Louisville Metro Government

601 W. Jefferson Street Louisville, KY 40202



Action Summary - Final

Thursday, June 25, 2015 6:00 PM

Council Chambers

Metro Council

- (D) Jessica Green (1), (D) Barbara Shanklin (2), (D) Mary C. Woolridge (3), (D) David Tandy (4), (D) Cheri Bryant Hamilton (5), (D) David James (6), (R) Angela Leet (7), (D) Tom Owen (8), (D) Bill Hollander (9),
- (D) Steve Magre (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) Julie Denton (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: David Tandy (4)
Pro-Tem: David James (6)

Call to Order

President Tandy called the meeting to order at 6:03pm and asked all to rise for the Pledge of Allegiance.

Members Roll Call

Present: 26 - Council Member Jessica Green (D-1), Council Member Barbara Shanklin (D-2), Council Member Mary C. Woolridge (D-3), Council President David Tandy (D-4), Council Member Cheri Bryant Hamilton (D-5), Council Member David James (D-6), Council Member Angela Leet (R-7), Council Member Tom Owen (D-8), Council Member Bill Hollander (D-9), Council Member Kevin Kramer (R-11), Council Member Rick Blackwell (D-12), Council Member Steve Magre (D-10), 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 Julie Denton (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 Madonna Flood (D-24), Council Member David Yates (D-25) and Council Member Brent Ackerson (D-26)

Supporting Staff

Beth Stenberg, Metro Council Finance Deborah Bilitski, Jefferson County Attorney's Office

Clerks

H. Stephen Ott, CKMC Rebbeca Simmons, Assistant Clerk

Introduction of Page(s)

ID 15-643

Council Member Kramer introduced Caitlyn Johnson and Christian McDonald as the pages for District 11.

Address to Council

1. ID 15-638

Addresses to Council for June 25, 2015

Attachments: 6-25-15- Address to Council Agenda

The Clerk called forward the following speakers:

1. Connie Marshall

District 3

Topic: Space Based Weapons

2. District of Self

District 9

Topic: State Preservation Act

3. Antonio Polen (No show)

District 25

Topic: Space Based Weapons

4. Thomas Reed

District 4

Topic: Rights being Violated

5. Mike Pandolfo

District 4

Topic: Opposition to Site Location of Natures Methane

6. William Weigel (No show)

District

Topic: Opposition to Site Location of Natures Methane

Guests

2. ID 15-600

President Tandy introduced Jefferson County Clerk Bobbie Holsclaw

3. <u>ID 15-616</u>

President Tandy introduced Lorri Roberts, Brightside, to present the 2015 Brightside Golden Broom Award.

4. ID 15-621

Council Member Peden introduced Fire Chiefs Kevin Tyler, Harrods Creek; Dave Goldsmith, Highview; and Chris Gosnell, Okolona.

5. ID 15-634

Council Member Fowler introduced Carolyn Midkiff and Tammy Sharp: Jefferson County Soil and Water Conservation District 2015 Master Conservationist Award

Special Proclamation

6. ID 15-633

Council Member Fowler recognized supporters of the LEGO/Robotics Learning Program: Mike Kirkland, Ricardo Quiroga, & Ray Springsteen and presented them with a Proclamation

