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LOUISVILLE METRO COUNCIL
REMOTE BROADCAST CAPTIONING
THURSDAY, MAY 14, 2020

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>> PRESIDENT JAMES: THE LOUISVILLE METRO COUNCIL MEETING OF MAY 14TH WILL PLEASE COME TO ORDER. I'M COUNCIL PRESIDENT DAVID JAMES. PLEASE RISE FOR PLEDGE OF ALLEGIANCE TO THE FLAG. I PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES, TO THE REPUBLIC, WHICH IT STANDS, ONE NATION, UNDER GOD, INDIVISIBLE, WITH LIBERTY AND JUSTICE FOR ALL. COLLEAGUES, SINCE WE HAVE ENTERED THE CRISIS, WE HAVE LOST 124 MEMBERS OF OUR LOUISVILLE COMMUNITY. AS OF YESTERDAY, 1,788 LOUISVILLIANS HAVE TESTED POSITIVE. THOSE NUMBERS ARE ESTIMATED TO BE LOWER THAN THE REALITY, AND WE CONTINUE TO KEEP EVERYONE IN OUR PRAYERS, ALL THE FAMILIES WHO HAVE LOST A LOVED ONE OR HAVE A LOVED ONE IN THE HOSPITAL. WE KNOW THAT MORE OF OUR FAMILY AND FRIENDS AND NEIGHBORS WILL BE AFFECTED BY COVID-19, AND WE KNOW THAT WE WILL LOSE MORE PEOPLE. WE WILL STAY STRONG, AND WE WILL KEEP SHARING OUR COMPASSION WITH ONE ANOTHER. THE LOUISVILLE METRO COUNCIL IS DEEPLY SADDENED BY THE LOSS OF BRIANNA TAYLOR. A FIRST RESPONDER, EMT IN OUR COMMUNITY, WHO WAS TRAGICALLY KILLED DURING THE SERVING OF A SEARCH WARRANT ON MARCH 13TH OF THIS YEAR. WE UNDERSTAND THAT LMPD IS FILLED WITH FANTASTIC POLICE OFFICERS THAT DO A GREAT JOB EVERY DAY, AND DECISIONS ABOUT LIFE AND DEATH ARE MADE IN SPLIT SECONDS, AS THEY PERFORM THEIR DUTIES. HOWEVER, THIS PARTICULAR INCIDENT RAISES MANY QUESTIONS THAT NEED TO BE ANSWERED. WE CALL ON LMPD AND THE MAYOR'S OFFICE TO BE FULLY TRANSPARENT WITH THE LOUISVILLE METRO, LOUISVILLE

METRO, ALL THE MATTERS RELATED TO THIS HORRIBLE INCIDENT. WE ALSO REQUEST THAT THE KENTUCKY ATTORNEY GENERAL, UNITED STATES ATTORNEY OF THE WESTERN DISTRICT OF KENTUCKY, AND THE LOUISVILLE OFFICE OF THE FBI, CONDUCT INDEPENDENT INVESTIGATIONS OF THE SHOOTING. OUR PRAYERS AND OUR CONDOLENCES ARE EXTENDED TO THE FAMILY OF BRIANNA TAYLOR. PLEASE JOIN ME IN A MOMENT OF SILENCE. THANK YOU. COLLEAGUES, PLEASE REMEMBER THERE IS A DELAY WHEN THE MICS ARE TURNED ON, SO PLEASE WAIT A COUPLE SECONDS AFTER THE MIC IS TURNED ON BEFORE YOU SPEAK. AND PLEASE SLOW DOWN WHEN YOU'RE SPEAKING, AS THE AUDIO CAN BE JUMBLED A BIT WHEN WE SPEAK TOO QUICKLY. MADAM CLERK, A ROLL CALL, PLEASE.

>> CLERK: COUNCIL MEMBER GREEN. COUNCIL MEMBER SHANKLIN.
COUNCIL MEMBER DORSEY.

>> PRESENT.

>> CLERK: COUNCIL MEMBER SEXTON SMITH.

>> PRESENT.

>> CLERK: COUNCIL MEMBER PURVIS.

>> PRESENT.

>> CLERK: PRESIDENT JAMES.

>> HERE.

>> CLERK: COUNCIL MEMBER MCCRANEY.

>> HERE. [ROLL CALL]

>> CLERK: COUNCIL MEMBER WINKLER. COUNCIL MEMBER PARKER.

>> HERE.

>> CLERK: COUNCIL MEMBER PIAGENTINI.

>> HERE.

>> CLERK: COUNCIL MEMBER BENSON.

>> PRESENT.

>> CLERK: COUNCIL MEMBER GEORGE.

>> HERE.

>> CLERK: COUNCIL MEMBER ENGEL.

>> PRESENT.

>> CLERK: COUNCIL MEMBER PEDEN.

>> HERE.

>> CLERK: COUNCIL MEMBER FLOOD.

>> HERE.

>> CLERK: COUNCIL MEMBER YATES.

>> PRESENT.

>> CLERK: COUNCIL MEMBER ACKERSON. COUNCIL MEMBER COAN.

COUNCIL MEMBER TRIPLETT.

>> HERE.

>> CLERK: MR. PRESIDENT, YOU HAVE 25 PRESENT AND A QUORUM.

>> PRESIDENT JAMES: THANK YOU VERY MUCH. THIS REGULAR MEETING OF THE LOUISVILLE METRO COUNCIL IS BEING CONDUCTED BY VIDEO TELECONFERENCE PURSUANT TO KRS-61.826. AND IN ACCORDANCE WITH SENATE BILL 150. SOME MEMBERS ARE PRESENT IN CHAMBERS, COUNCILMAN WINKLER AND COUNCILMAN KRAMER. AND OTHERS ARE ATTENDING VIRTUALLY. IF WE EXPERIENCE A DISRUPTION IN THE VIDEO

FEED FOR ANY OF OUR VIRTUAL ATTENDEES, THE MEETING WILL BE SUSPENDED FOR FIVE MINUTES WHILE WE MAKE A REASONABLE ATTEMPT TO FIX THE ISSUE. WHILE THE MEETING IS SUSPENDED, ALL DISCUSSION ON PUBLIC BUSINESS WILL CEASE, AND NO ACTION WILL BE TAKEN. IF AFTER FIVE MINUTES, THE ISSUE WITH THE MEMBER'S FEED WILL CONTINUE, WE WILL RESUME THE MEETING, AND THE MEETING WILL CONTINUE AS LONG AS WE HAVE A QUORUM OF MEMBERS. IF WE EXPERIENCE ANY TECHNICAL DIFFICULTIES THAT AFFECT THE PUBLIC'S ABILITY TO SEE THE MEETING AS A WHOLE, WE WILL SUSPEND THE MEETING WHILE WE ATTEMPT TO RESOLVE THE ISSUE. WHILE THE MEETING IS SUSPENDED, ALL DISCUSSION OF PUBLIC BUSINESS WILL CEASE AND NO ACTION WILL BE TAKEN. IF AFTER 20 MINUTES THE ISSUE CANNOT BE RESOLVED, THE MEETING WILL STAND ADJOURNED. ANY UNFINISHED OR PENDING BUSINESS AT THAT TIME WILL BE ADDRESSED AT THE NEXT MEETING OF THE COUNCIL. MADAM CLERK, ARE THERE ANY ADDRESSES TO THE COUNCIL?

>> CLERK: YES, SIR, WE HAVE ONE.

>> PRESIDENT JAMES: LET ME REMIND THOSE ADDRESSING THE COUNCIL TO PLEASE REMAIN FROM USING PROFANITY OR MAKING DEROGATORY STATEMENTS TO COUNCIL MEMBERS. MADAM CLERK, PLEASE BRING THEM FORWARD.

>> CLERK: DERYK HAYES.

>> GOOD EVENING. FIRST OF ALL, I'D LIKE TO SAY THANK YOU FOR ALLOWING ME A FEW MOMENTS TO ADDRESS THE COUNCIL. I'M NEW TO

LOUISVILLE. I HAVE AN UNDESERVED PRIVILEGE OF LOVING AND LEARNING AND PARTNER WITH THE PEOPLE WHO CALL THE ST. PAUL BAPTIST CHURCH THEIR HOME CHURCH. I FOLLOW IN THE FOOTSTEPS OF DR. LAKEN BINGHAM, WHO IS A PILLAR OF A PASTOR HERE IN THE LOUISVILLE AREA. AND THROUGHOUT THE STATE OF KENTUCKY. PERHAPS NATIONALLY, EVEN INTERNATIONALLY. FOR YEARS, DR. BINGHAM WAS KNOWN FOR HIS WORK AND GOSPEL COMMITMENT TO RACIAL RECONCILIATION AND HARMONY. UNDERSTANDING THAT YOU CANNOT -- COUNCIL MEETING, WHEN YOUR TIME PERMITS, I'D LIKE FOR YOU TO SHARE WITH ME HOW I AND THE CHURCH THAT I SERVE CAN BETTER SERVE LOUISVILLE. AS A CARING AND COMMITTED CHURCH, WE BELIEVE THE WORK OF THE PROPHET JEREMIAH WHEN HE SAID, "THANK THE PEACE OF THE CITY AND ITS PEACE, WE FIND OUR PEACE. WE BELIEVE GOD'S PROPHET WHEN HE SAID WE DESERVE JUSTICE, WALK HUMBLY WITH OUR GOD. AS THE PEOPLE OF GOD, WE PARTICIPATE IN THE PAIN OF JESUS WHEN HE LOOKED OVER THE CITY OF JERUSALEM AND WEEPED BECAUSE OF THE AILS OF THAT CITY. WHERE I HAVE ALREADY LEARNED TO LOVE THE CITY, GOD CALLED ME TO LIVE AND SERVE. I FIND MYSELF CONCERNED FOR THE CONDITION AND WEEPING FOR OUR CITY. IN THE MIDST OF PANDEMIC SEASON IN WHICH KINDNESS AND LOVE SHOULD ABOUND, ADVOCACY AND PRIVILEGE HAS ARMED ITSELF IN PUBLIC PROTEST. IN THE MIDST OF PANDEMIC, VIOLENCE HAS NOT CEASED. IN THE MIDST OF PANDEMIC, THE INJUSTICE IN OUR CITY HAS NOW BEEN PLACED ON THE BILLBOARD OF THESE YET TO BE UNITED STATES. I CONTEND THIS

EVENING A CONCERN FOR OUR CITY. AS PEOPLE OF GOD, WE HAVE TOO OFTEN BEEN CENTRALLY COMPLICIT, ACTING AS IF QUIETNESS MAKES CRIME AND INJUSTICES DISAPPEAR. WE HAVE TOO OFTEN BEEN SINFUL IN HIDING BEHIND A SIMILARLY MISUNDERSTOOD IDEAS OF THOUGHTS AND PRAYER. THIS EVENING, I'D LIKE TO PUBLICLY REPENT AND TURN FROM THOSE WICKED WAYS. MOVING FORWARD, WE MUST NOT SIMPLY THINK AND PRAY. WE MUST LIVE OUT COMPASSION, AND COMPASSION IS ALWAYS DUE. WE MUST ACT. ALL THROUGHOUT SCRIPTURE, THE BIBLE CALLS AND REQUIRES US TO DO. IT IS NOT ENOUGH FOR US TO BELIEVE, BUT THERE IS A WAY IN WHICH OUR BELIEF IS DEMONSTRATED THROUGH OUR BEHAVIOR. YES, THE BELIEVER MUST THINK, BECAUSE IF THE BELIEVER DOES NOT THINK, THEN HE OR SHE IS ULTIMATELY NO GOOD. YES, THE BELIEVER MUST PRAY, REALIZING THAT PRAYER IS A CONVERSATION, AND WHEN GOD SPEAKS, THE TRUE AND LIVING GOD OFTEN REQUIRES US TO DO. THIS EVENING, I HUMBLLY AND KINDLY SUBMIT TO YOU THAT THERE MUST BE JUSTICE FOR THE MURDER OF MS. BRIANNA TAYLOR. WE WEEP ALONG WITH THOSE WHO LOVE MS. TAYLOR. AS A COMMUNITY, WE MOURN THE MURDER OF A YOUNG WOMAN, WE SHOULD BE CELEBRATING, AN ESSENTIAL WORKER. TODAY I ASK NOT JUST FOR OUR GOVERNMENT OFFICIALS FOR TRANSPARENCY. I ALSO ASK FOR A THOROUGH INVESTIGATION. BUT I'M ALSO USING THIS PLATFORM --

>> PRESIDENT JAMES: MR. HAYES? MR. HAYES? MR. HAYES? MR. HAYES? MR. HAYES, YOU HAVE TEN SECONDS TO WRAP THAT UP, PLEASE.

>> AS IT CONCERNS INJUSTICES TO GET INVOLVED. TO USE THEIR VOICES, LET'S COMMIT THE FIRST OF JAMES 20:22 AND BE DOERS OF THE FIRM, NOT HATERS ONLY. HELP LOUISVILLE. THANK YOU FOR THE TIME THAT YOU'VE ALLOWED ME.

>> PRESIDENT JAMES: THANK YOU. NEXT WE HAVE APPROVAL OF COUNCIL MINUTES. REGULAR METRO COUNCIL APRIL 23, 2020. ARE THERE ANY CORRECTIONS OR DELETIONS?

>> MOTION TO ACCEPT. TRIPLETT.

>> PRESIDENT JAMES: MAY I HAVE A SECOND? SECOND, COUNCILMAN WINKLER. THE MINUTES HAVE BEEN PROPERLY MOVED AND SECONDED. ALL THOSE IN FAVOR SAY AYE. [CHORUS OF AYES] ALL THOSE OPPOSED? AYES HAVE IT. THESE MINUTES ARE APPROVED AS WRITTEN. NEXT APPROVAL OF THE FOLLOWING COMMITTEE MINUTES, ALL IN 2020. SPECIAL PUBLIC SAFETY COMMITTEE, APRIL 29, 2020. REGULAR LABOR AND ECONOMIC DEVELOPMENT COMMITTEE, MAY 5, 2020. REGULAR GOVERNMENT OVERSIGHT AND AUDIT COMMITTEE, MAY 5, 2020. REGULAR PLANNING AND ZONING COMMITTEE, MAY 5, 2020. REGULAR COMMUNITY AFFAIRS, HEALTH, AND EDUCATION, MAY 6, 2020. REGULAR APPROPRIATIONS COMMITTEE, MAY 6, 2020. ARE THERE ANY CORRECTIONS OR DELETIONS? MAY I HAVE A MOTION AND A SECOND?

>> MOTION.

>> SECOND.

>> PRESIDENT JAMES: MOTION, COUNCILMAN WINKLER, SECOND, COUNCILWOMAN SEXTON SMITH. PROPERLY MOVED AND SECONDED. ALL

THOSE IN FAVOR SAY AYE. APPROVED AS WRITTEN. DO WE HAVE COMMUNICATIONS FROM THE MAYOR?

>> CLERK: YES, SIR.

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

>> CLERK: DEAR PRESIDENT JAMES: IN ACCORDANCE WITH THE ORDINANCE, I AM APPOINTING THE FOLLOWING TO THE BARDSTOWN ROAD OVERLAY DISTRICT. ASHLEY BARTLEY, NEW APPOINTMENT, TERM EXPIRES APRIL 30, 2023. YOUR PROMPT ACTION ON THIS APPOINTMENT IS MOST APPRECIATED. SINCERELY, GREG FISCHER, MAYOR. DEAR PRESIDENT JAMES: I AM REAPPOINTING THE FOLLOWING TO THE BRIGHTSIDE BOARD OF DIRECTORS. JEFF ENGLISH, REAPPOINTMENT, TERM EXPIRES MAY 25, 2023. THIS IS TO BE READ INTO THE RECORD ONLY. METRO COUNCIL APPROVAL OF THIS APPOINTMENT IS NOT REQUIRED. SINCERELY, GREG FISCHER, MAYOR. DEAR PRESIDENT JAMES: IN ACCORDANCE WITH THE ORDINANCE, I AM APPOINTING THE FOLLOWING TO THE DOWNTOWN DEVELOPMENT OVERLAY DISTRICT. KELLI JONES, NEW APPOINTMENT, TERM EXPIRES JANUARY 31, 2023. DON RODGERS, REAPPOINTMENT, APRIL 13, 2023. YOUR PROMPT ACTION ON THIS APPOINTMENT IS MOST APPRECIATED. SINCERELY, GREG FISCHER, MAYOR. DEAR PRESIDENT JAMES: IN ACCORDANCE WITH THE POLICE MERIT BOARD ORDINANCE, I AM APPOINTING ROBERT GRAVES, NEW APPOINTMENT, TERM EXPIRES JUNE 1, 2024. YOUR PROMPT ACTION ON THIS APPOINTMENT IS MOST APPRECIATED. SINCERELY, GREG FISCHER, MAYOR. READ IN FULL.

>> PRESIDENT JAMES: THANK YOU. THESE APPOINTMENTS NEEDING COUNCIL APPROVAL WILL BE FORWARDED TO THE GOVERNMENT OVERSIGHT AND AUDIT COMMITTEE. AND COUNCILWOMAN FLOOD, I THINK YOU HAVE REQUESTED A POINT OF PERSONAL PRIVILEGE.

