Louisville Metro Government

601 W. Jefferson Street Louisville, KY 40202



Action Summary - Final

Thursday, October 22, 2020 6:00 PM

Council Chambers

Metro Council

Jessica Green (D-1), Barbara Shanklin (D-2), Keisha Dorsey (D-3),
Barbara Sexton Smith (D-4), Donna L. Purvis (D-5), David James (D-6),
Paula McCraney (D-7), Brandon Coan (D-8), Bill Hollander (D-9), Pat Mulvihill (D-10),
Kevin Kramer (R-11), Rick Blackwell (D-12), Mark H. Fox (D-13), Cindi Fowler (D-14),
Kevin Triplett (D-15), Scott Reed (R-16), Markus Winkler (D-17),
Marilyn Parker (R-18), Anthony Piagentini (R-19), Stuart Benson (R-20),
Nicole George (D-21), Robin Engel (R-22), James Peden (R-23), Madonna Flood (D-24),
David Yates (D-25), Brent Ackerson (D-26)

President: David James (D-6)
President Pro-Tem: Markus Winkler (D-17)

Call to Order

Council President James called the meeting to order at 6:03 p.m. and asked all to rise for the Pledge of Allegiance.

Moment of Silence

Council President James spoke about the increase in COVID-19 cases, especially among children, and noted the number of people who have died (370) as of that morning and tested positive (22,090) as of the previous day in Louisville. He stated that we must not become complacent and we need to face this crisis together as a community, and every person lost diminishes our city.

Council President James recognized that it was National Breast Cancer Awareness Month. He provided statistics that estimate that there will be 3,800 new Breast Cancer diagnoses and 630 deaths in Kentucky, and he encouraged everyone to speak to their doctors and get regular examines. He recognized Irma Rice, the creator of Sista Strut, a local event that was held on October 21 and 22, and brings awareness to the fact that African American women are less likely to be diagnosed before the age of 40 and have a higher mortality rate. He also stated the that the clock tower would be lit in pink starting Monday and remaining so until October 31, 2020.

He asked that everyone join him in a moment of silence.

Statement Regarding Virtual Attendance by Council Members

Council President James stated that the meeting was being conducted by video teleconference, pursuant to KRS 61.826 and in accordance with Senate Bill 150. He also spoke about provisions regarding any disruptions in remote access for Council Members, which would require a temporary suspension of the meeting, and the time allotted to regain remote access before the meeting resumes.

Council Members attended the meeting remotely, except for the following who were present in Chambers:

- Council President James
- Council Member Coan
- Council Member Fox
- Council Member Reed
- Council Member Piagentini
- Council Member George

Roll Call

Present: 25 - Council Member Jessica Green (D-1), Council Member Barbara Shanklin (D-2), Council Member Keisha Dorsey (D-3), Council Member Barbara Sexton Smith (D-4), Council Member Donna L. Purvis (D-5), Council Member David James (D-6), Council Member Paula McCraney (D-7), Council Member Brandon Coan (D-8), Council Member Bill Hollander (D-9), Council Member Pat Mulvihill (D-10), Council Member Kevin Kramer (R-11), Council Member Mark H. Fox (D-13), Council Member Cindi Fowler (D-14), Council Member Kevin Triplett (D-15), Council Member Scott Reed (R-16), Council Member Markus Winkler (D-17), Council Member Marilyn Parker (R-18), Council Member Anthony Piagentini (R-19), Council Member Stuart Benson (R-20), Council Member Nicole George (D-21), Council Member Robin Engel (R-22), Council Member David Yates (D-25) and

Excused: 1 - Council Member Rick Blackwell (D-12)

Council Member Brent Ackerson (D-26)

Support Staff

Genevieve First, Executive Assistant Travis Fiechter, Jefferson County Attorney's Office Alice Lyon, Jefferson County Attorney's Office Natalie Johnson, Jefferson County Attorney's Office Joan Sheffer, Department of Information Technology

Clerk(s)

Sonya Harward, Clerk Lisa Franklin-Gray, Assistant Clerk

Addresses to the Council

1. <u>ID 20-1420</u>

Addresses to Council - October 22, 2020

Attachments: Addresses to Council 10-22-20.pdf

The Clerk called forward the following speakers:

- Demi Bechtloff
- Kristi Smith

Council Minutes

2. <u>ID 20-1378</u>

Regular: Metro Council - October 8, 2020

Attachments: Action Summary for Metro Council 10-8-20

Unedited Transcript of Metro Council Meeting - October 8, 2020.pdf

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

Committee Minutes

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

3. ID 20-1401

Regular: Committee of the Whole - October 8, 2020

Attachments: Action Summary for Committee of the Whole 10-8-20.pdf

4. <u>ID 20-1404</u>

Regular: Committee on Equity & Inclusion - October 12, 2020

Attachments: Action Summary for Committee on Equity & Inclusion 10-12-20.pdf

5. ID 20-1400

Regular: Planning and Zoning Committee - October 13, 2020

Attachments: ActionSummary Planning and Zoning 10-13-20.pdf

6. <u>ID 20-1407</u>

Regular: Labor and Economic Development Committee - October 13, 2020

<u>Attachments:</u> Action Summary for Labor and Economic Development Committee

10.13.20.pdf

7. ID 20-1409

Regular: Government Oversight and Audit Committee - October 13, 2020

Attachments: Action Summary for Government Oversight and Audit 10.13.20.pdf

8. ID 20-1418

Regular: Community Affairs, Health and Education Committee - October 14, 2020

<u>Attachments:</u> <u>Action Summary for Community Affairs, Health and Education</u>

Committee 10-14-20.pdf

9. ID 20-1399

Regular: Public Safety Committee - October 14, 2020

Attachments: Action Summary for Public Safety Committee 10-14-20.pdf

10. ID 20-1405

Regular: Appropriations Committee - October 14, 2020

Attachments: Action Summary for Appropriaions Committee 10-14-20.pdf

11. <u>ID 20-1406</u>

Regular: Parks & Sustainability Committee - October 15, 2020

Attachments: Action Summary for Parks & Sustainability Committee 10-15-20.pdf

12. ID 20-1403

Regular: Budget Committee - October 15, 2020

Attachments: Action Summary for Budget Committee 10-15-20.pdf

Communications to the Council

The Clerk read the appointments into the record.

