDER FOR THE OFFICE OF THE PRESIDENT. COUNCIL MEMBER ACKERSON.

>> THANK YOU, PRESIDENT PRO TEM, I NOMINATE, COUNCIL MEMBER DAVID JAMES.

>> NO SECONDS NEEDED.

>> ARE THERE ANY OTHER NOMINATIONS? ARE THERE ANY OTHER
NOMINATIONS? SEEING NO ONE IN QUEUE, WE WILL CLOSE NOMINATIONS.
MADAM CLERK, PLEASE CALL THE ROLL.

>> MADAM CLERK: COUNCIL MEMBER GREEN.

>> DAVID JAMES.

>> MADAM CLERK: COUNCIL MEMBER SHANKLIN.

>> PRESIDENT DAVID JAMES.

>> MADAM CLERK: COUNCIL MEMBER DORSEY.

>> COUNCIL MEMBER SEXTON SMITH.

>> DAVID JAMES.

>> MADAM CLERK: COUNCIL MEMBER PURVIS. COUNCIL MEMBER DAVID
JAMES.

>> COUNCIL MEMBER DAVID JAMES.

>> MADAM CLERK: COUNCIL MEMBER MCCRANEY.

>> COUNCIL MEMBER DAVID JAMES.

>> MADAM CLERK: COUNCIL MEMBER HOLLANDER.

>> COUNCIL MEMBER DAVID JAMES.

>> COUNCIL MEMBER BLACKWELL.

>> COUNCIL MEMBER DAVID JAMES.

>> MADAM CLERK: COUNCIL MEMBER FOX. COUNCIL MEMBER DAVID
JAMES.

>> MADAM CLERK: COUNCIL MEMBER TRIPLETT.

>> COUNCIL MEMBER DAVID JAMES.

>> MADAM CLERK: COUNCIL MEMBER REED.

>> COUNCIL MEMBER JAMES.

>> MADAM CLERK: COUNCIL MEMBER PARKER. COUNCIL MEMBER
PIAGENTINI.

>> COUNCIL MEMBER DAVID JAMES.

>> COUNCIL MEMBER DAVID JAMES.

>> MADAM CLERK: COUNCIL MEMBER GEORGE.

>> COUNCIL MEMBER DAVID JAMES.

>> MADAM CLERK: COUNCIL MEMBER PEDEN.

>> COUNCIL MEMBER DAVID JAMES.

>> MADAM CLERK: COUNCIL MEMBER FLOOD. COUNCIL MEMBER
ACKERSON.

>> DAVID JAMES. DAVID JAMES.

>> MADAM CLERK: PRESIDENT PRO TEM, YOU HAVE 24 VOTES FOR
PRESIDENT JAMES.

>> THANK YOU. HAVING ACQUIRED THE NECESSARY VOTES, COUNCIL
MEMBER DAVID JAMES IS THE PRESIDENT OF THE METRO COUNCIL FOR
2020. [APPLAUSE]

>> LET THE RECORD REFLECT I'M RETURNING THE CHAIR TO
PRESIDENT JAMES, MADAM CLERK.

>> MADAM CLERK: YES, SIR.

>> PRESIDENT JAMES: THANK YOU, EVERYBODY. COUNCILMEMBERS
WINKLER AND REED, PLEASE ANNOUNCE THE MAYOR FISCHER AT THE
CONCLUSION OF THIS MEETING OUR 2020 METRO COUNCIL HAS BEEN

ORGANIZED AND IS IN SESSION, PLEASE. NEXT ORDER OF BUSINESS IS ELECTION OF THE COUNCIL CLERK, NOMINATIONS CAN BE MADE WERE FROM THE FLOOR. NO SECONDS ARE NEEDED. THE NOMINEE NEEDS 14 VOTES TO BE ELECTED. THE NOMINATIONS ARE NOW IN ORDER FOR THE COUNCIL CLERK. ARE THERE ANY NOMINATIONS FOR COUNCIL CLERK? COUNCILWOMAN FLOOD.

>> YES. SONYA HAYWARD.

>> PRESIDENT JAMES: ANY OTHER NOMINATIONS ARE COUNCIL CLERK? ANY OTHER NOMINATIONS ARE COUNCIL CLERK? ANY OTHER NOMINATIONS FOR COUNCIL CLERK? THERE ARE NONE. ALL IN FAVOR, SAY, "AYE." ALL THOSE OPPOSED? THE AYES HAVE IT. WILL THE CLERK PLEASE CALL THE ROLL. I'M SORRY. I MESSED THAT UP. METRO COUNCIL CLERK FOR 2020 IS SONYA HAYWARD. AT THIS TIME, JEFFERSON COUNTY ATTORNEY SARAH MARTIN WILL ADMINISTER THE OATH OF OFFICE. AND I BELIEVE THERE IS A VERY SPECIAL SOMEBODY COMING TO ASSIST. SOMEBODIES.

>> [OFF MIC]

>> [OFF MIC] [APPLAUSE]

>> PRESIDENT JAMES: SONYA, CONGRATULATIONS. NEXT WE HAVE APPROVAL OF COUNCIL MINUTES FOR THE REGULAR MEETING OF DECEMBER THE 12, 2019. ARE THERE ANY CORRECTIONS OR DELETIONS? MAY I HAVE A MOTION AND A SECOND?

>> MOTION.

>> SECOND.

>> PRESIDENT JAMES: MOVED BY COUNCILWOMAN GREEN AND
SECONDED BY COUNCILMAN TRIPLETT. ALL IN FAVOR, SAY, "AYE."
OPPOSED? THE AYES HAVE IT. THESE MINUTES ARE APPROVED AS
WRITTEN. NEXT WE HAVE APPROVAL OF THE FOLLOWING COMMITTEE
MINUTES ALL IN 2019 AND 2020. REGULAR: COMMITTEE OF THE WHOLE,
DECEMBER 12, 2019. SPECIAL: PLANNING AND ZONING COMMITTEE,
JANUARY 7, 2020. REGULAR: COMMITTEE ON COMMITTEES, JANUARY 7,
2020. ARE THERE ANY CORRECTIONS OR DELETIONS? MOTION BY
COUNCILWOMAN ENGEL, SECONDED BY PEDEN. MAY I HAVE A MOTION AND A
SECOND? ALL IN FAVOR, SAY, "AYE." OPPOSED? THE AYES HAVE IT.
THESE MINUTES ARE APPROVED AS WRITTEN. MADAM CLERK, DO WE HAVE
ANY COMMUNICATIONS FROM THE MAYOR?

>> MADAM CLERK: YES, SIR, WE DO.

>> PRESIDENT JAMES: PLEASE READ THOSE INTO THE RECORD.

>> MADAM CLERK: DEAR PRESIDENT JAMES, IN ACCORDANCE WITH
THE AIR POLLUTION CONTROL DISTRICT ORDINANCE, I AM APPOINTING
WILLIAM BOCKOVEN, APPOINTMENT 6/30/2020. YOUR PROMPT ACTION ON
THESE APPOINTMENTS IS MOST APPRECIATED. SINCERELY, GREG FISCHER,
MAYOR. DEAR PRESIDENT JAMES, IN ACCORDANCE WITH THE AFFORDABLE
HOUSING TRUST FUND BOARD, I AM REAPPOINTING THE FOLLOWING, JOYCE
BURCH, REAPPOINTMENT, DECEMBER 31, 2020. YOUR PROMPT ACTION ON
THIS REAPPOINTMENT IS MOST APPRECIATED. SINCERELY, GREG FISCHER,
MAYOR. DEAR PRESIDENT JAMES, IN ACCORDANCE WITH THE COMMISSION
FOR PERSONS WITH DISABILITIES ORDINANCE, I AM APPOINTING THE

FOLLOWING, RICHARD BUSH, APPOINTMENT, 12/12/2023. YOUR PROMPT ACTION ON THESE APPOINTMENTS IS MOST APPRECIATED. SINCERELY, GREG FISCHER, MAYOR. DEAR PRESIDENT JAMES, IN ACCORDANCE WITH THE TARC ORDINANCE, I AM APPOINTING THE FOLLOWING TO THE BOARD, CARLA DEARING, APPOINTMENT, AUGUST 31, 2022. YOUR PROMPT ACTION ON THIS APPOINTMENT IS MOST APPRECIATED. SINCERELY, GREG FISCHER, MAYOR. DEAR PRESIDENT JAMES, I AM APPOINTING THE FOLLOWING TO THE COMMUNITY ACTION PARTNERSHIP, J.D.CAREY, APPOINTMENT, 8/31/2022. THIS IS TO BE READ INTO RECORD ONLY. METRO COUNCIL APPROVAL OF THESE APPOINTMENTS IS NOT REQUIRED. SINCERELY, GREG FISCHER, MAYOR. DEAR PRESIDENT JAMES, I AM REAPPOINTING THE FOLLOWING TO THE PARKS ADVISORY COMMISSION. BEVERLY CHESTER-BURTON, REAPPOINTMENT, AUGUST 25, 2022. THIS IS TO BE READ INTO RECORD ONLY. METRO COUNCIL APPROVAL OF THIS APPOINTMENT IS NOT REQUIRED. SINCERELY, GREG FISCHER, MAYOR. DEAR PRESIDENT JAMES, I AM APPOINTING THE FOLLOWING TO THE BRIGHTSIDE BOARD OF DIRECTORS, DONNA DUMSTORF MEREDITH, APPOINTMENT, AUGUST 26, 2023. THIS IS TO BE READ INTO RECORD ONLY. METRO COUNCIL APPROVAL OF THIS APPOINTMENT IS NOT REQUIRED. SINCERELY, GREG FISCHER, MAYOR. DEAR PRESIDENT JAMES, I AM POINTING AND REAPPOINTING THE FOLLOWING TO THE MEDICAL CENTER COMMISSION OF JEFFERSON COUNTY. MARK KIRCHER, APPOINTMENT, JANUARY 1, 2022. KIRK STRACK, APPOINTMENT, JANUARY 1, 2022. STEPHEN AMSLER, REAPPOINTMENT, JANUARY 1, 2022. GARY

DRYDEN, REAPPOINTMENT, JANUARY 1, 2022. DAVID BOOME.
REAPPOINTMENT, JANUARY 1, 2022. ANDREW MCCARTHY, REAPPOINTMENT,
JANUARY 1, 2022. KATHY SPALDING, REAPPOINTMENT, JANUARY 1, 2022.
GLEN TODD, REAPPOINTMENT, JANUARY 1, 2022. JANUARY 1, 2022. MARK
WATKINS, REAPPOINTMENT, JANUARY 1, 2022. HUGH SCHWAB,
REAPPOINTMENT, JANUARY 1, 2022. THIS IS TO BE READ INTO RECORD
ONLY. METRO COUNCIL APPROVAL OF THIS APPOINTMENT IS NOT
REQUIRED. SINCERELY, GREG FISCHER, MAYOR. SPECIAL LEGISLATION.
THAT CONCLUDES THE CORRESPONDENCE.

>> PRESIDENT JAMES: THE ONES NEEDING APPROVAL WILL BE
FORWARDED TO THE OVERSIGHT COMMITTEE. IN ORDER TO VOTE ON THE
NEXT TWO ITEMS WE NEED TO INVOKE 7.1A AND B. NO ORDINANCE OR
RESOLUTION SHALL BE PASSED AT THE MEETING OF THE COUNCIL IN
WHICH IT IS INTRODUCED NOR ANY SUCCEEDING MEETING UNLESS READ AT
THE MEETING AND PRE DISCUSSION ALLOWED THEREON EXCEPT WHEN AN
ORDINANCE OR RESOLUTION IS DEEMED AN EMERGENCY, BY A VOTE OF
TWO-THIRDS OF THE MEMBERSHIP OF THE COUNCIL, AND B PERTAINS TO
ADMINISTRATIVE FUNCTION OF THE COUNCIL. MAY I HAVE A MOTION AND
A SECOND?

>> MOTION.

>> SECOND.

>> PRESIDENT JAMES: MOTION BY COUNCIL MEMBER PEDEN,
SECONDED BY COUNCIL MEMBER BENSON. ALL IN FAVOR, SAY, "AYE."
OPPOSED? THE AYES HAVE IT. NEXT ORDER OF BUSINESS IS APPROVAL OF

PERFORMANCE BOND CERTAIN ELECTED OFFICIALS IN JEFFERSON COUNTY
REQUIRED TO IF CUTE PERFORMANCE BOND. AND METRO COUNCIL IS
REQUIRED BY STATUTE TO APPROVE THE PERFORMANCE BOND. A READING
OF ITEM 13.

>> MADAM CLERK: AN ORDER TO APPROVE A FAITHFUL PERFORMANCE
BOND FOR BARBARA A. HOLSCLOW IN HER CAPACITY AS COUNTY CLERK OF
JEFFERSON COUNTY, KENTUCKY. \$500,000 READ UNFULL.

>> MOTION.

>> SECOND.

>> PRESIDENT JAMES: A MOTION BY COUNCIL MEMBER BENSON, A
SECOND BE COUNCIL MEMBER PEDEN. THE ORDER IS BEFORE US. IS THERE
DISCUSSION BEFORE APPROVAL? HEARING NONE, THIS IS AN ORDER A
VOICE VOTE, ALL IN FAVOR, SAY, "AYE." ALL OPPOSED? THE AYES HAVE
IT. THE ORDER IS APPROVED. THE NEXT ITEM IS AN ORDINANCE WHICH
IS TIME SENSITIVE AND IS NOT TO CREATE STRUCTURE QUAIL CHASE
GOLF COURSE. A READING.