>> THANK YOU, MR. PRESIDENT. WE'VE HAD A LOT OF BAD NEWS OVER SEVERAL WEEKS NOW, BUT I HAVE SOME GOOD NEWS TO SHARE WITH YOU. THIS IS THE FIRST TIME THAT A JEFFERSON COUNTY PUBLIC SCHOOL HAS WON THE TOP AWARD IN STATE, BLAKE ELEMENTARY, FOR THEIR STATE COMPETITION IN STUDENT TECHNOLOGY LEADERSHIP PROGRAM. THEY WON FIRST PLACE WITH THEIR LEMONS PROJECT, WHICH STANDS FOR "LEMONADE STAND TO EXHIBIT COMPASSION FOR MEN, WOMEN, AND CHILDREN WHO ARE OUT OF THE HOME AND NEED A SMILE FOR THESE STUDENTS, FAMILY, AND FRIENDS AT BLAKE." THE STUDENTS OFFERED OTHER STUDENTS AND STAFF MEMBERS A GLASS OF LEMONADE IN EXCHANGE FOR TOILETRIES, TOOTHBRUSHES, SOAP, DEODORANT, AND SNACKS, AND PARTNERED WITH THE VOLUNTEERS OF AMERICA. THEY ALL WENT TO HOMELESS VETERANS IN THE CITY OF LOUISVILLE. THEY STARTED OUT WITH A GOAL OF 50 KITS. THEY ACTUALLY SUPERSEDED THAT IMMEDIATELY, SO THEY WENT TO 50 A MONTH. THEY EXCEEDED THAT EXPECTATION. THEY'VE DONATED 2,900 ITEMS AND IT'S 418 COMPASSION CARE KITS TO THE HOMELESS MEN, VETERANS, IN THE CITY OF LOUISVILLE. AND I'D LIKE TO CONGRATULATE THEM, BECAUSE THEY ARE MOVING ON NOW TO THE NATIONALS IN CALIFORNIA IN NOVEMBER, AND IF YOU DON'T MIND, THERE'S JUST A FEW NAMES TO READ. THE PROGRAM

COORDINATOR IS BONITA BURNETT, KATHLEEN SEAVER IS THE DISTRICT COACH, AND TEN STUDENTS, ELIZABETH, DAISHA, JASON, MOHAMMED, CORY, COBY, ISAIAH PARKER, AND BRIELLE. CONGRATULATIONS TO THESE TEACHERS AND THESE CHILDREN, WHO TOOK IT UPON THEMSELVES TO DO SOMETHING HUMANE FOR OUR COMMUNITY. THANK YOU. THANK YOU, COLLEAGUES.

>> PRESIDENT JAMES: THANK YOU, COUNCILWOMAN. OUR NEXT ORDER OF BUSINESS IS THE CONSENT CALENDAR. THE CONSENT CALENDAR COMPRISES ITEMS NO. 13 THROUGH 19. ARE THERE ANY ADDITIONS OR DELETIONS? MADAM CLERK, A SECOND READING OF THESE ITEMS, PLEASE.

>> CLERK: THE FOLLOWING LEGISLATION WAS FORWARDED FROM THE GOVERNMENT OVERSIGHT AND AUDIT COMMITTEE. REAPPOINTMENT OF ANDREW HARPOLE TO THE CEMETERY BOARD. (TERM EXPIRES APRIL 13, 2023) REAPPOINTMENT OF ANDY TREINEN TO THE DOWNTOWN MANAGEMENT DISTRICT BOARD. (TERM EXPIRES MARCH 23, 2023) REAPPOINTMENT OF CELIA "ROBBIN" HANSEN TO THE DOWNTOWN MANAGEMENT DISTRICT BOARD. (TERM EXPIRES MARCH 23, 2023) REAPPOINTMENT OF WILLIAM SCHRECK TO THE LANDBANK AUTHORITY BOARD. (TERM EXPIRES FEBRUARY 28, 2024) 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 CORRECTIONS CONCERNING SERVICE, MAINTENANCE AND REPAIR OF THE PROPRIETARY RADPRO AND SECURPASS FULL BODY SECURITY SCREENING SYSTEM- (CANON USA, INC. FORMERLY KNOWN AS VIRTUAL

IMAGING, INC. - \$30,000 FOR A NEW NOT-TO-EXCEED AMOUNT OF \$163,000.00). A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED SOLE SOURCE CONTRACT FOR LOUISVILLE METRO PUBLIC HEALTH AND WELLNESS CONCERNING DATA COLLECTION AND REPORTING SERVICES TO SUPPORT THE STATE-MANDATED USE OF KENTUCKY'S PATIENT SERVICES REPORTING SYSTEM AND ITS ENVIRONMENTAL HEALTH MANAGEMENT INFORMATION SYSTEM - (CUSTOM DATA PROCESSING, INC. - \$71,000.00). AN ORDINANCE RELATING TO THE CLOSURE OF THE PORTION OF OLD LAGRANGE ROAD BETWEEN COLLINS LANE AND CHAMBERLAIN LANE AND BEING IN LOUISVILLE METRO (CASE NO. 19-STRCLOSURE-0012). READ IN FULL.

>> PRESIDENT JAMES: THANK YOU. MAY I HAVE A MOTION AND A SECOND FOR APPROVAL?

>> SO MOVED, CINDI FOWLER.

>> PIAGENTINI.

>> PRESIDENT JAMES: COUNCILWOMAN FOWLER MADE THE MOTION. SECOND BY COUNCILMAN PIAGENTINI. THE CONSENT CALENDAR HAS BEEN PROPERLY MOVED AND SECONDED, REQUIRING A ROLL CALL VOTE. MADAM CLERK, WOULD YOU PLEASE CALL THE ROLL?

>> CLERK: COUNCIL MEMBER GREEN.

>> YES.

>> CLERK: COUNCIL MEMBER SHANKLIN.

>> PRESENT. OH, YES. SORRY, YES.

>> CLERK: COUNCIL MEMBER DORSEY. COUNCIL MEMBER SEXTON
SMITH.

>> YES.

>> CLERK: COUNCIL MEMBER PURVIS.

>> YES.

>> CLERK: PRESIDENT JAMES.

>> PRESIDENT JAMES: YES.

>> CLERK: COUNCIL MEMBER MCCRANEY.

>> YES.

>> CLERK: COUNCIL MEMBER COAN.

>> YES.

>> CLERK: COUNCIL MEMBER HOLLANDER.

>> YES.

>> CLERK: COUNCIL MEMBER MULVIHILL.

>> YES.

>> CLERK: COUNCIL MEMBER KRAMER. COUNCIL MEMBER BLACKWELL.

>> YES.

>> CLERK: COUNCIL MEMBER FOX.

>> YES.

>> CLERK: COUNCIL MEMBER FOWLER.

>> YES.

>> CLERK: COUNCIL MEMBER TRIPLETT.

>> YES.

>> CLERK: COUNCIL MEMBER REED.

>> YES.

>> CLERK: COUNCIL MEMBER WINKLER. COUNCIL MEMBER PARKER.

>> YES.

>> CLERK: COUNCIL MEMBER PIAGENTINI.

>> YES.

>> CLERK: COUNCIL MEMBER BENSON.

>> YES.

>> CLERK: COUNCIL MEMBER GEORGE.

>> YES.

>> CLERK: COUNCIL MEMBER ENGEL.

>> YES.

>> CLERK: COUNCIL MEMBER PEDEN.

>> YES.

>> CLERK: COUNCIL MEMBER FLOOD.

>> YES.

>> CLERK: COUNCIL MEMBER YATES.

>> YES.

>> CLERK: COUNCIL MEMBER ACKERSON.

>> YES.

>> CLERK: MR. PRESIDENT, THERE ARE 25 YES VOTES AND ZERO NO VOTES.

>> PRESIDENT JAMES: THANK YOU. AND THE CONSENT CALENDAR PASSES. THE NEXT ITEM ON THE AGENDA IS SPECIAL LEGISLATION. IN ORDER TO HEAR SPECIAL LEGISLATION, WE WILL INVOKE RULE 7.01,

WHICH STATES THAT AN ORDER, ORDINANCE, OR RESOLUTION MAY BE PASSED AT THE MEETING OF THE METRO COUNCIL AT WHICH IT IS INTRODUCED. IF IT IS AN EMERGENCY OR PERTAINS TO AN ADMINISTRATIVE ACT OF THE COUNCIL. MAY I HAVE A MOTION AND SECOND TO INVOKE RULE 7.01?

>> MOVED, PEDEN.

>> SECOND, FOX.

>> PRESIDENT JAMES: MOVED BY COUNCILMAN PEDEN, SECONDED BY COUNCILMAN FOX. ALL THOSE IN FAVOR SAY AYE. [CHORUS OF AYES]

>> PRESIDENT JAMES: THOSE OPPOSED? THANK YOU. MADAM CLERK A READING OF ITEM 20.

>> CLERK: AN EMERGENCY ORDINANCE FOR OUTDOOR DINING AND ALCOHOL SALES IN RESPONSE TO LIMITATIONS ON RESTAURANTS ISSUED BY THE GOVERNOR PURSUANT TO THE COVID-19 CRISIS. READ IN FULL.

>> PRESIDENT JAMES: THANK YOU. MAY I HAVE A MOTION AND A SECOND FOR APPROVAL? MOTION, COUNCILMAN WINKLER.

>> SECOND.

>> PRESIDENT JAMES: SECOND, COUNCILMAN PIAGENTINI. IS THERE ANY DISCUSSION? COUNCILMAN COAN.

>> THANK YOU, MR. PRESIDENT. PURPOSE OF THIS ORDINANCE IS THAT AS THE GOVERNOR HAS ALLOWED OUR LOCAL RESTAURANTS TO REOPEN WITH THE REDUCED CAPACITY BEGINNING MAY 22ND, WE KNOW THAT FOR MANY RESTAURANTS, OPENING WITH 33% INDOOR SEATING CAPACITY IS UNTENABLE, DOES NOT MAKE ECONOMIC SENSE, OR THERE IS STILL A LOT

OF CONCERN FOR EMPLOYEES AND CUSTOMERS ABOUT THE SPREAD OF THE CORONAVIRUS AND PUBLIC HEALTH. AND SO LOOKING TO SOME OTHER BEST PRACTICES AND THINGS CITIES ARE TRYING, THIS ORDINANCE INTENDS TO TEMPORARILY CREATE SOME NEW OUTDOOR DINING SPACES FOR THE OPEN AREAS AND PARKING LOTS THAT ARE ON SITE OR OFF SITE, SUCH AS PARKING LOTS OF RESTAURANTS. AND ALSO TO FREE UP SOME SIDEWALK SPACE FOR RESTAURANTS TO ADD SEATING. ALL IN COMPLIANCE WITH THE SAFETY, HEALTH, AND DISTANCE GUIDELINES THAT WE ARE FAMILIAR WITH. THE ORDINANCE WE'RE PASSING TONIGHT HAS AN IMPORTANT ATTACHMENT TO IT, AND IT'S A SET OF GUIDELINES THAT ARE DRAFTED, WILL BE PROMULGATED BY LOUISVILLE FORWARD, GIVING SOME GUIDANCE TO THESE BUSINESSES HOW TO TAKE ADVANTAGE OF THIS NEW OPPORTUNITY WE'RE CREATING FOR THEM, AND TO DO IT IN A SAFE MANNER. SO IN A MOMENT, I WILL MAKE A MOTION TO AMEND WHAT WAS IN OUR SYSTEM, BASED ON SOME CONVERSATION WE HAD WITH SEVERAL OF OUR COLLEAGUES AND THE CITY AS A WHOLE, IN ORDER TO IMPROVE THE BILL. BUT A RECAP, WHAT THIS ALLOWS RESTAURANTS TO DO, IS TO MAKE AN APPLICATION TO THE CITY, WHERE THE FEE WILL BE WAIVED, AND UPON APPROVAL, THE RESTAURANTS CAN USE PORTIONS OF THEIR OPEN AREAS OR THEIR PARKING LOTS, OR THE SIDEWALK, FOR ADDITIONAL SEATING. AND ALSO, THEY'LL HAVE THE ABILITY TO EXPAND THEIR ABC LICENSE, IF YOU HAVE A LIQUOR LICENSE INDOORS, OR AN ABC LICENSE INDOORS, YOU'LL BE ABLE TO SERVE ALCOHOL OUTDOORS, AND THIS IS REALLY IN AN ATTEMPT TO CUT RED TAPE TO MAKE IT

EASIER FOR OUR BUSINESSES TO DO BUSINESS IN A SAFE MANNER. THE GUIDELINES THAT ARE ATTACHED TO THE ACTUAL ORDINANCE DRAFTED BY LOUISVILLE FORWARD MAKE CLEAR THAT THINGS TO BE CONSIDERED INCLUDE PROPERLY RESERVING SOME OF THE PARKING SPACES FOR ACCESSIBLE PARKING. PROPERLY RESERVING PORTIONS OF THE SIDEWALK FOR SAFE, ACCESSIBLE PASSAGE BY PEDESTRIANS, ACCOUNTING FOR FIRE LANES AND OTHER TRAFFIC WAYS. MAKING SURE THE HOURS IN SOME OF THESE TEMPORARY POP-UP SPACES ARE LIMITED, SO THAT THEY DON'T DISTURB NEIGHBORS. OBVIOUSLY, WHEN THERE'S NEW ACTIVITY GOING ON OUTSIDE, THAT'S SOMETHING THAT PEOPLE MIGHT NOT BE USED TO. AND THESE GUIDELINES ARE ABLE TO BE AMENDED AND REVISED AND IMPLEMENTED. IF I COULD, I'D LIKE TO READ IN FULL THE AMENDMENT INTO THE RECORD, AND I'LL JUST START FROM TOP TO BOTTOM IN THE ORDINANCE. SOME OF THESE ARE JUST STYLISTIC AND MINOR. OTHERS DO CARRY SOME SUBSTANCE. BUT I'D LIKE TO MAKE THE FOLLOWING IN THE FORM OF A MOTION. WITH RESPECT TO THE TITLE OF THE ORDINANCE, I'D LIKE TO ADD THE WORDS "OPEN AREAS," SO THAT THE TITLE OF THE ORDINANCE IS "EMERGENCY ORDINANCE PERMITTING THE TEMPORARY USE OF PARKING LOTS, OPEN AREAS, AND SIDEWALKS FOR OUTDOOR DINING." AND SO ON. FURTHER DOWN, FROM PAGE 2, SECTION 1, AS IT SITS IN OUR SYSTEM TODAY, WE HAVE A SIX-MONTH TERM ON THIS, BUT WE WANT TO MAKE AN AMENDMENT AND REPLACE NOVEMBER 22, 2020, SO THAT SECTION 1 READS, "ON MAY 22, 2020, UNTIL 30 DAYS AFTER THE DATE GOVERNOR BESHEAR DECLARES THE STATE OF EMERGENCY IN RESPONSE TO

COVID-19, ORIGINALLY DECLARED ON MARCH 26, 2020, BY EXECUTIVE ORDER, 2020-215 HAS CEASED." SO WHAT THAT DOES, TO TRANSLATE, IS THESE TEMPORARY RELIEF WILL RUN CONCURRENTLY WITH THE STATE OF EMERGENCY, AND THEN ALLOWS 30 DAYS AFTER IT'S OVER FOR RESTAURANTS TO TAKE DOWN AND SORT OF UNDO THE TEMPORARY ARRANGEMENTS THEY'VE MADE. IN SECTION 1, SUBSECTION 1, WE NEED TO ADD THE WORDS SO IT SAYS THAT THE PERMISSION IS TO USE A PORTION OF THEIR ON-SITE OPEN AREAS AND/OR OFF-STREET PARKING. SO THE AMENDMENT THERE IS TO ADD THE WORDS "OPEN AREAS AND/OR." IN SECTION 2, SIMILARLY, THIS WILL REFLECT THAT CHANGE. IN THE SECOND TO LAST LINE IN SECTION 2, THAT SENTENCE SHOULD SAY, "LOUISVILLE FORWARD MAY ALTER THESE GUIDELINES AS NEEDED. THE COVID-19 DEVELOPS WITH THE GENERAL TENANTS OF THIS ORDINANCE, BUT NO FORMAL APPLICATION REQUIRING AGENCY REVIEW AND APPROVAL FOR TEMPORARY OUTDOOR DINING INTO THE, HERE'S THE AMENDMENT, SIDEWALKS, OPEN AREAS, AND/OR PARKING LOTS." ON PAGE -- SORRY, WE WANT TO ADD A SECTION, A NEW SECTION 5. THAT SAYS, "SMOKING IS PROHIBITED WITHIN 15 FEET OF ANY TEMPORARY OUTDOOR DINING SPACES CREATED PURSUANT TO THIS ORDINANCE." AGAIN, THE RATIONALE FOR THAT IS BECAUSE WE'RE REPLACING INDOOR SPACE TO TEMPORARY OUTDOOR SPACE. AND THE 15-FOOT RULE COMES DIRECTLY FROM OUR SMOKING ORDINANCE, LMCO SECTION 90.08. AND THEN, FINALLY, THE LAST AMENDMENT IS TO MAKE THE OLD SECTION 5, SECTION 6. SO THAT IT SAYS, "THIS ORDINANCE TAKES EFFECT" IS NOW SECTION 6 INSTEAD

OF SECTION 5. BEFORE I GO ANY FURTHER, I JUST WANT TO RECOGNIZE AND THANK SOME OF MY OTHER COLLEAGUES THAT WORKED ON THIS. COUNCILMAN PEDEN, COUNCILWOMAN SEXTON SMITH, COUNCILMAN WINKLER, AMONG OTHERS. AND I WANTED TO JUST ALSO LET THE PUBLIC KNOW THAT, YOU KNOW, THIS IS SOMETHING THAT IS BEING CRAFTED IN PARTNERSHIP BY THE ADMINISTRATION AND METRO COUNCIL ON THE FLY IN OUR BEST EFFORT TO TRY TO PROVIDE SOME RELIEF FOR RESTAURANTS, WHICH ARE VERY IMPORTANT SMALL BUSINESSES IN OUR COMMUNITY. WE HAVE ALSO LAUNCHING AN EFFORT ONLINE TO SOLICIT FEEDBACK FROM OTHER RESTAURANTS WHAT OTHER KIND OF RELIEF MAY BE REASONABLE AND MAY BE POSSIBLE TO HELP SUPPORT YOUR BUSINESSES DURING THIS TIME. SO THIS IS NOT NECESSARILY THE BE-ALL, END-ALL OF WHAT WE'RE DOING. WE WANT TO TRY TO BE RESPONSIVE AND HELP RESTAURANTS AND OTHER SMALL BUSINESSES IN OUR COMMUNITY THROUGH THIS RELIEF IN PUBLIC HEALTH AND FINANCIAL CRISIS. SO WE ARE DOING OUR BEST, AND WE HOPE THIS WILL MAKE SOME SORT OF IMMEDIATE IMPACT. THANK YOU.