13. ID 20-1413

Human Relations Advocacy Board - Angelica Matos (Reappointment), Kristian Dudgeon, Beth Clingaman (New Appointments)

Attachments: APT Human Relations Advocacy Board 10.19.20.pdf

14. ID 20-1414

Anchorage Middletown Fire Protection District Board - Yvonne Austin-Cornish (New Appointment) (P.O. Elect)

<u>Attachments:</u> APT Anchorage Middletown Fire Protection District Board 10.19.20.pdf

15. ID 20-1415

Human Relations Commission Enforcement Board - Leslie Faust (New Appointment), Judge Kevin Delahanty (Reappointment)

Attachments: APT Human Relations Commission Enforcement Board 10.19.20.pdf

Consent Calendar

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

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

Excused: 1 - Blackwell

Legislation forwarded from APPROPRIATIONS COMMITTEE

16. O-449-20

AN ORDINANCE APPROPRIATING \$7,000 FROM DISTRICT 12 NEIGHBORHOOD DEVELOPMENT FUNDS, THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO BRIGHTSIDE, FOR MAINTENANCE OF ROSE FARM PARK, A POCKET PARK AND MEMORIAL SITE ON DIXIE HIGHWAY.

Sponsors: Primary Rick Blackwell (D-12)

Attachments: O-449-20 V.1 NDF 100820 Brightside Rose Farm Park.pdf

O-449-20 NDF101420BS12.pdf

ORD 126 2020.pdf

This Ordinance was passed on the Consent Calendar.

Enactment No: Ordinance 126-2020

Legislation forwarded from BUDGET COMMITTEE

17. <u>O-452-20</u>

AN ORDINANCE AMENDING ORDINANCE NO. 121, SERIES 2019 RELATING TO THE ALLOCATION OF COUNCIL DESIGNATED CAPITAL FUNDS BY REALLOCATING \$19,000 OF D10 FUNDING TO A NEW PROJECT TITLED D10 JOE CREASON WALKING PATH PROJECT.

Sponsors: Primary Pat Mulvihill (D-10)

Attachments: O-452-20 V.1 100820 Transfer \$19,000 from Capital Funds to D-10

Joe Creason Walking Path Project.pdf

ORD 127 2020.pdf

This Ordinance was passed on the Consent Calendar.

Enactment No: Ordinance 127-2020

Legislation forwarded from COMMUNITY AFFAIRS, HEALTH AND EDUCATION COMMITTEE

18. R-122-20

A RESOLUTION HONORING DR. H. DONALD COCKERHAM BY DEDICATING THE NORTHWEST AND SOUTHWEST CORNERS OF THE 22ND STREET AND MUHAMMAD ALI BOULEVARD INTERSECTION AS "DR. H. DONALD COCKERHAM WAY" IN HIS HONOR.

Sponsors: Primary Barbara Sexton Smith (D-4)

Attachments: R-122-20 V.1 100820 Honorary Street Sign for Dr. Cockerham.pdf

RES 099 2020.pdf

This Resolution was adopted on the Consent Calendar.

Enactment No: Resolution 099-2020

Legislation forwarded from GOVERNMENT OVERSIGHT AND AUDIT COMMITTEE

19. RP101320ML

REAPPOINTMENT OF MARILYN LEWIS TO THE PLANNING COMMISSION. (TERM EXPIRES OCTOBER 1, 2023)

Attachments: APT Planning Commission 10.5.20.pdf

Marilyn Lewis 10.5.20.pdf

Applicants for Board - Planning Commission 10.5.20.pdf

Current Board - Planning Commission 10.5.20.pdf

This Reappointment was approved on the Consent Calendar.

20. AP101320KJ

APPOINTMENT OF KEITH JOY TO THE AIR POLLUTION CONTROL DISTRICT BOARD. (TERM EXPIRES JUNE 30, 2023)

Attachments: APT Air Pollution Control District Board 10.5.20.pdf

Keith Joy 10.5.20.pdf

Applicants for Board - Air Pollution Control District Board 10.5.20.pdf

Current Board - Air Pollution Control District Board 10.5.20.pdf

This Appointment was approved on the Consent Calendar.

21. AP101320RE

APPOINTMENT OF ROBYN EMBRY TO THE DOMESTIC VIOLENCE PREVENTION COORDINATING COUNCIL. (TERM EXPIRES APRIL 26, 2022)

Attachments: APT Domestic Violence Prevention Coordinating Council 10.5.20.pdf

Robyn Embry 10.5.20.pdf

Applicants for Board - Domestic Violence Prevention CC 10.5.20.pdf

Current Board - Domestic Violence Prevention CC 10.5.20.pdf

This Appointment was approved on the Consent Calendar.

Legislation forwarded from LABOR AND ECONOMIC DEVELOPMENT COMMITTEE

22. R-117-20

A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED PROFESSIONAL SERVICE CONTRACT FOR LMPHW CONCERNING ITS EMPLOYMENT OF A LABORATORY DIRECTOR - (UNIVERSITY OF LOUISVILLE - \$51,079.00).

