

Louisville Metro Government

*601 W. Jefferson Street
Louisville, KY 40202*



Action Summary - Tentative

Thursday, March 19, 2020

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 L. 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: Markus Winkler (D-17)

Call to Order and Pledge of Allegiance

Council President Pro-Tem Winkler called the meeting to order at 6:07 p.m. and asked all to rise for the Pledge of Allegiance.

Moment of Silence

Council President Pro-Tem Winkler requested a moment of silence to reflect on the challenges faced by the community while dealing with the effects of the COVID-19 virus.

Statement Regarding Virtual Attendance by Some Council Members

Council President Pro-Tem Winkler thanked those that helped make the virtual meeting possible. He stated that many Council Members were attending remotely. He also spoke about provisions regarding any disruptions in remote access for Council Members, which would require a temporary suspension of the meeting, and the time allotted to regain remote access before the meeting resumes.

The following Council Members participated remotely:

Council Member Green
Council Member Shanklin
Council Member Purvis
Council President James
Council Member McCraney
Council Member Coan
Council Member Hollander
Council Member Mulvihill
Council Member Kramer
Council Member Blackwell
Council Member Fowler
Council Member Flood

Members Roll Call

The Clerk called the roll. A quorum was established.

Council Member Kramer arrived remotely at 6:24 p.m.

Present: 26 - 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), Council Member David Yates (D-25) and Council Member Brent Ackerson (D-26)

Support Staff

Laura Ferguson, Jefferson County Attorney's Office
Joan Sheffer, Department of Information Technology
Jemario Washington, Department of Information Technology

Clerk(s)

Sonya Harward, Clerk
David Wagner, Assistant Clerk
Lisa Franklin-Gray, Assistant Clerk

Statement Regarding Procedures for Meeting

Council President Pro-Tem Winkler explained how the meeting would be ran, including the procedures to request to speak and vote.

Council and Committee Minutes

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

1. [ID 20-0388](#)

Regular: Metro Council - March 5, 2020

Attachments: [Metro Council Action Summary 030520.pdf](#)
[Unedited Transcript for Metro Council Meeting on 3-5-20.pdf](#)

2. [ID 20-0390](#)

Regular: Committee of the Whole - March 5, 2020

Attachments: [Committee of the Whole Action Summary for 3-5-20.pdf](#)

3. [ID 20-0410](#)

Regular: Planning and Zoning Committee - March 10, 2020

Attachments: [Planning and Zoning Action Summary 031020.pdf](#)

4. [ID 20-0411](#)

Regular: Labor and Economic Development Committee - March 10, 2020

Attachments: [Labor and Economic Development Action Summary 3.10.20.pdf](#)

5. [ID 20-0412](#)

Regular: Public Works Committee - March 10, 2020

Attachments: [Public Works Action Summary 031020.pdf](#)

6. [ID 20-0413](#)

Regular: Government Oversight and Audit Committee - March 10, 2020

Attachments: [Government Oversight and Audit Action Summary 031020.pdf](#)

7. [ID 20-0414](#)

Regular: Community Affairs, Health and Education Committee - March 11, 2020

Attachments: [Community Affairs, Health and Education TENTATIVE 3.11.20.pdf](#)

8. [ID 20-0415](#)

Regular: Appropriations Committee - March 11, 2020

Attachments: [3-11-20 Action Summary Appropriations.pdf](#)

9. [ID 20-0416](#)

Regular: Parks and Sustainability Committee - March 12, 2020

Attachments: [03-12-20 Parks & Sustainability Action Summary.pdf](#)

10. [ID 20-0417](#)

Regular: Budget Committee - March 12, 2020

Attachments: [Budget Action Summary 031220.pdf](#)

Communications to the Council

The Clerk read the appointments into the record. Those appointments requiring Council approval were assigned to the Government Oversight and Audit Committee.

11. [ID 20-0418](#)

Commission for Persons with Disabilities - BJ Lewis (Appointment)

Attachments: [APT Commission for Persons with Disabilities 03.19.20.pdf](#)

12. [ID 20-0419](#)

Louisville Convention and Visitors Bureau - Scott Shoenberger (Appointment)

Attachments: [APT Louisville Convention and Visitors Bureau 03.19.20.pdf](#)

13. [ID 20-0420](#)

Zoo Foundation Board - Erica Toler (Appointment) - Metro Council approval is not required.

Attachments: [APT Zoo Foundation Board 03.19.20.pdf](#)

14. [ID 20-0421](#)

Community Action Partnership - Deborah Gilbert (Appointment) - Metro Council approval is not required.

Attachments: [APT Community Action Partnership 03.19.20.pdf](#)

15. [ID 20-0424](#)**Water Works Board - Jennifer Fust-Rutherford (Appointment)**

Attachments: [APT Water Works Board 03.19.20.pdf](#)

Consent Calendar

A motion was made by Council Member Yates, seconded by Council Member Sexton Smith, to approve the Consent Calendar. The motion carried by the following vote:

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

Not Voting: 1 - Kramer

Legislation forwarded from APPROPRIATIONS COMMITTEE16. [R-029-20](#)

A RESOLUTION REPEALING AND REPLACING SECTION 3 OF THE LOUISVILLE METRO COUNCIL POLICIES AND PROCEDURES CONCERNING NEIGHBORHOOD DEVELOPMENT FUNDS AND CAPITAL INFRASTRUCTURE FUNDS (AMENDMENT BY SUBSTITUTION).