>> MADAM CLERK: AN EMERGENCY ORDINANCE AMENDING CHAPTER 42
OF THE LOUISVILLE/JEFFERSON COUNTY METRO CODE OF ORDINANCES TO
UPDATE THE FEE STRUCTURE FOR QUAIL CHASE GOLF COURSE. READ IN
FULL.

>> MOTION.

>> SECOND.

>> PRESIDENT JAMES: A MOTION BY COUNCIL MEMBER BENSON, SECONDED BY COUNCIL MEMBER ENGEL. ANY DISCUSSION? COUNCIL MEMBER PEDEN.

>> I WAS GIVEN A CALL BY THE PRO AT QUAIL CHASE SAYING THEY NEEDED TO CHARGE SUMMER RATES EVEN IN THE WINTER BECAUSE THE ORDINANCE WE PASSED EARLIER IN DECEMBER LEFT THEM OUT OF THE NEW FEE STRUCTURE. SURE ENOUGH, THEY WERE NOT GIVEN WINTER OR SEASONAL RATES. WE FILED THIS TO GIVE THEM THE ABILITY TO STAY COMPETITIVE THROUGH JANUARY, FEBRUARY, AND MARCH. THEY INCLUDED SUMMER RATES AS WELL. WITH AMENDMENTS TO THOSE. I KNOW COUNCIL MEMBER PIAGENTINI AND COUNCILWOMAN FOWLER WAS WORKING ON THIS EARLIER. I'M NOT SURE WHERE SHE'S GONE TO. SINCE IT'S BEFORE US, IF SHE'S NOT BACK BY THE TIME DISCUSSION ENDS, MY PLAN WOULD BE TO AMEND IT, ADOPTING THE WINTER RATE ON THE BACK AND CALLING FOR THE VOTE AT THAT POINT. WE'LL GO THROUGH DISCUSSION IF THERE IS ANY AND GO FROM THERE.

>> PRESIDENT JAMES: OKAY. COUNCILMAN PIAGENTINI.

>> THANK YOU, MR. PRESIDENT. I WAS GOING TO START WITH THE ONE AMENDMENT BROUGHT UP. IF YOU LOOK AT THE CURRENT AMENDMENT, THE OBVIOUS NEED, THE SEASON RATES REFLECTED AS WEEK DAY, ET CETERA, THE BOTTOM OF PAGE 1 AND TOP OF PAGE 2, THE FIRST BRACKET ARE THE SUMMER SEASON RATES. IT'S UNCLEAR TO ME NUMBER ONE, WHY, THERE IS NO EMERGENCY REALLY TO THE SUMMER SEASON RATES. NUMBER TWO, THE PURPOSE OF THE GOLF COURSE RATE CHANGES

WE DID FOR THE OTHER COURSES WAS ACTUALLY TO INCREASE THE RATES AND MAKE THEM MORE COMPETITIVE AND PROFITABLE. WE'RE PROPOSING IN THE BOX UNDER SUMMER SEASON RATES ONLY UNTIL IT GETS A WINTER SEASON RATE, THE CHANGES AS PROPOSED AMENDED OUT TO GO BACK TO THE ORIGINAL LANGUAGE THAT HAD THE SUMMER SEASON RATES AS WEEK DAY \$29, WEEKEND \$39, WEEK DAY SENIOR \$19, WEEK DAY TWILIGHT \$16. WE WILL KEEP THE EXISTING RATES FOR SUMMER SEASON AND THEN WHEN WE GET TO THAT POINT WHEN WE HAVE MORE TIME TO DISCUSS AND UNDERSTAND WHAT TO MOVE FORWARD UNDER SUMMER SEASON WE CAN HAVE THE DEBATE AND MAKE CHANGES. I'M GOING TO PROPOSE THAT AMENDMENT TO NOT CHANGE THOSE RATES THIS TIME.

>> SECOND.

>> PRESIDENT JAMES: WE HAVE A SECOND. ALL IN FAVOR, SAY, "AYE." I'M SORRY. DISCUSSION. COUNCILMAN COAN.

>> THANK YOU. THIS IS A QUESTION FOR COUNCILMAN PIAGENTINI. DOWN UNDER THE PAST FEE IS TAKING THE JUNIOR FEE FROM \$7.50 TO \$4.

>> I'LL DEFER TO COUNCILMAN KRAMER. I BELIEVE IT'S A SEPARATE AMENDMENT COUNCIL MEMBER FOWLER MIGHT BE PROPOSING. I'M NOT HERE TO DEFEND THAT CHANGE.

>> PRESIDENT JAMES: COUNCIL MEMBER KRAMER.

>> THE JUNIOR RATE DECISION WAS ONE THAT WE CARRIED ON A BIT OF CONVERSATION ABOUT IN TERMS OF THE OTHER NINE COURSES. IT WAS A DECISION THAT WE MADE BECAUSE WE FELT LIKE THAT WAS THE

MOST APPROPRIATE THING FOR GOLF PERIOD MOVING FORWARD. LOWERING THAT IS CONSIST WITH THE CONVERSATIONS WE HAD HAD, LOWERING THE SUMMER RATE AT QUAIL CHASE WAS NEVER A PART OF THE CONVERSATION. WE REALIZE THEY 27 HOLES AND NOT JUST 18. AND A SEMI PRIVATE COURSE. IT'S A DIFFERENT ANIMAL THAN THE OTHER COURSES, WE INTENDED TO HAVE A CONVERSATION ABOUT QUAIL CHASE. THEIR CONTRACT IS DIFFERENT. THERE WAS NO -- IT WASN'T INTENTIONAL WE LEFT THEM OUT OF THE WINTER RATE. WE WOULD HAVE INCLUDED THEM IN THE JUNIOR ONE IF THAT MAKES SENSE.

>> PRESIDENT JAMES: THANK YOU, COUNCILMAN KRAMER.
COUNCILWOMAN FOWLER.

>> I'M SORRY. I HAVE BEEN TRYING TO FIGURE THIS OUT, COMMITTEE OF THE WHOLE. MY SUGGESTION IS WE STRIKE EVERYTHING BUT THE WINTER RATED. SEVERAL THINGS HAVE BEEN LEFT OUT INCLUDING THE MATINÉE REDUCED RATE, WINTER RATE WEEK DAY \$22. WEEKEND AT \$24. WEEK DAY SENIOR \$15. WEEK DAY TWILIGHT, \$15. AND THE JUNIOR \$15. MATINÉE AND ACTIVE DUTY. WEEK DAY WILL BE 17. WEEKEND WILL BE 18. JUNIOR WILL BE 15. ANNUAL PASS FOR THE 9 HOLE WILL BE \$7.50 FOR ADULTS AND \$4 FOR JUNIORS. LEAGUES REMAIN THE SAME AT \$16 FOR LEAGUE ONE. \$14 FOR LEAGUE TWO. \$12 FOR LEAGUE THREE, AND THE EARLY LEAGUE AT \$10. I THINK THE ANNUAL PASS FEE FOR THE 18 HOLE WINTER RATE -- I'M SORRY. JUST A MOMENT \$9 AND \$4 FOR JUNIORS. AT THE 9 HOLE, THE ANNUAL PASS FEE WILL BE \$7 AND \$4 IF THAT MAKES SENSE.

>> PRESIDENT JAMES: THANK YOU. AND COUNCILMAN PIAGENTINI.

>> JUST TO KEEP THIS ALL CLEAR. COUNCILWOMAN FOWLER, IF I COULD ASK A CLARIFYING QUESTION OF COUNCILWOMAN FOWLER AND RESULT IN MY WITHDRAWING MY AMENDMENT. I AMENDED TAKING ANY CHANGES TO THE RATES, LIMITING OR KEEPING WHATEVER THE SUMMER RATES ARE, YOU ARE PROPOSING CHANGES AND WINTER RATES, IS THAT CORRECT?

>> THAT'S CORRECT. I GOT OFF THE PHONE WITH THE PRO AT QUAIL CHASE. THERE WAS EVIDENTLY PROBLEMS WITH THE SUMMER RATES UNBEKNOWNST TO ME. I JUST THINK WE NEED TO IRON THAT OUT AND PUT SOMETHING IN THERE FOR THE WINTER RATE AND GO FORWARD AND FIX IT IN COMMITTEE ONCE WE GET THERE.

>> IF I WITHDRAWAL MY AMENDMENT, THE CHANGES THAT ARE ON THE CURRENT DOCUMENT WILL NOT MOVE FORWARD RELATED TO SUMMER RATES?

>> THAT IS CORRECT.

>> I'LL WITHDRAWAL AND DEFER TO COUNCILWOMAN FOWLER.

>> PRESIDENT JAMES: COUNCILMAN PIAGENTINI WITHDRAWALS THE AMENDMENT. COUNCILMAN BENSON, DO YOU WITHDRAWAL YOUR SECOND? COUNCILWOMAN FOWLER THAT WAS YOUR AMENDMENT. AND I DON'T REMEMBER WHO SECONDED IT.

>> I HAD SECONDED COUNCILMAN PIAGENTINI.

>> I DON'T THINK ANYONE SECONDED.

>> SECOND.

>> PRESIDENT JAMES: SECONDED BY COUNCILMAN KRAMER. ANY FURTHER DISCUSSION? HEARING NONE, ALL IN FAVOR, SAY, "AYE." OPPOSED? THE AMENDMENT PASSES. AND WE'RE BACK TO THE ORIGINAL AMENDED ORDINANCE. COUNCILWOMAN FOWLER.

>> YES. BASICALLY WE JUST HAD LEFT OFF THE WINTER RATE FOR QUAIL CHASE GOLF COURSE. AND WHAT I HAVE PROPOSED WILL TAKE CARE OF THEM BEING ABLE TO GO IN AND USE THE SYSTEM TO CHARGE THE CURRENT RATE THAT IS NEEDED FOR WINTER AND THAT WOULD TAKE CARE OF THE 9 HOLE AND THE 18 HOLE AS WELL.

>> PRESIDENT JAMES: THANK YOU. IS THERE ANY FURTHER DISCUSSION? HEARING NONE, THIS AMENDED ORDINANCE REQUIRES A ROLL CALL VOTE. WILL THE CLERK PLEASE OPEN THE VOTING? WITHOUT OBJECTION, THE VOTING IS CLOSING. AND THE VOTING IS CLOSED.

>> MADAM CLERK: PRESIDENT JAMES YOU HAVE 25 YES AND ONE NOT VOTING.

>> PRESIDENT JAMES: THANK YOU, ORDINANCE PASSES. NEXT ITEM IS OLD BUSINESS. 15 IS BEING HELD AT THE REQUEST OF THE SPONSOR. MADAM CLERK, A READING OF ITEM NUMBER 16.

>> MADAM CLERK: AN ORDINANCE CHANGING THE ZONING FROM R-6 RESIDENTIAL MULTI-FAMILY AND OR-2 OFFICE-RESIDENTIAL TO C-2 COMMERCIAL ON PROPERTY LOCATED AT 768, 810, AND 850 BARRET AVENUE AND 1236 EAST BRECKENRIDGE STREET CONTAINING 9.6742 ACRES AND BEING IN LOUISVILLE METRO. CASE NO. 19ZONE0046, AS AMENDED. READ IN FULL.

>> PRESIDENT JAMES: WE HAVE A MOTION BY COUNCILMEMBER BENSON, SECONDED BY COUNCIL MEMBER FOWLER. ANY DISCUSSION? COUNCILWOMAN FLOOD.

>> THANK YOU, MR. PRESIDENT. AFTER CONSULTATION WITH A FEW OF MY COLLEAGUES, I WOULD LIKE TO INVOKE RULE 5.11E THAT LIMITS DEBATE TO AN HOUR AND A HALF.

>> PRESIDENT JAMES: ALL IN FAVOR, SAY, "AYE." OPPOSED?

>> NO.

>> PRESIDENT JAMES: AYES HAVE IT. COUNCILWOMAN FLOOD.

>> THANK YOU, MR. PRESIDENT. THIS IS THE GOVERNMENT CENTER ON BARRETT AVENUE. WHEN THIS ITEM FIRST CAME BEFORE OUR COMMITTEE, THIS WAS A CONTRACT FOR THIS PROPERTY. AS YOU HAVE HEARD THAT CONTRACT HAS BEEN WITHDRAWN. I'M GOING TO PRESENT IT AS IF IT CAME THROUGH WITH THE CONTRACT. A FOR A MIXED USE DEVELOPMENT. IT'S AN EXISTING ACTIVITY CENTER. C2 PERMITS, HIGH DENSITY, HIGH INTENSITY, THE DEVELOP WILL FOLLOW. TWO CONDITIONS OF APPROVAL WERE ADDED TO THIS SINCE THERE WAS NOT A COMPLETE DEVELOPMENT PLAN. AND I WILL READ THOSE VERY QUICKLY INTO THE RECORD. CONDITIONS OF APPROVAL ONE, THE FOLLOWING LAND USE SHALL BE EXCLUDED ON THE PROPERTY, AGENCIES, HONORABLE REPAIR GARAGES, BOAT SALES AND RELATED STORAGE, USED CAR AREAS, PROVIDED NO REPAIR OF AUTOMOBILES OR STORAGE SHALL PERMITTED EXCEPT ENCLOSED IN A BUILDING. TWO, PRIOR TO DEVELOPMENT OF ANY FACE OF THE PROJECT, INCLUDING THE APPLICANT, THE DEVELOPER OR PROPERTY

OWNER SHALL OBTAIN APPROVAL OF A DETAILED DISTRICT DEVELOPMENT PLAN. SUCH PLAN SHALL REQUIRE APPROVAL OF THE LOUISVILLE METRO COUNCIL IN ACCORDANCE WITH 11 PART 4.7 OF THE LAND DEVELOPMENT CODE. AND THIS IS IN COUNCILWOMAN SEXTON SMITH'S DISTRICT. I WOULD LIKE TO YIELD THE FLOOR TO HER.