ID 15-644

President Tandy recognized Yvonne Wilson and presented a special Proclamation

Council Minutes

7. ID 15-602

Regular: Metro Council - June 11, 2015

Attachments: 06-11-15 Action Summary

06-11-15 UNEDITED Transcript

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

Committee Minutes

8. <u>ID 15-607</u>

Regular: Committee of the Whole - June 11, 2015

Attachments: 06-11-15 COW Action Summary

9. <u>ID 15-613</u>

Regular: Planning/Zoning, Land Design and Development Committee - June 16, 2015

Attachments: 6-16-15 P&Z Action Summary

10. <u>ID 15-620</u>

Regular: Budget Committee - June 18, 2015

Attachments: 06-18-15 Budget Action Summary

11. <u>ID 15-629</u>

Special: Public Safety Committee - June 19, 2015

Attachments: 06-19-15 Public Safety Spec Action Summary Final

12. <u>ID 15-632</u>

Regular: Ad Hoc Committee on Land Development Code - June 22, 2015

Attachments: 062315 Ad Hoc LDC Action Summary

13. ID 15-636

Special: Committee on Health, Education and Housing - June 23, 2015

Attachments: Health Action Summary 062315

062315 NPCC Petition WIC Closures

14. ID 15-639

Special: Appropriations, NDFs and CIFs Committee - June 23, 2015

Attachments: Approps Action Summary 062315

15. <u>ID 15-630</u>

Special: Budget Committee - June 23, 2015

Attachments: 06-23-15 Budget Action Summary

06-23-15 Capital - Operating Amendments

06-23-15 Language Amendments to Capital & Operating

06-23-15 Community Wide Recommended Revenue & Expenses

Excel

06-23-15 Additional Recommendations for EAFs

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

Communication From the Mayor

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

16. ID 15-626

Fairdale Fire Protection District Board - Larry Hicks (New Appointment)

Attachments: APT FAIRDALE FIRE PROTECTION DISTRICT 6.22.15

17. <u>ID 15-627</u>

Lyndon Fire Protection District Board - Edward Haines (New Appointment)

Attachments: APT LYNDON FIRE PROTECTION DISTRICT 6 22 2015

18. <u>ID 15-628</u>

Worthington Fire Protection District - Walter Zalewski (New Appointment)

<u>Attachments:</u> <u>APT WORTHINGTON FIRE PROTECTION DISTRICT BOARD</u> 6.22.15

Consent Calendar

Legislation forwarded from BUDGET

19. O-137-15

AN ORDINANCE AMENDING ORDINANCE NO. 107, SERIES 2013 PERTAINING TO THE 2013-2014 CAPITAL BUDGET AS AMENDED BY ORDINANCE NO. 159, SERIES 2013, AND ORDINANCE NO. 98, SERIES 2014 BY AMENDING EXISTING KENTUCKY TRANSPORTATION PROJECT TO BE ADMINISTERED BY THE DEPARTMENT OF PARKS AND RECREATION. (Action Required By: December 2015)

Sponsors: James Peden (R-23)

This Ordinance was passed on the Consent Agenda.

Enactment No: Ordinance 097-2015

20. O-138-15

AN ORDINANCE AMENDING ORDINANCE NO. 101, SERIES 2014 AND ORDINANCE NO. 102, SERIES 2014 RELATING TO THE FISCAL YEAR 2014-15 CAPITAL AND OPERATING BUDGET, RESPECTIVELY, BY TRANSFERRING \$18,136.68 FROM THE DISTRICT 18 NEIGHBORHOOD DEVELOPMENT FUND TO THE DISTRICT 18 CAPITAL INFRASTRUCTURE FUND. (Action Required By: December 2015)

Sponsors: Marilyn Parker (R-18)

This Ordinance was passed on the Consent Agenda.

Enactment No: Ordinance 098-2015

21. O-139-15

AN ORDINANCE AMENDING ORDINANCE NO. 101, SERIES 2014 AND ORDINANCE NO. 102, SERIES 2014 RELATING TO THE FISCAL YEAR 2014-15 CAPITAL AND OPERATING BUDGET, RESPECTIVELY, BY TRANSFERRING \$5,000 FROM THE DISTRICT 5 CAPITAL INFRASTRUCTURE FUND TO THE DISTRICT 5 NEIGHBORHOOD DEVELOPMENT FUND. (Action Required By: December 2015)

Sponsors: Cheri Bryant Hamilton (D-5)

This Ordinance was passed on the Consent Agenda.

Enactment No: Ordinance 099-2015

Legislation forwarded from PUBLIC SAFETY

22. R-103-15

A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL SOLE SOURCE CONTRACT - (UNISYS CORPORATION - \$50,000.00). (Action Required By: December 2015).