Sponsors: Primary David James (D-6) and Additional Rick Blackwell (D-12)

Attachments: [R-029-20 CABS 031120 - Repeal and Replace Sec. 3 of Pol. and Proc..pdf](#)
[R-029-20 V.1 022020 - Repeal and Replace Sec. 3 of Pol. and Proc..pdf](#)
[Marked Revisions to Section 3 of Policies and Procedures \(sh\).pdf](#)

This Resolution was adopted on the Consent Calendar.

Enactment No: Resolution 031-2020

Legislation forwarded from BUDGET COMMITTEE17. [O-109-20](#)

AN ORDINANCE AMENDING ORDINANCE NO. 081, SERIES 2019 RELATED TO THE FISCAL YEAR 2019-2020 OPERATING BUDGET BY TRANSFERRING \$500,000 TO THE JEFFERSON COUNTY SHERIFF'S OFFICE TO FUND EXPENSES ASSOCIATED WITH THE FIRING RANGE.

Sponsors: Primary David James (D-6) and Primary Bill Hollander (D-9)

Attachments: [O-109-20 V.1 030520 Transfer \\$500K to Sheriff's Office for Firing Range Expenses.pdf](#)

This Ordinance was passed on the Consent Calendar.

Enactment No: Ordinance 043-2020

Legislation forwarded from GOVERNMENT OVERSIGHT AND AUDIT COMMITTEE**18. [R-037-20](#)****A RESOLUTION SUPPORTING THE REORGANIZATION OF KENTUCKY RETIREMENT SYSTEMS AND THE CREATION AN INDEPENDENT COUNTY EMPLOYEES RETIREMENT SYSTEM BOARD OF TRUSTEES.**

Sponsors: Primary David James (D-6), Primary Bill Hollander (D-9), Additional Madonna Flood (D-24), Additional Anthony Piagentini (R-19) and Additional Barbara Sexton Smith (D-4)

Attachments: [R-037-20 V.1 030220 - Support for Reorganization of Retirement Systems.pdf](#)

This Resolution was adopted on the Consent Calendar.

Enactment No: Resolution 032-2020

19. [R-038-20](#)**A RESOLUTION REQUESTING THE OFFICE OF INTERNAL AUDIT OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT TO CONDUCT AN AUDIT OF THE ADMINISTRATION OF LOUISVILLE/ JEFFERSON COUNTY METRO GOVERNMENT HEALTH INSURANCE.**

Sponsors: Primary David James (D-6) and Additional Kevin Kramer (R-11)

Attachments: [R-038-20 V.1 030520 - Audit of Metro's Health Insurance.pdf](#)
[R-038-20 V.1 030520 ATTACH --OIA Engagement Request Form Health Insurance External.pdf](#)

This Resolution was adopted on the Consent Calendar.

Enactment No: Resolution 033-2020

20. [AP031020VS](#)**APPOINTMENT OF VONDA SICKLES TO THE BUECHEL FIRE PROTECTION DISTRICT BOARD TERM EXPIRES JUNE 30, 2020.**

Attachments: [APT Buechel Fire Protection Board 03.05.20.pdf](#)
[Vonda Sickles 03.10.20.pdf](#)
[Applicants for Board - Buechel Fire Protection District Board 030220.pdf](#)
[Current Board - Buechel Fire Protection District Board 03.02.20.pdf](#)

This Appointment was approved on the Consent Calendar.

21. [AP031020JC](#)

APPOINTMENT OF JENNIFER CARMAN TO THE KENTUCKIANA WORKS - GREATER LOUISVILLE WORKFORCE DEVELOPMENT BOARD. TERM EXPIRES MARCH 13, 2021.

Attachments: [APT Kentuckiana Works Greater Louisville Workforce Development 03.05.20.pdf](#)
[Jennifer Carman 030220.pdf](#)
[Applicants for Kentuckiana Works - Greater Louisville Workforce Development Board 030220.pdf](#)
[Current Kentuckiana Works - Greater Louisville Workforce Development Board 03.02.20.pdf](#)

This Appointment was approved on the Consent Calendar.

22. [RP031020JC](#)

REAPPOINTMENT OF JON CRUMBIE TO THE NULU REVIEW OVERLAY DISTRICT COMMITTEE. TERM EXPIRES FEBRUARY 26, 2023.

Attachments: [APT Nulu Review Overlay District Committee 03.05.20.pdf](#)
[Jon Crumbie 03.02.20.pdf](#)
[Applicants - Nulu Review Overlay District Committee - 03.02.20.pdf](#)
[Current - Nulu Review Overlay District Committee - 03.02.20.pdf](#)

This Appointment was approved on the Consent Calendar.