>> PRESIDENT JAMES: THANK YOU. COUNCILWOMAN SEXTON SMITH.

>> YES. COLLEAGUES, THIS THE URBAN GOVERNMENT CENTER PROPERTY WE HAVE BEEN TALKING ABOUT. THIS BODY FOR QUITE SOME TIME. THE COMMUNITY HAS BEEN LOOKING AT THIS AND EXPRESSING INTEREST ISSUES, CONCERNS AND DESIRES AND WANTS FOR CLOSE TO THREE YEARS. THE PROPOSED ORDINANCE AS AMENDED BY ME AND THE PLANNING AND ZONING COMMITTEE I THINK WILL RESET THE TABLE AND START THE PROCESS OVER FOR THIS INCREDIBLY IMPORTANT PIECE OF PROPERTY, WHICH IS ALMOST 10 CONTIGUOUS ACRES. LOCATED WHERE DISTRICT 4 AND 8 COME TOGETHER. AND THE AMENDMENT, THE CONDITIONS OF APPROVAL WERE UNANIMOUSLY APPROVED IN PLANNING AND ZONING. IT WAS ORIGINALLY UNANIMOUSLY APPROVED ADD THE PLANNING COMMISSION LEVEL AS WELL. SO THIS WOULD BE HELD ON COUNCIL AT DECEMBER 12. AND MENTIONED EARLIER SOMEONE BELIEVED IT WAS HELD AT COUNCIL LEVEL BECAUSE IT WAS WAITING TO SEE WHAT WAS GOING TO HAPPEN BY THE DECEMBER 31ST DEADLINE OF THE FORMER DEVELOPER'S AGREEMENT IN PLACE WITH METRO LOUISVILLE. ALTHOUGH THAT MAY HAVE BEEN FOLK'S IMPRESSIONS, IT WAS HELD BECAUSE THERE WASN'T ENOUGH INFORMATION AND THERE NEEDED TO BE MORE INPUT COMING. I

PERSONALLY WAS LOOKING TO HEAR FROM MORE INTERESTED PARTIES, BUSINESSES AND NEIGHBORS IN THE SURROUNDING AREA. SINCE THAT TIME, I HAVE HEARD FROM SIX FOLKS IN THE AREA. THREE OF WHOM HAD RECEIVED SOME COMMUNICATIONS THAT SAID THAT THIS C-2 AREA WIDE REZONING WOULD RESULTS IN COMMERCIAL DEVELOPMENT ONLY AND THOSE FOLKS WERE VERY CONCERNED. AND ACTUALLY, THAT IS NOT WHAT THIS AREA WIDE REZONING WILL DO FOR THIS PROPERTY. WHAT AN AREA-WIDE REZONING WITH C-2 WOULD DO IS ALLOW FOR A NUMBER OF NEIGHBORHOOD SERVICE FRIENDLY BUSINESSES TO OPEN UP, SOME OFFICE, POSSIBLY COMMERCIAL, AND RESIDENTIAL. AND THIS ZONING ALLOWS FOR A DENSER RESIDENTIAL COMPONENT, WHICH WAS EXPRESSED AS ONE OF THE DESIRES DURING PUBLIC ENGAGEMENT. THE CITY OWNS AND CONTROLS THIS PROPERTY. I THINK THAT'S AN IMPORTANT POINT FOR ALL OF US TO REMEMBER THIS EVENING. WHAT NOW IS GOING TO HAPPEN IF THIS IS APPROVED NIGHT AS AMENDED, IT WILL NOT ONLY MAINTAIN, THE CITY WILL MAINTAIN CONTROL BY OWNING IT. BUT THE AMENDED ORDINANCE GIVES THIS BODY MORE CONTROL TO WEIGH IN ON THE PROCESS. AND WHAT IS MEANT BY THAT, IT IS STATED BY COUNCILWOMAN FLOOD IN THE CONDITIONS OF APPROVAL THAT ANY DEVELOPMENT PLAN WOULD HAVE TO COME BACK AFTER ITS PUBLIC MEETING AT THE PUBLIC PLANNING COMMISSION, IT WOULD HAVE TO COME BEFORE THIS FULL BODY FOR APPROVAL. I WOULD LIKE TO ASK A QUESTION OF THE JEFFERSON COUNTY ATTORNEY'S OFFICE, IF I MAY, MR. PRESIDENT.

>> PRESIDENT JAMES: PLEASE DO.

>> IF AND WHEN THE TIME COMES, IF THIS PASSES THIS EVENING, AS THE AREA-WIDE REZONING AS AMENDED AND A DEVELOPMENT PLAN IS PRESENTED TO LOUISVILLE FORWARD AND THEN MEETS THE REQUIREMENT IT HAS TO COME BACK BEFORE THIS BODY, COULD THIS BODY REJECT THAT DEVELOPMENT PLAN IF THEY CHOSE TO? AND THEN I HAVE A FOLLOW-UP QUESTION.

>> TRAVIS, ASSISTANT CITY COUNTY ATTORNEY. YES.

>> MY FOLLOW-UP QUESTION IS, COULD THIS BODY DISCUSS AND PLACE LEGALLY BINDED ELEMENTS ON A PRESENTED DEVELOPMENT PLAN TO THIS BODY?

>> YES.

>> THANK YOU. SO MR. PRESIDENT, WE HAVE SPENT THIS PAST YEAR TALKING ABOUT WANTING MORE TRANSPARENCY AND SHARING OF INFORMATION BETWEEN THE ADMINISTRATION AND HAD LEGISLATIVE BODY. I THINK THE RESPONSE IS TO THOSE TWO QUESTIONS SHOWS THAT THIS AMENDED ORDINANCE IS A STEP IN THE DIRECTION TO DO JUST THAT. STARTING WITH THIS PARTICULAR PIECE OF PROPERTY. A RISK AS I SEE IT, I SEE ONE OF THE MAJOR RISKS IS WHAT IMPACT THAT WILL HAVE ON THE MINDSET OF OUR DEVELOPMENT COMMUNITY. BECAUSE I DON'T KNOW WHAT IT WILL DO BUT I JUST KNOW IF I WERE A DEVELOPER AND I HAD BEEN SITTING BACK WAITING AND WATCHING THESE LAST FEW YEARS AND SEEING ALL OF THESE UP AND DOWN AND UNKNOWN HAPPENING, I WOULD WANT TO SEE THIS LEGISLATIVE BODY STANDUP, TAKE ACTION AND TAKE A VOTED THAT GIVES THEM FUTURE RESPONSIBILITY, THIS BODY,

AND FUTURE CONTROL OVER A PIECE OF PROPERTY. AND I THINK THIS DOES THAT. WE NEED TO SEND A MESSAGE TO THE DEVELOPMENT COMMUNITY, WE'RE OPEN FOR BUSINESS, WE'RE READY TO GO. HOWEVER, WE WANT TO DO ONE MORE THING. WHEN WE PUT THIS IN PLACE, IT IS NOT THE FINAL DECISION OF THE DEVELOPMENT. IT'S THE FIRST STEP IN THE RIGHT DIRECTION. THEN 24 NEXT STEP WOULD BE, WE GO TO THE PUBLIC, WE BEGIN THOSE CONVERSATIONS. THAT'S ALREADY IN THE DISCUSSION PHASE IS RIGHT NOW. WHAT IS THE NEXT STEP AFTER TONIGHT? TO HELP THE COMMUNITY UNDERSTAND WHAT THIS MEANS AND WHAT THEIR OPPORTUNITIES FOR INPUT WOULD BE. WILL EVERYBODY GET EVERYTHING THEY WANT ALL OF THE TIME? MOST LIKELY NOT. BUT WE'RE GOING TO LOOK FOR COMPROMISES ALONG THE WAY. IT ALLOWS FOR COMMERCIAL, BUSINESS, OFFICE, RESIDENTIAL. AND YES, I'M HOPING FROM A PERSONAL PERSPECTIVE WE SEE GREEN SPACE AND A LOT OF IT. AND THAT IS A POSSIBILITY. SO THE PROPOSED ORDINANCE DOES JUST THESE THINGS. AND MR. PRESIDENT, I ALSO BELIEVE THAT THE ZONING CHANGE IS OUR RESPONSIBILITY. AND LASTLY, I DO NOT TAKE ZONING CHANGE DEBATE AND DISCUSSIONS FOR GRANTED. I DO NOT THINK IT'S A SLAM DUNK, FOR SURE DECISION AT SOME POINT IN THE FUTURE THAT THE BODY WILL DEFINITELY JUST ROLL OVER AND SAY YES, TO WHATEVER ZONING CHANGE COMES BEFORE US. I DO NOT THINK THE ZONING CHANGE PROCESS IS A REALLY SIMPLE, NON-EXPENSIVE PROCESS FOR DEVELOPERS. IF IT WERE, WHY WOULD WE PUT SO MUCH EFFORT INTO IT AS A BODY. I'M ASKING FOR MY COLLEAGUES TO PLEASE CONSIDER A,

YES VOTE, VOTE IN THE AFFIRMATIVE THIS EVENING. I KNOW WE'RE GOING TO BE DISCUSSING, I BELIEVE, AN AMENDMENT BY SUBSTITUTION. I WOULD LIKE EVERYONE TO THINK LONG AND HARD AS WE VOTED ON THIS THIS EVENING. THANK YOU, MR. PRESIDENT.

>> PRESIDENT JAMES: THANK YOU. COUNCIL MEMBER COAN.

>> I KNOW WE TALKED ABOUT THIS IN THE COMMITTEE OF THE WHOLE AND CAUCUS. BEFORE I MAKE MY CASE WHY I OPPOSE IT. I WOULD LIKE TO MAKE A MOTION BE SUBSTITUTION. WE ULTIMATELY HAVE TO DO IF YOU WANT TO VOTE FOR BARBARA SEXTON SMITH, YOU HAVE TO VOTE YES ON MINE, JUST NOT NO ON HERS IF YOU DECIDE TO GO WITH ME. AS A MATTER OF ORDER, IF WE PUT MINE ON THE FLOOR, YOU CAN VOTE YES OR NO. CAN I MAKE A MOTION TO HAVE THE AMENDMENT BY SUBSTITUTION AND WE CAN DISCUSS MY --

>> SECOND.

>> PRESIDENT JAMES: ONE SECOND. TELL ME WHAT YOU ARE ASKING?

>> WHAT I'M SAYING, IS I'M GOING TO MAKE MY CASE LIKE COUNCILWOMAN SEXTON SMITH IT. I CAN'T MAKE MY CASE AND VOTE NO ON HERS. WE HAVE TO VOTE YES ON MINE. IF WE PUT MINE ON THE TABLE, WE CAN VOTE UP OR DOWN ON MINE. AND THEN IT WILL LOGICALLY PROCEED TO THE FINAL OUTCOME.

>> PRESIDENT JAMES: YOU ARE MAKING A MOTION TO HAVE A MOTION BY SUBSTITUTION.

>> RIGHT. AND THEN WE CAN DISCUSS IT.

>> MR. PRESIDENT, I MOVE COUNCILMAN COAN'S AMENDMENT BY SUBSTITUTION.

>> SECOND.

>> PRESIDENT JAMES: WE HAVE A SECOND. ALL IN FAVOR, SAY, "AYE." I'M SORRY. DISCUSSION. YOU ARE RIGHT. I'M SORRY. NOW WE'RE UNDER DISCUSSION.