Sponsors: Primary David Yates (D-25)

Attachments: R-117-20 V.1 091720 LMPHW - LABORATORY DIRECTOR -

(UNIVERSITY OF LOUISVILLE - \$51,079.00).pdf

U of L Lab Director RES 100 2020.pdf

This Resolution was adopted on the Consent Calendar.

Enactment No: Resolution 100-2020

23. R-123-20

A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED SOLE SOURCE CONTRACT FOR METROSAFE CONCERNING 911 SYSTEM SUPPORT, UPGRADES, MAINTENANCE AND INSTALLATION - (AT&T CORP. - \$3,000,000.00).

Sponsors: Primary David Yates (D-25)

Attachments: R-123-20 V.1 100820 911 SYSTEM SUPPORT - (AT&T CORP. -

\$3,000,000.00).pdf

AT&T Corp Agreement FY21.pdf

RES 101 2020.pdf

This Resolution was adopted on the Consent Calendar.

Enactment No: Resolution 101-2020

24. R-124-20

A RESOLUTION APPROVING THE GRANTING OF LOCAL INCENTIVES TO VR VERTICAL, LLC AND ANY SUBSEQUENT ASSIGNEES OR APPROVED AFFILIATES THEREOF PURSUANT TO KRS CHAPTER 154, SUBCHAPTER 32.

Sponsors: Primary David Yates (D-25) and Primary Anthony Piagentini (R-19)

Attachments: R-124-20 V.1 100820 LOCAL INCENTIVES - VR VERTICAL, LLC.pdf

OFFICE OF THE MAYOR.pdf

Sonic Electronix, Inc.-Board Summary (1).pdf

RES 102 2020.pdf

This Resolution was adopted on the Consent Calendar.

Enactment No: Resolution 102-2020

Old Business

See the "Unedited Transcript of Metro Council Meeting - October 22, 2020.pdf" attached at the end of this Action Summary for additional information regarding the discussion of each item.

25. AP101320GD

APPOINTMENT OF GARY DRYDEN TO THE TRANSIT AUTHORITY OF RIVER CITY (TARC) BOARD. (TERM EXPIRES JUNE 30, 2023)

Attachments: APT Transit Authority of River City (TARC) Board 10.5.20.pdf

Gary Dryden 10.5.20.pdf

Applicants for Board - Transit Authority of River City Board

(TARC)10.5.20.pdf

Current Board - Transit Authority of River City Board (TARC)

10.5.20.pdf

A motion was made by Council Member Fox, seconded by Council Member Piagentini, that this Appointment be approved.

Council Member Ackerson spoke to this item.

Council Member Mulvihill stated that he was abstaining due to his employment at Transit Authority of River City (TARC).

The motion to approved carried by the following vote and the Appointment was approved.

Yes: 23 - Green, Shanklin, Dorsey, Sexton Smith, Purvis, James, McCraney, Coan,

Hollander, Kramer, Fox, Fowler, Triplett, Reed, Winkler, Parker, Piagentini, Benson,

George, Engel, Peden, Flood and Ackerson

Excused: 1 - Blackwell

Absent: 1 - Yates

Abstain: 1 - Mulvihill

26. O-378-20

AN ORDINANCE REQUIRING THE INCORPORATION OF CERTAIN LIMITATIONS ON POLICE USE OF FORCE INTO LOUISVILLE METRO POLICE DEPARTMENT POLICIES (AMENDMENT BY SUBSTITUTION) (AS AMENDED).

<u>Sponsors:</u>Primary Jessica Green (D-1), Primary Brandon Coan (D-8) and Additional Barbara Sexton Smith (D-4)

Attachments: O-378-20 V.3 CAM 101420 - New Policy on Police Use of Force.pdf

O-378-20 V.2 CABS-CAM 093020 - New Policy on Police Use of

Force.pdf

O-378-20 PROPOSED CABS 092320 - New Policy on Police Use of

Force.pdf

O-378-20 V.1 082020 - New Policy on Police Use of Force.pdf

O-378-20 LTR LMPD Review - Use of Force Restrictions (003).pdf

ORD 128 2020.pdf

A motion was made by Council Member Sexton Smith, seconded by Council Member Dorsey, that this Ordinance be approved.

The following spoke to this item:

- Council Member Green
- Council Member Coan
- Council Member Piagentini
- Council Member Fox
- Council Member Purvis
- Council Member Hollander
- Council Member George
- Council Member Sexton Smith, who also requested to be added as a sponsor of this Ordinance
- Council Member Yates
- Council Member McCraney
- Council Member Shanklin
- Council Member Winkler
- Council Member Flood
- Council Member Triplett
- Council Member Parker

During the vote on this Ordinance, the meeting was suspended due to the disruption in the internet feed for Council Member Fowler. She was unable to resume her feed so the meeting resumed without her after five minutes.

Some Council Members explained their vote during the roll call vote.

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

Yes: 15 - Green, Shanklin, Dorsey, Sexton Smith, Purvis, James, McCraney, Coan, Hollander, Mulvihill, Triplett, Winkler, George, Yates and Ackerson

No: 9 - Kramer, Fox, Reed, Parker, Piagentini, Benson, Engel, Peden and Flood

Excused: 1 - Blackwell

Absent: 1 - Fowler

Enactment No: Ordinance 128-2020

27. O-447-20

AN ORDINANCE AMENDING CHAPTER 90 OF THE LOUISVILLE METRO CODE OF ORDINANCES ("LMCO") RELATING TO INCREASED PROTECTIONS FOR THE PUBLIC HEALTH BY REQUIRING LICENSES FOR RETAILERS SELLING TOBACCO, TOBACCO PRODUCTS AND/OR ELECTRONIC SMOKING DEVICES (AS AMENDED).