Sponsors: David Yates (D-25)

<u>Attachments:</u> <u>SKMBT_42315052614430</u>

<u>Technology - Contract (Sole Source) with Unisys Corporation Fiscal</u> <u>Year 2014-2015 Resolution Only 012815</u>

This Resolution was adopted on the Consent Agenda.

Enactment No: Resolution 061-2015

23. R-113-15

A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED RENEWAL PROFESSIONAL SERVICE CONTRACT - (LOUISVILLE FEDERATION OF MUSICIANS LOCAL NUMBER 11-637 - \$30,000.00). (Action Required By: December 2015)

Sponsors: David Tandy (D-4)

Attachments: LFM Contract Pkt w-Resolution 6-25-15 MC Mtg

This Resolution was adopted on the Consent Agenda.

Enactment No: Resolution 062-2015

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: 26 - Green, Shanklin, Woolridge, Tandy, Hamilton, James, Leet, Owen, Hollander, Kramer, Blackwell, Magre, Welch, Fowler, Butler, Downard, Stuckel, Parker, Denton, Benson, Johnson, Engel, Peden, Flood, Yates and Ackerson

Old Business

24. O-095-15

AN ORDINANCE CHANGING THE ZONING FROM R-7 MULTI-FAMILY RESIDENTIAL TO C-1 COMMERCIAL ON PROPERTY LOCATED AT 3901 WEST MARKET STREET CONTAINING 24,000.00 SQUARE FEET AND BEING IN LOUISVILLE METRO (CASE NO. 14ZONE1030) (Action Required By: July 1, 2015)(AS AMENDED).

Sponsors: Madonna Flood (D-24)

Attachments: 6-16-15 14ZONE1030 Presentation

14ZONE1030 PC Minutes

14ZONE1030 Other Minutes

14ZONE1030 Staff Reports

14ZONE1030 Legal Description

14ZONE1030 App Justification

14ZONE1030 App Booklet

14ZONE1030 Approved Plan

14ZONE1030 Updated Elevations 6-15-15

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

Yes: 25 - Green, Shanklin, Tandy, Hamilton, James, Leet, Owen, Hollander, Kramer, Blackwell, Magre, Welch, Fowler, Butler, Downard, Stuckel, Parker, Denton, Benson, Johnson, Engel, Peden, Flood, Yates and Ackerson

No: 1 - Woolridge

Enactment No: Ordinance 100-2015

25. O-127-15

AN ORDINANCE CHANGING THE ZONING FROM R-5A RESIDENTIAL MULTI-FAMILY TO R-6 RESIDENTIAL MULTI-FAMILY ON PROPERTY LOCATED AT 2160 SHERWOOD AVENUE CONTAINING .1393 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 14ZONE1007). (Action Required By: August 5, 2015)

Sponsors: Madonna Flood (D-24)

Attachments: 6-16-15 14ZONE1007 Presentation

14ZONE1007 PC minutes 05.07.15

14ZONE1007 LDT minutes 04.09.15

14ZONE1007 staff rpts

14ZONE1007 citizen letters

14ZONE1007 FOF

14ZONE1007 justification stmt

14ZONE1007 Plan

14ZONE1007 legal desc updated

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

Yes: 26 - Green, Shanklin, Woolridge, Tandy, Hamilton, James, Leet, Owen, Hollander, Kramer, Blackwell, Magre, Welch, Fowler, Butler, Downard, Stuckel, Parker, Denton, Benson, Johnson, Engel, Peden, Flood, Yates and Ackerson

Enactment No: Ordinance 101-2015

26. O-140-15

AN ORDINANCE CHANGING THE ZONING FROM C-1 COMMERCIAL TO C-2 COMMERCIAL ON PROPERTIES LOCATED AT 11712 AND 11720 DIXIE HIGHWAY CONTAINING 0.81 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 15ZONE1001). (Action Required By: August 21, 2015)

Sponsors: Madonna Flood (D-24)