>> NOW WE CAN DISCUSS IT. I DON'T THINK THAT'S OBJECTIONABLE. THANK YOU. WE DISCUSSED THIS AT LENGTH DOWNSTAIRS OR ON THE FLOOR AND DOWNSTAIRS. THIS IS THE FAILED REDEVELOPMENT OF THE URBAN GOVERNMENT CENTER PROPERTY. YOU ARE FAMILIAR WITH THAT. IT'S TECHNICALLY IN DISTRICT 4. IT'S RIGHT ACROSS THE STREET FROM DISTRICT 8. IT'S THE GATEWAY, IT'S A BIG PROPERTY AND WE HAVE BEEN EQUALLY INVOLVED. AND HAVE EQUAL SAY IN IT. THE REASON WE'RE VOTING ON THIS IS BECAUSE WE WENT THROUGH A THREE-YEAR PROCESS WITH THE PUBLIC. SELECTED ADVISORY GROUP OF NEIGHBORS AND STAKEHOLDERS. MANY PUBLIC MEETINGS, AN RFP FOR THIS PIECE OF PROPERTY THAT NEVER SET VACANT FOR A DAY. IT HAD OFFICES AND WE MOVED THEM OUT FOR DIFFERENT REASONS. AS SOON AS GOVERNMENT STOPPED USING THEM WE PUT OUT AN RFP. THERE WERE FIVE OR SIX RESPONSES FROM DEVELOPMENT INTERESTS IN AND OUTSIDE THE CITY AND STATE. THIS IS GOING -- THIS PROPERTY HAS THE POTENTIAL TO BE A WONDERFUL MIXED USE DEVELOPMENT FOR THE NEIGHBORHOOD, CITY IF WE GET A GOOD DEAL IN PLACE, IT SHOULD BE A REVENUE GENERATOR FOR OUR CITY. WE WERE GOING TO VOTE, YES, OR CONSIDER

IT ON THE ZONING CHANGE IN CONJUNCTION WITH THE CONCEPTUAL DEVELOPMENT PLAN BETWEEN THE MARION GROUP AND LOUISVILLE FORWARD OVER THE COURSE OF MANY MONTHS. IT FAILED AND FELL APART. AND SO WHAT WE'RE TALKING ABOUT NOW IS SHOULD WE MOVE FORWARD WITH THE REZONING AS IF THE DEAL WAS APPROVED INSTEAD OF IF IT FELL APART? I ARGUE, NO, WE SHOULD NOT. IT WOULD BE INAPPROPRIATE TO REZONE THIS PROPERTY AT THIS TIME FOR A NUMBER OF REASON. THE FIRST, THERE IS NO URGENCY TO IT AND NO UNANIMITY AROUND IT. IT MIGHT BE VOTED UNANIMOUSLY TO MOVE FORWARD BECAUSE WE HAD A DEAL. THAT MEANS NOTHING. THE FACTS HAVE CHANGED. IT DOES NOT NECESSARILY MEAN, COUNCILWOMAN SEXTON SMITH EXPRESSED CONCERN THIS MIGHT NOT BE A COMMERCIAL, WON'T BE A COMMERCIAL DEVELOPMENT ONLY, IT WILL BE MIXED USE. THAT'S NOT NECESSARILY TRUE. IF IT'S COMMERCIAL, IT COULD HAVE RESIDENTIAL. IT COULD HAVE AGRICULTURAL USES BECAUSE THE WAY ZONING WORKS YOU GET EVERYTHING UNDER IT. NO GUARANTEE IT WON'T BE 100% COMMERCIAL AND NOT MIXED USE. THE MINDSET OF THE DEVELOPMENT COMMUNITY, WE HEAR THAT EVERY TIME WE HAVE A PROJECT. I DON'T THINK THERE IS DECLINING TO REZONE IT AND RESTART THE PROCESS OF PUTTING OUT AN RPF IS GOING TO DISSUADE THE PREVIOUS OR FUTURE INTEREST FROM TAKING ON THIS POTENTIAL PROJECT. THE COST OF REZONING ARE DE MINIMIS. THE CITY AGREED TO DO IT FOR THEM. I THINK THE ARGUMENTS ARE TENUOUS AT BEST. WHEN WE REZONE, IT'S USUALLY PURSUANT TO A DEVELOPMENT PLAN. WHEN WE MAKE A BIG CHANGE,

PEOPLE WANT TO KNOW WHAT THEY ARE GOING TO GET. THAT INCLUDES NOT JUST US IN HERE BUT THE NEIGHBORS WHO DID NOT SPEND THREE YEARS TO AGREE ON THE ZONING CHANGE. THEY SPENT THREE YEARS TO PICK A PLAN TO ENVISION WHAT THE FUTURE OF THE NEIGHBORHOOD WOULD LOOK LIKE. THEY ARE NOT SATISFIED BUT JUST A ZONING CHANGE. I HAVE A LETTER OF OPPOSITION FROM THE HIGHLAND'S NEIGHBORHOOD. I AND COUNCILWOMAN SEXTON SMITH REPRESENT PART OF. THE ZONING CHANGE WILL BE HAVE UNANTICIPATED CONSEQUENCES OF UNDESIRABLE. THE CHANGE COULD MEAN THEY WOULD BE BUFFERED BY COMMERCIAL DISTRICTS WITH BARS AND TAVERNS. IT'S ON THE OTHER SIDE FROM MERIT TO BAXTER THAT CAUSE PROBLEMS. IT HAS UNIQUE DEVELOPMENT PRESSURES. I WANT TO SUPPORT THE NEIGHBORHOOD ASSOCIATION IN THIS CASE. THE ORIGINAL HIGHLAND'S NEIGHBORHOOD HAS A NEIGHBORHOOD PLAN. AND IT CALLS FOR THIS PROPERTY TO HAVE PARK SPACE. THERE IS NO GUARANTEE IF YOU REZONE THE ENTIRE PARCEL, 10-ACRES, THAT IT WILL HAVE PARK SPACE. WE'RE NOT TALKING ABOUT JUST REZONING THE FRONTAGE ON BARRETT AVENUE, WHICH YOU MIGHT ARGUE, COMMERCIAL SPACE. WE'RE TALKING REZONING AN ENTIRE CAMPUS THAT IMPEDED INTO A NEIGHBORHOOD AND COULD FUNDAMENTALLY CHANGE THE NATURE OF THE DEVELOPMENT. I APPRECIATE THE FACT THAT COUNCILWOMAN SEXTON SMITH HAS TRIED TO CARVE OUT PROTECTIONS OR ADDED PROCESS FOR THE COUNCIL TO REVISIT IN TERMS OF A DEVELOPMENT PLAN. BUT I WOULD SAY RESPECTFULLY IT'S LIKELY NEITHER SHE NOR I WILL BE HERE BECAUSE IT'S OUR LAST YEAR IN

OFFICE. WE'RE THE ONLY ONES THAT HAVE BEEN WORKING FROM THE BEGINNING WORKING WITH THE STAKEHOLDERS. AND HAVE THE MOST FIRM GRASP ON THE PROCESS AND WHAT PEOPLE WANT. AND I RESPECT YOUR ABILITY TO INFER WHAT MY NEIGHBORHOOD MIGHT WANT AND HERS, IT'S NOT THE SAME AS WHEN YOU KNOW WHAT YOUR NEIGHBORHOOD WANTS. WITH RESPECT TO TRYING TO EXCLUDE SOME OF THE LAND USES, COUNCILWOMAN PROPOSED FIVE. REPAIR GARAGES AND SALES AGENCIES, BOAT STORAGE, AND USED CAR AREAS. I HEARD FROM MY CONSTITUENTS, THERE ARE SIX OR 10 MORE UNDESIRABLE PERMITTED USES IF YOU ZONE COMMERCIAL. EVERYTHING FROM AUTOMOBILE SERVICE STATIONS TO BOARDING AND LODGING HOUSES, CARWASHES, EXTENDED STAY LODGING, LIQUOR STORES AND OTHER THINGS THAT PEOPLE DON'T WANT. AND IN NO WAY PROTECTED FROM. REPEATEDLY, WE COULD DENY DEVELOPMENT PLANS UNTIL WE LIKE ONE. THE BETTER WAY WOULD BE TO APPROVE A REZONING IN CONJUNCTION WITH THE DEVELOPMENT PLAN WHEN THE DEVELOPMENT PROCESS RESTARTS. I'LL HOLD UP ON MY COMMENTS THERE. I'LL PART WITH THIS. ALL WE WOULD BE DOING BY REZONING C-2 COMMERCIAL ARE NO JUSTIFICATION, IF YOU READ THE FACTS, THE ORDINANCE DOES -- THERE COULD BE AFFORDABLE HOUSING OR THERE COULD BE-- THERE IS NOTHING THAT TALKS ABOUT TRAFFIC OR EVERYTHING. AND WE DON'T HAVE ANY INFORMATION. WE COULD HAVE DONE THIS INSTEAD OF THREE YEARS WE COULD HAVE TALKED TO THE PEOPLE AND REZONED THE NEXT DAY THREE YEARS AGO. AND ANY ARGUMENT ABOUT INCREASING THE VALUE OVER THE MARKETABILITY, I THINK IS UNWARRANTED IN THIS

PARTICULAR CASE. THIS WILL BE GREAT WITH PROPER OVERSIGHT AND WITHOUT CREATING RISK TODAY THE NEIGHBORHOODS. THANK YOU.

>> PRESIDENT JAMES: THANK YOU. COUNCILMAN WINKLER.

>> THANK YOU. FIRST THE QUESTION FOR COUNTY ATTORNEY. WE TOUCHED ON THIS A LITTLE BIT IN THE COMMITTEE OF THE WHOLE. TRYING TO UNDERSTAND PROVISION 2 AS WRITTEN AND HOW THE REQUIREMENT THAT PRIOR TO ANY DEVELOPMENT AND CLEARING GRADING THE PLAN HAS TO COME BACK TO THE COUNCIL FOR APPROVAL. HOW THAT RECONCILES WITH THE EXISTING DEVELOPMENT CODE. AND HOW THE APPROVAL PROCESS WORKS. WHAT WE'RE TRYING TO AVOID IS WE APPROVE AND SOMEONE BUILDS SOMETHING IN COMPLIANCE WITH THE C-2 ZONING OR WE HAVE TO HAVE SIGNIFICANT FINDINGS OVER FACT TO OVERTURN IT AND IT'S LIT GATED. VERSUS THE INTENT, WHICH IS WE HAVE THE ULTIMATE SAY BEFORE ANY WORK MOVES FORWARD INDEPENDENT OF THE LAND DEVELOPMENT CODE.

>> AGAIN, TRAVIS, JEFFERSON COUNTY ATTORNEY. THAT WAS SORT OF A MULTILAYERED QUESTION. LET ME TALK ABOUT THE PROCESS AND GET TO THE LATTER HALF. PROCESS WISE, THERE ARE A NUMBER OF DEVELOPMENT PLANS THAT COME BEFORE THE COMMISSION ALL THE TIME THAT REQUIRE A LEVEL OF REVIEW. OFTEN IT'S A VARIANCE. SOME REQUIRE REVIEW BASED ON THE SITE BECAUSE OF THE NEW PLAN. EVEN IF IT COMPLIES WITH EVERYTHING.

>> IT WOULD FOLLOW THE REGULAR PROCESS. NOTICED. LG BEFOREHAND. AND PLANNING COMMISSION. PUBLIC INPUT. PASSED HERE.

AND COUNCIL WOULD HAVE AN OPPORTUNITY TO REVIEW. ULTIMATELY, VOTE FOR OR AGAINST IT. SO THAT'S SORT OF THE PROCESS WISE, IT WOULD FOLLOW HOW YOU SEE REZONING. IT WOULD JUST BE A PLAN. THE SECOND PASSENGER QUESTION IS KIND OF WHAT ARE YOUR RESTRICTIONS ONCE YOU SEE IT IN FRONT OF YOU?

>> NO, I THINK THE INTENTION HERE, I THINK MEMBERS CONCERN, I THINK, I'M GOING TO RESTATE THEM PROPERLY. WE BELIEVE IF WE MOVE FORWARD WE WOULD PUT RESTRICTIONS ON THE PROPERTY THAT SAY YES, WE INCREASED THE VALUE BY MOVING TO C-2, WE GET A FINAL SAY BEFORE ANYTHING HAPPENS. AS A DEVELOPER, YOU COULD HIRE AN EFFECTIVE LAND USE ATTORNEY THAT SAYS, WELL, I'M IN COMPLIANCE WITH THE LAND DEVELOPMENT CODE. I DO NOT REQUIRE YOUR APPROVAL. OR FOR YOU TO DECLINE MY PLAN IT REQUIRES SIGNIFICANT FINDINGS OF FACT. WE MIGHT SAY THIS ISN'T WHAT WE WANT IN A HYPOTHETICAL EXAMPLE. I THINK THAT IS WHAT WE'RE TRYING TO AVOID. AND SO THE QUESTION IS, TO ADEQUATELY AVOID OR LOOP HOLE TO, YOU HAVE NOT FOUND SUFFICIENT FINDINGS OF FACT.

>> ANYONE CAN CHALLENGE COUNCIL FOR A PLANNING DECISION. THAT'S HOW IT'S SET UP. MAYBE THERE IS CORRUPTION CLAIM, BUT FOR GENERAL PLANNING CASE, THAT'S THE STANDARD. AND SO -- IT'S THE LOWEST BAR. ALMOST NOTHING LOWER. IT'S SUPER EASY TO MEET. MORE THAN ARBITRARY. AND SO FINDINGS OF FACT WOULD BE REQUIRED, YES. AND THEY WOULD NEED SOME BASIS IN YOU KNOW, THE PLANNING PRINCIPLES SET FORTH. THERE ARE THINGS YOU MIGHT MEET THE

SETBACK REQUIREMENTS AND DISTANCE THINGS AND ARGUE POINTS OF TRAFFIC. THERE IS ROOM TO CREATE FINDINGS OF FACT THAT AREN'T STRICTLY TECHNICAL IN NATURE.

>> IS THERE AN ADDITIONAL REQUIREMENT OR VERBIAGE WE COULD OR SHOULD ADD PERHAPS NOT RELATED TO THE DEVELOPMENT PLAN BUT THE RFP PROCESS OR THE DECISIONING PROCESS THAT WOULD PROVIDE THE ADDITIONAL PROTECTIONS THAT THE PEOPLE ARE SEEKING?