>> PRESIDENT JAMES: THANK YOU, COUNCILMAN. DO WE HAVE A SECOND FOR COUNCILMAN COAN'S AMENDMENT?

>> SECOND, PEDEN.

>> PRESIDENT JAMES: SECOND BY COUNCILMAN PEDEN. ALL IN FAVOR SAY AYE. [CHORUS OF AYES] ALL OPPOSED? AYES HAVE IT. THANK YOU, COUNCILMAN KRAMER. OH, SORRY, COUNCILMAN REED.

>> THANK YOU, MR. PRESIDENT. I WOULD LIKE TO OFFER CO-SPONSORSHIP OF THIS ORDINANCE. I THINK THAT IT'S VERY GOOD. I, LIKE MANY IN THE CITY, AM CONCERNED WITH WHAT'S GOING ON WITH SOME OF OUR RESTAURANTS. MANY OF YOU RECOGNIZE THAT SOME BETTER KNOWN RESTAURANTS IN THE CITY HAVE BEEN CLOSING OF LATE, AND MANY OF THOSE RESTAURANTS DON'T HAVE THE PARKING LOT SPACE TO EXPAND TO. I ALSO VERY MUCH UNDERSTAND THE 33% SEATING CAPACITY, BUT I'M HOPEFUL THAT SOONER, RATHER THAN LATER, THAT THE DATA WILL PROVE, HOPEFULLY, THAT WE CAN EXPAND TO 50%, AND THEN GRADUALLY MOVE IT AHEAD. SO I WOULD LIKE TO OFFER MY CO-SPONSORSHIP. THANK YOU.

>> PRESIDENT JAMES: THANK YOU, COUNCILMAN REED, FOR CO-SPONSORSHIP. COUNCILMAN FOWLER.

>> THANK YOU, MR. PRESIDENT. I JUST WANTED TO MAYBE DO AN AMENDMENT, OR JUST CLARIFY WHETHER OR NOT THE BACK BARS AND RESTAURANTS AT THE GOLF COURSES ARE INCLUDED. I KNOW YOU ALL CAN'T IMAGINE THE ANSWER TO THAT QUESTION, BUT I WAS JUST THINKING THAT, YOU KNOW, THEY HAVE OUTDOOR SEATING, AND I JUST WANT TO MAKE SURE THEY ARE INCLUDED, OR WOULD THEY AUTOMATICALLY BE INCLUDED?

>> PRESIDENT JAMES: COUNCILMAN COAN?

>> WOULD ANYBODY KNOW?

>> THIS IS COUNCILMAN COAN. THE DEFINITIONS FOR FOOD SERVICE ESTABLISHMENTS ARE LAID OUT IN CHAPTER 118 OF LMCO,

ALTHOUGH IT DOES NOT SIMPLY DEFINE A RESTAURANT. A RESTAURANT IS A FOOD SERVICE ESTABLISHMENT. I'M JUST LOOKING QUICKLY. I DON'T SEE OFF THE TOP OF MY HEAD AN ANSWER, SO I THINK WE NEED AN ATTORNEY TO ANSWER. IN TERMS OF A DRAFTER, I DID NOT INTEND TO APPLY TO BACK BARS.

>> PRESIDENT JAMES: THANK YOU, COUNCILMAN COAN, AND WE HAPPEN TO HAVE A COUNTY ATTORNEY HERE.

>> YEAH!

>> CAN I COMMENT TO THAT QUESTION?

>> PRESIDENT JAMES: JUST ONE SECOND.

>> I HAVE A BIT OF AN ANSWER, NOT NECESSARILY ONE THAT'S BINDING. I ASKED THAT VERY QUESTION MYSELF.

>> PRESIDENT JAMES: JUST ONE SECOND.

>> OKAY. WHILE WE'RE WAITING ON THE COUNTY ATTORNEY, TO BE ABLE TO SEE HER, COUNCILMAN PEDEN, GO AHEAD.

>> I ASKED THAT VERY QUESTION MYSELF, AND THE IMPRESSION THAT THOSE THAT ENFORCE THINGS HAVE, IS IF YOU ARE GOVERNED BY THE HEALTH DEPARTMENT AS A RESTAURANT AND FOOD SERVICE PROVIDER, THEN YOU ARE COVERED AND WILL BE ALLOWED TO OPEN. AND I KNOW THE GOLF COURSE, AS I WAS HAVING A MEETING WITH MARGARET AND OTHERS YESTERDAY, THAT THE GOLF COURSE THINKS THEY ARE ALLOWED TO OPEN AND SERVE FOOD, AND EVERYBODY ELSE DOES, AS WELL.

>> PRESIDENT JAMES: THANK YOU, COUNCILMAN.

>> OKAY. THAT ANSWERS THE QUESTION. I WANTED TO MAKE SURE THEY WERE INCLUDED, YOU KNOW, AND I ALSO HOPE THAT SINCE THEY CAN SIT THERE AND EAT A HOT DOG AND DRINK A BEER WITH THEIR BUDDIES, THEY'D ALSO BE ABLE TO SHARE GOLF CARTS. I KNOW THAT'S ANOTHER THING. SO THANK YOU.

>> PRESIDENT JAMES: OKAY, THANK YOU. COUNTY ATTORNEY, LET'S TRY THAT AGAIN.

>> LAURA FERGUSON, ASSISTANT COUNTY ATTORNEY. ANY RESTAURANT AT THE GOLF COURSE WOULD BE COVERED BY THIS. THE SNACK BAR, I GUESS IT DEPENDS IF YOU'RE TALKING VENDING MACHINES, YOU'RE PROBABLY NOT GOING TO ADD NEW SEATS FOR A VENDING MACHINE, BUT IF IT'S MORE OF A RESTAURANT-TYPE ACTIVITY, IT WOULD BE COVERED BY THE LAND DEVELOPMENT CODE AND THE RESTAURANT.

>> PRESIDENT JAMES: THANK YOU. COUNCILMAN ACKERSON. OKAY, COUNCILMAN WINKLER.

>> CAN YOU HEAR ME? WITH COUNCILMAN COAN'S PERMISSION, I'D LIKE TO BE ADDED AS A CO-SPONSOR.

>> PRESIDENT JAMES: AS A CO-SPONSOR, COUNCILMAN WINKLER, THANK YOU. COUNCILMAN PIAGENTINI.

>> THANK YOU, MR. PRESIDENT. MY COLLEAGUES WILL BEAR WITH ME, I PROUDLY SUPPORT THIS ORDINANCE BEFORE THE METRO COUNCIL TONIGHT. THIS IS THE RESULT OF STRONG COOPERATION AND COLLABORATION FROM THE MAYOR'S OFFICE AND METRO COUNCIL. THIS IS

GOING TO RESULT IN LOCAL BUSINESSES OPEN THEIR DOORS SAFELY AND MAXIMIZE THEIR POTENTIAL UNDER TOUGH RULES THAT ARE PUTTING MANY IN THE HOSPITALITY INDUSTRY AT RISK. I DO WANT TO TAKE A MOMENT, AND BEAR WITH ME, TO ENCOURAGE ALL OF US TO PIVOT TOWARD ADVOCATING FOR MORE SOLUTIONS LIKE THIS TO OPEN SAFELY. BEFORE I GO FURTHER, IF YOU HEARD THAT I DON'T WANT TO SAVE EVERY LIFE POSSIBLE, YOU'RE WRONG. IT JUST ACKNOWLEDGES THAT THERE ARE OTHERS LOSING THEIR LIVES AS A RESULT OF OUR ACTION, AND THAT WE NEED A MORE COMPREHENSIVE AND SPECIFIC APPROACH TO ADDRESSING COVID-19. THOSE THAT POSITION THIS AS AN EITHER/OR POSITION, AS IN YOU ARE FOR SAVING LIVES OR FOR OPENING, IN MY OPINION, HAVE AN AGENDA. ACCORDING TO THE KENTUCKY COVID-19 DATA, THERE HAVE BEEN APPROXIMATELY 4,600 CASES FOR THOSE UNDER THE AGE OF 60. THERE HAVE BEEN 29 TRAGIC DEATHS IN THE SAME CATEGORY. SO WE'RE TALKING LARGELY WORKING AGE PEOPLE. THERE ARE STUDIES PUBLISHED, OUR OWN MAYOR ADMITTED, THE AMOUNT OF CASES IS PROBABLY 10 TO 20 TIMES THAT IN NUMBER. LET'S ASSUME IT'S TEN. THAT MEANS IN THE UNDER 60 CATEGORY, THERE HAVE BEEN 46,000 CASES AND 29 DEATHS, NONE UNDER 30 YEARS OLD, FOR A MORTALITY RATE OF .06%, WHICH WOULD BE A MORTALITY RATE LESS THAN THE FLU, WHICH POPULATION-WIDE IS .1%. TO PUT THAT NUMBER IN PERSPECTIVE, WE'VE HAD EIGHT HOMICIDES JUST THIS YEAR OF CHILDREN UNDER 18 IN LOUISVILLE. WE'VE HAD 39 HOMICIDES THIS YEAR AS OF EARLIER THIS MONTH, AND WE HAVE NOT SHUT DOWN OR ELIMINATED THE CIVIL LIBERTIES OF THE

LOUISVILLE COMMUNITY TO STOP EVEN THESE HORRIBLE TRAGEDIES. I AGREE THAT GOVERNOR BESHEAR'S INITIAL ACTIONS SAVED LIVES. I'M NOT SAYING WE SHOULD NOT HAVE SHUT DOWN. IT WAS THE RIGHT MOVE. AND IT WAS NECESSARY, BECAUSE OF A LACK OF INFORMATION. BUT NOW WE HAVE MORE INFORMATION, WE NEED TO PROTECT THE VULNERABLE AND ALLOW THOSE WITH FAR LESS RISK TO WORK SO THAT THEY CAN PUT FOOD ON THE TABLE, AVOID HOMELESSNESS, AND AVOID DEPRESSION. NOW WE NEED OUR LEADER TO LOOK FOR COMMON SENSE IDEAS AND STOP SEEKING A ONE-SIZE-FITS-ALL SOLUTION. WE'VE ALREADY HAD THE PROOF THAT WE CAN REOPEN SAFELY. WE NEVER CLOSED LARGE RETAIL ESTABLISHMENTS. I CAN GET FLOWERS AT KROGER, BUT I CAN'T GET FLOWERS AT A LOCAL FLORIST IN MIDDLETOWN, EVEN THOUGH THE FLORIST CAN DO THE EXACT SAME THINGS TO KEEP THEIR PEOPLE SAFE. WE'VE NOT SEEN OUTBREAKS OF ESTABLISHMENTS AT DAY CARE FACILITIES. THE GOVERNMENT SENDS THEIR OWN EMPLOYEES' KIDS TO YMCA DAY CARE. THERE HAVE BEEN NO BREAKOUTS THERE, BUT WHEN HAIR SALONS OPEN SOON, THE WOMAN WHO DOES MY HAIR WHO'S A SINGLE MOTHER WITH TWO CHILDREN CAN'T USE THE SAME YMCA THAT GOVERNMENT EMPLOYEES' CHILDREN USE IN ORDER TO GO TO WORK. WE JUST NEED THE GOVERNOR'S STAFF TO LOOK CLOSER WITH INNOVATIVE BUSINESSES, WHO WANT TO EMPLOY PEOPLE, PAY SALARIES, AND SERVE CUSTOMERS. THE PROBLEM IS, I KNOW THAT THE CEO OF PLI, THE LARGEST CHAMBER IN THE STATE, IS NOT GETTING RESPONSES FROM THE GOVERNOR'S TEAM, AND THEIR MEMBERS, WHEN THEY USE THE OFFICIAL HEALTHY AT WORK E-

MAIL, ARE NOT GETTING RESPONSES. WE NEED TO ADVOCATE FOR THESE BUSINESSES, WHO ARE SITTING ON SAFE PLANS TO OPEN, BECAUSE THIS IS OPEN WE ARE SAFE AND OPEN. THERE ARE CREDIBLE STUDIES THAT HAVE PUT THE RANGE OF DEATHS OF DESPAIR, SUICIDES, OVERDOSES, ET CETERA, 278,000 PEOPLE FROM OUR ACTIONS THIS YEAR ALONE. THE VARIABLE IN THAT STUDY IS WHETHER OR NOT IT'S GOING TO BE CLOSER TO 28,000 OR 150,000 IS THE SPEED AT WHICH WE IMPROVE OUR AUTONOMY. WE CAN'T USE ONE TRAGEDY TO PARALYZE REASONABLE ACTIONS, WHICH WILL PREVENT ANOTHER TRAGEDY. WE MUST ADVOCATE TO BE SAFE AND OPEN. I WILL VOTE FOR THIS ORDINANCE. I SUPPORT IT WHOLEHEARTEDLY, BUT I WANT TO TAKE THIS MOMENT TO ASK ALL OF YOU, TO PIVOT TO HELP OUR PEOPLE GET TO WORK, SO THEY CAN GET BACK TO SUSTAINABLE LIVING, AND REMOVE THE RISK OF POVERTY AND HOMELESSNESS, WHICH IS FACING THEM WITHOUT THE ABILITY TO WORK. WE NEED TO REJECT THIS THINKING WE CAN ONLY DO ONE OR THE OTHER. WE ARE LOUISVILLIANS, WE ARE KENTUCKIANS, WE CAN BE SAFE AND WORK. THANK YOU.

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

>> THANK YOU, MR. PRESIDENT. COUPLE WEEKS AGO, TEXTING BACK AND FORTH, CINCINNATI HAD STARTED THIS, THEY WERE DOING OUTDOOR RESTAURANTS IN THEIR PARKING LOTS. AND SO I KNOW EARLY ON, I STARTED TEXTING LOCAL BUSINESS OWNERS IN MY DISTRICT, TALKING TO PEOPLE, AS I KNOW MANY OF MY COLLEAGUES DID, LOOKING FOR OTHER

WAYS, HOW THIS COULD WORK, WHERE IT WOULDN'T WORK. SO I'M PROUD OF THIS COUNCIL, BECAUSE WE HAVE TAKEN IT UPON OURSELVES TO KIND OF LOOK AT DIFFERENT UNCHARTED AREAS AND WAYS TO PROTECT, BECAUSE THAT'S KIND OF WHAT WE'RE SUPPOSED TO DO. WE'RE GRASSROOTS, VERY CLOSEST LEVEL TO THE PEOPLE, CLOSEST TO THE BUSINESSES, AND SO WHILE I'M ABSOLUTELY SUPPORTIVE, I THINK IT MIGHT NEED TO BE TWEAKED IN THE FUTURE IF WE SEE IT NEEDS TO, IF IT'S NOT WORKING CORRECTLY, OR MAY NOT BE OF BENEFIT. AS I'M SITTING HERE, I'M GETTING TEXT MESSAGES, SO PEOPLE ARE WATCHING THIS. CONCERNED, HEY, CAN WE USE A PARK IF THERE'S OVERFLOW, MAYBE WE CAN MAKE THINGS MORE CONVENIENT FOR TAKEOUT, AS THINGS ARE MOVING FORWARD. BUT I DID WANT TO SAY THANK YOU FOR ALL THE PEOPLE THAT WORKED HARD ON THIS TO MAKE IT A REALITY, AND, HOPEFULLY, WE'LL CONTINUE TO FIND OTHER WAYS. AND WITH PERMISSION OF COUNCILMAN COAN, I'D ALSO LIKE TO BE ADDED AS A SPONSOR.