23. [RP031020MT](#)

REAPPOINTMENT OF MARK TRIER TO THE NULU REVIEW OVERLAY DISTRICT COMMITTEE. TERM EXPIRES FEBRUARY 26, 2023.

Attachments: [APT Nulu Review Overlay District Committee 03.05.20.pdf](#)
[Mark Trier 03.02.20.pdf](#)
[Applicants - Nulu Review Overlay District Committee - \(2\) 03.02.20.pdf](#)
[Current - Nulu Review Overlay District Committee - \(2\) 03.02.20.pdf](#)

This Appointment was approved on the Consent Calendar.

24. [AP031020JL](#)

APPOINTMENT OF JENNIFER LEHN TO THE PARKING AUTHORITY OF RIVER CITY, INC (PARC) BOARD. TERM EXPIRES JUNE 30, 2023.

Attachments: [APT Parking Authority of River City, Inc. \(PARC\) 03.05.20.pdf](#)
[Jennifer Lehn 03.02.20.pdf](#)
[Applicants for Board - PARC Board 03.02.20.pdf](#)
[Current Board - PARC Board 03.02.20.pdf](#)

This Appointment was approved on the Consent Calendar.

Legislation forwarded from LABOR AND ECONOMIC DEVELOPMENT COMMITTEE**25. [R-039-20](#)**

A RESOLUTION DETERMINING TWO PARCELS OF REAL PROPERTY LOCATED AT 7709 PRESTON HIGHWAY, LOUISVILLE, KENTUCKY, AND DESCRIBED IN EXHIBIT A ATTACHED HERETO ("PREMISES"), AND THAT ARE OWNED BY JEFFERSON COUNTY, KENTUCKY, CAPITAL PROJECTS CORPORATION, AN ENTITY WHOLLY OWNED BY LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT ("METRO GOVERNMENT"), AS SURPLUS AND NO LONGER NEEDED FOR A GOVERNMENTAL PURPOSE AND AUTHORIZING ITS TRANSFER.

Sponsors: Primary Madonna Flood (D-24)

Attachments: [R-039-20 V.1 030520 - Surplus Property at 7709 Preston Hwy.pdf](#)

[R-039-20 ATTACH - Exhibit A Surplus 7709 Preston Hwy.pdf](#)

[R-039-20 ATTACH Certification 7709 Preston Hwy.pdf](#)

This Resolution was adopted on the Consent Calendar.

Enactment No: Resolution 034-2020

Legislation forwarded from PARKS AND SUSTAINABILITY COMMITTEE**26. [R-036-20](#)**

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT \$10,000 FROM THE NATIONAL LEAGUE OF CITIES TO FUND THE LOUISVILLE-JEFFERSON COUNTY METRO GOVERNMENT LOUISVILLE LEADERS UNITED FOR CLIMATE PROJECT TO BE ADMINISTERED BY DEVELOP LOUISVILLE.

Sponsors: Primary Madonna Flood (D-24)

Attachments: [R-036-20 V.1 030520 - LOU. LEADERS UNITED FOR CLIMATE PROJECT.pdf](#)

This Resolution was adopted on the Consent Calendar.

Enactment No: Resolution 035-2020

Legislation forwarded from PLANNING AND ZONING COMMITTEE**27. [R-040-20](#)**

A RESOLUTION REQUESTING THE PLANNING COMMISSION REVIEW THE TYLER TOWN CENTER PLANNED DEVELOPMENT DISTRICT WITH REGARD TO LIMITED USE CATEGORY 2.

Sponsors: Primary Stuart Benson (R-20)

Attachments: [R-040-20 V.1 030520 Request PC Review Tyler Town Center PDD Limited Use Category 2.pdf](#)

This Resolution was adopted on the Consent Calendar.

Enactment No: Resolution 036-2020

Special Legislation

Council President Pro-Tem Winkler requested that the Council invoke Rule 7.01 to deem item 28 and item 29 as emergencies and allow for them to be passed at the same meeting at which they are introduced.

A motion was made by Council Member Fox, seconded by Council Member Sexton Smith, that Council Rule 7.01 be invoked. The motion carried by a voice vote.

28. [R-043-20](#)

AN EMERGENCY RESOLUTION OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, REQUESTING THAT THE KENTUCKY ECONOMIC DEVELOPMENT FINANCE AUTHORITY ADOPT A RESOLUTION PROVIDING FOR THE ISSUANCE OF REVENUE BONDS IN AN AMOUNT NOT TO EXCEED \$62,000,000, THE PROCEEDS OF WHICH WILL BE LOANED TO CHRISTIAN CARE COMMUNITIES, INC., A KENTUCKY NONPROFIT CORPORATION, AND/OR ONE OR MORE AFFILIATES, WITH FACILITIES LOCATED WITHIN THE BOUNDARIES OF JEFFERSON COUNTY, TO FINANCE AND REFINANCE THE ACQUISITION, CONSTRUCTION AND EQUIPPING OF CERTAIN FACILITIES CONSISTING OF HEALTH CARE AND HEALTH RELATED FACILITIES.