>> NOT THAT IMMEDIATELY COMES TO MIND, THE RFP PROCESS IS SEPARATE AND REGULATED. I'M NOT FAMILIAR. THE ARBITRARY REVIEW IS ALWAYS GOING TO BE THERE AS A GENERAL BACK STOP KRS. WE CAN'T OVER RIDE THAT WITH A FINDING ELEMENT OR CONDITION OF APPROVAL.

>> THE ONLY OTHER COMMENT I'LL MAKE. I THINK IT'S IMPORTANT AND I THINK THE ISSUE WAS RAISED IN THE COMMITTEE OF THE WHOLE. REGARDLESS OF WHERE WE FALL ON THIS ISSUE, I THINK IT'S CRITICAL THE MESSAGE THAT GOES ALONG WITH OUR VOTE AND OUT TO THE DEVELOPMENT COMMUNITY IS THAT WHATEVER WE DECIDE TODAY DOES NOT PRECLUDE ANY INTENDED USE OF THE PROPERTY IN THE FUTURE. SO FOR EXAMPLE, WE WERE TO APPROVE COUNCIL MEMBER COAN'S AMENDMENT, IF YOU WERE TO GO THROUGH THE PROCESS, IT'S ONLY SAYING WE WANT TO KNOW WHAT WE'RE GETTING BEFORE WE MAKE THE CHANGE. AND I THINK THAT'S AN IMPORTANT MESSAGE THE PUBLIC AND COMMUNITY HAVE IF WE DO IN FACT GO WITH YOUR AMENDMENT.

>> PRESIDENT JAMES: COUNCILMAN REED.

>> THANK YOU, MR. PRESIDENT. SOME OF MY COMMENTS OR CONCERNS WERE SIMILAR TO COUNCILMAN WINKLER'S. TO VOTE THE DEVELOPMENT PLAN DOWN, IF IT COMES BACK TO THE COUNCIL IT HAS TO BE BASED ON SOLID FINDINGS OF FACT, CORRECT?

>> THAT'S CORRECT.

>> OKAY. SO ABSENT PUBLIC RECORD, HOW DO YOU COME UP WITH FINDINGS OF FACT? IF THERE IS NO RECORD, THEN WHAT METHOD DO WE HAVE TO COME UP WITH FINDINGS OF FACT?

>> THAT'S PART OF THE REASON IT REQUIRES A PUBLIC MEETING TO CREATE A RECORD.

>> OKAY. AND THEN ONCE IT COMES TO THE METRO COUNCIL, IF THE DEVELOPMENT PLAN COMES TO THE METRO COUNCIL WILL WE HAVE THE ABILITY TO AMEND IT IN ANY WAY?

>> BY ADDING BINDING ELEMENT. I DON'T SEE YOU DON'T SEE DEVELOPMENT PLANS ALL THAT OFTEN INDEPENDENT. FINDING ELEMENTS ARE FAIRLY BROAD. SOME LIMITED TO A HIGH LEVEL OF YOU CAN'T BIND OUT USES WITH THE APPLICANT AGREEMENT FOR THE KRF. SOME YOU CAN DO MORE DIRECT THINGS YOU ALL DO EVERY DAY, ADDING ADDITIONAL PLANTINGS. BUT THE NATURE OF THE CHANGE MATTERS A BIT. YOU HAVE THE REGULAR POWER TO ADD THE BINDING ELEMENT.

>> THE FULL COUNCIL AT THAT POINT, FOR FINAL APPROVAL, CAN ADD, AMEND BY ADDING BINDING ELEMENTS?

>> CORRECT. YOU COULD OPEN UP FOR A HEARING AND TAKE TESTIMONY, ET CETERA.

>> PRESIDENT JAMES: THANK YOU. COUNCILMAN PIAGENTINI.

>> THANK YOU, MR. PRESIDENT. I WANT TO REMIND EVERYBODY WHY WE'RE HERE. WE'RE HERE HAVING THIS CONVERSATION BECAUSE OF A FUNDAMENTALLY FAILED PROCESS. THE PROCESS FAILED. THIS ISN'T THE FIRST TIME THIS PROCESS FAILED. I SPONSORED AND WE AS A BODY UNANIMOUSLY PASSED AN ORDINANCE TO PROVIDE ADDITIONAL OVERSIGHT OF LOUISVILLE FORWARD AND DEVELOP LOUISVILLE AND OUR ACTIVITIES AROUND SOME OF THIS AS WELL OTHER ECONOMIC DEVELOPMENT ACTIVITIES, PARTIALLY BECAUSE OF A TREND WE SAW, PATTERN WE SAW IN FAILED MISSTEPS. ONE OF WHICH RESULTED IN THIS COUNCIL HAVING TO APPROVE A \$150,000 TAX-PAYER FUNDED BAIL OUT TO AVOID LITIGATION. THAT DOESN'T INCLUDE WHAT HAPPENED IN COUNCIL MEMBER COAN'S DISTRICT WITH PROPERTY ENDED UP BEING SOLD AND FLIPPED WITHOUT ANY CONTROL AND WITH ISSUES. THERE ARE CASE AFTER CASE AFTER CASE. AND THEN LOOK AT THE CIRCUMSTANCE WE'RE IN NOW. AS WE'RE DEBATING THIS, I WANT EVERYBODY TO CONSIDER AND PAY ATTENTION TO THE DOUBLE TWIST BACK FLIPS WE'RE TRYING TO DO PARSING WORDS, DOES THIS MEAN THIS? IF WE DO THIS -- BECAUSE WHAT WE'RE BEING ASKED TO DO, AND I APPLAUD COUNCILWOMAN SEXTON SMITH. I MIGHT ATTEMPT TO DO THE SAME THING IF I WERE IN HER SHOES. WE'RE GOING SO FAR SIDEWAYS FROM THE PROCESS. THIS IS NOT HOW THIS PROCESS AS FAR AS MY RECOLLECTION IS CONCERNED, I'M NOT THE HISTORIAN OF THIS COUNCIL, I DEFER TO COUNCIL MEMBER PEDEN. THIS IS NOT THE PROCESS. WE REZONE RELATED TO NEIGHBORHOOD

DEVELOPMENT PLANS OR SPECIFIC PROJECTS THAT ARE IN FRONT OF US. I CAN'T REMEMBER, I CAN'T CONSIDER A TIME WHEN WE'VE BEEN ASKED TO DO THIS AND THEN I CAN'T REMEMBER A TIME WHERE COUNCILWOMAN SEXTON SMITH'S SPECIAL RULE OR CONSIDERATION SHE'S PUT IN FRONT OF US, SO IT COMES BACK AND WE DON'T KNOW PRECISELY THE LEGAL STANDARDS. WE'RE TRYING TO FIGURE THAT OUT BECAUSE WE'VE NEVER DONE IT, THERE IS LITTLE TO NO PRECEDENT FOR IT. WHEN WE'RE IN THOSE CIRCUMSTANCES, WE HAVE TO SAY NO. WE HAVE TO GET BACK TO WHAT THE NORMAL PROCESS IS. AS COUNCILMAN WINKLER SAID, THIS IS NO REFLECTION OF THIS BODY'S DESIRE TO DEVELOP THIS COMMUNITY. THIS BODY HAS NOT FAILED THESE DEVELOPERS. THE MARION GROUP DID NOT PULL OUT. I SPOKE TO THEM, LOUISVILLE FORWARD AND OTHERS RELATED TO THE PROCESS. THEY DID NOT PULL OUT BECAUSE OF ACTION OR INACTION OR ANYONE RELATED TO THE METRO COUNCIL. THEY PULLED OUT RELATED TO PROBLEMS WITH THE PROCESS AND PROBLEMS WITH THE ADMINISTRATION. I PERSONALLY HAVE LOST CONFIDENCE IN THAT PROCESS. AND NOW WE'RE TRYING TO DO A SIDEWAYS PROCESS TO GET BACK TO SOMETHING THAT IS NORMAL BY DOING SOMETHING COMPLETELY ABNORMAL. I WOULD REQUEST THAT WE VOTE WITH COUNCILMAN COAN ON THIS. THAT WE GO BACK TO A NORMAL PROCESS. THAT WE'RE GOING TO MOVE FORWARD WITH BETTER COMMUNICATION THROUGH THE PROCESS NOW THAT WE HAVE BETTER OVERSIGHT AND IDENTIFIED THE PROBLEMS. TO MOVE FORWARD, NONE OF US ARE CERTAIN ON. NONE OF US ARE CLEAR WHAT WE HAVE CONTROL OVER AND WHAT WE DON'T IS A MISTAKE. IT'S A

MISTAKE WE CAN'T PULL BACK FROM ONCE WE VOTE. I WOULD ASK YOU TO VOTE COUNCILMAN COAN. THANK YOU, MR. PRESIDENT.

>> PRESIDENT JAMES: COUNCILMAN BENSON.

>> THANK YOU, MR. PRESIDENT. I'LL BE QUICK. BECAUSE WE PASSED AN ORDINANCE, DOESN'T MAKE IT LEGAL. EVERYBODY THINKS IT'S LEGAL. YEARS AGO, COUNTY ATTORNEY SAYS WE VOTED ON A SMOKING BAN. I SAID THIS IS ILLEGAL. THEY SAID, OH, NO, IO GET 14 VOTES, IT'S LEGAL. THE BAR OWNERS AND RESTAURANT OWNERS TOOK IT TO SUPREME COURT AND SAID IT'S ILLEGAL TO EXEMPT. THE COUNTY ATTORNEY SAYS, I GUESS YOU ARE HAPPY. I SAID, I'M NEVER HAPPY TO DO IT WRONG. JUST BECAUSE WE CAN VOTE DOESN'T MAKE IT LEGAL. ONE OF MY PROBLEMS WITH THIS ORDINANCE, I KNOW A LITTLE BIT ABOUT REAL ESTATE. ALMOST EVERYBODY WANTS C-2. THE WHOLE THING WOULD BE C-2. WE SAY WE DON'T LIKE IT. THEY BRING IT TO US. AND SAY HEY, WE CAN DO THIS. THEY SAY, NO, WE DON'T LIKE IT. THEY SAID, OKAY, LET'S SEE. AND THEY GET LAWYERS. THEY GOT MONEY TO BUY THIS IN THE FIRST PLACE OR UNLESS WE GIVE IT TO THEM THEN IT'S NOT A BIG DEAL. THEY HAVE LAWYERS AND SPEND THE MONEY. WE GOT LAWYERS THAT ARE FREE ANYWAY. SO THEY TAKE THEM TO COURT AND WHATEVER. BECAUSE ONE OF THE THINGS I LEARNED WATCHING TV, YOU GET A BUNCH OF LAWYERS TOGETHER, ALL OF THEM ARE RIGHT BUT NONE OF THEM AGREE. SO I DON'T KNOW AND I THINK WE GOT A LEGAL BATTLE. I KNOW THE WON'T BE A LEGAL BATTLE IF WE TAKE THE ZONING WHEN THE TIME COMES TO DO IT. NO, WE DO THIS JUMP AND DANCING

AROUND AND AMEND THIS AND AMEND THIS. NO, WE'RE A BUSINESS. HERE'S WHAT IT SAYS, HERE'S WHAT THE ZONING SAYS. WE'RE GOING TO DO IT. AND WE'RE GOING TO TAKE YOU TO COURT AND PROVE WE'RE RIGHT AND YOU ARE ALL GOING TO PAY. NOT ONLY WILL WE IF WE GIVE IT TO THEM AND TAKE THEM TO COURT, THEY WILL GET EXTRA MONEY TO DO WHATEVER THEY WANT TO DO ANYWAY. SO I THINK WE'RE MAKING A MISTAKE. I THINK WE OUGHT TO ZONE IT WHEN IT NEEDS TO BE ZONED. I THINK THERE IS A BIG PROBLEM IF YOU ALL DON'T THINK SO, WAIT AND SEE, IT WILL HAPPEN. THANK YOU, MR. PRESIDENT.

>> PRESIDENT JAMES: THANK YOU, COUNCILMAN. COUNCILMAN YATES.