Sponsors: Primary Brandon Coan (D-8)

Attachments: O-447-20 V.3 FAM 102220 Tobacco Products.pdf

O-447-20 V.2 CAM 101420 Tobacco Products.pdf

O-447-20 V.1 100820 Tobacco Products.pdf

10.14.20 Smoking Ordinance Presentation.pdf

ORD 129 2020.pdf

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

The following spoke to this item:

- Council Member Coan

A motion was made by Council Member Coan, seconded by Council Member Triplett, that this Ordinance be amended by adding the following sentence to the definition of "Retailer":

"Retailer does not mean the non-management employees of any retail establishment."

The following spoke to the proposed amendment:

- Council Member Benson
- Council Member Triplett
- Council Member Shanklin

The motion to amend carried by a voice vote.

Enactment No: Ordinance 129-2020

Council Member Coan spoke about another proposed amendment. Council Member Piagentini requested an addition to the amendment and Council Member Coan agreed to the change.

A motion was made by Council Member Coan, seconded by Council Member George, that this Ordinance be further amended by adding a new Section 90.11(F)(3) as follows:

"The Louisville Metro Department of Public Health and Wellness will have discretion to investigate any information provided in each application. The Louisville Department of Public Health and Wellness will perform random compliance checks annually, during normal business hours or as deemed appropriate by the Louisville Department of Public Health and Wellness. Violations found through compliance checks should be rechecked no earlier than one (1) month and within three (3) months, or as soon as practicable."

Council Member Reed asked a question about the amendment.

The motion to amend carried by a voice vote.

Enactment No: Ordinance 129-2020

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

Yes: 24 - Green, Shanklin, Dorsey, Sexton Smith, Purvis, James, McCraney, Coan, Hollander, Mulvihill, Kramer, Fox, Fowler, Triplett, Reed, Winkler, Parker, Piagentini, George, Engel, Peden, Flood, Yates and Ackerson

No: 1 - Benson

Excused: 1 - Blackwell

Enactment No: Ordinance 129-2020

Point of Personal Privilege

Council Member Fowler requested a point of personal privilege and stated that had she not lost her internet connection she would have voted 'no' to item 26 (O-378-20).

28. O-405-20

AN ORDINANCE AMENDING SECTION 1.2.2 AND CREATING SECTION 4.3.24 OF THE LOUISVILLE METRO LAND DEVELOPMENT CODE ("LDC") REGARDING SMOKING RETAIL STORES (CASE NO. 20-LDC-0003) (AS AMENDED).

Attachments: O-405-20 V.3 CAM 101320 Regarding Smoking Retail Stores .pdf

O-405-20 V.2 CAM 090820 Regarding Smoking Retail Stores .pdf

O-405-20 V.1 090320 Regarding Smoking Retail Stores .pdf

20-LDC 0003 Review.ppt

20-LDC 0003 Review.pdf

20-LDC-0003.pdf

20-LDC 0003 PC Minutes.pdf

20-LDC-0003 Staff Report.pdf

ORD 130 2020.pdf

A motion was made by Council Member Sexton Smith, seconded by Council Member Triplett, that this Ordinance be approved.

The following spoke to this item:

- Council Member Coan
- Council Member Piagentini
- Council Member Benson
- Travis Fiechter, Jefferson County Attorney's Office

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

Yes: 24 - Green, Shanklin, Dorsey, Sexton Smith, Purvis, James, McCraney, Coan, Hollander, Mulvihill, Kramer, Fox, Fowler, Triplett, Reed, Winkler, Parker, Piagentini, George, Engel, Peden, Flood, Yates and Ackerson

No: 1 - Benson

Excused: 1 - Blackwell

Enactment No: Ordinance 130-2020

29. <u>O</u>-441-20

AN ORDINANCE APPROPRIATING \$5,500 \$6,500 \$16,000 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$3,000 FROM DISTRICT 12; \$1,500 EACH FROM DISTRICTS 14, 15, 17, AND 25; AND \$500 EACH FROM DISTRICTS 1, 2, 3, 7, 9, 10, 13, 14, AND 17, 19, 20, AND 21, 22, AND 24; AND \$250 EACH FROM DISTRICTS 5, 6, 8, AND 23;THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO HARBOR HOUSE OF LOUISVILLE, INC. TO HELP PAY FOR THE 17TH ANNUAL KENDUCKY DERBY FUNDRAISER (AS AMENDED).

<u>Sponsors:</u>Primary Rick Blackwell (D-12), Primary Kevin Triplett (D-15), Primary Cindi Fowler (D-14), Primary Markus Winkler (D-17), Additional Mark H. Fox (D-13) and Additional Nicole George (D-21)

Attachments: O-441-20 V.3 FAM 102220 NDF Harbor House.pdf

O-441-20 V.2 CAM 101420 NDF Harbor House.pdf

O-441-20 V.1 100820 NDF Harbor House.pdf

O-441-20 NDF101420HH12.pdf

ORD 131 2020.pdf

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

The following spoke to this item:

- Council Member George
- Council Member Fowler

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

- add \$1,500 from District 25
- add an additional \$1,000 each from Districts 14 and 17, bringing their new amounts to \$1,500 each
- add \$500 each from Districts 1, 2, 3, 7, 9, 10, 19, 20, 22, and 24
- add \$250 each from District 5, 6, 8, and 23

The motion to amend carried by a voice vote for a new total amount appropriated of \$16,000.