Sponsors:Primary David Yates (D-25)

Attachments: [R-043-20 V.1 031920 - Emergency Resolution RE Revenue Bonds for Christian Care.pdf](#)

A motion was made by Council Member Peden, seconded by Council Member Yates, that this Resolution be approved.

Council Member Yates explained that the emergency for this Resolution involved the timing to get lower loan rates. He noted that this Resolution was brought before the [Labor and Economic Development] Committee for discussion only and representatives for the agency were present. He also stated that the bonds will not create any cost or risk to Metro Government.

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

Enactment No: Resolution 037-2020

29. [O-128-20](#)

AN EMERGENCY ORDINANCE AMENDING ORDINANCE NO. 081, SERIES 2019 RELATED TO THE FISCAL YEAR 2019-2020 OPERATING BUDGET BY APPROPRIATING \$2,700,000 OF COMMITTED FUND BALANCE AS AUTHORIZED IN ORDINANCE NO. 187, SERIES 2019, SECTION IV TO THE OFFICE OF RESILIENCE & COMMUNITY SERVICES TO ESTABLISH AN EMERGENCY ASSISTANCE FUND TO PROVIDE COMMUNITY ASSISTANCE RELATED TO THE COVID-19 PANDEMIC (AS AMENDED).

Sponsors: Primary David James (D-6), Primary Bill Hollander (D-9), Primary Markus Winkler (D-17), Primary Barbara Sexton Smith (D-4), Primary Brandon Coan (D-8), Primary Mark H. Fox (D-13), Primary Kevin Triplett (D-15), Primary Madonna Flood (D-24), Primary Pat Mulvihill (D-10), Additional Keisha Dorsey (D-3), Additional Cindi Fowler (D-14), Additional Marilyn Parker (R-18), Additional Barbara Shanklin (D-2), Additional Nicole George (D-21), Additional David Yates (D-25), Additional Robin Engel (R-22), Additional Stuart Benson (R-20), Additional Rick Blackwell (D-12), Additional Kevin Kramer (R-11), Additional Scott Reed (R-16) and Additional Paula McCraney (D-7)

Attachments: [O-128-20 V.2 FAM 031920 - COVID-19 Relief Fund.pdf](#)

[O-128-20 V.2 PROPOSED FAM 031920 - COVID-19 Relief Fund.pdf](#)

[O-128-20 V.1 031920 - COVID-19 Relief Fund.pdf](#)

A motion was made by Council Member Engel, seconded by Council Member Piagentini, that this Ordinance be approved.

President James spoke about the need for this Ordinance due to many vulnerable citizens in the community being laid off due to the COVID-19 virus.

A motion was made by President James, seconded by Council Member Dorsey, that debate be limited pursuant to Council Rule 5.11(e). The motion carried by the following vote:

Yes: 17 - Green, Shanklin, Dorsey, Sexton Smith, Purvis, James, McCraney, Coan, Hollander, Blackwell, Fox, Triplett, George, Peden, Flood, Yates and Ackerson

No: 9 - Mulvihill, Kramer, Fowler, Reed, Winkler, Parker, Piagentini, Benson and Engel

Enactment No: Ordinance 044-2020

Council Member Hollander explained that he would be offering some amendments to the Ordinance to make it clear that the Council realizes that people who have never needed assistance before will now need assistance, to add more stringent oversight for the fund including a three-person panel to review expenditures, and to make sure it is understood that it is a fund of last resort.

A motion was made by Council Member Hollander, seconded by Council Member Triplett, that this Ordinance be amended as follows:

-After the second Whereas clause, insert the following additional Whereas clauses:

"WHEREAS, the Council has limited funds available but feels it proper to reappropriate these funds to answer immediate needs of those it represents; and

WHEREAS, citizens impacted financially by this pandemic should not be precluded from participating in qualified programs, regardless of previous eligibility; and"

-Delete the language in SECTION III and replacing it with the following:

"SECTION III. The Office of Resilience & Community Services shall act as a fiscal agent for purposes of administering the CRF established under Section II of this Ordinance. The monies transferred to the CRF shall only be used to reimburse current External Agency Funding non-profits or fund current Metro administered programs. The monies shall be used solely for the purpose of recapitalizing existing programs that provide food assistance and emergency assistance for housing. An online application for reimbursement will be weekly reviewed for eligibility by a three-person panel consisting of a representative of the Mayor, the Metro Council President (or designee), and a representative of the Metro United Way. The panel will meet weekly to decide which requests receive funding reimbursement. Efforts will be made by the three-person panel to distribute monies equitably across Jefferson County. Monies will only be transferred to non-profits on a reimbursement basis, and the applicant must show increased demand for services due to the COVID-19 epidemic. External Agencies requesting reimbursement for emergency housing assistance must show evidence of loss directly associated with the COVID-19 epidemic and of individual need. The Office of Resilience & Community Services shall reimburse eligible entities only to the extent that demand and need at those entities exceeds other funds available to those programs from other sources. No funding shall be used for administrative costs associated with the programs, but shall be used solely to provide food assistance and emergency assistance for housing."