>> THANK YOU, MR. PRESIDENT. I'M HEARING A LOT OF TALK ABOUT WHAT IS LEGAL, WHAT'S NOT. WE HAVE TO TRUST OUR LEGAL ADVISERS HERE AND COUNTY ATTORNEY. HAS GIVEN US AN OPINION ON WHAT WE CAN AND CAN'T DO. THIS PROPERTY, WE OWN IT. WE HAVE IT. WE HAVE A CHOICE. AND RIGHT NOW, WE BETTER PUT OUR BUSINESS HATS ON. RIGHT NOW WE'RE FIGHTING FOR PENNYS, LOOKING AT LAYING PEOPLE OFF. I GET SO SICK AND TIRED OF PEOPLE SAYING THAT WE'RE PRO THIS OR FOR THIS AND WE'RE THIS. WHY DON'T WE SEE WHAT OUR ACTIONS ARE. BECAUSE THE BUSINESS COMMUNITY IS LOOKING AT US AND TAKING A LONG HARD LOOK IF THEY ARE INVESTING IN LOUISVILLE. THE COUNCIL IS FRACTURED AND YOU NEVER KNOW WHAT WE'RE GOING TO GET. YOU HAVE TO HAVE SOME TYPE OF STABILITY WHEN INVESTING. YOU WANT TO MAKE SURE IT'S ZONED CORRECTLY. WE TALKED ABOUT THE -- THEY

WON'T GO THROUGH THE SAME. IF I PUT MY MONEY THERE AND WORKING INTO IT, I WOULD FEEL MORE COMFORTABLE ZONING IT'S COMMERCIAL, C-2. WE WANT COMMERCIAL PROPERTY WITHIN REASON. WITHIN REASON YOU WANT TO HAVE COMMERCIAL PROPERTY. WE COULD PUT BINDING ELEMENTS TO DO THAT. IF YOU WANT COMMERCIAL AND RESIDENTIAL, WE CAN ADD CERTAIN ELEMENTS. THAT'S NOT NEW. WE DO IT LESS NOW THEN WE USED TO. BUT WE'VE ALWAYS BEEN ABLE TO ASK THINGS TO COME BACK AND PUT BINDING ELEMENTS IN PLACE. IF WE MAKE IT MORE MARKETABLE AND COMMERCIAL NOW, WE DRAW MORE ATTENTION. MAYBE WE DO, MAYBE WE DON'T IN THE FUTURE. BUT THAT IS A REAL MESSAGE. IF I'M COMING TO LOOK AT THIS PROPERTY, IF I'M LOOKING TO GET A BANK, DO EARLY LOANS, IF I'M GOING TO PRESENT A PLAN ON IT, I WONDER WHAT KIND OF FINDINGS CAN YOU GET AS BEING ZONING FROM R-6, AS COMPARED TO ALREADY BEING ZONED COMMERCIAL C-2. WE ALL KNOW WHAT THAT IS. I'M ASKING THAT RHETORICALLY. WE KNOW THAT YOU GET BETTER FINDINGS AND RATE, IT'S A STRONGER BETTER SELL. I THINK BY US NOT DOING THAT TODAY WE'RE SIMPLY SAYING WE'RE NOT INTERESTED. WE'RE NOT IN A HUGE HURRY TO MAKE THE PROPERTY VALUABLE. IF WE SIT ON IT, IT MAY OR MAY NOT HAPPEN.

COUNCILWOMAN, I KNOW YOU WORKED HARD TO MAKE SOMETHING COME FORTH. I KNOW BEFORE -- I GAVE EVERYBODY A LITTLE BIT OF A HARD TIME IN THE BEGINNING BECAUSE I DIDN'T LIKE IT AGREEMENT. BUT WE'RE ALL IN THIS TOGETHER. AND THIS IS OUR CITY. AND IF WE HAVE A PIECE OF PROPERTY THAT IS SITTING EMPTY FOR LONG PERIOD OF

TIMES OF TIME, WE'RE NOT MAKING MONEY. IT'S NOT DRAWING ANYTHING. NOW IS THE TIME TO ACT. I APPRECIATE YOU TAKING A LEADERSHIP ROLE. I RESPECT BRANDON AND YOUR ROLE AND LISTENING TO YOUR NEIGHBORS. I THINK THIS IS AN UNUSUAL EXAMPLE OF A BEACH PROPERTY BECAUSE WE'VE HAD MISHAP.

>> PRESIDENT JAMES: THANK YOU. COUNCILWOMAN PARKER.

>> THANK YOU, MR. PRESIDENT. I GUESS BRIEFLY, WHAT CONCERNS ME ABOUT THIS PROCESS IS THAT IT SEEMS TO ME THAT IT'S JUST SOMEWHAT, NOT TOTALLY, BUT SOMEWHAT OF AN ARBITRARY PROCESS FOR REZONING THIS. AND WE'RE DOING IT A LITTLE BIT PREEMPTIVELY. AND IF THIS WAS A PIECE OF PROPERTY THAT WAS IN THE PRIVATE SECTOR, WHOEVER THAT ENTITY WAS THAT WANTED TO ENTER INTO A CONTRACT WOULD HAVE TO GO THROUGH THE NORMAL ZONING PROCESS WITH INPUT FROM THE PUBLIC. AND THAT'S NOT HAPPENING IN THIS CASE. AND JUST TO ME, THAT JUST DOESN'T, IT DOESN'T SEEM FAIR. AND NOT ONLY THAT, WHOEVER THE ENTITY THAT GETS THE PROPERTY, NOT ONLY DO THEY GET PREEMPTIVE REZONING BUT A TAX INCENTIVE ON TOP OF IT. IT SEEMS LIKE THERE IS A LITTLE BIT UNFAIRNESS GOING ON AND I'M A LITTLE BIT CONCERNED ABOUT THAT. I WILL BE VOTING FOR COUNCILMAN COAN'S AMENDMENT FOR THESE ARE MY REASONS, THANK YOU.

>> PRESIDENT JAMES: THANK YOU, COUNCILWOMAN. COUNCILMAN FOX.

>> THANK YOU, MR. PRESIDENT. I TOO WILL BE SUPPORTING MY COLLEAGUES AMENDMENT BY SUBSTITUTION. A FEW WEEKS AGO WE SHOWED

THE BUSINESS COMMUNITY WHAT WE WERE MADE UP. AND WE HELPED THEM WITH A MAJOR PROJECT AT 12TH AND BROADWAY. WE SHOWED THEM OUR SUPPORT FOR BUSINESS DEVELOPMENT IN THIS COMMUNITY. TO GO ABOUT IT THIS WAY SEEMS LIKE YOU ARE HIRING THE CLOWNS BEFORE THE CIRCUS. WE MAY NOT WANT TO ZONE THE ENTIRE THING ONE WAY. THAT IS A HUGE PARCEL OF PROPERTY. WE MAY WANT TO LOOK AT THAT AND HAVE IT ZONED SEVERAL DIFFERENT WAYS. I THINK IF WE MAKE THIS MOVE RIGHT NOW WITHOUT A SOLID PLAN IN PLACE, WE'RE LIMITING OURSELVES. FOR THOSE REASONS, I'LL BE SUPPORTING MY COLLEAGUE AS WELL. THANK YOU, MR. PRESIDENT.

>> PRESIDENT JAMES: THANK YOU, COUNCILMAN. COUNCILWOMAN SEXTON SMITH.

>> YES, THANK YOU, MR. PRESIDENT. AND THERE ARE A NUMBER OF COMMENTS MADE ABOUT WHAT WAS SAID BY COUNCILMAN FOX AND OTHERS HAVE ALSO SAID THAT AS WELL. HOWEVER, AND IN MANY CONVERSATIONS WITH A LOT OF FOLKS ABOUT THIS LEADING UP TO THIS TIME, I WONDER IF THESE WORDS WOULD RING FAMILIAR TO ANYONE. THERE WERE A NUMBER OF FOLKS SAYING AND I WAS TRYING TO LOOK FOR THE REASONING BEHIND THE COMMENTS. SOME FOLKS WERE SAYING THE EXACT WAY WE SHOULD BE DOING DEVELOPMENT IN THIS COMMUNITY WOULD BE THIS BODY COME TOGETHER AND FIGURE OUT ALONG WITH OUR ECONOMIC DEVELOPMENT WING OF THE ADMINISTRATION, WHAT TO WE WANT DEVELOPED IN CERTAIN AREAS AND PARCELS OF LAND. AND THEN GET IT ZONED THAT WAY SO WE'LL KNOW WHAT IS COMING AFTER WE TAKE IT

INTO CONSIDERATION AND OF COURSE TAKE ALL THE INPUT FROM THE NEIGHBORS AND NEIGHBORHOOD ASSOCIATIONS. OBVIOUSLY, WE WANT IT TO BE A BROAD BASED COMMUNITY CONVERSATION. FOLKS SAID THAT MAKES PERFECT SENSE TO GET THE ZONING INTACT, THE AGREEMENT, HAVE THE UNDERSTANDING AND THEN THE RFP DEVELOPED AND SUBMITTED TO THE DEVELOPMENT COMMUNITY SO EVERYBODY KNOWS WHERE YOU ARE HEADED. AND THERE IS A LITTLE BIT OF CERTAINTY GOING FORWARD. NO, I'M NOT SURPRISED BECAUSE I'VE BEEN AROUND THE BARN ONCE OR TWICE. BUT IT'S INTERESTING TO HEAR THE COMMENTS BEING MADE THIS EVENING AS IF WE'RE DOING THIS COMPLETELY OUT OF THE ORDER OF -- INDIVIDUALS WERE SAYING MADE PERFECT SENSE. AS FAR AS WILL THIS GET IN THE WAY OF A MORE FLUID AND TRANSPARENT PROCESS AND IS IT FAIR OR NOT, IT HAS BEEN IN THE PUBLIC REALM. IT HAS BEEN DISCUSSED AND WILL CONTINUE TO BE IN PUBLIC MEETINGS, YES. IT CAME BEFORE A NUMBER OF PUBLIC MEETINGS. THERE WAS ONE AT THE PLANNING COMMISSION BEFORE IT GOT TO THIS POINTS. FOLKS HAVE BEEN ENGAGED. WOULD THERE BE A RECORD IN THE FUTURE? I WISH I THOUGHT ABOUT THAT MYSELF. THERE IS A RECORD IN PLACE RIGHT NOW. AND THAT RECORD REFLECTS THAT FOUR PEOPLE SPOKE OPPOSED TO THIS AT THE PLANNING COMMISSION LEVEL. THERE WILL BE A PUBLIC MEETING IN THE FUTURE AS REQUIRED BY THIS AMENDED ORDINANCE, IF IT STANDS AS I HAVE PRESENTED. AND A PUBLIC RECORD WILL BE CREATED BECAUSE THE PUBLIC WILL BE INVITED TO MAKE COMMENTS DURING THE MEETINGS. THAT WOULD BE THE RECORD WE WILL USE WHEN THE

DEVELOPMENT PLAN COMES TO THIS BODY FOR REVIEW. I THINK IT WAS STATED RATHER QUIETLY DURING THIS DISCUSSION THIS EVENING BY SOMEONE, I THINK I HEARD IT, SO I'M GOING TO REPEAT IT LOUDLY. AND THAT WAS THIS BODY COULD CHOOSE, I'M NOT RECOMMENDING NOR SUGGESTING, THIS BODY HAS THE POWER AND AUTHORITY TO CHOOSE TO HOLD A PUBLIC HEARING AND A MEETING IN THIS CHAMBER. WE HAVE DONE THAT BEFORE. I AM NOT SUGGESTING IT. THAT'S NOT, I THINK, THE HIGHEST AND BEST USE. HOWEVER, THAT IS THERE. THAT IS A TOOL WE HAVE AVAILABLE TO US. AND MR. PRESIDENT, I'M NOT SURE AT WHICH TIME IT'S APPROPRIATE TO DO SO. BUT BEFORE A VOTE IS TAKEN ON THE AMENDMENT BY SUBSTITUTION THAT IS ON THE FLOOR, I THINK WE MAY WANT TO HAVE WHAT WOULD BE A TECHNICAL AMENDMENT IF COUNCILMAN COAN AGREES WITH ME, THAT IS. THE TITLE OF THE AMENDMENT BY SUBSTITUTION IS MISSING SOME VERBIAGE AS WELL AS THE SECTION 1 STATEMENT. I DON'T KNOW WHERE I AM TO INTRODUCE THAT.

>> PRESIDENT JAMES: COUNCILMAN COAN. GO AHEAD.

>> THANK YOU, COUNCILWOMAN SEXTON SMITH. WHERE IN THE TEXT ARE YOU REFERRING TO?

>> IN THE TITLE OF YOUR PROPOSED AMENDMENT BY SUBSTITUTION, THE ORDINANCE OVER WRITING THE RECOMMENDATION OF THE PLANNING COMMISSION AND THE EXISTING ZONING OF -- ACTUALLY THE COMPLETE LANGUAGE IS THE EXISTING ZONING R-6, TO MAKE THE COMPLETE

ZONING, IT WOULD NEED TO BE STATED THERE, AS WELL AS ON THE THIRD PAGE.

>> OKAY.

>> I WILL ASK -- [MULTIPLE SPEAKERS]

>> AM I RIGHT ABOUT THAT?

>> I'M SEEING A LOT OF HEADS SHAKING AND PEOPLE SAYING, WHAT ARE THEY TALKING ABOUT. I JUST WANT TO GET THE CURRENT ZONING VERBIAGE REFLECTED ACCURATELY. THERE WILL COME A DAY WHEN IT'S NOT JUST COUNCIL MEMBER COAN AND SEXTON SMITH. ALL OF US HAVE SO MANY DAYS ON THIS EARTH. IN 100 YEARS WHEN THEY REVIEW THE MINUTES, I WANT THEM TO KNOW WE WERE ACCURATE.

>> PRESIDENT JAMES: ARE YOU AGREEABLE?

>> YES.

>> THANK YOU.

>> PRESIDENT JAMES: DO WE HAVE A SECOND? ALL IN FAVOR, SAY, "AYE." OPPOSED? THE AYES HAVE IT ON THE TECHNICAL CHANGES. COUNCILWOMAN SEXTON SMITH.

>> MY WORD, I APPRECIATE THE ROBUST DISCUSSION. I STAND CONFIDENTLY AFFIRMED I WILL ASK FOR YOUR VOTE FOR THE PROPOSED ORDINANCES I PRESENTED AND VOTE, NO, FOR COUNCILMAN COAN. THANK YOU, MR. PRESIDENT.

>> PRESIDENT JAMES: THANK YOU. COUNCILMAN PEDEN.