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

>> YES, THANK YOU, MR. PRESIDENT. SO I WANTED TO PUBLICLY THANK PRESIDENT JAMES FOR CALLING ME SEVERAL DAYS AGO, AS I KNOW HE CALLED SEVERAL PEOPLE ON THE COUNCIL TO HAVE CONVERSATIONS ABOUT THIS. YOU KNOW, JUST BEING CONSIDERATE AND CHECKING, KNOWING -- THROUGHOUT THE COUNTY, ESPECIALLY IN DISTRICT 4 THAT I REPRESENT, THERE ARE MANY SECTIONS OF THE DISTRICT THAT HAVE LARGE COLLECTIONS OF RESTAURANTS WITH VERY LIMITED PARKING

ALREADY. SO I THANK YOU, PRESIDENT JAMES, FOR WORKING ON THIS. AND, OBVIOUSLY, COUNCILMAN COAN, FOR THE AMOUNT OF WORK YOU'VE DONE IN A VERY SHORT PERIOD OF TIME, AND THE WORK THAT COUNCILMAN COAN HAS DONE SIMPLY IN THE LAST TWO HOURS AND 45 MINUTES HAS BEEN NOTHING SHORT OF SPECTACULAR. TAKING ALL OF THE DIFFERENT PIECES AND SECTIONS INTO CONSIDERATION. COUNCILMAN COAN, THANK YOU SO MUCH FOR THAT WORK. AND WITH YOUR APPROVAL, I WOULD BE HONORED TO SERVE AS A CO-SPONSOR. THANK YOU.

>> PRESIDENT JAMES: THANK YOU, COUNCILWOMAN. COUNCILWOMAN PARKER?

>> YES. THANK YOU. I, TOO, WOULD LIKE TO BE ADDED AS A CO-SPONSOR. I THINK WE ALL KNEW THAT OUR BUSINESSES, RESTAURANTS, WHICH IS SUCH A LARGE PART OF THE LOUISVILLE ECONOMY, THAT THEY WERE GOING TO TRY TO UTILIZE THAT OUTDOORS IN ANY WAY THEY CAN. AND FOR ONCE, GOVERNMENT HAS MADE IT EASIER ON BUSINESSES INSTEAD OF TRYING TO MAKE IT HARDER. SO I THINK THAT'S AWESOME. I WANT TO THANK COUNCILMAN COAN FOR HIS WORK ON THIS. AND I ALSO WANT TO SAY TO THE SPEECH COUNCILMAN PIAGENTINI JUST GAVE US, BECAUSE, YOU KNOW, WE CAN DO IT TOGETHER. WE CAN DO IT TOGETHER WITH OUR BUSINESSES. NOW WE KNOW HOW TO BE SAFE, AND WE KNOW HOW TO OPEN UP OUR BUSINESSES. SO I'M HOPING THAT WE CAN GET ALMOST ALL OF OUR BUSINESSES BACK OPEN, BECAUSE I THINK THE PUBLIC ACTUALLY WANTS US TO DO THAT, BECAUSE WE'RE ALL EDUCATED NOW, WE

KNOW WHAT TO DO. SO THANK YOU, EVERYONE. THANK YOU,
COUNCILWOMAN, COUNCILWOMAN FLOOD?

>> I'D LIKE TO BE ADDED AS A SPONSOR, PLEASE.

>> PRESIDENT JAMES: THANK YOU, COUNCILWOMAN FLOOD.
COUNCILMAN HOLLANDER?

>> THANK YOU, MR. PRESIDENT. I THINK EVERYBODY IS TRYING TO
DO THE BEST THEY CAN IN DEALING WITH THE PANDEMIC. I WOULD POINT
OUT WE ARE OPENING RESTAURANTS IN LOUISVILLE QUICKER THAN
ANNAPOLIS. ANNAPOLIS RESTAURANTS WILL OPEN MAY 22ND, BUT THERE
WILL BE NO INDOOR DINING AT ALL. IT WILL BE ALL OUTDOOR DINING.
SO I THINK EVERYBODY ACROSS THE COUNTRY IS TRYING TO DO THE BEST
THEY CAN IN THIS SITUATION. I'M GLAD TO SEE BUSINESSES
REOPENING. I'M GLAD TO SEE THIS STEP I WOULD WANT TO POINT OUT,
RESTAURANTS LOOKING AT EITHER A SIDEWALK OR A PARKING LOT, IT IS
EASIER TO OPEN IN YOUR PARKING LOT. YOU DO NOT HAVE TO GO
THROUGH PUBLIC WORKS TO DO THAT. YOU DO HAVE TO GO THROUGH
PUBLIC WORKS FOR YOUR SIDEWALK. I SAY THAT, BECAUSE, FRANKLY,
I'M GLAD YOU HAD TO GO THROUGH PUBLIC WORKS FOR YOUR SIDEWALK.
IT'S IMPORTANT ADA RULES CONTINUE TO APPLY. WE WILL BE ABLE TO
NAVIGATE OUR SIDEWALKS AND A LARGE LINE OF VISUALLY IMPAIRED
POPULATION IN MY DISTRICT THAT USES FRANKFORT AVENUE A LOT. A
LOT OF ISSUES INVOLVING RESTAURANTS AND SIDEWALKS. SO I
PARTICULARLY LIKE WHAT WE'RE DOING WITH PARKING LOTS, AND THAT'S
AN EASIER STEP. COUNCILMAN COAN MIGHT WANT TO RESPOND, BUT

THAT'S AN EASIER STEP. AGAIN, I WANT TO THANK COUNCILMAN COAN FOR ALL OF HIS WORK ON THIS. I'D LIKE TO BE ADDED AS A SPONSOR.

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

>> I'LL JUST BRIEFLY RESPOND TO COUNCILMAN HOLLANDER. FIRST THING I'D SAY, I WELCOME EVERYBODY TO BE A CO-SPONSOR. I DON'T THINK THERE'S ONE PERSON ON THE CITY COUNCIL THAT DOESN'T WANT TO INDICATE THEIR SUPPORT FOR LOCAL RESTAURANTS, AND I DON'T WANT TO PUT ANYBODY ON THE SPOT, BUT I ASSUME EVERYBODY WOULD BE APT TO SPONSOR THIS. ANYBODY IS WELCOME. I DO THINK WHAT COUNCILMAN HOLLANDER POINTS OUT IS ACTUALLY A MORE HELPFUL TIP FOR BUSINESSES. FIRST AND FOREMOST, IN TERMS OF BEING ABLE TO EXPEDITE THEIR PROCESS, BUT THAT'S ALSO TRUE. WE, OBVIOUSLY, WROTE INTO THIS ORDINANCE AND TO THE GUIDELINES PROTECTIONS FOR PEOPLE WHO HAVE ACCESSIBILITY CONCERNS, AS WELL AS OTHER FIRE AND LIFE SAFETY CONCERNS, AND -- SORRY, I'M BLANKING HERE. MY BRAIN HAS BEEN SCRAMBLED FOR THE PAST COUPLE OF HOURS HERE. BUT I GENERALLY WANT TO TELL MY AGREEMENT WITH WHAT COUNCILMAN HOLLANDER DID. I ALSO GOT A CLARIFICATION ABOUT THE QUESTION ABOUT RESTAURANTS. AND THE VERY FIRST GUIDELINE IN THE ATTACHMENT IS THE KIND OF RESTAURANT FOR THIS ORDINANCE, AND IT'S BASICALLY A BUSINESS WHOSE MAIN BUSINESS IS SELLING FOOD, WHICH MEANS RECEIPTS OF 50% OR MORE. AND THAT CAN INCLUDE ESTABLISHMENTS THAT SERVE ALCOHOL. THESE GUIDELINES, WHICH ARE NOT DIFFICULT FOR BUSINESSES TO UNDERSTAND, WILL BE PUBLISHED ON

LOUISVILLE FORWARD'S WEBSITE, PER THE ORDINANCE. AND SO IF A BUSINESS OWNER IS TRYING TO FOLLOW ALONG WITH MEETING TONIGHT OR THE AMENDMENTS, YOU SHOULD BE ABLE TO GO ON TO LOUISVILLEKY.GOV AS EARLY AS TOMORROW AND GET CLARIFICATIONS. SO I WANTED TO POINT THAT OUT. THANK YOU.

>> PRESIDENT JAMES: THANK YOU, COUNCILMAN. COUNCILMAN PEDEN. COUNCILMAN PEDEN?

>> THANK YOU. WELL, WHAT I WAS GOING TO COMMENT, I WANTED TO BE ADDED AS A SPONSOR, BUT THE LAST COMMENT FROM COUNCILMAN COAN CONCERNS ME. IF THE GUIDELINES REALLY ARE 50%, THAT'S NOT WHAT SOME OF MY BUSINESS OWNERS WERE TOLD BY ME, BECAUSE THAT'S NOT WHAT I WAS TOLD BY ICL ENFORCEMENT. BECAUSE, AGAIN, THAT'S 50% IS PRETTY TOUGH. SUPPOSE YOU GO BY THE LAST TWO MONTHS, 100% OF THEIR BUSINESS HAS BEEN FOOD, VERSUS TRYING TO DETERMINE WHETHER, AGAIN -- IF I'VE ASKED IN THE CONFERENCE CALLS, IF YOU'RE A BAR THAT SERVES FOOD OR A RESTAURANT THAT SERVES ALCOHOL, WHERE DO YOU DRAW THE LINE? THEY NO LONGER HAND OUT LICENSES BASED ON AMOUNT OF ALCOHOL. IT'S KIND OF A SELF-DECLARATION THING ON WHAT YOU SERVE, WHAT TYPES OF THING YOU SERVE. BUT FOR RESTAURANTS THAT ARE MORE OF A PUB, I'M NOT SURE THAT'S TOTALLY FAIR. THEY ARE GOING TO OPEN UP DINING ROOMS FOR OTHER FOLKS, AND THEY ARE NOT GOING TO BE ABLE TO HAVE THE DINING ROOM. THEY ARE GOING TO HAVE TO STICK WITH, I GUESS, TAKEOUT, OR SHUT DOWN ALTOGETHER. I WOULD LOVE TO LOWER THAT

THRESHOLD TO SOMETHING THAT KIND OF IS MORE INCLUSIVE. I DON'T KNOW HOW TO GO THAT ROUTE. I DON'T KNOW, IS THAT -- IS THAT IN THE ORDINANCE? OR IS THAT IN THE GUIDANCE?

>> PRESIDENT JAMES: THANK YOU, COUNCILMAN. COUNTY ATTORNEY WILL HELP US.

>> GUIDELINE NUMBER ONE SAYS, FOR THE PURPOSE OF THIS ORDINANCE, RESTAURANT IS DEFINED AS A COMMERCIAL ESTABLISHMENT, WHEREAS THE MAIN BUSINESS IS SERVING FOOD, MAY INCLUDE THE SALE OF ALCOHOLIC BEVERAGES, I.E. THE TOTAL RECEIPTS OF THE SALE OF FOOD MUST BE GREATER THAN THE SALE OF ALCOHOLIC BEVERAGES. THE ONLY OTHER THING I'LL POINT OUT FOR THE PURPOSES OF DISCUSSING THIS IS I KNOW RESTAURANTS WERE SCHEDULED TO OPEN MAY 22ND, BARS ARE SCHEDULED TO OPEN JULY 1ST. SO RESTAURANTS AND BARS ARE DIFFERENT, GOVERNED DIFFERENTLY, AND BEING TREATED DIFFERENTLY FROM THE STATE, AND WE TREAT THEM DIFFERENTLY AT THE LOCAL LEVEL. IT'S SOMETHING WE HAVE TO CONSIDER IN SOME WAY.

>> PRESIDENT JAMES: STAND BY, STAND BY. COUNTY ATTORNEY WANTED TO CHIME IN HERE. ONE SECOND.

>> YEAH, LAURA FERGUSON, ASSISTANT COUNTY ATTORNEY. SO WHERE WE GOT IN THE GUIDELINES WITH THE SALES SHOULD BE GREATER THAN THE SALE OF ALCOHOLIC BEVERAGES ALSO MATCHES WHAT'S IN THE LAND DEVELOPMENT CODE. SO IF THE RECEIPT FROM THE SALE OF FOOD IS GREATER AT THE RESTAURANT, EVEN IF IT SERVES ALCOHOL AND FOOD, IF THE TOTAL RECEIPTS FROM ALCOHOL EXCEED THE FOOD, THEN

IT'S CLASSIFIED AS A TAVERN OR BAR AND WOULD BE SUBJECT TO THE LATER OPENING DATE.

>> PRESIDENT JAMES: THANK YOU. COUNCILMAN PEDEN, GO AHEAD.

>> AND SO, AGAIN, WHILE THE COUNTY ATTORNEY IS STILL ON, ON WHICH MONTH OF SALES ARE WE GOING TO LOOK AT? ARE WE GOING TO LOOK AT LAST OCTOBER, OR ARE WE GOING TO LOOK AT LAST MONTH? THEY ARE GOING TO BE TOTALLY DIFFERENT NOW.

>> I'M NOT SURE HOW THEY NORMALLY GET LICENSED. I MEAN, I THINK PROBABLY YOU WOULD GO BY WHAT ALCOHOL LICENSE THEY HAVE. TYPICALLY, THERE'S A DIFFERENT RESTAURANT LICENSE FROM A BAR, YOU KNOW, FROM MORE OF A BAR. I SUSPECT YOU'D PROBABLY GO BY THE LICENSE.

>> ACTUALLY USED TO THINK THAT, TOO. THAT'S WHERE ROBERT GAVE ME A LESSON THE OTHER DAY. THAT HAS TOTALLY CHANGED. THE OLD ROAD HOUSE LICENSE YOU USED TO BE ABLE TO GET IS NOW GONE.

>> OKAY.

>> I'M NOT AN EXPERT, BECAUSE, AGAIN, I CALLED HIM. FOR THOSE OF YOU WHO ARE FAMILIAR WITH DEMOCRATIC HEADQUARTERS, HOW DO YOU -- YEAH, I SEE EVERYBODY SMILING. ANYWAY, HOW DO YOU COUNT THAT? FORMERLY OWNED BY SHERIFF GREEN. I DON'T KNOW WHAT THEIR FOOD TO BAR RATIO IS, BUT ARE THEY GOING TO BE ABLE TO OPEN COME THE 24TH VERSUS WAITING UNTIL JULY 1ST? THEY SERVE QUITE A BIT OF FOOD AT LUNCH, BUT I COULDN'T TELL YOU DOWN TO THE DIME WHAT THEIR PERCENTAGES ARE. I'M NOT EVEN SURE THEY

COULD AT THIS POINT. BUT THOSE ARE -- THAT'S THE MAJORITY OF THE TYPES OF RESTAURANTS I HAVE. THE NEW VIEW LOUNGE CALLED ME THE OTHER DAY, WHICH MADE ME CALL ROBERT, AND HE SAID IF THEY HAVE A KITCHEN, HIS WORDS, SOMEWHAT FLIPPANTLY, IF THEY HAVE A KITCHEN, THEY ARE A RESTAURANT. THAT'S, OBVIOUSLY, NOT WHAT THE DEFINITION WE ARE CREATING NOW. SO THE HEALTH DEPARTMENT, THEY HAVE A RESTAURANT. AGAIN, THAT'S WHERE I GOT THE IF THEY HAVE A KITCHEN AND ARE GOVERNED BY THE HEALTH DEPARTMENT, FOR THAT RATINGS SYMBOL, THEY ARE A RESTAURANT. SO THIS IS NEWS, AND DIFFERENT, FROM THE ADVICE I WAS GIVEN EARLIER THIS WEEK. AND THAT'S MY CONCERN AT THIS POINT, IS THAT YOU'RE NOW SHUTTING OUT MORE, AGAIN, USED IT ON THE CONFERENCE CALL, YOU'RE KIND OF SHUTTING OUT THE BARS THAT SERVE FOOD IN FAVOR OF THE CORPORATE PLACES LIKE OUTBACK THAT ARE RESTAURANTS PREDOMINANTLY.

>> PRESIDENT JAMES: ALL RIGHT. THANK YOU, COUNCILMAN PEDEN. COUNCILMAN WINKLER.

>> I WAS JUST GOING TO CHIME IN ON THAT POINT SPECIFICALLY, COUNCILMAN PEDEN, APOLOGIZE FOR GOING OUT OF TURN. I WONDER IF THIS ISSUE IS SOMEWHAT MUTE IS BASICALLY OUR ORDER IS SUPERSEDED BY THE GOVERNOR'S ORDER OF WHAT CAN AND CAN'T OPEN. BASICALLY, IF IT CAN OPEN, TO COUNCILMAN PEDEN, YOUR POINT, DO WE REMOVE THAT SPECIFIC LANGUAGE THAT STIPULATES THE 50% OR NOT AND BASICALLY, IF IT'S ALLOWED TO OPEN BY THE GOVERNOR, THEN THE OUTDOOR SEATING WHAT WE'RE DEBATING RIGHT NOW APPLIES, AND IF

IT'S NOT ALLOWED TO OPEN, IT'S A MUTE POINT ANYWAY. RATHER THAN US TRYING TO DEFINE 50%, 51%. I DON'T KNOW, COUNCILMAN PEDEN, WHAT YOU THINK ABOUT THAT, AND COUNCILMAN COAN.