Enactment No: Ordinance 131-2020

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

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

Excused: 1 - Blackwell

Enactment No: Ordinance 131-2020

30. O-443-20

AN ORDINANCE APPROPRIATING [\$7,000] \$10,500 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$5,000 FROM DISTRICT 22; [AND] \$2,000 FROM DISTRICT 21[,]; \$1,000 FROM DISTRICT 2; \$500 EACH FROM DISTRICTS 10, 14, 15, AND 25; AND \$250 EACH FROM DISTRICTS 6 AND 17; THROUGH THE OFFICE OF MANAGEMENT AND BUDGET, TO C.H.O.I.C.E., INC. FOR THE DARE TO DREAM SPORTS LEADERSHIP AND MENTORING PROGRAM (AS AMENDED).

Sponsors: Primary Robin Engel (R-22) and Primary Nicole George (D-21)

Attachments: O-443-20 V.2 FAM 102220 NDF CHOICE.pdf

O-443-20 V.1 100820 NDF CHOICE.pdf

O-443-20 NDF101420CHOICE22.pdf

ORD 132 2020.pdf

A motion was made by Council Member George, seconded by Council Member Green, that this Ordinance be approved.

The following spoke to this item:

- Council Member George
- Council Member Engel

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

- add \$1,000 from District 2
- add \$500 each from Districts 10, 14, 15, and 25
- add \$250 each from Districts 6 and 17

The motion to amend carried by a voice vote for a new total amount appropriated of \$10,500.

Enactment No: Ordinance 132-2020

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

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

Excused: 1 - Blackwell

Enactment No: Ordinance 132-2020

31. CIF101420MP05

APPROPRIATING [\$18,750] [\$19,250] \$23,983 FROM CAPITAL INFRASTRUCTURE FUNDS IN THE FOLLOWING MANNER: \$500 EACH FROM DISTRICTS 3, 10, 15, 20, 21, AND 24; \$750 EACH FROM DISTRICTS 11 AND 16; \$1,000 EACH FROM DISTRICTS [1,] 12, 19, AND 23; \$1,250 FROM DISTRICT 1; \$1,500 EACH FROM DISTRICTS [2,] 6, 8, 9, 17, [25,] AND 26; \$1,733 FROM DISTRICT 7; \$1,750 EACH FROM DISTRICTS 2 AND 25; AND \$2,500 FROM DISTRICT 5; TO METRO PARKS, FOR THE EXPANSION OF THE BASKETBALL COURT IN LANNAN PARK, AND THIS IS A COST SHARING PROJECT WITH METRO PARKS (AS AMENDED).

<u>Sponsors:</u> Primary Donna L. Purvis (D-5), Primary Brent Ackerson (D-26), Primary David Yates (D-25), Primary Markus Winkler (D-17), Primary Bill Hollander (D-9), Primary Brandon Coan (D-8), Primary David James (D-6), Primary Barbara Shanklin (D-2), Primary James Peden (R-23), Primary Anthony Piagentini (R-19), Primary Rick Blackwell (D-12), Primary Jessica Green (D-1), Primary Scott Reed (R-16), Primary Nicole George (D-21), Primary Pat Mulvihill (D-10), Additional Kevin Triplett (D-15), Additional Keisha Dorsey (D-3), Additional Paula McCraney (D-7), Additional Kevin Kramer (R-11), Additional Stuart Benson (R-20) and Additional Madonna Flood (D-24)

Attachments: CIF101420MP05.pdf

A motion was made by Council Member Reed, seconded by Council Member Triplett, that this Capital Infrastructure Fund be approved.

The following spoke to this item:

- Council Member George
- Council Member Purvis

A motion was made by Council Member Piagentini, seconded by Council Member Coan, that this item be amended as follows:

- add \$1,733 from District 7
- add \$750 from District 11
- add \$500 each from Districts 3, 20, and 24
- add \$250 each from Districts 1, 2, and 25

The motion to amend carried by a voice vote for a new appropriated amount of \$23,983.

The motion to approve carried by the following vote and the amended Capital Infrastructure Fund was approved:

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

Excused: 1 - Blackwell

32. O-453-20

AN ORDINANCE RELATING TO THE AMENDMENT OF BINDING ELEMENTS FOR THE PROPERTY LOCATED AT 3101 POPLAR LEVEL DRIVE CONTAINING APPROXIMATELY 5.318 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 20DDP0040).

Sponsors: Primary Madonna Flood (D-24)

Attachments: O-453-20 V.1 100820 Binding Elements at 3101 Poplar Level Dr.pdf

20-DDP-0040.pdf

20-DDP-0040 PC Minutes (2).pdf

20-DDP-0040 Staff Report.pdf

20-DDP-0040 Applicant Exhibit.pdf

20-DDP-0040 Applicant Justification.pdf

20-DDP-0040 Plan 081720.pdf

ORD 133 2020.pdf

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

The following spoke to this item:

- Council Member Flood
- Council Member Mulvihill

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

Yes: 25 - Green, Shanklin, Dorsey, Sexton Smith, Purvis, James, McCraney, Coan,

Hollander, Mulvihill, Kramer, Fox, Fowler, Triplett, Reed, Winkler, Parker, Piagentini,

Benson, George, Engel, Peden, Flood, Yates and Ackerson

Excused: 1 - Blackwell

Enactment No: Ordinance 133-2020

33. O-454-20

AN ORDINANCE RELATING TO THE ZONING OF PROPERTY LOCATED AT 5200, 5204 AND 5208 CHATHAMWOOD COURT CONTAINING APPROXIMATELY 1.92 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 17ZONE1030).