>> THANK YOU, MR. PRESIDENT. I GAVE MY THOUGHTS IN THE COMMITTEE OF THE WHOLE. BUT I WANTED TO RESPOND TO WHAT

COUNCILWOMAN SEXTON SMITH WENT OVER. FIRST OF ALL, IF 100 YEARS FROM NOW THEY ARE SITTING AROUND DEBATING THE HIGHLAND SPACE PORT, WE CAN ATTRIBUTE IT TO THIS MOMENT RIGHT NOW. AS FAR AS HER COMMENT ABOUT ENCOURAGING THIS BODY TO BE PROACTIVE, TO LET THE COMMUNITY KNOW WHAT WE WANT TO BUILD WHERE AND GIVE US A BROAD PICTURE. I AGREE COMPLETELY. THE LAND DEVELOPMENT CODE AS CREATED NOW DOESN'T ALLOW THAT TO NECESSARILY HAPPEN. IT GOES BACK TO SOMETHING THAT COUNCILMAN COAN SAID. ONCE YOU REACH THE TOP OF THE BAR, YOU GET EVERYTHING BELOW IT. AND THAT'S PART OF THE PROBLEM. IT'S SO BROAD THAT WE, YOU LOSE TOTAL CONTROL ALMOST LIKE A CAR GOING JUST CONTINUING TO ACCELERATE INFINITELY. IF WE HAD A BETTER CODE, INSTEAD OF C-1, C-2, AND C-3, YOU MIGHT HAVE SEVEN CATEGORIES AND USES ARE EXCLUSIVE TO WHERE YOU HAVE TO COME BACK AND ASK FOR SOMETHING. THAT RESIDENTIAL GOES INTO COMMERCIAL IS CRAZY. SO MANY PEOPLE WANT IT. IF WE HAD IT SEPARATE SO YOU HAD TO COME BACK. WE ZONED THIS C-2. LET'S ADD RESIDENTIAL. WE HAVE A C-R ZONING WHICH MIGHT BE MORE APPROPRIATE THAN THE C-2 BECAUSE YOU HAVE MORE CONTROL THERE. I WANTED TO SAY, YOU ARE ABSOLUTELY RIGHT, COUNCILWOMAN SEXTON SMITH, WE NEED TO BE MORE PROACTIVE AND LET PEOPLE KNOW WHAT WE WANT. IF YOU GIVE UP THE CONTROL HERE, THE WAY OUR DEVELOPMENT CODE IS SET UP, YOU GET EVERYTHING. AND THAT'S WHAT WE'RE HANDING THEM EVEN IF WE JUST MADE IT C-1, YOU HAVE MORE RESTRICTIONS, WE NEED TO KEEP IT WHAT IT IS SO WE HAVE CONTROL

WHEN THEY ASK FOR REZONING. OUR LAND DEVELOPMENT CODE IS SO BROAD, YOU GET EVERYTHING AS YOU MOVE UP THE LADDER. AND THAT IS A GIANT PROBLEM WHEN IT COMES TO DOING WHAT YOU SAID EARLIER.

>> PRESIDENT JAMES: THANK YOU. COUNCILMAN PIAGENTINI.

>> THANK YOU, MR. PRESIDENT. I'M NOT SURE IF I SAID THIS IN THE PAST. I AGREE WITH COUNCILWOMAN SEXTON SMITH. ZONING SHOULD BE A PROACTIVE PROCESS THROUGH A NEIGHBORHOOD PLAN FOR EXAMPLE ONCE YOU LAY IT DOWN, REZONE ACCORDING TO IT. OR IF THERE IS OTHER FUTURE DEVELOPMENT IDEAS AND ZONE PERSAUNT TO THAT, VERSUS WHAT THE WAY WE'RE CURRENTLY ZONED WHICH IS SOMEWHAT REACTIONARY AND NOT THOUGHT THROUGH. THIS WAS A REZONING PURSUANT TO A SPECIFIC PROCESS AND PLANNED THAT FAILED. AGAIN, IF LOUISVILLE FORWARD STARTED THE PROCESS TO IDENTIFY HOW TO REZONE THIS SO THAT THEY COULD GO THROUGH A BID PROCESS AND THAT WAS THE CONTEXT, THE PLAN, THE STRATEGY, THAT WAS THE DEBATE DURING THAT, YES, I AGREE. IT WOULD BE RIDICULOUS FOR US TO VOTE AGAINST IT BECAUSE THAT'S THE PROCESS WE WOULD HAVE PURSUED. THAT IS NOT THE PROCESS WE PURSUED. WE PURSUED A REZONING AND THE CONTEXT OF A PARTICULAR PLAN, A PARTICULAR RFP THAT FELL APART. WE NEED TO LET THE PROCESS COMPLETE AND FINISH AND GO BACK AND DO A MORE PROACTIVE PROCESS IN PARTNERSHIP WITH THE ADMINISTRATION SO THAT WE HAVE SOMETHING THAT WE ALL AGREE ON MOVING FORWARD. THANK YOU, MR. PRESIDENT.

>> PRESIDENT JAMES: THANK YOU, COUNCILMAN. COUNCILMAN COAN.

>> THANK YOU, MR. PRESIDENT. I THINK THE PEOPLE ARE STARTING TO MAKEUP THEIR MINDS. I WILL END WITH SAYING THIS. I THINK THIS IS A PROJECT THAT AGAIN, WE TRIED, THE CITY TRIED AND IT DIDN'T WORK AND IT NEEDS A FRESH START AND CLEAN SLATE. THIS IS AN EMINENTLY MARKETABLE PROPERTY, THE MOST MARKETABLE PROPERTY CITY GOVERNMENT OWNS. AND READY TO BE DEVELOPED NOW. IN NO WAY IS THIS SENDING A BAD MESSAGE TO THE DEVELOPMENT COMMUNITY. WE'RE NOT COMMENTING ON A BOLD PROPOSAL WE'RE REJECTING. THIS IS DIFFERENT THAN ANY OTHER PROJECT WHERE WE SOMETIMES ARGUE ABOUT VALUES. WHAT BUSINESS PEOPLE LIKE IS CERTAINTY AND NOT BEING MICROMANAGED AND NOT COMING INTO A NEW PROCESS WITH PERHAPS THE ILL WILL OF NEIGHBORS BECAUSE THEY FELT LIKE THEY HAVE BEEN HAD DURING THE PROCESS. THANK YOU.

>> PRESIDENT JAMES: THANK YOU, COUNCILMAN. IS THE ANY FURTHER DISCUSSION? COUNCILMAN PIAGENTINI.

>> CAN I GET A POINT OF ORDER TO BE HYPERCLEAR. WHAT A AYE OR NAY VOTE ON THE CURRENT COUNCILMAN COAN'S CURRENT DOCUMENT ON THE FLOOR MEANS SO THAT EVERYBODY IS HYPERCLEAR IN THEIR MIND HOW THEY SHOULD BE VOTING.

>> PRESIDENT JAMES: SO IF WE ARE VOTING, IF YOU VOTE, YES, ON COUNCILMAN COAN'S SUBSTITUTE AMENDMENT, WHAT YOU ARE ACTUALLY VOTING ON IS VOTING DOWN COUNCILWOMAN SEXTON SMITH'S ORDINANCE. IS THERE ANY QUESTIONS ABOUT THAT? HEARING NO QUESTIONS. WILL THE CLERK PLEASE --

>> MR. PRESIDENT, TO BE CLEAR. COUNCILMAN COAN TO OVERTURN THE RECOMMENDATION OF THE PLANNING COMMISSION. NOT JUST -- RIGHT. THE ONLY RAMIFICATION IS -- SORRY. NO, REPLACE HERS.

>> PRESIDENT JAMES: THIS WILL REPLACE, IF YOU VOTE YES, YOU ARE REPLACING COUNCILWOMAN SEXTON SMITH'S. THE EFFECT, YOU ARE VOTING DOWN THE RECOMMENDATION OF THE PLANNING COMMISSION. IS EVERYONE CLEAR ON THAT? ALL RIGHT. COUNCILWOMAN SEXTON SMITH.

>> JUST ONE MORE, THANK YOU, COUNCILMAN PIAGENTINI, FOR SEEKING THE CLARIFICATION. ONE MORE STEP IN POINT OF CLARIFICATION. IF COUNCILMAN COAN'S AMENDMENT BY SUBSTITUTION DOES NOT PASS, ANOTHER VOTE WILL BE TAKEN ON THE PROPOSED ORDINANCE I SUBMITTED.

>> PRESIDENT JAMES: THAT IS CORRECT. COUNTY ATTORNEY, IS THAT ACCURATE?

>> THE AMENDMENT THE VOTE ON THE AMENDMENT BY SUBSTITUTION WOULD REPLACE COUNCILWOMAN SEXTON SMITH. IF THAT PASSES, THERE IS A VOTE ON THE LANGUAGE WHICH WILL BE BEFORE THE COMMITTEE. TO OVERTURN THE PLANNING COMMISSION RECOMMENDATION. THERE ARE TWO VOTES. IF FOR WHATEVER REASON THE COUNCIL SHOULD VOTE TO APPROVE THE AMENDMENT BY SUBSTITUTION AND NOT VOTE IN FAVORER, YOU NEED TO AMEND BACK COUNCILWOMAN SEXTON SMITH'S. IT'S UNLIKELY.

>> PRESIDENT JAMES: THANK YOU. COUNCILWOMAN SEXTON SMITH.

>> MR. PRESIDENT, I'LL ASK THE QUESTION DIFFERENTLY. IF IN THE SCENARIO, IT IS A NO VOTE ON COUNCILMAN COAN'S AMENDMENT BY SUBSTITUTION, WHAT IS THE NEXT STEP THIS BODY TAKES?

>> THEY WOULD VOTE ON YOUR ORIGINAL ORDINANCE.

>> I THINK THAT IS WHAT I TRIED TO SAY A FEW MOMENTS AGO. I SAW HEADS DOING DIFFERENT THINGS. MR. PRESIDENT, I'M TRYING TO MAKE SURE EVERYONE IS CLEAR.

>> PRESIDENT JAMES: ABSOLUTELY. COUNCILMAN COAN.

>> [OFF MIC] -- IF YOU AGREE WITH ME AND THINK THE ZONING SHOULD STAY THE SAME FOR THE TIME BEING, VOTE YES RIGHT NOW.

>> PRESIDENT JAMES: ALL RIGHT. ANY OTHER DISCUSSION? ANY OTHER QUESTIONS? THAT BEING SAID, MADAM CLERK, PLEASE OPEN THE ROLL CALL FOR VOTING. WITHOUT OBJECTION, THE VOTING IS CLOSING.

>> MADAM CLERK: MR. PRESIDENT, 13 YES VOTES AND 10 NO VOTES FOR THE AMENDMENT.

>> PRESIDENT JAMES: THANK YOU. THE SUBSTITUTION PASSES. ALL RIGHT. THE AMENDMENT BY SUBSTITUTION PASSES. AND NOW WE CONTINUE ON WITH COUNCILWOMAN SEXTON SMITH'S ORIGINAL ORDINANCE. NO? WE ONLY -- I GOT YOU. I'M SORRY. NOW WE'RE -- NOW WE HAVE TO VOTE ON THE WHOLE THING.

>> I HAVE NOTHING FURTHER TO ADD.

>> PRESIDENT JAMES: YOU HAVE NOTHING FURTHER TO ADD. IS THERE ANY DISCUSSION? COUNCILWOMAN SEXTON SMITH.

>> YES. I MAYBE THE ONLY ONE IN THE ENTIRE CHAMBER THAT HAS AN ELEMENT OF CONFUSION AT THIS POINT. AND I DON'T MIND IF THAT'S THE CASE. SO PRIOR IN THE DISCUSSION SEEKING CLARIFICATION, THERE WAS AN EXPLANATION THAT COUNCILMAN COAN WAS TRYING TO SHARE WITH ALL OF US, IF THERE IS AN AFFIRMATIVE VOTE ON HIS PROPOSAL, THERE WOULD HAVE TO BE A SECOND VOTE, I GOT THE IMPRESSION IT WAS SOMETHING DIFFERENT NOT WRITTEN BEFORE US.

>> [OFF MIC]

>> NOW, OKAY. SO IT'S THE AMENDED, AMENDED BY SUBSTITUTION. AND SO JUST TO BE PERFECTLY CLEAR, MR. PRESIDENT, IS THE DOCUMENT THAT I PRESENTED FOR DISCUSSION, IT IS NOT ON THE TABLE OR UP FOR CONSIDERATION IN ANYWAY, CORRECT?

>> PRESIDENT JAMES: CORRECT.

>> OKAY. JUST WANTING TO BE CLEAR.

>> PRESIDENT JAMES: NOW WHAT WE HAVE ON THE TABLE IS COUNCILMAN COAN'S AMENDMENT BY SUBSTITUTION.

>> I'LL BE VOTING FOR THIS BECAUSE I THINK THIS IS BETTER THAN WHAT CAME FROM THE PLANNING COMMISSION. I OBVIOUSLY VOTED AGAINST THE AMENDMENT. BUT IF WE REJECTED THIS WE WOULD HAVE THE PLANNING COMMISSION RECOMMENDATION, WHICH WOULD NOT HAVE THE APPROVAL OF THE DEVELOPMENT PLAN, I BELIEVE. AND THAT WOULD LEAVE US IN A SPOT WHERE I DON'T WANT TO BE, I'LL BE VOTING YES.

>> PRESIDENT JAMES: THANK YOU. COUNCILMAN YATES.