Attachments: 6-16-15 15ZONE1001 Presentation

15ZONE1001 Public Hearing Minutes

15ZONE1001 Other Minutes

15ZONE1001 Staff Reports

15ZONE1001 Legal Description

15ZONE1001 Applicant Justification

15ZONE1001 Applicant Booklet

15ZONE1001 Approved Signed Plan

15ZONE1001 Binding Elements

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

Yes: 25 - Green, Shanklin, Woolridge, Tandy, Hamilton, Leet, Owen, Hollander, Kramer, Blackwell, Magre, Welch, Fowler, Butler, Downard, Stuckel, Parker, Denton, Benson, Johnson, Engel, Peden, Flood, Yates and Ackerson

Absent: 1 - James

Enactment No: Ordinance 102-2015

27. O-135-15

AN ORDINANCE RELATING TO THE 2015-2016 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 OTHER METRO-SUPPORTED ACTIVITIES. (Action Required By: June 30, 2015)

(See Attachments for full budget document.)

Sponsors: Cheri Bryant Hamilton (D-5)

Attachments: O-135-15 FLOOR AMEND FY16 Operating Ordinance - Language

Amendments as of 06 25 15

Council Member Woolridge - Budget Statement 06-25-15

O-135-15 COMM AMEND FY16 Operating Ordinance - DRAFT as of

06 25 15 12pm

O-135-15 Copy of FY16 Operating Ordinance from OMB

O-135-15 Exhibit to Operating Ordinance 6-9-15 for Component

Units

062315 FY16 Budget Highlights PP June 23 Committee Version

06-23-15 Capital - Operating Amendments

06-23-15 Language Amendments to Capital & Operating

06-23-15 Community Wide Recommended Revenue & Expenses

Excel

06-23-15 Additional Recommendations for EAFs

FY16 Budget PP June Final Version

A motion was made by Council Member James, seconded by Council Member Woolridge, that this Ordinance be approved.

Enactment No: Ordinance 103-2015

A motion was made by Council Member Hamilton, seconded by Council Member Downard, that this Ordinance be amended.

President Tandy called on Beth Stenberg, Metro Council Finance, to read into the record the Floor Amendments for the Operating Budget. (See attachments)

The motion to amend carried by a voice vote.

Enactment No: Ordinance 103-2015

Council Member Woolridge read a statement into the record. (See attachments)

Council Member Johnson called the question. Without objection the question was called.

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

(Amended version forthcoming)

Yes: 25 - Green, Shanklin, Tandy, Hamilton, James, Leet, Owen, Hollander, Kramer, Blackwell, Magre, Welch, Fowler, Butler, Downard, Stuckel, Parker, Denton, Benson, Johnson, Engel, Peden, Flood, Yates and Ackerson

No: 1 - Woolridge

Enactment No: Ordinance 103-2015

28. O-136-15

AN ORDINANCE RELATING TO THE 2015-2016 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 2015-16. (AS AMENDED) (Action Required By: June 30, 2015)

(See Attachments for full budget document.)

Sponsors: Cheri Bryant Hamilton (D-5)

Attachments: O-136-15 FLOOR AMEND FY16 Capital Ordinance - as of 06 25 15

O-136-15 FLOOR AMEND FY16 Capital Ordinance - Language

Amendments as of 06 25 15

O-136-15 COMM AMEND FY16 Capital Ordinance with Council

Amendments 06 25 15

O-136-15 Copy of FY16 Capital Ordinance from OMB

062315 FY16 Budget Highlights PP June 23 Committee Version

06-23-15 Capital - Operating Amendments

06-23-15 Language Amendments to Capital & Operating

06-23-15 Community Wide Recommended Revenue & Expenses

Excel

06-23-15 Additional Recommendations for EAFs

FY16 Budget PP June Final Version

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

Enactment No: Ordinance 104-2015

A motion was made by Council Member Hamilton, seconded by Council Member Downard, that this Ordinance be amended.

President Tandy called on Beth Stenberg, Metro Council Finance, to read into the record the Floor Amendments for the Capital Budget. (See attachments)

The motion to amend carried by a voice vote.