The motion to amend carried by a voice vote.

Enactment No: Ordinance 044-2020

Council Member George stated that she appreciated the hard work that has gone into this and requested that the interest in this situation continue, especially as it pertains to how the three-person panel makes decisions on which requests are funded and to question the process to ensure equitable distribution.

Council Member Reed spoke about the process being a good one and that it may not be as much as needed, but it is at least a start.

Council Member Green stated that she was concerned about this being a rushed reaction when the needs may change in the next three weeks or next three months, and there is no time to consider some possible questions that may arise. She also asked whether the Council could require external agencies to provide assistance to someone that does not meet the agencies current requirements, such as income level requirements.

Council Member Yates responded to Council Member Green's question by stating that he had looked into this issue and found that the Council is allowed to set a minimal level of qualifications in any contract entered into with the agencies. He stated that he also had concerns about there being a lot of unknowns, but that he has confidence in this funding because it will be handed out in small increments so decisions about where it goes and who gets it can be considered. He also spoke about the funds being distributed only if necessary, and if state and federal funding comes through these funds can be redirected.

Laura Ferguson, Jefferson County Attorney's Office, responded to the question about whether the Council can put requirements on the external agencies receiving this funding. She stated that requirements could be put on the agencies to which funds would be granted.

Council Member Green asked whether additional language was needed to allow for the addition of new programs. Council Member Hollander responded that the current language does not allow for the addition of new programs by external agencies, though the language does not address any new programs that Metro Government may create.

Council Member Ackerson stated that he was not in support of this amended Ordinance because the urgency of the situation has changed since it was first drafted, and he noted that the federal government recently passed legislation regarding aid for those effected by the COVID-19 virus, the Kentucky Governor extended unemployment benefits, and community members have donated \$3.6M in relief funding. He stated that another concern was the financial situation the city faces, and how the \$2.7M is not really surplus funds, but rather they are funds that will help balance the budget this year. He also spoke about the loss in revenues to the city due to businesses having to close, the revenue resources for the city drying up, and even proposed legislation regarding taxing car rentals, ticket sales at the YUM Center, and restaurants now being off the table because businesses like the YUM Center will likely be struggling to make their bond payments six months to a year from now if this situation persists. He stated that his choice was not to reject helping people because aid is on the way; his choice is to recognize that the city budget is also meant to help people.

Council Member Piagentini spoke about the theme of uncertainty in all of the Council Member's comments. He spoke about the Mayor having no control over what is happening in the city as directives are being passed down by the Governor and federal government. He also stated that he was calling on federal and state administration to be clear regarding what the goal is and to provide updates as to progress towards the goal. He stated that this would allow the citizens and businesses to plan accordingly.

A motion was made by Council Member Fowler, seconded by Council Member Yates, that this amended Ordinance be further amended to add language requesting a meeting of all pertinent external agency partners and the three-person panel prior to any funds being distributed to gauge the need, best practices, and to identify voids in all demographics within Metro.

Council Member Sexton Smith asked for clarification about the proposed amendment and Council Member Fowler responded. They also discussed which external agencies were being considered in the amendment. She concluded that she did not think that such a meeting was necessary.

Council Member Coan also stated that a meeting as stated in the proposed amendment was unnecessary, and that they should approve the funding and trust the leaders.

Council Member George spoke about the proposed amendment and the intent being to expedite funds, and she stated that she supported the three-person panel rather than a large group that may slow the process. She also reiterated her earlier statement, and stated that feedback from community partners should be provided to the Council President or the Administration.

Council Member Yates stated that if the proposed amendment could be phrased as a request he did not see any harm in it. He stated that his fear was that there may be areas that they may not be equipped to deal with so he would hope that conversations have taken place and will continue to take place before funds are distributed.

Council Member Fowler further clarified the reason for the proposed amendment, which included the external agencies seeing the need of the community every day and recognizing voids that already exist. She also stated that three agencies had requested that such a meeting be set up as proposed in the amendment.

Council Member Fox spoke about the emergency nature of the amended Ordinance, and he stated that it was not a good idea to add the proposed amendment and that leaders are equipped to address the problem. He spoke about the pension and the budget crisis faced by the city.

The motion to amend failed by the following vote:

Yes: 3 - Kramer, Fowler and Yates

No: 23 - Green, Shanklin, Dorsey, Sexton Smith, Purvis, James, McCraney, Coan, Hollander, Mulvihill, Blackwell, Fox, Triplett, Reed, Winkler, Parker, Piagentini, Benson, George, Engel, Peden, Flood and Ackerson

Enactment No: Ordinance 044-2020

Council Member Parker spoke about the funds being utilized only after state and federal funds and private donations, and how \$2.7M will not amount to much in the overall scheme of things if the situation becomes extremely dire. She also spoke about Maslow's hierarchy of need and how those approving funding should take those needs into consideration. She also asked how emergency assistance for housing would be addressed differently in response to the COVID-19 virus.