>> I'M TOTALLY IN FAVOR OF THAT. I CAN GIVE YOU RESTAURANTS, NO FOOD WHATSOEVER. ACTUALLY INVITE A FOOD TRUCK TO COME SIT OUTSIDE. PATRICK'S ALONG FRANKFORT AVENUE, NO FOOD WHATSOEVER, EVERYBODY WALKS DOWN TO THE BARBECUE PLACE AND BRINGS IT BACK TO EAT. SO THOSE PLACES ARE PROBABLY NOT ALLOWED TO OPEN UNDER THE GOVERNOR'S ORDERS, AND THEY KNOW IT. SO I APPRECIATE COUNCILMAN WINKLER'S THINKING.

>> PRESIDENT JAMES: GO AHEAD, COUNCILMAN COAN.

>> MY THINKING ON THIS, FROM WHAT I UNDERSTAND, IS THAT AMONG THE DIFFERENCES BETWEEN BARS AND RESTAURANTS, BARS, WHERE PRIMARILY PEOPLE ARE THERE TO DRINK, ARE MORE LIKELY TO BE PUBLIC HEALTH RISKS, BECAUSE THE MORE PEOPLE ARE JUST DRINKING, THE CLOSER THEY GET, THE MORE THEIR BEHAVIOR IS UNPREDICTABLE, AND I THINK WHAT I READ, THAT'S AMONG THE REASON THEY ARE BEING OPENED AS A STAGGERED TIMELINE. AND SO, YOU KNOW, IF YOU'RE JUST A BAR THAT DOES NOT SERVE ANY FOOD, FOR US TO SAY GO TO COSTCO AND GET A BOX OF, YOU KNOW, SNACK PACK OF LAYS POTATO CHIPS, DORITOS AND SELL YOUR SNACKS, THAT'S SOMETHING DIFFERENT. THAT'S BARS, NOT RESTAURANTS. SO IN KEEPING WITH THE GOVERNOR'S DIRECTIVES AND THE PRIMARY PUBLIC HEALTH CONCERN, I THINK IT'S WISER TO FOCUS THIS PIECE OF LEGISLATION ON RESTAURANTS THAT ARE

UNQUESTIONABLY RESTAURANTS AS WE DEFINE THEM UNDER THE LAND DEVELOPMENT CODE, SINCE THE PERMISSIONS WE'RE GIVING ARE LAND DEVELOPMENT CODE PERMISSION. THAT'S MY THINKING.

>> PRESIDENT JAMES: ALL RIGHT. THANK YOU. JUST A BIT OF HOUSEKEEPING, SO IT MAY HELP US A LITTLE BIT. IS THERE ANYBODY THAT DOES NOT WISH TO BE A CO-SPONSOR?

>> I DO NOT WISH TO BE A CO-SPONSOR.

>> PRESIDENT JAMES: THANK YOU, COUNCILMAN. ALL RIGHT, NEXT BIT OF HOUSEKEEPING. COUNCILWOMAN FLOOD, I THINK YOU WANTED TO -
-

>> YES, MR. PRESIDENT. I WOULD LIKE TO INVOKE RULE NO. 5.11-E. TO LIMIT DEBATE TO 90 MINUTES ON THIS.

>> PRESIDENT JAMES: THANK YOU, CAN WE HAVE A SECOND? SECOND, COUNCILMAN WINKLER, ALL IN FAVOR SAY AYE. [CHORUS OF AYES]

>> NO.

>> NO.

>> PRESIDENT JAMES: ALL RIGHT. ROLL CALL, PLEASE.

>> CLERK: COUNCIL MEMBER GREEN. COUNCIL MEMBER GREEN, I'M SORRY, WE COULDN'T HEAR YOU. I'M SORRY, ONE MORE TIME, COUNCILWOMAN GREEN. SORRY, YOU AND JENNY ARE MUTING, YOU'RE ON MUTE RIGHT NOW.

>> YES. CAN YOU HEAR ME?

>> CLERK: YES, THANK YOU SO MUCH. COUNCIL MEMBER SHANKLIN.

>> YES.

>> CLERK: COUNCIL MEMBER DORSEY.

>> YES.

>> CLERK: COUNCIL MEMBER SEXTON SMITH.

>> YES.

>> CLERK: COUNCIL MEMBER PURVIS.

>> YES.

>> CLERK: PRESIDENT JAMES.

>> YES.

>> CLERK: COUNCIL MEMBER MCCRANEY.

>> YES.

>> CLERK: COUNCIL MEMBER COAN.

>> YES.

>> CLERK: COUNCIL MEMBER HOLLANDER.

>> YES.

>> CLERK: COUNCIL MEMBER MULVIHILL.

>> NO.

>> CLERK: COUNCIL MEMBER KRAMER.

>> NO.

>> CLERK: COUNCIL MEMBER BLACKWELL.

>> YES.

>> CLERK: COUNCIL MEMBER FOX.

>> YES.

>> PRESIDENT JAMES: SOMEBODY NEEDS TO MUTE THEIR
MICROPHONE, PLEASE, THAT'S ON THE PHONE.

>> CLERK: COUNCIL MEMBER FOWLER.

>> YES.

>> CLERK: COUNCIL MEMBER TRIPLETT.

>> YES.

>> CLERK: COUNCIL MEMBER REED.

>> YES.

>> CLERK: COUNCIL MEMBER WINKLER.

>> NO.

>> CLERK: COUNCIL MEMBER PARKER.

>> NO.

>> CLERK: COUNCIL MEMBER PIAGENTINI.

>> NO.

>> CLERK: COUNCIL MEMBER BENSON.

>> YES.

>> CLERK: COUNCIL MEMBER GEORGE.

>> YES.

>> CLERK: COUNCIL MEMBER ENGEL.

>> NO.

>> CLERK: COUNCIL MEMBER PEDEN.

>> YES.

>> CLERK: COUNCIL MEMBER FLOOD. COUNCIL MEMBER FLOOD.

>> YES.

>> CLERK: COUNCIL MEMBER YATES.

>> YES.

>> CLERK: COUNCIL MEMBER ACKERSON.

>> NO.

>> CLERK: MR. PRESIDENT, YOU HAVE 19 YES VOTES AND SEVEN NO VOTES.

>> PRESIDENT JAMES: THANK YOU VERY MUCH. THE MOTION PASSES. I'M GOING TO -- SEVERAL OF YOU WITHDREW YOURSELF ON THE QUEUE ON THE SPONSORSHIP, AND I'M JUST GOING TO READ OUT WHAT I'VE GOT. I WANT TO MAKE SURE I'M ACCURATE FOR THOSE WHO STILL WISH TO REMAIN IN THE QUEUE. IF I AM INACCURATE, PLEASE TELL ME. COUNCILMAN KRAMER IS IN. COUNCILMAN WINKLER IS IN. COUNCILMAN BLACKWELL IS IN. IS THAT CORRECT, COUNCILMAN BLACKWELL? OKAY. COUNCILMAN ACKERSON IS IN. IS THAT CORRECT, COUNCILMAN ACKERSON?

>> THAT IS CORRECT.

>> PRESIDENT JAMES: THANK YOU. COUNCILMAN MULVIHILL IS IN.

>> I'D LIKE TO SPEAK TO THE RESTAURANT DEFINITION.

>> PRESIDENT JAMES: OKAY, YOU'RE IN QUEUE. IS THERE ANYBODY ELSE THAT IS IN THE QUEUE? THAT I DID NOT READ THEIR NAME?

>> I'M NOT IN THE QUEUE. THIS IS CINDI FOWLER. I WOULD LIKE TO SPONSOR, PLEASE.

>> PRESIDENT JAMES: OKAY. THANK YOU, COUNCILWOMAN.

>> COUNCILWOMAN MCCRANEY IS IN THE QUEUE, BUT I WITHDREW. I DID NOT SUPPORT THE BUSINESSES OPENING, JUST BECAUSE THIS IS A LITTLE BIT TOO CONVOLUTED.

>> PRESIDENT JAMES: OKAY, SO YOU'RE WITHDRAWING YOUR SPONSORSHIP, IS THAT CORRECT? THANK YOU. ALL RIGHT. COUNCILMAN KRAMER.

>> THANK YOU, MR. PRESIDENT. LIKE COUNCILWOMAN MCCRANEY, I'M GETTING KIND OF CONCERNED ABOUT HOW CONVOLUTED THIS IS BECOME. I VERY MUCH APPRECIATE COUNCILMAN WINKLER'S SUGGESTION WE CHANGE NUMBER ONE TO REFLECT WE HAVE NO INTENTION OF EXPANDING THE STATE MANDATE, AND SO IF GOVERNOR BESHEAR SUGGESTED THAT THIS IS WHAT SHOULD OPEN, THAT'S WHAT SHOULD OPEN, AND THAT'S FINE WITHOUT US NECESSARILY GETTING INTO THE DEBATE ABOUT THIS. I DO UNDERSTAND AND RECOGNIZE THAT THE LAND USE DEVELOPMENT CODE AND ALL THAT. I THINK THAT'S WHERE IT BECOMES CONVOLUTED, AND I THINK I'M STILL OKAY. I DO WANT TO SAY, IN MY SUPPORT, THOUGH, THAT I WANT TO SAY AS I CONTINUE TO SUPPORT THIS, THAT HERE'S WHY. SECTION 2 OF THE RESOLUTION, THE WAY THAT IT'S WRITTEN, MAKES IT CLEAR THE EXPECTATION IS FOLKS WILL BE ABLE TO OPEN AND RUN THEIR BUSINESSES WITHOUT HAVING TO WAIT, AND SECTION 4, SAYS VERY PLAINLY, BY APPLYING FOR AND FILLING OUT AN APPLICATION TO USE OUTDOOR SEATING, AND WITHOUT ANY FEE BEING PAID, UPON COMPLETING THE APPLICATION, THE APPLICATION IS GRANTED. SO I'M HAPPY TO NOTE THAT, FIRST, TO

COUNCILMAN HOLLANDER'S POINT, YOU HAVE TO BE CAREFUL WHERE YOU PUT THINGS, AND ADA ACCESSIBLE, AND HAVE TO TAKE CARE OF THAT, THAT'S THE MOST IMPORTANT THING. AGAIN, APPRECIATE COUNCILMAN COAN GETTING THAT IN THERE. ASIDE FROM THE MAKING SURE THE SAFETY STUFF IS TAKEN CARE OF, THE EXPECTATION FROM US, AS SOON AS THIS IS PASSED, RESTAURANTS CAN MOVE TOWARD OUTDOOR SEATING AND THEY DON'T HAVE TO WAIT. AND THAT WAS REALLY IMPORTANT TO ME. I WAS GLAD TO SEE THAT WAS IN THERE AND MOVED ME IN THE DIRECTION TO A YES. I WOULD BE AMENABLE TO AN AMENDMENT, IF COUNCILMAN WINKLER HAS A LANGUAGE FOR IT TO CHANGE NUMBER ONE IN THE GUIDELINES. IF NOT, I DO APPRECIATE THAT THE GOVERNOR ALLOWED FOR THE OPENING OF RESTAURANTS AND VERY CLEARLY ESTABLISHED AS HE SAID THAT, THAT THERE'S A DIFFERENCE BETWEEN RESTAURANTS AND BARS. IT WAS IN HIS STATEMENT. IT'S NOT LIKE WE CAN GO BACK LATER AND SAY, WELL, IT WASN'T CLEAR. HE WAS CLEAR, THERE WAS A DISTINCTION, AND OUR LAND USE CODE DOES MAKE THAT DISTINCTION. AGAIN, I'D BE WILLING TO SUPPORT AN AMENDMENT, BUT OTHERWISE, STILL IN FAVOR OF IT. PLEASE AS ME AS A CO-SPONSOR.

>> PRESIDENT JAMES: THANK YOU, COUNCILMAN WINKLER?

>> THANK YOU. I WILL BE MAKING AN AMENDMENT IN JUST A MOMENT. I WANTED TO SAY SOMETHING IN RESPONSE TO THE COMMENTS THAT COUNCILMAN PIAGENTINI MADE. I THINK ONE OF THE THINGS THAT'S IMPORTANT IS, IT IS ONE THING FOR US TO OPEN RESTAURANTS AND STORES AND EVERYTHING ELSE. IT'S ANOTHER FOR PEOPLE TO GO

AND TO FEEL SAFE TO GO. AND I THINK THAT'S ALSO CRITICALLY IMPORTANT, RIGHT? COUNCILMAN PIAGENTINI CITED THE NUMBERS AROUND ILLNESSES OF WORKING AGE, AND HE'S RIGHT. YOU KNOW, THE INFECTION RATE FOR YOUNG PEOPLE ARE RELATIVELY LOW. I KNOW THERE'S BEEN SOME CONCERNING CASES COMING OUT IN THE LAST WEEK ABOUT VERY YOUNG PEOPLE, AND THAT'S CERTAINLY SOMETHING WE NEED TO CONTINUE TO MONITOR. THE POINT, THOUGH, THAT I THINK COUNCILMAN PIAGENTINI MISSES IS THE REASON WE HAVE ENACTED THE SOCIAL DISTANCING MEASURES THAT WE HAVE IS NOT TO KEEP MOST OF US FROM GETTING COVID-19. MOST OF US WILL GET COVID-19. WE WILL GET IT, AND WE WILL BE FINE. THAT'S NOT THE ISSUE. THAT'S NOT WHY WE HAVE SOCIAL DISTANCING AND WHY WE HAVE THE LOCKDOWN. THE REASON THAT WE HAVE THESE THINGS, AND SO I MAKE THAT POINT, BECAUSE IT IS IMPORTANT THAT THE PUBLIC UNDERSTAND THAT FOR THE VAST MAJORITY, IF YOU DO NOT HAVE UNDERLYING HEALTH CONDITIONS, IF YOU'RE NOT IN A VULNERABLE POPULATION, YOU SHOULD NOT BE SCARED TO GO OUT AND TO GO EAT AND TO GO TAKE A WALK. I THINK THAT'S CRITICALLY IMPORTANT. THAT GOES WITH REOPENING. NOW, THE COUNTERARGUMENT TO THAT IS, THE REASON THAT WE HAVE THE MEASURES IN PLACE, AND THE REASONS THAT I AM WEARING A MASK TODAY, AND THE REASON THAT THE GUIDANCE FROM THE GOVERNOR IS TO WEAR A MASK, IS THE SCIENCE ALSO SAYS THAT OVER 50% OF US WILL BE ASYMPTOMATIC WITH COVID-19. THAT MEANS WE WILL DEMONSTRATE NO SYMPTOMS WHATSOEVER, OKAY, HOWEVER, YOU COULD BE A CARRIER. AND

THAT'S WHAT MAKES COVID-19 DIFFICULT. BECAUSE IT'S NOT LIKE THE FLU, WHERE WHEN YOU'RE SICK AND YOU'RE INFECTIOUS, YOU KNOW IT, BECAUSE YOU'RE LAYING IN BED AND YOU FEEL LIKE YOU'RE GOING TO DIE. OVER HALF OF US WILL DEMONSTRATE NO SYMPTOMS WHATSOEVER. AND SO THE REASON THAT I WEAR A MASK TODAY, AND THE REASON THAT THE GOVERNOR'S GUIDANCE IS FOR MASK WEARING, IS BECAUSE I MIGHT BE CARRYING COVID-19 AND NOT KNOW IT. OKAY, AND SO WEARING THE MASK DOESN'T PROTECT ME FROM GETTING THE DISEASE. IT HELPS MINIMIZE THE CHANCE THAT I AM ASYMPTOMATIC, A CARRIER OF THE DISEASE, WITHOUT KNOWING IT, AND UNWITTINGLY SPREAD IT TO OTHERS. AND SO THE REASON I BRING THAT UP IS, AS WE THINK ABOUT REOPENING AND GOING OUT IN PUBLIC, AND THE DEBATE AND THE CIVIL LIBERTY OF WHETHER YOU WEAR A MASK OR NOT, AND, CERTAINLY, THAT'S YOUR CHOICE. IT IS NOT A PROTECTIVE MEASURE TO KEEP YOU FROM GETTING THE DISEASE. IT IS SOMETHING THAT HELPS YOU FROM SPREADING THE DISEASE IF YOU HAVE IT UNKNOWINGLY. AND I WOULD ENCOURAGE ALL OF THOSE THAT ARGUE THAT THINGS SHOULD REOPEN, ONE OF THE CRITICAL STEPS TO REGAINING NORMALCY IS TO MINIMIZE THE IMPACT THAT WE PUT ON OUR HEALTH CARE SYSTEM AND THE RISKS THAT WE PUT ON OUR VULNERABLE POPULATION. AND ONE OF THE EASY WAYS THAT WE DO THAT IS BY WEARING MASKS IN PUBLIC, BY WASHING OUR HANDS FREQUENTLY, BY USING SANITIZER, SO THAT WE MINIMIZE THE SPREAD OF THE DISEASE. NOT TO COUNCILMAN PIAGENTINI, WHO I AM GOING TO ASSUME HERE IS RELATIVELY HEALTHY, BUT THAT WE PROTECT

