ENACTMENT NUMBERS USED: Ordinance 056 - 059 / Resolution 030

Louisville Metro Government

601 W. Jefferson Street
Louisville, KY 40202

Action Summary - Final
Metro Council

(D) – Attica Scott (1), (D) – Barbara Shanklin (2), (D) – Mary C. Woolridge (3), (D) – David Tandy (4), (D) – Cheri Bryant Hamilton (5), (D) – David James (6), (R) – Kenneth C. Fleming (7), (D) – Tom Owen (8), (D) – Tina Ward-Pugh (9), (D) – Jim King (10), (R) – Kevin Kramer (11), (D) – Rick Blackwell (12), (D) – Vicki Aubrey Welch (13), (D) – Cindi Fowler (14), (D) – Marianne Butler (15), (R) – Kelly Downard (16), (R) – Glen Stuckel (17), (R) – Marilyn Parker (18), (R) – Jerry T. Miller (19), (R) – Stuart Benson (20), (D) – Dan Johnson (21), (R) – Robin Engel (22), (R) – James Peden (23), (D) – Madonna Flood (24), (D) – David Yates (25), (D) – Brent Ackerson (26)

President: Jim King (10)
Pro-Tem: Vicki Aubrey Welch (13)

Thursday, April 10, 2014 **6:00 PM** **Council Chambers**

Call to Order

President King called the meeting to order at 6:05 p.m. and asked all to rise for the Pledge of Allegiance.

Members Roll Call:

Present: 25 - Council Member Attica Scott (D-1), Council Member Barbara Shanklin (D-2), Council Member Mary C. Woolridge (D-3), Council Member David Tandy (D-4), Council Member Cheri Bryant Hamilton (D-5), Council Member David James (D-6), Council Member Kenneth C. Fleming (R-7), Council Member Tom Owen (D-8), Council President Jim King (D-10), Council Member Kevin Kramer (R-11), Council Member Rick Blackwell (D-12), Council Member Vicki Aubrey Welch (D-13), Council Member Cindi Fowler (D-14), Council Member Marianne Butler (D-15), Council Member Kelly Downard (R-16), Council Member Glen Stuckel (R-17), Council Member Marilyn Parker (R-18), Council Member Jerry T. Miller (R-19), Council Member Stuart Benson (R-20), Council Member Dan Johnson (D-21), Council Member Robin Engel (R-22), Council Member James Peden (R-23), Council Member David Yates (D-25), Council Member Madonna Flood (D-24) and Council Member Brent Ackerson (D-26)

Excused: 1 - Council Member Tina Ward-Pugh (D-9)

Address to Council

1. ID 14-484 Address to Council for April 10, 2014

The Clerk called forward the following speakers:

1. **Deborah O'Gorman**
2. **Donnie Morris (No show)**
3. **Thomas Reed**
4. **Chip White**
5. **Valerie Daughtery**

Introduction of Page(s)

2. ID 14-489 President King introduced Alexus King and Olivia King as the Pages from District 10.

Guests

3. ID 14-483 Councilwoman Butler recognized Milt Tandy.

Council Minutes

4. ID 14-485 Metro Council Minutes - March 27, 2014

A motion was made by Council Member Woolridge, seconded by Council Member Welch, that the March 27, 2014 Council Minutes be approved. The motion carried by voice vote.

Committee Minutes

5. ID 14-491 Special: Public Safety Committee - March 26, 2014

6. ID 14-492 Special: Appropriations, NDF's, CIF's Committee - March 26, 2014

7. ID 14-486 Special: Committee on Health, Education and Housing - March 27, 2014

8. ID 14-493 Regular: Committee on Sustainability - March 27, 2014

9. ID 14-494 Regular: Committee of the Whole - March 27, 2014

10. ID 14-496 Special: Appropriations, NDF's, CIF's Committee - April 7, 2014

11. ID 14-497 Regular: Ad Hoc Committee on Land Development Code - April 7, 2014

12. ID 14-495 Regular: Committee on Committees - April 8, 2014

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

Communication From the Mayor

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

13. ID 14-478 Tree Advisory Board - Nelson Maynard, (New Appointment), Todd

Eberle, Robert Eberenz, Jr., (Re-Appointments) (Metro Council approval is not required)

14. ID 14-487 Convention and Visitors Bureau Commission - Michael Berry, (New Appointment)

Consent Calendar

Legislation forwarded from AD HOC COMMITTEE ON LAND DEVELOPMENT CODE

15. R-081-14 A RESOLUTION REQUESTING THAT THE PLANNING COMMISSION HOLD A PUBLIC HEARING AND FORWARD A RECOMMENDATION TO THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT REGARDING A PROPOSED AMENDMENT TO SECTION 8.1.4 OF THE LAND DEVELOPMENT CODE WHICH WOULD ALLOW FOR THE RELOCATION OF NONCONFORMING ON-PREMISES SIGNS WHEN THE GOVERNMENT EXERCISES EMINENT DOMAIN OVER PROPERTY UPON WHICH THE SIGN IS LOCATED AND REQUIRES ITS REMOVAL. (Action required by September 2014)

Sponsors: James Peden (R-23)

This Resolution was adopted on the Consent Agenda.