Council Member George responded to Council Member Parker's question about housing, and she stated that the goal was to help people that are out of work due to the virus to be able to stay in their homes and not become homeless.

Council Member Yates spoke about the responsibilities of the Council, one being the social responsibility and the other being economically responsible to ensure that the local economy rebounds quickly and stabilizes.

[The meeting was suspended in order to address technical issues that caused the disconnection of Council Member Coan from his remote attendance at the meeting. He regained his remote connection before the meeting was resumed.]

Council Member Yates explained that the amended Ordinance was an emergency to make the funds available, not to transfer the funds all at once. He stated that there will always be some fraud and some waste but the job of the Council was to limit that as much as possible and he believed that there were enough checks in place to track the use of the funds.

[The meeting was suspended in order to address technical issues that caused the disconnection of Council Member Kramer from his remote attendance at the meeting. The meeting was resumed before his connection was resumed.]

Council Member Sexton Smith spoke about the Council taking decisive action to address the needs created by the COVID-19 virus. She spoke about social distancing. She also thanked the public who have donated \$3.6M to the COVID-19 Response Fund.

Council Member Engel spoke about focusing on the present in regards to the current situation rather than long term. He also spoke about the concerns of one local community agency.

[Council Member Kramer rejoined the meeting remotely during the roll call vote to approve the amended Ordinance.]

Council Member Kramer asked for the opportunity to speak to the amended Ordinance. Council President Pro-Tem Winkler asked if this was allowed during the voting process, and Laura Ferguson clarified that no further discussion or debate was allowed once the roll call vote was started. Council Member Kramer submitted his vote.

The motion to approve the amended Ordinance carried by the following vote and the amended Ordinance was 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 Yates

Present: 1 - Ackerson

Enactment No: Ordinance 044-2020

A motion was made by Council Member Kramer, seconded by Council Member Piagentini, that this amended Ordinance be reconsidered.

Council Member Kramer explained that he was in the queue when his remote connection was lost, and wanted to offer clarification and possibly an amendment regarding which programs would and should receive funding. He also stated that he is not sure what was discussed while he was not a part of the meeting so he was not sure if his issue was covered. He also shared his concern about the meeting resuming without a member who wanted to participate in the discussion.

Council Member Engel asked Laura Ferguson whether the right to free speech for Council Member Kramer has been violated due to technological issues if this motion were to fail. Laura Ferguson responded that the rules regarding the technology were established, and the rules are in line with the Jefferson County Attorney Office's analysis of the Open Meetings law and is consistent with what the Attorney General provided in its opinion.

The motion to reconsider carried by the following vote:

Yes: 21 - Green, Shanklin, James, McCraney, Hollander, Mulvihill, Kramer, Blackwell, Fox, Fowler, Triplett, Reed, Winkler, Parker, Piagentini, Benson, Engel, Peden, Flood, Yates and Ackerson

No: 5 - Dorsey, Sexton Smith, Purvis, Coan and George

Enactment No: Ordinance 044-2020

Council Member Kramer asked about the earlier comment regarding Metro Government being allowed to create new programs that can receive this funding. Council Member Hollander responded that the amended Ordinance does not currently state that the funding was limited to current Metro administered programs. Council Member Kramer explained that his understanding was that the funding was to be given exclusively to current programs.

A motion was made by Council Member Kramer, seconded by Council Member Piagentini, that the amended Ordinance be further amended to add "current" in front of "Metro administered programs" in the second sentence of SECTION III.

During the vote, Council President Pro-Tem Winkler took a point of personal privilege to explain his "yes" vote.

The motion to amend carried by the following vote:

Yes: 14 - Shanklin, Purvis, Kramer, Fowler, Reed, Winkler, Parker, Piagentini, Benson, George, Engel, Peden, Yates and Ackerson

No: 12 - Green, Dorsey, Sexton Smith, James, McCraney, Coan, Hollander, Mulvihill, Blackwell, Fox, Triplett and Flood

Enactment No: Ordinance 044-2020

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

Yes: 23 - Shanklin, Sexton Smith, Purvis, James, McCraney, Coan, Hollander, Mulvihill, Kramer, Blackwell, Fox, Fowler, Triplett, Reed, Winkler, Parker, Piagentini, Benson, George, Engel, Peden, Flood and Yates

No: 2 - Green and Dorsey

Present: 1 - Ackerson

Enactment No: Ordinance 044-2020

Old Business

30. [O-003-20](#)

AN ORDINANCE AMENDING THE LOUISVILLE METRO CODE OF ORDINANCES ("LMCO") SECTIONS 154.02, 154.03, [AND] 154.04(B), AND 154.05 RELATING TO PROPERTY ASSESSMENT AND REASSESSMENT MORATORIUM PROGRAMS (AS AMENDED).