>> I'LL VOTE YES FOR THE SAME REASON. AND ULTIMATELY, FOR THAT OVERSIGHT OF THE METRO COUNCIL AND THAT ABILITY. SUPPORTIVE OF BARBARA SEXTON SMITH'S ORDINANCE, NOW THIS IS BEFORE US, PUT SOME WORK INTO IT. I THINK IT'S AN IMPROVEMENT.

>> PRESIDENT JAMES: THANK YOU. COUNCILWOMAN MCCRANEY.

>> THANK YOU, MR. PRESIDENT. DEMOCRACY IS GREAT. DEBATE IS WONDERFUL. AND I HAVE ENJOYED THE PROCESS. AND I CERTAINLY LIKE THE FACT THAT I THINK WE ALL EXERCISE OUR RIGHT TO LISTEN, TO LEARN, TO UNDERSTAND. NOW, WHAT IS BEFORE US IS THE AMENDED VERSION. AND FOR THE SAME REASON THAT MY COLLEAGUE HOLLANDER STATED, THIS IS THE BEST THING THAT WE HAVE BEFORE US NOW. BECAUSE OF THAT, I WILL BE VOTING YES ON IT.

>> PRESIDENT JAMES: THANK YOU. COUNCILWOMAN SEXTON SMITH.

>> THANK YOU, PRESIDENT JAMES. I WILL BE VOTING YES ON THIS VERY CONFIDENTLY AND FULLY WITHOUT RESERVATION BECAUSE OF THE ROBUST DEBATE, THE QUESTIONS, THE CLARIFICATION AND THAT'S WHAT MAKES THIS BODY SO GREAT. AND I REALLY APPRECIATE EVERY BODY'S PATIENCE WITH ONE ANOTHER AND HEARING EVERYONE OUT, AND MORE THAN ANYTHING, MR. PRESIDENT, THE DEMEANOR WITH WHICH THIS BODY CONDUCTED ITSELF THIS EVENING. AND I TOO BELIEVE WE'RE GOING TO BE IN A BETTER PLACE. AND NOT EVERYBODY IS GETTING EVERYTHING THEY WANTED INSIDE OR OUTSIDE THIS CHAMBER. AND OUT OF A SUPER ABUNDANCE OF CAUTION, MY UNDERSTANDING, THIS VOTE IN A YES WILL OVERTURN THE PLANNING COMMISSION'S RECOMMENDATION FOR C-2. AND

THIS WILL REMAIN THE ZONING IN PLACE TODAY AS THE MULTI-
RESIDENTIAL R-6 AND OR TO OFFICE. CORRECT?

>> PRESIDENT JAMES: CORRECT.

>> I WILL VOTE YES. AND MANY THANKS TO COUNCILMAN COAN FOR
ALL YOUR HARD WORK. THANK YOU.

>> PRESIDENT JAMES: THANK YOU, COUNCILWOMAN. IS THERE ANY
FURTHER DISCUSSION? HEARING NONE, WILL THE CLERK PLEASE OPEN THE
ROLL CALL FOR VOTING? WITHOUT OBJECTION, THE VOTING IS CLOSING.
AND THE VOTING IS CLOSED.

>> MADAM CLERK: MR. PRESIDENT, THERE ARE 23 YES VOTES, AND
THREE NOT VOTING.

>> PRESIDENT JAMES: THANK YOU, MADAM CLERK, THE ORDINANCE
PASSES, A READING OF ITEM 17.

>> MADAM CLERK: AN ORDINANCE CHANGING THE ZONING FROM R-5
RESIDENTIAL SINGLE FAMILY TO OR-1 OFFICE/RESIDENTIAL ON PROPERTY
LOCATED AT 3700 BROWNSBORO ROAD CONTAINING 0.24 ACRES AND BEING
IN LOUISVILLE METRO. CASE NO. 19ZONE0049. READ IN FULL.

>> PRESIDENT JAMES: THANK YOU. MOTION BY COUNCIL MEMBER
TRIPLETT, MAY I HAVE A SECOND? SECOND BY COUNCIL MEMBER BENSON.
ANY DISCUSSION? COUNCILWOMAN FLOOD.

>> THANK YOU, MR. PRESIDENT. THIS IS AN EXISTING PIECE OF
PROPERTY, USED SINCE THE 1950S AS A DENTAL OFFICE. IT ENJOYED
NONCONFORMING RIGHTS WHEN WE CHANGED ZONING LAWS OR LAND
DEVELOPMENT CODE. THEY WERE NOT -- THIS IS NOT BROUGHT BECAUSE

THEY WERE DOING ANYTHING WRONG. THEY WANT TO BRING THE PROPERTY INTO COMPLIANCE IN CASE THEY WOULD LIKE TO SELL IT DOWN THE ROAD. THERE IS NO CONSTRUCTION. THERE WAS AN ADDITIONAL BINDING ELEMENT THAT WAS BROUGHT FORTH BY MAYOR OF A SMALL CITY. AND THAT WAS TO BIND OUT THE USES OF BARBER SHOP, COSMETOLOGIST OR MANICURIST, IN COUNCILMAN HOLLANDER'S DISTRICT.

>> I'M FOR IT AND I HOPE YOU WILL BE TOO.

>> PRESIDENT JAMES: THANK YOU. SHORT AND SUCCINCT. VERY EFFICIENT. THANK YOU. ANY FURTHER DISCUSSION? HEARING DONE, WILL THE CLERK PLEASE OPEN THE ROLL CALL FOR VOTING? WITHOUT OBJECTION, THE VOTING IS CLOSING. AND THE VOTING IS CLOSED.

>> MADAM CLERK: MR. PRESIDENT, THERE ARE 23 YES VOTES AND THREE NOT VOTING.

>> PRESIDENT JAMES: THANK YOU. THE ORDINANCE PASSES. NEXT ITEM OF BUSINESS IS NEW BUSINESS. OH, COUNCILWOMAN GREEN I'M SORRY.

>> I WANT TO TAKE A POINT OF PERSONAL PRIVILEGE TO KNOW WE'RE THINKING OF OUR SERVICE MEN AND WOMEN AT THIS POINT IN TIME. WHETHER YOU ARE BLACK, WHITE, REPUBLICAN, DEMOCRATIC, GAY, STRAIGHT, I WANT YOU TO KNOW THE MEMBERS OF THIS BODY, WE APPRECIATE YOUR SERVICE AND SACRIFICE. WE APPRECIATE THE SACRIFICE THAT YOUR FAMILIES HAVE HAD TO MAKE. AND SO GOD BLESS YOU ALL. AND WE'RE PRAYING FOR YOU.

>> PRESIDENT JAMES: AMEN. THE NEXT ITEM OF BUSINESS IS NEW BUSINESS. AS YOU LEAVE, PLEASE DO SO QUIETLY SO THE CLERK MAY READ NEW BUSINESS. IT COMPRISES ITEMS 18 THROUGH 30. CLERK PLEASE READ ITEMS AND ASSIGNMENTS TO COMMITTEE.

>> MADAM CLERK: THE FOLLOWING LEGISLATION WILL BE ASSIGNED TO THE APPROPRIATIONS COMMITTEE. AN ORDINANCE APPROPRIATING \$20,250 FROM NEIGHBORHOOD DEVELOPMENT FUNDS AS FOLLOWS. \$1,500 EACH FROM DISTRICTS 1, 2, 4, 7, 8, 10, 17, 19, 20, 23, 26. \$1,125 FROM DISTRICT 25. \$750 EACH FROM DISTRICTS 9, 14. \$375 EACH FROM DISTRICTS 13, 15, 21. THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE KENTUCKY SHAKESPEARE FESTIVAL, INC. FOR SHAKESPEARE IN THE PARK'S "HAMLET" 2020 TOUR. ITEM 19. AN ORDINANCE AMENDING ORDINANCE 078, SERIES 2019 THAT APPROVED APPROPRIATION OF \$50,000 FROM DISTRICT 3 NEIGHBORHOOD DEVELOPMENT FUNDS THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO GIVE THE FUND FOR THE ARTS, INC. UNTIL JUNE 30, 2020 TO COMPLETE ITS FIVE-PART ARTS INTEGRATION INITIATIVE IN DISTRICT 3. THE FOLLOWING LEGISLATION WILL BE ASSIGNED TO THE COMMUNITY AFFAIRS COMMITTEE. ITEM 20. A RESOLUTION APPROVING THE NAMING OF ONE OF THE FIVE ANIMAL SERVICES BUILDINGS AS THE "KAREN AND HOYT LITTLE COMMUNITY CAT COMPLEX.". THE FOLLOWING LEGISLATION WILL BE ASSIGNED TO THE LABOR AND ECONOMIC DEVELOPMENT COMMITTEE. ITEM 21. AN ORDINANCE OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, KENTUCKY, (I) AUTHORIZING THE ISSUANCE OF ITS HEALTH

SYSTEM REVENUE BONDS NORTON HEALTHCARE, INC., SERIES 2020 IN ONE OR MORE SERIES IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$600,000,000, THE PROCEEDS OF WHICH SHALL BE LOANED TO NORTON HEALTHCARE, INC. AND NORTON HOSPITALS, INC. TO (A) PAY OR REIMBURSE NORTON HEALTHCARE, INC. AND NORTON HOSPITALS, INC. FOR THE COSTS OF ACQUIRING CONSTRUCTING, RENOVATING AND EQUIPPING CERTAIN HEALTH CARE FACILITIES OF NORTON HEALTHCARE, INC. AND CERTAIN AFFILIATES, AND (B) REFUND AND RETIRE CERTAIN OUTSTANDING INDEBTEDNESS, AND (II) TAKING OTHER RELATED ACTION.

ITEM 22. AN ORDINANCE AMENDING THE LOUISVILLE METRO CODE OF ORDINANCES "LMCO" SECTIONS 154.02, 154.03, AND 154.04(B) RELATING TO PROPERTY ASSESSMENT AND REASSESSMENT MORATORIUM PROGRAMS. THE FOLLOWING LEGISLATION WILL BE ASSIGNED TO PARKS AND SUSTAINABILITY COMMITTEE.

ITEM 23. A RESOLUTION PURSUANT TO METRO ORDINANCES APPROVING THE FOLLOWING CONTRACTS FOR OPERATION OF METRO GOLF COURSES. THE FOLLOWING LEGISLATION WILL BE ASSIGNED TO THE PLANNING AND ZONING COMMITTEE.

ITEM 24. AN ORDINANCE CLOSING THE FIRST ALLEY SOUTH OF W. BRECKINRIDGE STREET BETWEEN S.2ND STREET AND S.3RD STREET AND BEING IN LOUISVILLE METRO. CASE NO. 19-STRCLOSURE-0008.

ITEM 25. AN ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY TO R-5 RESIDENTIAL SINGLE FAMILY ON PROPERTY LOCATED AT 8809 SHEPHERDSVILLE ROAD CONTAINING APPROXIMATELY 9.01 ACRES AND BEING IN LOUISVILLE METRO. CASE NO. 19ZONE1001.

ITEM 26. AN

ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY TO R-7 RESIDENTIAL MULTI-FAMILY ON PROPERTY LOCATED AT 9711 COOPER CHURCH DRIVE CONTAINING APPROXIMATELY 1.4 ACRES AND BEING IN LOUISVILLE METRO. CASE NO. 19ZONE0028. ITEM 27. AN ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE-FAMILY AND OR-3 OFFICE-RESIDENTIAL TO C-2 COMMERCIAL ON PROPERTY LOCATED AT 5210 COMMERCE CROSSINGS DRIVE CONTAINING 2.101 ACRES AND BEING IN LOUISVILLE METRO. CASE NO. 19ZONE0036. ITEM 28. AN ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY TO PEC PLANNED EMPLOYMENT CENTER AND CHANGING THE FORM DISTRICT FROM NEIGHBORHOOD TO SUBURBAN WORKPLACE ON PROPERTY LOCATED AT 5400 & 5402 MINOR LANE AND 3101, 3201, 3202, & 3206 DUPIN DRIVE CONTAINING APPROXIMATELY 68 ACRES AND BEING IN LOUISVILLE METRO. CASE NO. 19ZONE0065. THE FOLLOWING LEGISLATION WILL BE ASSIGNED TO THE PUBLIC WORKS COMMITTEE. ITEM 29. A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT \$146,829 OF ADDITIONAL FUNDING FROM THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET FOR THE LOUISVILLE LOOP JEFFERSON MEMORIAL FOREST MEDORA ROAD PROJECT TO BE ADMINISTERED BY PUBLIC WORKS & ASSETS. ITEM 30. A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT \$466,710 OF ADDITIONAL FUNDING FROM THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET FOR THE LOUISVILLE LOOP JEFFERSON MEMORIAL FOREST POND CREEK PROJECT TO BE ADMINISTERED BY PUBLIC WORKS & ASSETS. READ IN FULL.

>> PRESIDENT JAMES: THANK YOU, MADAM CLERK. NEXT, WE HAVE ANNOUNCEMENTS. ARE THERE ANY COUNCILMEMBERS WISHING TO MAKE ANNOUNCEMENTS? SEEING NONE, THAT CONCLUDES OUR MEETING. OUR NEXT MEETING IS THURSDAY, FEBRUARY THE 6TH, 2020 AT 6 P.M. WITH NO FURTHER BUSINESS TO DISCUSS, WITHOUT OBJECTION WE STAND ADJOURNED. [MEETING ADJOURNED]