Enactment No: Resolution 030-2014

Legislation forwarded from APPROPRIATIONS, NDFS AND CIFS

16. O-239-14 AN ORDINANCE RESCINDING ORDINANCE NO. 44, SERIES 2013, PASSED BY THE LOUISVILLE METRO COUNCIL ON MARCH 20, 2013, WHICH APPROPRIATED $7,700 FROM DISTRICT NEIGHBORHOOD DEVELOPMENT FUNDS (NDF) IN THE FOLLOWING MANNER: $1,500 FROM DISTRICT 25; $1,000 EACH FROM DISTRICTS 12, 13, 24; $500 EACH FROM DISTRICTS 6, 3, 14; $400 EACH FROM DISTRICTS 23, 8; $300 EACH FROM DISTRICTS 10, 15, 21; TO VALLEY VIEW BAPTIST CHURCH, INCORPORATED FOR EXPENSES CONNECTED WITH ITS SHOP WITH A HERO PROGRAM. (Action Required By: September 2014)

Sponsors: Rick Blackwell (D-12), David James (D-6), David Yates (D-25), Vicki Aubrey Welch (D-13), Madonna Flood (D-24), James Peden (R-23), Mary C. Woolridge (D-3), Cindi Fowler (D-14), Tom Owen (D-8), Jim King (D-10), Marianne Butler (D-15) and Dan Johnson (D-21)

This Ordinance was passed on the Consent Agenda.

Enactment No: Ordinance 056-2014

17. O-257-14 AN ORDINANCE APPROPRIATING $9,840 FROM DISTRICT 13 NEIGHBORHOOD DEVELOPMENT FUNDS, TO BRIGHTSIDE FOR INSTALLATION OF LANDSCAPING AND LANDSCAPING MATERIALS FOR TWO NEW “BRIGHT SITES” AT THE I-265 AND

NEW CUT ROAD INTERCHANGE. (Action Required By: September 2014)

Sponsors: Vicki Aubrey Welch (D-13)

This Ordinance was passed on the Consent Agenda.

Enactment No: Ordinance 057-2014

Legislation forwarded from COMMITTEE ON HEALTH, EDUCATION, AND HOUSING

18. O-170-14 AN ORDINANCE RELATING TO THE SALE OF ELECTRONIC CIGARETTES ("E-CIGARETTES") OR E-CIGARETTE ACCESSORIES TO MINORS. (Action Required By: August 2014)

Sponsors: Vicki Aubrey Welch (D-13), Mary C. Woolridge (D-3) and Marilyn Parker (R-18)

This Ordinance was passed on the Consent Agenda.

Enactment No: Ordinance 058-2014

Approval of the Consent Agenda

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

Yes: 23 - Scott, Shanklin, Tandy, Hamilton, James, Fleming, Owen, King, Kramer, Blackwell, Welch, Fowler, Butler, Downard, Parker, Miller, Benson, Johnson, Engel, Peden, Yates, Flood and Ackerson

Excused: 1 - Ward-Pugh

Absent: 2 - Woolridge and Stuckel

Old Business

19. O-249-14 AN ORDINANCE APPROPRIATING ($6,100) $6,500 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: $2,000 FROM DISTRICT 9; $1,200 FROM DISTRICT 8; $1,000 FROM DISTRICT 4; $500 FROM DISTRICT 10; $300 EACH FROM DISTRICTS 15, 21, 25; $200 FROM DISTRICTS 13, 16; $100 EACH FROM DISTRICTS 20, 12, 1, 5, 23; THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO THE LOUISVILLE INDEPENDENT BUSINESS ALLIANCE FOR PROGRAMMING COSTS OF THE SIXTH ANNUAL BUY LOCAL FAIR 2014 (As Amended). (Action Required By: September 2014)