Sponsors: Primary David James (D-6), Primary Barbara Sexton Smith (D-4), Primary Keisha Dorsey (D-3), Primary Donna L. Purvis (D-5), Primary Jessica Green (D-1), Primary Pat Mulvihill (D-10) and Additional David Yates (D-25)

Attachments: [O-003-20 V.2 CAM 031020 - Property Assessment Moratorium.pdf](#)

[O-003-20 PROPOSED CAM 031020 Amending LMCO 154 Regarding Property Assessment and Reassessment Moratorium Programs.pdf](#)

[O-003-20 V.1 010920 Amending LMCO 154 Regarding Property Assessment and Reassessment Moratorium Programs.pdf](#)

[O-003-20 V.1 010920 ATTACH Exhibit A.pdf](#)

[Tax Moratorium - Revised Ordinance Summary - January 2020.pdf](#)

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

Council Member Yates explained that this Ordinance was only on Old Business because it was amended in committee to allow for other agencies to be eligible for the moratorium.

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

Yes: 26 - 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, Yates and Ackerson

Enactment No: Ordinance 045-2020

31. [O-259-19](#)**AN ORDINANCE AMENDING THE METRO LAND DEVELOPMENT CODE RELATING TO TREES AND TREE CANOPY (19AMEND1003)(AS AMENDED).**

Sponsors: Primary Bill Hollander (D-9) and Primary Madonna Flood (D-24)

Attachments: [O-259-19 V.5 CAM 031020 Case No 19AMEND1003.pdf](#)
[O-259-19 V.4 CAM 022520 Case No 19AMEND1003.pdf](#)
[19amend1003 MC PRES 022520.pdf](#)
[O-259-19 V.3 CAM 021120 Case No 19AMEND1003.pdf](#)
[O-259-19 V.2 CAM 111219 Case No 19AMEND1003.pdf](#)
[19amend1003 MC PRES 102919.pdf](#)
[19amend1003 MC PRES 101519.pdf](#)
[O-259-19 V.1 082219 Case No 19AMEND1003.pdf](#)
[19AMEND1003.pdf](#)
[19AMEND1003 Davey Urban Tree Canopy Assessment 2015.pdf](#)
[19amend1003 Ordinance 072619.pdf](#)
[19AMEND1003 other min.pdf](#)
[19AMEND1003 pc hearing 07.24.2019 mins.pdf](#)
[19amend1003 Planning Committee minutes.pdf](#)
[19amend1003 Public Comment and Presentations.pdf](#)
[19AMEND1003 staff reports.pdf](#)
[Tree Removal Permit Example.pdf](#)

This item was held at the request of the sponsor.

32. [O-111-20](#)**AN ORDINANCE APPROPRIATING \$13,500 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$5,000 FROM DISTRICT 13; \$2,250 FROM DISTRICT 14; \$1,000 FROM DISTRICTS 12, 15, 23, AND 25; \$500 FROM DISTRICTS 10, 21, AND 22; \$250 FROM DISTRICTS 8, 9, AND 17, TO METRO PARKS FOR THE 2020 ANNUAL FOREST FEST BLUEGRASS MUSIC FESTIVAL TO BE HELD AT THE JEFFERSON MEMORIAL FOREST ON MAY 16, 2020.**

Sponsors: Primary Mark H. Fox (D-13), Primary Cindi Fowler (D-14), Primary Brandon Coan (D-8), Primary Bill Hollander (D-9), Primary Pat Mulvihill (D-10), Primary Rick Blackwell (D-12), Primary Kevin Triplett (D-15), Primary Markus Winkler (D-17), Primary Nicole George (D-21), Primary Robin Engel (R-22), Primary James Peden (R-23) and Primary David Yates (D-25)

Attachments: [O-111-20 V.1 030520 - NDF for Forest Fest Bluegrass Music Festival.pdf](#)
[O-111-20 031120 Forest Fest 2020 NDF.pdf](#)

This item was held at the request of the sponsor.

New Business

The Clerk provided a first reading of New Business and the respective committee assignments for the record.

Legislation assigned to APPROPRIATIONS COMMITTEE**33. [O-133-20](#)**

AN ORDINANCE APPROPRIATING \$6,000 FROM DISTRICT 6 NEIGHBORHOOD DEVELOPMENT FUND, TO METRO PARKS DEPARTMENT TO PAY FOR A COMMUNITY EVENT, ENTERTAINMENT AT JAZZ, TO BE HELD IN CENTRAL PARK.

Sponsors:Primary David James (D-6)

Attachments: [O-133-20 NDF Entertainment at Jazz.pdf](#)
[O-133-20 NDF Entertainment At Jazz.docx.pdf](#)

Legislation assigned to GOVERNMENT OVERSIGHT AND AUDIT COMMITTEE**34. [R-045-20](#)**

A RESOLUTION URGING THE KENTUCKY GENERAL ASSEMBLY TO REJECT HOUSE BILL 605 REGARDING ELECTIONS IN LOUISVILLE.

Sponsors:Primary David James (D-6)

Attachments: [R-045-20 V.1 031920 - RES - REJECT HB 605.pdf](#)

Legislation assigned to LABOR AND ECONOMIC DEVELOPMENT COMMITTEE**35. [R-041-20](#)**

A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED AMENDMENT TO SOLE SOURCE CONTRACT FOR THE LIBRARY CONCERNING MAGAZINE AND NEWSPAPER SUBSCRIPTIONS AND OTHER MATERIALS FOR USE BY LIBRARY PATRONS - (OVERDRIVE, INC. - \$750,000 FOR A NEW NOT-TO-EXCEED AMOUNT OF \$1,250,000.00).