Sponsors: Primary Madonna Flood (D-24)

Attachments: 0-454-20 V.1 100820 Zoning at 5200 5204 5208 Chathamwood Ct.pdf

17ZONE1030.pdf

17ZONE1030 PC Minutes (3).pdf

17ZONE1030 Other Minutes.pdf

17ZONE1030 Staff Reports.pdf

17ZONE1030 Legal Description.pdf

17ZONE1030 Applicant Exhibits.pdf

17ZONE1030 Justification Statement.pdf

17ZONE1030 Plan.pdf

ORD 134 2020.pdf

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

The following spoke to this item:

- Council Member Flood
- Council Member Peden

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

Yes: 25 - Green, Shanklin, Dorsey, Sexton Smith, Purvis, James, McCraney, Coan,

Hollander, Mulvihill, Kramer, Fox, Fowler, Triplett, Reed, Winkler, Parker, Piagentini,

Benson, George, Engel, Peden, Flood, Yates and Ackerson

Excused: 1 - Blackwell

Enactment No: Ordinance 134-2020

34. O-455-20

AN ORDINANCE RELATING TO THE ZONING AND FORM DISTRICT OF PROPERTY LOCATED AT 4310-4318 BARDSTOWN ROAD AND 4403-4405 FEGENBUSH LANE CONTAINING APPROXIMATELY 6.28 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 20ZONE0006)(AS AMENDED).

Sponsors: Primary Madonna Flood (D-24)

Attachments: O-455-20 V.2 FAM 102220 Zoning at 4310-4318 Bardstwon Rd

4403-4405 Fegenbush Ln.pdf

O-455-20 V.1 100820 Zoning at 4310-4318 Bardstwon Rd 4403-4405

Fegenbush Ln.pdf 20-ZONE-0006.pdf

20-ZONE-0006 PC Minutes (2).pdf

20-ZONE-0006 PC Minutes.pdf

20-ZONE-0006 Other Minutes.pdf

20-ZONE-0006 Staff Reports.pdf

20-ZONE-0006 Legal Description.pdf

20-ZONE-0006 Justification Statement.pdf

20-ZONE-0006 Plan 082720.pdf

ORD 135 2020.pdf

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

The following spoke to this item:

- Council Member Flood
- Council Member Peden
- Travis Fiechter, Jefferson County Attorney's Office

A motion was made by Council Member Flood, seconded by Council Member Piagentini, that this Ordinance be amended by adding a new binding element as follows:

"12. Any change of use will require a Planning Commission public hearing, with final approval by Metro Council."

The motion to amend carried by a voice vote.

Enactment No: Ordinance 135-2020

The following spoke to the amended Ordinance:

- Council Member Fox
- Council Member Triplett
- Travis Fiechter

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

Yes: 25 - Green, Shanklin, Dorsey, Sexton Smith, Purvis, James, McCraney, Coan,

Hollander, Mulvihill, Kramer, Fox, Fowler, Triplett, Reed, Winkler, Parker, Piagentini,

Benson, George, Engel, Peden, Flood, Yates and Ackerson

Excused: 1 - Blackwell

Enactment No: Ordinance 135-2020

35. O-456-20

AN ORDINANCE RELATING TO THE ZONING OF PROPERTY LOCATED AT 2809 WEST BROADWAY CONTAINING APPROXIMATELY 0.252 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 20ZONE0055).

Sponsors: Primary Madonna Flood (D-24)

Attachments: O-456-20 V.1 100820 Zoning At 2809 W Broadway.pdf

20-ZONE-0055.pdf

20-ZONE-0055 PC Minutes.pdf

20-ZONE-0055 Other Minutes.pdf

20-ZONE-0055 Staff Reports.pdf

20-ZONE-0055 Legal Description.pdf

20-ZONE-0055 Applicant Booklet.pdf

20-ZONE-0055 Justification Statement.pdf

20-ZONE-0055 Plan.pdf

ORD 136 2020.pdf

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

The following spoke to this item:

- Council Member Flood
- Council Member Purvis

The motion carried by the following vote and the Ordinance was approved:

Yes: 25 - Green, Shanklin, Dorsey, Sexton Smith, Purvis, James, McCraney, Coan,

Hollander, Mulvihill, Kramer, Fox, Fowler, Triplett, Reed, Winkler, Parker, Piagentini,

Benson, George, Engel, Peden, Flood, Yates and Ackerson

Excused: 1 - Blackwell

Enactment No: Ordinance 136-2020

26. O-378-20

AN ORDINANCE REQUIRING THE INCORPORATION OF CERTAIN LIMITATIONS ON POLICE USE OF FORCE INTO LOUISVILLE METRO POLICE DEPARTMENT POLICIES (AMENDMENT BY SUBSTITUTION) (AS AMENDED).

<u>Sponsors:</u>Primary Jessica Green (D-1), Primary Brandon Coan (D-8) and Additional Barbara Sexton Smith (D-4)

Attachments: O-378-20 V.3 CAM 101420 - New Policy on Police Use of Force.pdf

O-378-20 V.2 CABS-CAM 093020 - New Policy on Police Use of

Force.pdf

O-378-20 PROPOSED CABS 092320 - New Policy on Police Use of

Force.pdf

O-378-20 V.1 082020 - New Policy on Police Use of Force.pdf

O-378-20 LTR LMPD Review - Use of Force Restrictions (003).pdf

ORD 128 2020.pdf

Enactment No: Ordinance 128-2020

Council Member Fowler requested that the vote for this item be reconsidered so that her vote could be recorded.

A motion was made by Council Member Winkler, seconded by Council Member McCraney, that this Ordinance be reconsidered. The motion to reconsider carried by a voice vote.