Sponsors: Tina Ward-Pugh (D-9), Stuart Benson (R-20), Rick Blackwell (D-12), Marianne Butler (D-15), Attica Scott (D-1), David Tandy (D-4), Jim King (D-10), Vicki Aubrey Welch (D-13), Tom Owen (D-8), Dan Johnson (D-21) and David Yates (D-25)

A motion was made by Council Member James, seconded by Council Member Johnson, that this Ordinance be approved. The motion carried by the following vote:

Yes: 22 - Scott, Shanklin, Tandy, James, Fleming, Owen, King, Kramer, Blackwell, Welch, Fowler, Butler, Downard, Parker, Miller, Benson, Johnson, Engel, Peden, Yates, Flood and Ackerson

Excused: 1 - Ward-Pugh

Absent: 3 - Woolridge, Hamilton and Stuckel

Enactment No: Ordinance 059-2014

New Business

The Clerk read the New Business items and their respective Committee assignments into the record.

Legislation assigned to AD HOC COMMITTEE ON ANNEXATION

20. R-099-14 A RESOLUTION ANNOUNCING THE STATUTORY REQUIREMENTS AND RELEVANT ISSUES METRO COUNCIL WILL CONSIDER WHEN EVALUATING RESIDENTIAL ANNEXATION REQUESTS. (Action Required By: October 2014)

Sponsors: Kelly Downard (R-16)

21. R-100-14 A RESOLUTION ANNOUNCING THE STATUTORY REQUIREMENTS AND RELEVANT ISSUES METRO COUNCIL WILL CONSIDER WHEN EVALUATING COMMERCIAL AND INDUSTRIAL ANNEXATION REQUESTS. (Action Required By: October 2014)

Sponsors: Kelly Downard (R-16)

Legislation assigned to AD HOC COMMITTEE ON LAND DEVELOPMENT CODE

22. O-271-14 AN ORDINANCE APPROVING TEXT AMENDMENTS TO SECTIONS 2.6.4 AND 2.6.5 OF THE LAND DEVELOPMENT CODE CLARIFYING INDOOR AND OUTDOOR ALCOHOL SALES AND CONSUMPTION USES FOR RESTAURANTS AND ADDING TAVERNS AS A PERMITTED USE IN THE W-1 WATERFRONT AND THE W-2 WATERFRONT DISTRICTS AND BEING IN LOUISVILLE METRO (CASE NO. 14AMEND1000). (Action Required By: October 2014)

Sponsors: Madonna Flood (D-24)

Legislation assigned to APPROPRIATIONS, NDFS AND CIFS

23. O-266-14 AN ORDINANCE APPROPRIATING $1,554 FROM DISTRICT 4 NEIGHBORHOOD DEVELOPMENT FUNDS AND AMENDING ORDINANCE NO. 39, SERIES 2014, ADOPTED BY THE LOUISVILLE METRO COUNCIL AT ITS REGULAR MEETING OF MARCH 13, 2014, WHEREBY AN APPROPRIATION OF $12,250 FROM NEIGHBORHOOD DEVELOPMENT FUNDS WAS APPROVED AS FOLLOWS: $5,000 FROM DISTRICT 21; $2,000 FROM DISTRICT 12; $1,500 EACH FROM DISTRICTS 13, 1; $1,000 FROM DISTRICT 16 $250 FROM DISTRICT 9; $500 FROM DISTRICTS 8, 14; FOR A NEW TOTAL APPROPRIATION OF

$13,804; THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO STAGE ONE: THE LOUISVILLE CHILDREN'S THEATRE, INC., FOR SUPPLEMENTAL SALARIES FOR ACTORS PERFORMING IN "THE GLORIOUS ADVENTURES OF THE MIGHTY ROBIN HOOD" AT THE KENTUCKY CENTER FOR THE ARTS.

Sponsors: David Tandy (D-4)

Legislation assigned to BUDGET

24. O-270-14 AN ORDINANCE AMENDING ORDINANCE NO. 118, SERIES 2010, RELATING TO THE FISCAL YEAR 2010-11 CAPITAL BUDGET FOR THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT, BY TRANSFERRING COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS TO A NEW PROJECT TITLED RICHMONT TERRACE ACQUISITION. (Action Required By: October 2014)

Sponsors: Kelly Downard (R-16)

25. R-098-14 A RESOLUTION AMENDING THE TRANSIT AUTHORITY OF RIVER CITY (TARC) FISCAL YEAR 2014 BUDGET AS APPROVED BY RESOLUTION NO. 97, SERIES 2013 (Action Required By: October 2014)

Sponsors: Marianne Butler (D-15)

Legislation assigned to COMMITTEE ON APPOINTMENTS

26. A042414MB APPOINTMENT OF MICHAEL BERRY TO THE CONVENTION AND VISITORS BUREAU COMMISSION. TERM EXPIRES AUGUST 17, 2016.