Enactment No: Ordinance 104-2015

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

(Amended version forthcoming)

Yes: 25 - Green, Shanklin, Tandy, Hamilton, James, Leet, Owen, Hollander, Kramer, Blackwell, Magre, Welch, Fowler, Butler, Downard, Stuckel, Parker, Denton, Benson, Johnson, Engel, Peden, Flood, Yates and Ackerson

No: 1 - Woolridge

Enactment No: Ordinance 104-2015

New Business

The Clerk provided a first reading of the New Business items and their respective Committee assignments into the record.

Legislation assigned to COMMITTEE ON CONTRACTS AND APPOINTMENTS

29. AP072315LH

APPOINTMENT OF LARRY HICKS TO THE FAIRDALE FIRE PROTECTION DISTRICT BOARD. TERM EXPIRES JUNE 30, 2018.

Attachments: APT FAIRDALE FIRE PROTECTION DISTRICT 6.22.15

30. AP072315EH

APPOINTMENT OF EDWARD HAINES TO THE LYNDON FIRE PROTECTION DISTRICT BOARD. TERM EXPIRES JUNE 30, 2018.

<u>Attachments:</u> APT LYNDON FIRE PROTECTION DISTRICT 6 22 2015

31. AP072315WZ

APPOINTMENT OF WALTER ZALEWSKI TO THE WORTHINGTON FIRE PROTECTION DISTRICT BOARD. TERM EXPIRES JUNE 30, 2018.

<u>Attachments:</u> <u>APT WORTHINGTON FIRE PROTECTION DISTRICT BOARD</u> 6.22.15

Legislation assigned to GOVERNMENT ACCOUNTABILITY & ETHICS

32. R-116-15

A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT \$81,400 FROM THE U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC) FOR INVESTIGATION OF EEOC COMPLAINTS TO BE ADMINISTERED BY THE HUMAN RELATIONS COMMISSION. (Action Required By: December 2015).

Sponsors: Vicki Aubrey Welch (D-13)

Legislation assigned to LABOR & ECONOMIC DEVELOPMENT

33. <u>R-114-15</u>

A RESOLUTION APPROVING THE GRANTING OF LOCAL INCENTIVES TO TRILOGY HEALTH SERVICES, LLC AND ANY SUBSEQUENT ASSIGNEES OR APPROVED AFFILIATES THEREOF PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 32. (Action Required By: December 2015)

Sponsors: Marianne Butler (D-15)

Legislation assigned to PUBLIC WORKS, BRIDGES & TRANSPORTATION

34. R-117-15

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE COMMONWEALTH OF KENTUCKY TRANSPORTATION CABINET TO ACCEPT \$666,000 OF FUNDING FOR THE DESIGN PHASE OF THE RANGELAND ROAD WIDENING PROJECT TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC WORKS & ASSETS. (Action Required By: December 2015)

Sponsors: Marianne Butler (D-15)

35. R-120-15

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A MEMORANDUM OF AGREEMENT AND RECEIVE A STIPEND FROM METROPOLITAN SEWER DISTRICT OF \$10,000 FOR PAVING MCCOY AVENUE UNDER THE MCCOY AVENUE DRAINAGE IMPROVEMENTS PROJECT THROUGH THE DEPARTMENT OF PUBLIC WORKS & ASSETS (Action Required By: December 2015)

Sponsors: Marianne Butler (D-15)

36. R-121-15

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH CSX TRANSPORTATION TO RECEIVE A STIPEND OF \$7,500 FOR THE RAILROAD CROSSING CLOSURE AT AVOCA LANE AND RIDGE ROAD TO BE ADMINISTERED BY THE DEPARTMENT OF PUBLIC WORKS & ASSETS. (Action Required By: December 2015)

Sponsors: Marianne Butler (D-15)

Adjournment

Without objection President Tandy adjourned the meeting at 8:15 p.m.

Approval Signatures

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

H. Stephen Ott

Clerk of the Louisville Metro Council

David W. Tandy

President of the Council

7.16.15

Date