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

Yes: 15 - Green, Shanklin, Dorsey, Sexton Smith, Purvis, James, McCraney, Coan, Hollander, Mulvihill, Triplett, Winkler, George, Yates and Ackerson

No: 10 - Kramer, Fox, Fowler, Reed, Parker, Piagentini, Benson, Engel, Peden and Flood

Excused: 1 - Blackwell

Enactment No: Ordinance 128-2020

New Business

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

Legislation assigned to APPROPRIATIONS COMMITTEE

36. O-471-20

AN ORDINANCE APPROPRIATING [\$5,500] \$6,250 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$3,000 FROM DISTRICT 15; \$1,000 FROM DISTRICT 25; [AND] \$500 EACH FROM DISTRICTS 12, 13, [AND] 14, AND 21; AND \$250 FROM DISTRICT 5; TO METRO PARKS FOR THE JACK-O'-LANTERN SPECTACULAR EVENT IN IROQUOIS PARK (AS AMENDED).

<u>Sponsors:</u> Primary Kevin Triplett (D-15), Primary Rick Blackwell (D-12), Primary Mark H. Fox (D-13), Primary Cindi Fowler (D-14) and Primary David Yates (D-25)

Attachments: O-471-20 V.2 CAM 102820 Jack O Lantern Spectacular NDF.pdf

O-471-20 V.1 102220 Jack O Lantern Spectacular NDF.pdf

O-471-20 NDF102820MP15.pdf

Enactment No: Ordinance 142-2020

37. O-472-20

AN ORDINANCE REPEALING ORDINANCE NO. 047, SERIES 2020 WHICH APPROPRIATED \$14,500 FROM NEIGHBORHOOD DEVELOPMENT FUNDS IN THE FOLLOWING MANNER: \$5,000 FROM DISTRICT 13; \$2,250 FROM DISTRICT 14; \$1,000 FROM DISTRICTS 12, 15, 23, AND 25; \$500 FROM DISTRICTS 1, 10, 21, 22, AND 24; \$250 FROM DISTRICTS 8, 9, AND 17, TO THE LOUISVILLE METRO PARKS DEPARTMENT FOR THE 2020 ANNUAL FOREST FEST BLUEGRASS MUSIC FESTIVAL TO BE HELD AT THE JEFFERSON MEMORIAL FOREST IN OCTOBER 2020.

<u>Sponsors:</u>Primary Mark H. Fox (D-13), Cindi Fowler (D-14), Rick Blackwell (D-12), Kevin Triplett (D-15), James Peden (R-23), David Yates (D-25), Jessica Green (D-1), Pat Mulvihill (D-10), Robin Engel (R-22), Madonna Flood (D-24), Brandon Coan (D-8), Bill Hollander (D-9) and Markus Winkler (D-17)

Attachments: O-472-20 V.1 102220 Jefferson Memorial Forest Fest NDF.pdf

O-472-20 Supporting Documentation - Ord 047 2020-BEING

REPEALED.pdf

O-472-20 Email Regarding Event Being Cancelled.pdf

O-472-20 Supporting Documentation - NDF Packet for Prior-Approved

Ordinance for 2020 Forest Fest.pdf

Enactment No: Ordinance 137-2020

Legislation assigned to COMMUNITY AFFAIRS, HEALTH AND EDUCATION COMMITTEE

38. R-129-20

A RESOLUTION HONORING DR. ERIC A. JOHNSON BY DEDICATING THE SOUTHEAST CORNER OF 40TH AND WEST BROADWAY AS "DR. ERIC A. JOHNSON WAY" IN RECOGNITION OF HIS 25TH ANNIVERSARY AS PASTOR.

Sponsors: Primary Donna L. Purvis (D-5)

Attachments: R-129-20 V.1 102220 Dr. Eric A. Johnson Honorary Street Sign.pdf

Eric J Bio.pdf

Enactment No: Resolution 107-2020

Legislation assigned to GOVERNMENT OVERSIGHT AND AUDIT COMMITTEE

39. R-132-20

A RESOLUTION OF THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT ("COUNCIL") TO RELEASE DOCUMENTS PERTAINING TO THE LMPD EXPLORER CASE.

Sponsors: Primary David James (D-6)

Attachments: R-132-20 V.1 102220 Release of LMPD Explorer Case Documents.pdf

Legislation assigned to LABOR AND ECONOMIC DEVELOPMENT COMMITTEE

40. <u>O-464-20</u>

AN ORDINANCE AMENDING CHAPTER 37.75 OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES ("LMCO") BY INCLUDING LOCAL TAX INCREMENT FINANCING PROJECTS IN THE DEFINITION OF TAXPAYER SUBSIDIZED PROJECTS.

Sponsors: Primary Barbara Sexton Smith (D-4)

<u>Attachments:</u> O-464-20 V.1 102220 TAX INCREMENT FINANCING PROJECTS IN
-TAXPAYER SUBSIDIZED PROJECTS.pdf

Enactment No: Ordinance 139-2020

41. R-127-20

A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET ORDINANCES, APPROVING THE APPROPRIATION TO FUND THE FOLLOWING NONCOMPETITIVELY NEGOTIATED PROFESSIONAL SERVICE CONTRACT FOR LMPHW CONCERNING THE RETENTION OF AN ACADEMIC HEALTH COORDINATOR - (UNIVERSITY OF LOUISVILLE - \$77,100.00).

Sponsors: Primary David Yates (D-25)

Attachments: R-127-20 V.1 102220 ACADEMIC HEALTH COORDINATOR -

(UNIVERSITY OF LOUISVILLE - \$77,100.00).pdf

University of Louisville

Enactment No: Resolution 104-2020

42. R-128-20

A RESOLUTION APPROVING THE BUDGET AND ECONOMIC IMPROVEMENT PLANS FOR THE LOUISVILLE DOWNTOWN MANAGEMENT DISTRICT FOR THE PERIOD JANUARY 1, 2021 THROUGH DECEMBER 31, 2021.