27. O-276-14 AN ORDINANCE AMENDING LOUISVILLE METRO CODE OF ORDINANCES (LMCO) SECTION 32.002 TO ADD UP TO FOUR ADDITIONAL MEMBERS TO THE COMMISSION ON PUBLIC ART. (Action Required By: October 2014)

Sponsors: Dan Johnson (D-21)

Legislation assigned to COMMITTEE ON SUSTAINABILITY

28. R-083-14 A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT $34,000 FROM THE PARKS FOUNDATION TO BE USED BY THE DEPARTMENT OF PARKS & RECREATION FOR RIVER CITY DRUM CORPS PROGRAMMING AT COMMUNITY CENTERS. (Action Required By: October 2014)

Sponsors: Dan Johnson (D-21)

Legislation assigned to LABOR & ECONOMIC DEVELOPMENT

29. R-092-14 A RESOLUTION DETERMINING ONE PARCEL OF REAL

PROPERTY WITH IMPROVEMENTS LOCATED AT 1805 SOUTH BROOK STREET OWNED BY LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT ("METRO GOVERNMENT") AS SURPLUS AND NO LONGER NEEDED FOR A GOVERNMENTAL PURPOSE AND AUTHORIZING ITS TRANSFER. (Action Required By: October 2014)

Sponsors: Marianne Butler (D-15)

30. R-093-14 A RESOLUTION APPROVING THE GRANTING OF LOCAL INDUCEMENTS TO ANGEL'S SHARE BRANDS, LLC AND ITS SUBSIDIARIES PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 32. (Action Required by: October 2014)

Sponsors: David Tandy (D-4)

31. R-094-14 A RESOLUTION APPROVING THE GRANTING OF LOCAL INDUCEMENTS TO BRADY WORLDWIDE PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 32. (Action Required by: October 2014)

Sponsors: David Tandy (D-4)

32. R-095-14 A RESOLUTION APPROVING THE GRANTING OF LOCAL INDUCEMENTS TO WHITE CLAY CONSULTING, INC. PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 32. (Action Required By: October 2014)

Sponsors: David Tandy (D-4)

33. R-096-14 A RESOLUTION APPROVING THE GRANTING OF LOCAL INDUCEMENTS TO RXC ACQUISITION COMPANY DBA RXCROSSROADS PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 32. (Action Required By: October 2014)

Sponsors: David Tandy (D-4)

34. R-097-14 A RESOLUTION APPROVING THE GRANTING OF LOCAL INDUCEMENTS TO CLICK LLC DBA CLICK IT STAFFING PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 32. (Action Required By: October 2014)

Sponsors: David Tandy (D-4)

Legislation assigned to PLANNING/ZONING, LAND DESIGN and DEVELOPMENT

35. O-272-14 AN ORDINANCE CHANGING THE ZONING FROM R-6 RESIDENTIAL MULTI-FAMILY TO C-2 COMMERCIAL ON PROPERTY LOCATED AT 979/983 GOSS AVENUE CONTAINING 0.294 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 13ZONE1014) (Action Required by: June 20, 2014)

Sponsors: Madonna Flood (D-24)

36. O-273-14 AN ORDINANCE CHANGING THE ZONING FROM M-2 INDUSTRIAL TO C-1 COMMERCIAL ON PROPERTY LOCATED AT 920 DANDRIDGE AVENUE AND 900-904 CHARLES STREET CONTAINING .46 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 13ZONE1009). (Action Required by: June 20, 2014)

Sponsors: Madonna Flood (D-24)

Legislation assigned to PUBLIC WORKS, BRIDGES & TRANSPORTATION

37. R-101-14 A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT $19,500 FROM THE PAULA NYE FOUNDATION TO BE USED BY THE DEPARTMENT OF PUBLIC WORKS & ASSETS FOR THREE PROGRAMS REGARDING BICYCLE SAFETY. (Action Required By: October 2014)

Sponsors: Dan Johnson (D-21)

Adjournment

A motion was made by Council Member Owen, seconded by Council Member Woolridge to adjourn. Without objection the meeting adjourned at 6:38PM.

Announcements

The above Action Summary has been approved by the Metro Council.

H. Stephen Ott
Clerk of the Louisville Metro Council

Vicki Aubrey Welch
Louisville Metro Council President Pro-tem

5-29-2015
Date