THOSE THAT ARE VULNERABLE. AND SO BY DOING THESE MEASURES AND LIMITING OUR RISKS OF INFECTING THOSE THAT ARE VULNERABLE IS WHAT BEST ENABLES US TO QUICKLY REOPEN THOSE THINGS THAT WE NEED TO REOPEN. SO I FULLY SUPPORT US REOPENING, AND MORE IMPORTANTLY, THAT PEOPLE FEEL SAFE GOING TO PLACES, SO THAT WHEN RESTAURANTS REOPEN, WHEN RETAIL STORES FULLY REOPEN, THAT PEOPLE FEEL COMFORTABLE GOING, SPENDING THEIR MONEY, AND HELPING OUR ECONOMY. SO I JUST WANTED TO SAY THAT. THAT SAID, ON THE SPECIFIC ISSUE THAT COUNCILMAN PEDEN BROUGHT UP, AND COUNCILMAN KRAMER REFERENCED, I WOULD LIKE TO OFFER AN AMENDMENT THAT AMENDS, NUMBER ONE, DEFINING THE RESTAURANT CRITERIA. IT IS NOT OUR PLACE, NOR DO I THINK WE EVEN HAVE THE AUTHORITY, TO MANDATE WHAT QUALIFIES. I WOULD INSTEAD OFFER AN AMENDMENT, AND MAYBE THE COUNTY ATTORNEY CAN HELP ME WITH VERBIAGE, BUT NO DIFFERENT THAN WE OFFER AN AMENDMENT TO CHANGE THE EXPIRATION OF THE ORDINANCE TO COINCIDE WITH THE EXPIRATION OF THE EXECUTIVE ORDER, I WOULD PROPOSE THAT THIS ORDINANCE APPLIES TO ANY PLACE THAT SERVES FOOD THAT IS ALLOWED TO OPEN UNDER THE GOVERNOR'S ORDERS. AND SO BE THAT MAY 22ND FOR WHATEVER BUSINESSES THE STATE AUTHORIZES TO OPEN AND BE IT JULY 1ST FOR WHATEVER RESTAURANTS OR BARS OR WHATEVER BUSINESSES THE GOVERNOR DECIDES ARE ALLOWED TO OPEN THEN. I BELIEVE THIS IS ALSO IMPORTANT, BECAUSE IF I'M NOT MISTAKEN, THE EXECUTIVE ORDER DOESN'T NECESSARILY ALLOW EVERYONE TO OPEN. IT ALLOWS EVERYONE TO OPEN

THAT HAS A PLAN, THAT COMPLIES WITH THE STATE GUIDELINES. AND SO ENSURING WE ARE COMPLIANT WITH THAT I THINK ADDRESSES COUNCILMAN KRAMER'S CONCERNS. WE DON'T WANT TO OVERCOMPLICATE IT. WE ARE TRYING FOR THOSE BUSINESSES THAT ARE ALLOWED TO REOPEN, WE ARE TRYING TO MAKE THAT PROCESS EVEN EASIER BY GIVING THEM A LARGER FOOTPRINT WHERE THEY CAN SERVE THE PUBLIC. SO I'M LOOKING AT THE COUNTY ATTORNEY. I DON'T KNOW WHETHER WE CAN SIMPLY STRIKE THE LANGUAGE FROM ONE, OR WHETHER WE CAN CHANGE THE LANGUAGE TO SAY AS ESTABLISHMENTS THAT SERVE FOOD ARE ALLOWED TO OPEN PER THE GOVERNOR'S EXECUTIVE ORDER THAT, WE ALLOW SORT OF THE ITEMS IN TWO, THREE, AND BEYOND.

>> LAURA FERGUSON, COUNTY ATTORNEY. I THINK WHAT I'M GOING TO SUGGEST IS ON ONE, WE WOULD HAVE IT BE THE RESTAURANTS SHALL MEAN BUSINESSES SERVING FOOD PERMITTED BY THE GOVERNOR TO REOPEN, BECAUSE SOME OF THESE AREN'T OCCURRING THROUGH A FORMAL EXECUTIVE ORDER. I DON'T WANT TO TIE IT TO AN EXECUTIVE ORDER. IF WE'RE TRYING TO ENCOMPASS BARS AT A LATER DATE, WE'D HAVE TO COME BACK AND AMEND IT TO THE BAR DEFINITION. I THINK MY UNDERSTANDING IS YOU WANT TO GO SO THAT THIS WOULD APPLY TO BARS ONCE THEY ARE ALLOWED TO REOPEN.

>> CORRECT. I WOULD PROPOSE THERE'S NO REASON TO DO SOMETHING DIFFERENT SIX WEEKS FROM NOW, THAT IF WE CAN GO AHEAD IN ONE SWOOP AND SAY AS THINGS ARE ALLOWED TO REOPEN, WE CAN HELP THEM EXPAND THEIR SERVABLE CAPACITY BY ALLOWING THE USE OF

THEIR OUTDOOR SPACE, BE IT A BAR, A RESTAURANT, A TAVERN, WHATEVER, I THINK THAT'S FINE. I DON'T AGREE WITH COUNCILMAN COAN'S ARGUMENT THAT THE BAR AROUND THE CORNER CAN GO TO COSTCO AND BUY FOOD TRAYS AND CALL THEMSELVES A RESTAURANT. AGAIN, THEY'D NEED TO BE COMPLIANT WITH THE GOVERNOR'S ORDERS TO BE ALLOWED TO REOPEN, AND I'D GO AS FAR AS TO SAY IF GOING TO COSTCO AND BUYING FIVE FOOD TRAYS, IF THE COMMONWEALTH SAYS YOU CAN REOPEN, THEN WE ARE NOT IN A PLACE THAT WE SHOULD SAY THEN THIS REQUIREMENT DOESN'T APPLY TO YOU. IF THE COMMONWEALTH SAYS YOU CAN REOPEN, THIS SPECIFIC ORDINANCE SHOULD APPLY TO THEM, PERIOD.

>> PRESIDENT JAMES: OKAY. WHILE THE COUNTY ATTORNEY IS THINKING ON THAT, I'M GOING TO GO TO COUNCILMAN MULVIHILL, WHO WANTS TO SPEAK TO IT ALSO.

>> THANK YOU, MR. PRESIDENT. I DID JUST LOOK AT THE HEALTHY ORDER, AND WE'RE TALKING ABOUT WHAT THEY ARE TALKING ABOUT SPECIFICALLY. I DON'T KNOW WHY WE JUST WOULDN'T USE THEIR DEFINITION, WHICH IS "RESTAURANT IS AN ENTITY THAT FULLY PREPARES, SERVES, AND SENDS FOOD TO THE CONSUMER, INCLUDING ANY ESTABLISHMENT HOLDING A FOOD SERVICE PERMIT IN GOOD STANDING." THAT'S THE DEFINITION THEY USE, THAT'S WHO THEY ARE TALKING ABOUT BEING OPEN. WE'RE TRYING TO BE CONSISTENT WITH THAT ORDER. THAT IS THE DEFINITION THEY ARE USING, AND I THINK THAT'S PROBABLY THE SIMPLEST WAY TO DO IT. I MIGHT REFER TO THE

DEFINITION IN THAT EXECUTIVE ORDER WITH THAT DEFINITION. THAT'S WHAT I WOULD MOVE. THAT'S CONSISTENT AND CLEAR. THANK YOU.

>> PRESIDENT JAMES: THANK YOU, COUNCILMAN MULVIHILL.

>> COUNCILMAN MULVIHILL, I THINK THAT'S WELL-SAID AND I'D BE TOTALLY SUPPORTIVE USING THAT AS AN AMENDMENT.

>> PRESIDENT JAMES: AND COUNCILMAN KRAMER SECONDS IT AS AN AMENDMENT. ANY ADDITION FROM THE COUNTY ATTORNEY'S OFFICE THAT WE SHOULD CONSIDER BEFORE WE MOVE ON?

>> WE HAD A COUPLE OF THOUGHTS ON COUNCILMAN WINKLER'S POINT. THINKING ABOUT THE EXPECTATION OF THIS. FIRST, THIS ORDINANCE HAS DRAFTED A VERY RESTAURANT SPECIFIC, WHATEVER THAT TERM MEANS TO ME. THE GOVERNOR'S HEALTHY AT HOME GUIDANCE, WHICH MY COLLEAGUE REFERENCED A MINUTE AGO, CONTAINS ITS OWN DEFINITION OF RESTAURANT. BARS ARE JULY 1ST. DON'T KNOW HOW HEALTHY AT HOME IS GOING TO DEFINE A BAR. DON'T KNOW WHAT MIGHT NEED TO BE DIFFERENT FROM THE GOVERNOR'S HEALTHY AT HOME GUIDANCE COMES UP WITH. ONE APPROACH MIGHT BE, TO KEEP THAT TERM ON RESTAURANTS, HOWEVER THAT'S DEFINED IN THE GUIDANCE FOR NOW, AND THEN SEE WHAT WE NEED TO DO TO ADDRESS BARS.

>> YEAH, NO, THANK YOU VERY MUCH, HOLLY. I THINK COUNCILMAN MULVIHILL, WHILE YOU WERE TALKING, SUGGESTED THE SAME THING. I THINK THAT'S THE MOTION --

>> SORRY.

>> THAT'S THE MOTION THAT WE'VE MADE AND GOTTEN A SECOND ON. AND I WOULD JUST SAY THAT WE SHOULD, AS WE APPROACH REOPENING BARS OR OTHER ESTABLISHMENTS, WE SHOULD LOOK TO SIMILAR MEASURES AS THOSE DATES. SO YOU HAVE THE VERBIAGE, THE AMENDMENT IS TO CHANGE THE DEFINITION OF A RESTAURANT TO BE CONSISTENT WITH THE HEALTHY AT HOME DEFINITION. I DON'T KNOW IF YOU WANT TO READ IT. COUNCILMAN MULVIHILL JUST READ IT.

>> UNLESS THE COUNCILMAN WOULD RATHER READ IT. THE DEFINITION IN THE HEALTHY AT WORK GUIDELINES ISSUED BY GOVERNOR BESHEAR IS AS FOLLOWS, "FOR PURPOSES OF THESE REQUIREMENTS, A RESTAURANT IS AN, QUOTE, ENTITY THAT STORES, PREPARES, SERVES, SUSPENDS FOOD DIRECTLY TO THE CONSUMER OR OTHERWISE PROVIDES FOOD FOR HUMAN CONSUMPTION, INCLUDING ANY ESTABLISHMENT HOLDING A FOOD SERVICE PERMIT IN GOOD STANDING."

>> I THINK THIS THEN ALSO ENCOMPASSES, YOU KNOW, TO COUNCILMAN FOWLER'S QUESTION ABOUT THE SNACK BAR. NOT JUST THE SNACK BAR AT THE GOLF COURSES, BUT THE SNACK BAR AT YOUR LOCAL 7-ELEVEN. IT ENCOMPASSES THE SNACK AREA AT KROGER OR ANY OTHER GROCERY STORE. IT IS YOU'RE PREPARING FOOD FOR HUMAN CONSUMPTION, THIS ORDINANCE WOULD ENCOMPASS.

>> THAT WOULD BE THE EFFECT OF CHANGING THE DEFINITION OF RESTAURANT. AND I CAN'T SPEAK TO THE ENFORCEMENT ISSUES AND PUBLIC WORKS ISSUES, AND I DON'T KNOW TO WHAT EXTENT THEY MAY HAVE SOME ADDITIONAL THOUGHTS ABOUT HOW CHANGING THE DEFINITION

MIGHT IMPACT HOW THIS OPERATES GOING FORWARD. IF MY COLLEAGUE HAS ANY THOUGHTS ON THIS, I'D CERTAINLY DEFER TO HER. I'D JUST OFFER THAT AS A COMMENT, AS WE'RE CHANGING THINGS SORT OF ON THE FLY.

>> PRESIDENT JAMES: THANK YOU. COUNCILMAN PEDEN ALSO WANTS TO SPEAK TO THIS BEFORE WE VOTE ON THE AMENDMENT.

>> I WANTED TO SAY, COUNCILMAN MULVIHILL, THE HEALTHY AT HOME GUIDANCE. NOW I KNOW WHERE ROBERT GOT WHAT HE READ TO ME THE OTHER DAY. HE MUST HAVE BEEN READING STRAIGHT OFF THAT PAGE, AND THAT IS WHAT HE HAD BEEN WHAT HE WAS READING. I'M VERY MUCH IN FAVOR OF THIS AMENDMENT.

>> PRESIDENT JAMES: THANK YOU, COUNCILMAN PEDEN, AND COUNCILMAN COAN WISHES TO SPEAK TO THE AMENDMENT ALSO.

>> THANK YOU, MR. PRESIDENT. I THINK, OBVIOUSLY, THE SAFE DEFINITION OF RESTAURANT MAKES SENSE. I JUST HAD A QUESTION. DOES AN ESTABLISHMENT HAVE TO HAVE A STATE FOOD SERVICE PERMIT, OR THIS INCLUDES BUSINESSES WITH SAFE FOOD SERVICE PERMIT? YOU HAVE TO HAVE A SAFE FOOD SERVICE PERMIT.

>> PRESIDENT JAMES: COUNTY ATTORNEY?

>> I'M LOOKING IT UP TO SEE IF IT'S A STATE ISSUE OR LOCAL. THE GUIDANCE ITSELF DOESN'T SPECIFY. IT JUST SAYS FOOD SERVICE.

>> I ASSUME A SAFE FOOD SERVICE PERMIT. WE HAVE A FOOD SERVICE PERMIT, BUT YOU HAVE TO HAVE A SAFE FOOD PERMIT TO GET A

LOCAL PERMIT. THAT WAY A BUSINESS KNOWS, THAT MEANS THEM. IF THEY DON'T, THAT DOESN'T MEAN THEM.

>> PRESIDENT JAMES: THANK YOU. WHILE THE COUNTY ATTORNEY IS LOOKING AT THAT, I'LL CALL ON COUNCILMAN ACKERSON. HE WANTS TO SPEAK ON THE AMENDMENT ALSO.

>> THANK YOU, MR. PRESIDENT. I BEING ONE OF THE PEOPLE WHO SAID I DON'T WANT TO BE A SPONSOR TO THIS, THIS IS ONE OF THE REASONS WHY. I THINK THIS IS FAR FROM A PERFECT ORDINANCE. WHAT WE'RE TRYING TO DO IS SOMETHING TEMPORARY. WE'RE TRYING TO HELP THIS. THESE BUSINESS OWNERS ARE PEOPLE WHO INVESTED THEIR LIFE. THIS IS EVERYTHING TO THEM TO MAINTAIN WHAT THEY LOVE AND WHAT SUSTAINS THEIR FAMILY. EVERYTHING ABOUT THIS, WE SHOULD MAKE THIS DEFINITION AS BROAD AS POSSIBLE. COUNCILMAN HOLLANDER RAISES THE TWO CONCERNS I HAVE, WHICH IS HANDICAP ACCESSIBILITY AND MAKING SURE WE DO IT SAFELY AS FAR AS, YOU KNOW, BEING TOO CLOSE TO THE ROAD, MAKING SURE THAT PEOPLE THAT ARE VISUALLY IMPAIRED. ANYTHING SHORT OF THAT, I LIKE THE DEFINITION EARLIER OF KITCHENS. SOMEBODY SAID KITCHENS IS TOO FAR. COUNCILMAN COAN TALKED ABOUT GOING TO COSTCO. I DON'T CARE. WE'RE TALKING ABOUT OUTSIDE, BECAUSE OUTSIDE IS NOT AS DANGEROUS AS INSIDE, BECAUSE THE VENTILATION FACTOR. THAT'S WHAT WE'RE TRYING TO DO, IS ACCOMMODATE THESE BUSINESSES, KEEPING THINGS SAFE, BUT GIVING THESE PEOPLE AS MUCH CHANCE AS POSSIBLE TO KEEP THEIR BUSINESSES AFLOAT AND MAKE MONEY TO SUSTAIN THEMSELVES. WE SHOULD STOP

BICKERING OVER THE SEMANTICS. SEMANTICS THAT ORDER PEOPLE. I'M STILL NOT IN FAVOR OF AMENDMENT NUMBER FIVE, YOU KNOW, REGARDING SMOKING. IF SMOKING IS OKAY OUTSIDE ANY OTHER TIME, WHY ARE WE DICTATING SMOKING NOW ON THE NEW SECTIONS OUTSIDE? HELL WITH IT, LET THE RESTAURANT DECIDE IT. LET'S GIVE AS MANY PEOPLE AS POSSIBLE SOME ECONOMIC HELP. TO SURVIVE A SITUATION, DOING IT SAFELY, TO SURVIVE THE SITUATION. I DON'T CARE IF IT'S A BAR THAT SELLS A BIT OF FOOD. THAT BAR IS STILL IMPORTANT. LET'S GIVE THEM THE OUTSIDE SEATING CAPACITY TO SERVE THAT FOOD, SO MAKE THAT DOLLAR. NOT BICKERING OVER THIS STUFF. I'M A LAWYER AND A POLITICIAN, BUT BY GOD LEAVE IT TO LAWYERS AND POLITICIANS TO SCREW THINGS UP, AND THAT'S WHAT WE'RE DOING RIGHT NOW. LET'S EXTEND THE TEMPORARY HELP. ONLY GOING TO BE A SHORT PERIOD OF TIME. IF WE DON'T GET IT PERFECT, THAT'S OKAY. LET'S TRY TO HELP AS MANY PEOPLE AS POSSIBLE TO STAY AFLOAT. BECAUSE OF THAT, YOU KNOW, I SUPPORT COUNCILMAN WINKLER'S AMENDMENT. I TAKE IT EVEN FURTHER, I'D STATE KITCHENS, PERIOD. SERVING FOOD, THAT'S IT. YOU GOT IT. WE'RE GOING TO ALLOW THE OUTSIDE CONTAINMENT, OR ADDITION. THANK YOU, MR. PRESIDENT.