Sponsors: Primary David Yates (D-25)

Attachments: R-128-20 V.1 102220 BUDGET - DOWNTOWN MANAGEMENT

DISTRICT.pdf

Downtown Partnership Presentation 10-27-20.pdf

LDP EIP 2020 - LED 10.27.20.pdf

Enactment No: Resolution 105-2020

Legislation assigned to PLANNING AND ZONING COMMITTEE

43. <u>O-474-20</u>

AN ORDINANCE RELATING TO THE CLOSURE OF THE PORTION OF AN UNNAMED ALLEY BETWEEN EASTERN PARKWAY AND HAHN STREET CONTAINING APPROXIMATELY 4,497 SQUARE FEET AND BEING IN LOUISVILLE METRO (CASE NO. 20STRCLOSURE0014).

Sponsors: Primary Madonna Flood (D-24)

Attachments: O-474-20 V.1 102220 Closure Alley Between Eastern Pkwy and Hahn

St.pdf

20-STRCLOSURE-0014.pdf

20-STRCLOSURE-0014 Other Minutes.pdf

20-STRCLOSURE-0014 Staff Report.pdf

20-STRCLOSURE-0014 Legal Description.pdf

20-STRCLOSURE-0014 Justification.pdf

20-STRCLOSURE-0014 Plat.pdf

20-STRCLOSURE-0014 PC Minutes.pdf

Enactment No: Ordinance 140-2020

44. **O-475-20**

AN ORDINANCE RELATING TO THE ZONING AND FORM DISTRICT OF PROPERTY LOCATED AT 7101 GREENBELT HIGHWAY CONTAINING APPROXIMATELY 1.67 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 20ZONE0072).

Sponsors: Primary Madonna Flood (D-24)

Attachments: O-475-20 V.1 102220 Zoning at 7101 Greenbelt Hgwy.pdf

20-ZONE-0072.pdf

20-ZONE-0072 Other Minutes.pdf

20-ZONE-0072 Staff Reports.pdf

20-ZONE-0072 Legal Description.pdf

20-ZONE-0072 Justification.pdf

20-ZONE-0072 Public Materials.pdf

20-ZONE-0072 Plan.pdf

20-ZONE-0072 PC Minutes.pdf

Enactment No: Ordinance 144-2020

45. O-476-20

AN ORDINANCE RELATING TO THE ZONING OF PROPERTY LOCATED AT 1616 ROSEWOOD AVENUE CONTAINING APPROXIMATELY 0.114 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 20ZONE0058).

Sponsors: Primary Madonna Flood (D-24)

Attachments: O-476-20 V.1 102220 Zoning at 1616 Rosewood Ave.pdf

20-ZONE-0058.pdf

20-ZONE-0058 Other Minutes.pdf

20-ZONE-0058 Staff Reports.pdf

20-ZONE-0058 Legal Description.pdf

20-ZONE-0058 Legal Description.pdf

20-ZONE-0058 Public Materials.pdf

20-ZONE-0058 Plan.pdf

20-ZONE-0058 PC Minutes.pdf

Enactment No: Ordinance 145-2020

46. O-477-20

AN ORDINANCE RELATING TO THE ZONING OF PROPERTIES LOCATED AT 917 & 919 FOUNTAIN AVENUE AND 4700 WESTPORT ROAD CONTAINING APPROXIMATELY 0.59 ACRES AND BEING IN LOUISVILLE METRO (CASE NO. 19ZONE0094).

Sponsors: Primary Madonna Flood (D-24)

<u>Attachments:</u> O-477-20 V.1 102220 Zoning at 917 - 919 Fountain Ave - 4700

Westport Rd.pdf 19-ZONE-0094.pdf

19-ZONE-0094 Planning Commission Minutes.pdf

19-ZONE-0094 Other Minutes.pdf

19-ZONE-0094 Staff Reports.pdf

19-ZONE-0094 Legal Description.pdf

19-ZONE-0094 Legal Description.pdf

19-ZONE-0094 Justification.pdf

19-ZONE-0094 Public Materials.pdf

19-ZONE-0094 PC Minutes.pdf

19-ZONE-0094 Plan.pdf

Legislation assigned to PUBLIC SAFETY COMMITTEE

47. <u>O-481-20</u>

AN ORDINANCE CREATING THE CIVILIAN REVIEW & ACCOUNTABILITY BOARD AND THE OFFICE OF INSPECTOR GENERAL, AND ABOLISHING THE CITIZEN COMMISSION ON POLICE ACCOUNTABILITY (AS AMENDED).

<u>Sponsors:</u> Primary Paula McCraney (D-7), Primary Bill Hollander (D-9) and Primary David James (D-6)

Attachments: O-481-20 PROPOSED CABS 111120 Civilian Rev. and Acct. Board

and OIG.pdf

O-481-20 V.2 CAM 102820 Civilian Rev. and Acct. Board and OIG.pdf

O-481-20 V.1 102220 Civilian Rev. and Acct. Board and OIG.pdf

Announcements

Council President James announced that the next Metro Council meeting would be on Thursday, November 5, 2020 at 6:00 p.m.

Adjournment

Without objection, Council President James adjourned the meeting at 9:04 p.m.

Unedited Transcript of Meeting

ID 20-1476

Unedited Transcript of Metro Council Meeting - October 22, 2020

NOTE: This script is produced by an outside company and has not been edited.

<u>Attachments:</u> <u>Unedited Transcript of Metro Council Meeting - October 22, 2020.pdf</u>