Sponsors:Primary David Yates (D-25)

Attachments: [R-041-20 V.1 031920 - Contract for Overdrive, Inc..pdf](#)
[OverDrive Inc.](#)

36. [R-044-20](#)

A RESOLUTION DETERMINING A PARCEL OF REAL PROPERTY LOCATED AT SOUTH FOURTH STREET AND OWNED BY LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT ("METRO GOVERNMENT") AS SURPLUS AND NOT NEEDED FOR A GOVERNMENTAL PURPOSE AND AUTHORIZING ITS TRANSFER TO SLS MANAGEMENT, LLC.

Sponsors:Primary Barbara Sexton Smith (D-4)

Attachments: [R-044-20 V.1 031920 - Marketplace Square Surplus Property.pdf](#)
[R-044-20 ATTACH 031920.pdf](#)

Legislation assigned to PARKS AND SUSTAINABILITY COMMITTEE**37. [O-134-20](#)**

AN ORDINANCE AMENDING CHAPTER 42 OF THE LOUISVILLE JEFFERSON COUNTY METRO CODE OF ORDINANCES TO UPDATE THE FEE STRUCTURE FOR QUAIL CHASE GOLF COURSE.

Sponsors:Primary Cindi Fowler (D-14)

Attachments: [O-134-20 V.1 031920 - Golf Rates for Quail Chase.pdf](#)

Legislation assigned to PLANNING AND ZONING COMMITTEE**38. [O-120-20](#)**

AN ORDINANCE CHANGING THE ZONING FROM R-6 RESIDENTIAL MULTI-FAMILY TO C-1 COMMERCIAL ON PROPERTY LOCATED AT 939 E. WASHINGTON STREET CONTAINING 0.18 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 19ZONE0071).

Sponsors:Primary Madonna Flood (D-24)

Attachments: [O-120-20 V.1 031920 Rezoning from R6 to C1 at 939 E Washington St 19ZONE0071.pdf](#)
[19-ZONE-0071 PC min 02.20.20.pdf](#)
[19-ZONE-0071 LDT min 01.30.20.pdf](#)
[19-ZONE-0071 staff rpts.pdf](#)
[19-ZONE-0071 appl justification stmt.pdf](#)
[19-ZONE-0071 ApplicantsBooklet.pdf](#)
[19-ZONE-0071 citizen letter.pdf](#)
[19-ZONE-0071 legal desc.pdf](#)
[19-ZONE-0071 Plan 02.20.20.pdf](#)

39. [O-121-20](#)

AN ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY TO R-5A RESIDENTIAL MULTI-FAMILY ON PROPERTY LOCATED AT 5101 BARDSTOWN ROAD CONTAINING 5.664 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 19ZONE0079).

Sponsors:Primary Madonna Flood (D-24)

Attachments: [O-121-20 V.1 031920 Rezoning from R4 to R5A at 5101 Bardstown Rd 19ZONE0079.pdf](#)
[19-ZONE-0079 PC Min 02.20.20.pdf](#)
[19-ZONE-0079 LDT min 01.16.20.pdf](#)
[19-ZONE-0079 staff rpts.pdf](#)
[19-ZONE-0079 Appl justification stmt.pdf](#)
[19-ZONE-0079 citizen letter.pdf](#)
[19-ZONE-0079 karst survey.pdf](#)
[19-ZONE-0079 legal desc.pdf](#)
[19-ZONE-0079 Plan 02.20.20.pdf](#)

40. [O-122-20](#)

AN ORDINANCE CHANGING THE ZONING FROM R-4 RESIDENTIAL SINGLE FAMILY TO R-6 RESIDENTIAL MULTI-FAMILY ON PROPERTY LOCATED AT 9108 BEULAH CHURCH ROAD CONTAINING 2.298 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 19ZONE0078).

Sponsors:Primary Madonna Flood (D-24)

Attachments: [O-122-20 V.1 031920 Rezoning from R4 to R6 at 9108 Beulah Church Rd 19ZONE0078.pdf](#)
[19-ZONE-0078 PC min 02.20.20.pdf](#)
[19-ZONE-0078 LDT min 01.30.20.pdf](#)
[19-ZONE-0078 staff rpts.pdf](#)
[19-ZONE-0078 Applicant justification stmt.pdf](#)
[19-ZONE-0078 Applicants booklet 02.20.20.pdf](#)
[19-ZONE-0078 karst survey.pdf](#)
[19-ZONE-0078 legal desc.pdf](#)
[19-ZONE-0078 Plan 02.20.20.pdf](#)

Announcements

Council Member McCraney urged the community to sign up for their District's e-newsletter to get accurate information about the situation created by the COVID-19 virus.

Adjournment

Without objection, Council President Pro-Tem Winkler adjourned the meeting at 8:15 p.m.