>> PRESIDENT JAMES: THANK YOU, COUNCILMAN. COUNCILMAN WINKLER TO SPEAK TO THE AMENDMENT.

>> THANK YOU. I THINK COUNCILMAN ACKERSON MADE THE POINT AT THE END. BASICALLY, THE POINT OF THE AMENDMENT I MADE, IF THE

STATE SAYS YOU CAN OPEN, WE'LL LET THIS WORK. THAT'S IT. I THINK THAT'S AS BROAD AS WE CAN POSSIBLY MAKE IT.

>> PRESIDENT JAMES: THANK YOU. COUNCILMAN PURVIS TO SPEAK TO THE AMENDMENT.

>> THANK YOU, MR. PRESIDENT. AND I HAVE TO AGREE WITH COUNCILMAN ACKERSON. I MEAN, THIS IS JUST GOING OVERBOARD, SOMETHING THAT SHOULD HAVE BEEN SIMPLE. AND, YOU KNOW, LIKE COUNCILMAN HOLLANDER AND I MENTIONED EARLIER, MY ONLY CONCERN IS MAKING SURE THAT PEDESTRIANS HAVE THE RIGHT-OF-WAY, AND THAT THE HANDICAP CAN WALK BACK AND FORTH, WHATEVER THE CASE MAY BE. BUT ALL OF THIS OTHER ADDED ON STUFF, IT'S REALLY I'M NOT INTERESTED IN BEING A SPONSOR. I THINK IT'S TIME TO MOVE FORWARD.

>> PRESIDENT JAMES: THANK YOU, COUNCILWOMAN. AND THE COUNTY ATTORNEY, ARE WE READY?

>> YEAH, UNDER LMCO CHAPTER 118, OPERATES IN LOUISVILLE, YOU HAVE TO HAVE BOTH A LOCAL AND STATE PERMIT.

>> PRESIDENT JAMES: ALL RIGHT, THANK YOU. AMENDMENT IS BEFORE US. ALL IN FAVOR SAY AYE. ALL OPPOSED? THE AYES HAVE IT. BACK INTO THE QUEUE, COUNCILMAN WINKLER, NO? COUNCILMAN BLACKWELL.

>> THANK YOU, MR. PRESIDENT. I WAS GOING TO SAY SOME OF THE THINGS THAT COUNCILMAN WINKLER SAID BEFORE. SO I WON'T GO BACK THROUGH EVERYTHING. I JUST WANT TO THANK FOLKS FOR THEIR HARD WORK ON THIS. I DO BELIEVE IT IS, AS DIFFICULT AS IT IS TO PUT

SOMETHING TOGETHER THAT ADDRESSES EVERYONE'S ISSUES, I KNOW IT'S EASY TO SAY I GOT MY PIECE TAKEN CARE OF, SO THAT'S ALL I CARE ABOUT, THE REST OF IT IS JUST KIND OF CRAZY TALKING ABOUT ALL THESE OTHER THINGS THAT AREN'T MY ISSUE. BUT THAT'S WHAT WE DO, BECAUSE THAT'S HOW YOU MAKE LEGISLATION, YOU GET EVERYBODY'S CONCERNS TAKEN CARE OF. I APPRECIATE THE FACT WE HAVE THE SMOKING PIECE IN THERE, BECAUSE WITHOUT THAT, TO ADDRESS THAT, YOU KNOW, WITHOUT THAT YOU HAVE A VERY, VERY, VERY LIMITED, AND THAT'S WHAT IS THE DIFFERENCE, A VERY LIMITED OPPORTUNITY FOR PEOPLE WHO DO NOT WANT TO BE AROUND SMOKE, TO BE ABLE TO GO TO A RESTAURANT. AND WE WANT ALL OF US TO BE ABLE TO GO BACK TO THE RESTAURANTS AND TO FEEL SAFE BEING THERE. SO I APPRECIATE THAT WE -- THAT COUNCILWOMAN SEXTON SMITH AND OTHERS BROUGHT THAT UP AND WE ADDRESSED THAT. SO THANK YOU FOR ALL THE WORK ON IT. I'M PROUD TO BE A SPONSOR ON IT, AND HOPE THAT WE CAN SUPPORT THIS UNANIMOUSLY. THANK YOU, MR. PRESIDENT.

>> PRESIDENT JAMES: THANK YOU, COUNCILMAN. AND COUNCILMAN ACKERSON TO SPEAK TO THE ORDINANCE.

>> I SPOKE MY PIECE, THANK YOU.

>> PRESIDENT JAMES: THANK YOU. COUNCILMAN MULVIHILL.

>> I APPRECIATE ALL THE WORK THAT'S GONE INTO IT, AND, YOU KNOW, I THINK WE'RE LIMITED TO STATE WHAT WE CAN DEFINE AS RESTAURANTS OR BARS. WE'VE DONE THE MOST WE CAN DO, AND I DO

SUPPORT THE ORDINANCE AND I DO WANT TO BE A CO-SPONSOR. THANK YOU.

>> PRESIDENT JAMES: THANK YOU. AND COUNCILWOMAN PURVIS TO SPEAK TO THE ORDINANCE.

>> I ALREADY SPOKE, BUT AS I MENTIONED, I WILL NOT BE A SPONSOR, BUT I WILL SUPPORT THE ORDINANCE.

>> PRESIDENT JAMES: THANK YOU, COUNCILWOMAN. IS THERE ANY FURTHER DISCUSSION? HEARING NONE, THIS IS AN ORDINANCE THAT WILL REQUIRE A ROLL CALL VOTE. MADAM CLERK, WOULD YOU PLEASE CALL THE ROLL?

>> CLERK: COUNCIL MEMBER GREEN.

>> YES.

>> CLERK: COUNCIL MEMBER SHANKLIN. COUNCIL MEMBER DORSEY.

>> YES.

>> CLERK: COUNCIL MEMBER SEXTON SMITH.

>> YES.

>> CLERK: COUNCIL MEMBER PURVIS.

>> YES.

>> CLERK: PRESIDENT JAMES.

>> PRESIDENT JAMES: YES.

>> CLERK: COUNCIL MEMBER MCCRANEY. COUNCIL MEMBER MCCRANEY, WE DIDN'T HEAR YOU.

>> YES.

>> CLERK: COUNCIL MEMBER COAN.

>> YES.

>> CLERK: COUNCIL MEMBER HOLLANDER.

>> YES.

>> CLERK: COUNCIL MEMBER MULVIHILL.

>> YES.

>> CLERK: COUNCIL MEMBER KRAMER.

>> YES.

>> CLERK: COUNCIL MEMBER BLACKWELL.

>> YES.

>> CLERK: COUNCIL MEMBER FOX.

>> YES.

>> CLERK: COUNCIL MEMBER FOWLER.

>> YES.

>> CLERK: COUNCIL MEMBER TRIPLETT.

>> YES.

>> CLERK: COUNCIL MEMBER REED.

>> YES.

>> CLERK: COUNCIL MEMBER WINKLER.

>> YES.

>> CLERK: COUNCIL MEMBER PARKER.

>> YES.

>> CLERK: COUNCIL MEMBER PIAGENTINI. WAS THAT YES, SIR?

>> YES.

>> CLERK: THANK YOU. COUNCIL MEMBER BENSON.

>> YES.

>> CLERK: COUNCIL MEMBER GEORGE. WE CAN'T HEAR YOU. CAN YOU SAY THAT ONE MORE TIME?

>> YES.

>> CLERK: THANK YOU. COUNCIL MEMBER ENGEL.

>> YES.

>> CLERK: COUNCIL MEMBER PEDEN.

>> YES.

>> CLERK: COUNCIL MEMBER FLOOD.

>> YES.

>> CLERK: COUNCIL MEMBER YATES.

>> YES.

>> CLERK: COUNCIL MEMBER ACKERSON. WAS THAT YES?

>> AFFIRMATIVE, YES.

>> CLERK: MR. PRESIDENT, THERE ARE 25 YES VOTES AND ZERO NO VOTES.

>> PRESIDENT JAMES: THANK YOU. THE ORDINANCE PASSES. NEXT ITEM OF BUSINESS IS OLD BUSINESS. MADAM CLERK, A READING OF ITEM NO. 21.

>> CLERK: 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). READ IN FULL.

>> PRESIDENT JAMES: THANK YOU. MAY I HAVE A MOTION AND A SECOND? MOTION, COUNCILMAN WINKLER.

>> SECOND, BENSON.

>> PRESIDENT JAMES: SECOND BY COUNCILMAN BENSON. THE MOTION IS -- THE ORDINANCE IS BEFORE US. IS THERE ANY DISCUSSION? COUNCILWOMAN FLOOD.

>> THANK YOU, MR. PRESIDENT. THIS IS A REDEVELOPMENT OF THAT CORNER. IT IS GOING TO BE A RESTAURANT. THERE IS NO EXPANSION OF THE CURRENT STRUCTURE, WHICH IT SITS AT 2,822 SQUARE FEET. THERE ARE EXTERIOR IMPROVEMENTS IN THE FORM OF REAR PARKING, SCREENING OF THE DUMPSTERS, AND A BIKE RACK. AND THIS IS IN COUNCILWOMAN BARBARA SEXTON SMITH'S DISTRICT, SO I'D LIKE TO YIELD THE FLOOR TO HER.

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

>> YES, THANK YOU, MR. PRESIDENT, AND THANK YOU, CHAIR FLOOD. SO, COLLEAGUES, THIS PASSED UNANIMOUSLY OUT OF THE PLANNING AND ZONING COMMITTEE, AND AS YOU KNOW, ANY TIME THERE'S A ZONING CHANGE, IT BECOMES BEFORE THE FULL COUNCIL. SO I'M EXCITED ON THE HEELS OF THE CONVERSATION WE HAVE JUST GONE THROUGH, AND I THINK THAT WAS VERY HELPFUL AND HEALTHY DISCUSSION THAT THIS LEGISLATIVE BODY JUST OCCURRED. BUT IN THE MIDST OF THIS GLOBAL PANDEMIC AND A LOT OF DIFFICULTY WITH ALL OF OUR BUSINESSES, AND AS WE TRY TO FIGURE OUT HOW TO HELP

BUSINESSES GET OPEN, GET EMPLOYEES BACK TO WORK, GET PEOPLE DOING WHAT THEY LOVE TO GET UP AND DO IT, WE DID HEAR A SPEECH EARLIER THIS EVENING ON THE FLOOR ABOUT THAT VERY THING. I WANT TO SAY, THIS, COLLEAGUES, IS AN EXAMPLE OF A DEVELOPMENT THAT IS GETTING READY TO HAPPEN. SO I HOPE EVERYBODY VOTES IN THE AFFIRMATIVE SO THESE DEVELOPERS CAN MOVE FORWARD AND CREATE THIS NEW RESTAURANT. IF YOU'RE TRYING TO FIGURE OUT WHERE IT'S LOCATED, IT IS RIGHT ACROSS THE STREET FROM NAIVE, WHICH IS A RESTAURANT IN OUR BUTCHERTOWN AREA, AND IT IS RIGHT AROUND THE CORNER FROM I-5 DONUTS. JUST TO HELP YOU FIGURE OUT WHERE THAT IS. SO WATCH FOR NEW RESTAURANTS THAT, HOPEFULLY, WILL BE PLAYING SOCCER OVER IN BUTCHERTOWN BEFORE TOO TERRIBLY LONG. THANK YOU, MR. PRESIDENT, AND THANK YOU, MADAM CHAIR.

>> PRESIDENT JAMES: THANK YOU, COUNCILWOMAN. WE HAVE COUNCILWOMAN MCCRANEY HAS DROPPED OUT FOR A SECOND. WE'RE GOING TO HOLD FOR A SECOND. WHILE WE TRY TO GET HER BACK.

>> PRESIDENT JAMES: ALL RIGHT, WE HAVE COUNCILWOMAN MCCRANEY BACK NOW. THANK YOU. COUNCILWOMAN SEXTON SMITH, I INTERRUPTED YOU, I'M SORRY.

>> MR. PRESIDENT, YOU CAN INTERRUPT ME AT ANY TIME. I BELIEVE I WAS OVER WITH MY REMARKS. I'M EXCITED ABOUT THE DEVELOPMENT THAT'S HAPPENING, EVEN THOUGH WE'RE IN THE MIDST OF THE PANDEMIC.

>> PRESIDENT JAMES: THANK YOU VERY MUCH. ANY FURTHER DISCUSSION? HEARING NONE, THIS IS AN ORDINANCE REQUIRING A ROLL CALL VOTE. MADAM CLERK, WOULD YOU PLEASE BEGIN THE ROLL CALL?

>> CLERK: COUNCIL MEMBER GREEN.

>> YES.

>> CLERK: COUNCIL MEMBER SHANKLIN. COUNCIL MEMBER DORSEY.

>> YES.

>> CLERK: COUNCIL MEMBER SEXTON SMITH.

>> YES.

>> CLERK: COUNCIL MEMBER PURVIS.

>> YES.

>> CLERK: PRESIDENT JAMES.

>> PRESIDENT JAMES: YES.

>> CLERK: COUNCIL MEMBER MCCRANEY.

>> YES.

>> CLERK: COUNCIL MEMBER COAN.

>> YES.

>> CLERK: COUNCIL MEMBER HOLLANDER.

>> YES.

>> CLERK: COUNCIL MEMBER MULVIHILL.

>> YES.

>> CLERK: COUNCIL MEMBER KRAMER.

>> YES.

>> CLERK: COUNCIL MEMBER BLACKWELL.

>> YES.

>> CLERK: COUNCIL MEMBER FOX.

>> YES.

>> CLERK: COUNCIL MEMBER FOWLER.

>> YES.

>> CLERK: COUNCIL MEMBER TRIPLETT.

>> YES.

>> CLERK: COUNCIL MEMBER REED.

>> YES.

>> CLERK: COUNCIL MEMBER WINKLER.

>> YES.

>> CLERK: COUNCIL MEMBER PARKER.

>> YES.

>> CLERK: COUNCIL MEMBER PIAGENTINI.

>> YES.

>> CLERK: COUNCIL MEMBER BENSON.

>> YES.

>> CLERK: COUNCIL MEMBER GEORGE.

>> YES.

>> CLERK: COUNCIL MEMBER ENGEL.

>> YES.

>> CLERK: COUNCIL MEMBER PEDEN.

>> YES.

>> CLERK: COUNCIL MEMBER FLOOD.

>> YES.

>> CLERK: COUNCIL MEMBER YATES.

>> YES.

>> CLERK: COUNCIL MEMBER ACKERSON. CAN YOU REPEAT THAT,
SIR?

>> YES.

>> CLERK: THANK YOU. MR. PRESIDENT, THERE ARE 25 YES VOTES
AND ZERO NO VOTES.

>> PRESIDENT JAMES: THANK YOU. THE ORDINANCE PASSES. MADAM
CLERK, A READING OF ITEM NO. 22, PLEASE.

>> CLERK: 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) (AS AMENDED)
READ IN FULL.

>> PRESIDENT JAMES: THANK YOU. MAY I HAVE A MOTION AND A
SECOND, PLEASE?

>> SO MOVED, CINDI FOWLER.

>> PIAGENTINI.

>> PRESIDENT JAMES: MOTION BY COUNCILMAN WINKLER, SECOND BY
COUNCILWOMAN FOWLER. ORDINANCE IS BEFORE US. ANY DISCUSSION?
COUNCILWOMAN FLOOD.

>> THANK YOU, MR. PRESIDENT. THIS, SOME OF YOU MAY
RECOGNIZE THIS AREA. THIS IS THE CHURCH CALLED HEART OF FIRE ON

BARDSTOWN ROAD. THIS WILL REMAIN A CHURCH, BUT THEY ARE GOING TO DEVELOP 39 MULTI-FAMILY SENIOR CITIZEN DWELLING LIVING UNITS, ALONG WITH AN ADULT DAY CARE. THIS IS NOT AN ASSISTED LIVING. WE HAD SEVERAL BINDING ELEMENTS THAT WE ADDED, AND WE ALSO CHANGED ONE. I'D LIKE TO JUST RECOGNIZE FOR THE RECORD, BINDING ELEMENT NO. 8, CHANGED TO SAY "MULTIFAMILY UNIT WILL BE AGE RESTRICTIVE ALONG WITH THE DAY CARE, TO COMPLY WITH THE FAIR HOUSING ACT AND HOUSING FOR OLDER PERSONS." BINDING ELEMENT NO. 9, "ANY CHANGE OF USE WILL REQUIRE PLANNING COMMISSION PUBLIC HEARING WITH FINAL APPROVAL BY THE METRO COUNCIL." AND THEN BINDING ELEMENT NO. 10 WE ADDED TO, "ANY CHANGE IN THE BINDING ELEMENTS WILL REQUIRE METRO COUNCIL APPROVAL." THIS IS IN COUNCILMAN ENGEL'S DISTRICT.

>> PRESIDENT JAMES: THANK YOU, COUNCILWOMAN. COUNCILMAN ENGEL?

>> YES, THANK YOU, MR. PRESIDENT, AND THANK YOU, MADAM CHAIR. WITH REGARDS TO THE BINDING ELEMENTS, THIS HAS STRENGTHENED THIS DEVELOPMENT. THIS IS RIGHT, IF EVERYBODY KNOWS, AS CHAIR SAID, HEART OF FIRE CHURCH RIGHT THERE BY WILDWOOD COUNTRY CLUB ON BARDSTOWN ROAD. I WAS A LITTLE CONCERNED WITH TRAFFIC AND THE SPEED OF TRAFFIC THERE, BUT WITH IT BEING A SENIOR CENTER, I DON'T SUSPECT A TREMENDOUS AMOUNT OF TRAFFIC. SO I WOULD ASK FOR MY COLLEAGUES' SUPPORT ON THIS DEVELOPMENT. THANK YOU.

>> PRESIDENT JAMES: THANK YOU, COUNCILMAN. IS THERE ANY FURTHER DISCUSSION? HEARING NONE, THIS IS AN ORDINANCE REQUIRING A ROLL CALL VOTE. MADAM CLERK, WOULD YOU PLEASE BEGIN THE ROLL CALL?

>> CLERK: COUNCIL MEMBER GREEN.

>> YES.

>> CLERK: COUNCIL MEMBER SHANKLIN. COUNCIL MEMBER DORSEY.

>> YES.

>> CLERK: COUNCIL MEMBER SEXTON SMITH.

>> YES.

>> CLERK: COUNCIL MEMBER PURVIS.

>> YES.

>> CLERK: PRESIDENT JAMES.

>> PRESIDENT JAMES: YES.

>> CLERK: COUNCIL MEMBER MCCRANEY.

>> YES.

>> CLERK: COUNCIL MEMBER COAN.

>> YES.

>> CLERK: COUNCIL MEMBER HOLLANDER.

>> YES.

>> CLERK: COUNCIL MEMBER MULVIHILL. CAN YOU REPEAT THAT, SIR? COUNCIL MEMBER MULVIHILL, WE DIDN'T GET YOUR VOTE, SIR.

>> YES.

>> CLERK: I'M SORRY, THANK YOU. COUNCIL MEMBER KRAMER.

>> YES.

>> CLERK: COUNCIL MEMBER BLACKWELL.

>> YES.

>> CLERK: COUNCIL MEMBER FOX.

>> YES.

>> CLERK: COUNCIL MEMBER FOWLER.

>> YES.

>> CLERK: COUNCIL MEMBER TRIPLETT.

>> YES.

>> CLERK: COUNCIL MEMBER REED.

>> YES.

>> CLERK: COUNCIL MEMBER WINKLER.

>> YES.

>> CLERK: COUNCIL MEMBER PARKER.

>> YES.

>> CLERK: COUNCIL MEMBER PIAGENTINI.

>> YES.

>> CLERK: COUNCIL MEMBER BENSON.

>> YES.

>> CLERK: COUNCIL MEMBER GEORGE.

>> YES.

>> CLERK: COUNCIL MEMBER ENGEL.

>> YES.

>> CLERK: COUNCIL MEMBER PEDEN.

>> YES.

>> CLERK: COUNCIL MEMBER FLOOD.

>> YES.

>> CLERK: COUNCIL MEMBER YATES.

>> YES.

>> CLERK: COUNCIL MEMBER ACKERSON.

>> YES.

>> CLERK: MR. PRESIDENT, THERE ARE 25 YES VOTES AND ZERO NO VOTES.

>> PRESIDENT JAMES: THANK YOU. THE ORDINANCE PASSES. MADAM CLERK, A READING OF ITEM NO. 23, PLEASE.

>> CLERK: 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). READ IN FULL.

>> PRESIDENT JAMES: THANK YOU. MAY I HAVE A MOTION AND A SECOND, PLEASE?

>> MOTION.

>> SECOND.

>> PRESIDENT JAMES: MOTION BY COUNCILMAN WINKLER, SECOND BY COUNCILWOMAN FOWLER. THE ORDINANCE IS BEFORE US. IS THERE ANY DISCUSSION? COUNCILWOMAN FLOOD.

>> THANK YOU, MR. PRESIDENT. THIS IS TO ALLOW FOUR TWO-STORY STRUCTURES FOR A TOTAL OF 36 APARTMENT UNITS. A QUESTION AROSE ABOUT SIDEWALKS IN FRONT OF THE PROPOSED DEVELOPMENT RIGHT NEXT DOOR TO IT. IT'S ACTUALLY GOING TO BE A U.S. POST OFFICE DISTRIBUTION CENTER. BUT I WOULD LIKE TO YIELD THE FLOOR TO COUNCILMAN ENGEL, BECAUSE HE DID WORK HARD TO GET THAT MITIGATED, SO THAT HE WOULD BE COMFORTABLE WITH THE SIDEWALK ISSUE THERE.

>> PRESIDENT JAMES: THANK YOU, COUNCILWOMAN. COUNCILMAN ENGEL?

>> THANK YOU, MR. PRESIDENT AND MADAM CHAIR. THIS IS A VERY NARROW AREA, VERY NARROW ROAD THERE, LEADING TO THE KROGER SHOPPING CENTER, AS YOU ENTER, AND THE FERN CREEK HIGHWAY THAT ADMINISTERS. AND I BELIEVE THE SIDEWALKS WERE PART OF THE DISCUSSION BRIEFLY, IF YOU LOOK IN THE RECORD. BUT I DON'T BELIEVE THERE WAS EVER ANY CONCRETE AGREEMENT WITH REGARD TO SIDEWALK. AND I APPRECIATE COUNCILMAN PEDEN BEING A NEIGHBOR AND DRIVING BY THIS AREA. AND THE DISCUSSION THEN REALLY CAME TO COMMITTEE STATING THAT SIDEWALKS WOULD BE VERY CRITICAL TO THIS PROJECT. AND IT ACTUALLY BECAME -- WE THEN TABLED IT. AND IT ACTUALLY BECAME PART OF THE PLAN FROM THE ATTORNEY REPRESENTING THE CLIENT. AND SO THE SIDEWALK HAS ENHANCED THIS PROJECT, AND I WOULD ENCOURAGE EVERYBODY'S SUPPORT ON THIS DEVELOPMENT. THANK YOU.

>> PRESIDENT JAMES: THANK YOU, COUNCILMAN. IS THERE ANY FURTHER DISCUSSION? HEARING NONE, THIS IS AN ORDINANCE THAT WILL REQUIRE A ROLL CALL VOTE. MADAM CLERK, WOULD YOU PLEASE CALL THE ROLL?

>> CLERK: COUNCIL MEMBER GREEN.

>> YES.

>> CLERK: COUNCIL MEMBER SHANKLIN. COUNCIL MEMBER DORSEY.

>> YES.

>> CLERK: COUNCIL MEMBER SEXTON SMITH.

>> YES.

>> CLERK: COUNCIL MEMBER PURVIS.

>> YES.

>> CLERK: PRESIDENT JAMES.

>> PRESIDENT JAMES: YES.

>> CLERK: COUNCIL MEMBER MCCRANEY.

>> YES.

>> CLERK: COUNCIL MEMBER COAN.

>> YES.

>> CLERK: COUNCIL MEMBER HOLLANDER.

>> YES.

>> CLERK: COUNCIL MEMBER MULVIHILL.

>> YES.

>> CLERK: COUNCIL MEMBER KRAMER.

>> YES.

>> CLERK: COUNCIL MEMBER BLACKWELL.

>> YES.

>> CLERK: COUNCIL MEMBER FOX.

>> YES.

>> CLERK: COUNCIL MEMBER FOWLER. COUNCILWOMAN FOWLER, CAN
YOU PLEASE REPEAT THAT AGAIN?

>> YES.

>> CLERK: THANK YOU. COUNCIL MEMBER TRIPLETT.

>> YES.

>> CLERK: COUNCIL MEMBER REED.

>> YES.

>> CLERK: COUNCIL MEMBER WINKLER.

>> YES.

>> CLERK: COUNCIL MEMBER PARKER.

>> YES.

>> CLERK: COUNCIL MEMBER PIAGENTINI.

>> YES.

>> CLERK: COUNCIL MEMBER BENSON.

>> YES.

>> CLERK: COUNCIL MEMBER GEORGE.

>> YES.

>> CLERK: COUNCIL MEMBER ENGEL.

>> YES.

>> CLERK: COUNCIL MEMBER PEDEN.

>> YES.

>> CLERK: COUNCIL MEMBER FLOOD.

>> YES.

>> CLERK: COUNCIL MEMBER YATES.

>> YES.

>> CLERK: COUNCIL MEMBER ACKERSON.

>> YES.

>> CLERK: MR. PRESIDENT, YOU HAVE 25 YES VOTES AND ZERO NO VOTES.

>> PRESIDENT JAMES: THANK YOU, MADAM CLERK. THE ORDINANCE PASSES. THE NEXT ITEM OF BUSINESS IS NEW BUSINESS. PLEASE NOTE THAT ITEM 35 IS FOR INTRODUCTION ONLY. I WOULD ASK THOSE COUNCIL MEMBERS WHO WISH TO MAKE ANNOUNCEMENTS TO PLEASE REMAIN AFTER NEW BUSINESS IS READ INTO THE RECORD. NEW BUSINESS SURPRISES ITEMS NUMBER 24 THROUGH 39. WILL THE CLERK PLEASE READ THE ASSIGNMENTS AND COMMITTEE?

>> CLERK: THE FOLLOWING LEGISLATION IS ASSIGNED TO THE APPROPRIATIONS COMMITTEE: AN ORDINANCE APPROPRIATING \$17,353.60 FROM DISTRICT 8 NEIGHBORHOOD DEVELOPMENT FUNDS TO PUBLIC WORKS AND SOLID WASTE MANAGEMENT FOR WEEKLY STREET SWEEPING AND LITTER PICK UP ON BARDSTOWN ROAD BAXTER AVENUE CORRIDOR FROM BROADWAY TO DOUGLASS LOOP FROM MAY 20, 2020 TO SEPTEMBER 2, 2020.

>> PRESIDENT JAMES: COUNCIL MEMBERS, YOU ARE FREE TO LEAVE YOUR POSITIONS. I ASK YOU LEAVE YOUR CAMERAS ON UNTIL WE FINISH NEW BUSINESS. THANK YOU.

>> CLERK: ITEM 25. AN ORDINANCE AMENDING ORDINANCE NO. 081, SERIES 2019, RELATING TO THE FISCAL YEAR 2019-2020 OPERATING BUDGET FOR LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, BY TRANSFERRING \$10,000 FROM THE NEIGHBORHOOD DEVELOPMENT FUND (DISTRICT 25) TO LOUISVILLE METRO COUNCIL GENERAL OPERATIONS (DISTRICT 25). THE FOLLOWING LEGISLATION IS ASSIGNED TO THE BUDGET COMMITTEE: AN ORDINANCE AMENDING ORDINANCE NO. 082, SERIES 2019 RELATING TO THE FISCAL YEAR 2019-20 CAPITAL BUDGET FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT BY REALLOCATING \$99,053.26 OF PARKS & RECREATION POOL REPAIRS FUNDING TO A NEW PROJECT TITLED D14 BLEVINS GAP REPAVING UNDER PUBLIC WORKS & ASSETS. AN ORDINANCE RELATING TO THE 2020-2021 CAPITAL BUDGET FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT INCLUDING APPROPRIATIONS AND AUTHORIZATIONS OF FUNDS FOR GENERAL CONSTRUCTION, MAINTENANCE, REPAIR AND IMPROVEMENT OF THE FACILITIES AND ASSETS OF THE GOVERNMENT OF LOUISVILLE/JEFFERSON COUNTY AND OTHER LOUISVILLE METRO-SUPPORTED ACTIVITIES FOR 2020-2021. AN ORDINANCE RELATING TO THE 2020-2021 OPERATING BUDGET FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT INCLUDING APPROPRIATIONS AND AUTHORIZATIONS FOR OPERATION, MAINTENANCE, SUPPORT, AND FUNCTIONING OF THE

GOVERNMENT AND ITS VARIOUS OFFICERS, DEPARTMENTS, COMMISSIONS, INSTITUTIONS, AGENCIES, AND I OTHER METRO-SUPPORTED ACTIVITIES. THE FOLLOWING LEGISLATION IS ASSIGNED TO THE COMMUNITY AFFAIRS COMMITTEE: A RESOLUTION PROCLAIMING EXISTENCE OF A LOCAL EMERGENCY AND REQUESTING THE UNITED STATES CONGRESS TO PROVIDE DIRECT RENTAL HOUSING ASSISTANCE FOR COVID-19 PANDEMIC. THE FOLLOWING LEGISLATION IS ASSIGNED TO THE LABOR AND ECONOMIC DEVELOPMENT COMMITTEE: A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED AMENDMENT TO PROFESSIONAL SERVICE CONTRACT FOR DEVELOP LOUISVILLE CONCERNING PROJECT MANAGEMENT FOR THE NEW DIXIE HIGHWAY (TIGER) PROJECT - (AECOM TECHNICAL SERVICES, INC. - \$27,200 FOR A NEW NOT-TO-EXCEED AMOUNT OF \$140,400.00). A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED SOLE SOURCE CONTRACT FOR THE LIBRARY FOR BOOKS, AUDIO BOOKS, DATABASES AND OTHER LIBRARY MATERIALS FOR USE BY LIBRARY PATRONS - (EBSCO PUBLISHING, INC. - \$50,000.00). A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED SOLE SOURCE CONTRACT FOR THE LIBRARY CONCERNING DATABASES FOR USE BY LIBRARY PATRONS - (INFO USA MARKETING, INC., - \$35,000.00). A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING

BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED SOLE SOURCE CONTRACT FOR THE LIBRARY CONCERNING MAGAZINE AND NEWSPAPER SUBSCRIPTIONS AND OTHER MATERIALS FOR USE BY LIBRARY PATRONS - (OVERDRIVE, INC. - \$1,000,000.00). THE FOLLOWING LEGISLATION IS ASSIGNED TO THE PLANNING AND ZONING COMMITTEE: AN ORDINANCE RELATING TO THE AGENCY REVIEW PROCESS CONDUCTED BY A CODE OFFICIAL. AN ORDINANCE AMENDING SECTION 6.1.3 OF THE LOUISVILLE METRO LAND DEVELOPMENT CODE (LDC) REGARDING ACCESS ROADWAYS FOR RESIDENTIAL DEVELOPMENTS (CASE NO. 19-LDC-0001). THE FOLLOWING LEGISLATION IS ASSIGNED TO THE PUBLIC SAFETY COMMITTEE: A RESOLUTION AUTHORIZING THE MAYOR TO MAKE APPLICATION FOR AND, UPON APPROVAL, TO ENTER INTO AN AGREEMENT WITH THE KENTUCKY OFFICE OF HOMELAND SECURITY (KOHs), TO EXECUTE ANY DOCUMENTS WHICH ARE DEEMED NECESSARY BY KOHS TO FACILITATE AND ADMINISTER THE PROJECT AND TO ACT AS THE AUTHORIZED CORRESPONDENT FOR THIS PROJECT. THE FOLLOWING LEGISLATION IS ASSIGNED TO THE PUBLIC WORKS COMMITTEE: AN ORDINANCE APPROVING THE THIRTY-FIRST SUPPLEMENTAL SEWER AND DRAINAGE SYSTEM REVENUE BOND RESOLUTION ADOPTED BY THE BOARD OF THE LOUISVILLE AND JEFFERSON COUNTY METROPOLITAN SEWER DISTRICT AUTHORIZING THE ISSUANCE OF THE DISTRICT'S SEWER AND DRAINAGE SYSTEM REVENUE BONDS, SERIES 2020A. AN ORDINANCE AWARDED A RENEWAL OF A COMMUNICATIONS SERVICES FRANCHISE TO LEVEL 3 COMMUNICATIONS, LLC, A WHOLLY

OWNED SUBSIDIARY OF CENTURYLINK, INC. PURSUANT TO THE TERMS AND CONDITIONS IN CHAPTER 116 OF THE LOUISVILLE METRO CODE OF ORDINANCES. A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A UNIVERSITY OF LOUISVILLE REIMBURSEMENT TOTALING \$9,775 RELATING TO THE REFURBISHMENT AND INSTALLATION OF FORMER CARDINAL STADIUM SEATS THROUGH THE DEPARTMENT OF PUBLIC WORKS. READ IN FULL.

>> PRESIDENT JAMES: THANK YOU. ARE THERE ANY COUNCIL PERSONS WISHING TO MAKE ANNOUNCEMENTS? HEARING NONE, THAT CONCLUDES OUR MEETING. THE NEXT COUNCIL MEETING IS THURSDAY, MAY THE 28TH, AT 6:00 P.M. WITH NO FURTHER BUSINESS TO DISCUSS, WITHOUT OBJECTION, WE STAND ADJOURNED. THANK YOU, COLLEAGUES.