



Louisville Metro Government

Action Summary - Final Labor and Economic Development Committee

Chair Keisha Dorsey (D-3)
Vice Chair Anthony Piagentini (R-19)
Committee Member Donna Purvis (D-5)
Committee Member Pat Mulvihill (D-10)
Committee Member Markus Winkler (D-17)
Committee Member Stuart Benson (R-20)
Committee Member Amy Holton Stewart (D-25)

Tuesday, December 7, 2021

3:00 PM

Council Chambers/Virtual

THIS MEETING IS BEING HELD VIA VIDEO TELECONFERENCE

Call to Order

Chair Dorsey called the meeting to order at 3:05 p.m.

Roll Call

Chair Dorsey introduced the committee and non-committee members present. A quorum was established.

Note: All committee members and non-committee members present attended virtually, except for Chair Dorsey, Council President James and Vice Chair Piagentini, who attended in Chambers.

Present: 7 - Chair Keisha Dorsey (D-3), Vice Chair Anthony Piagentini (R-19), Committee Member Donna L. Purvis (D-5), Committee Member Pat Mulvihill (D-10), Committee Member Markus Winkler (D-17), Committee Member Stuart Benson (R-20), and Committee Member Amy Holton Stewart (D-25)

Non-Committee Member(s)

Council Member Jecorey Arthur (D-4), Council President David James (D-6), and Council Member Cindi Fowler (D-14)

Support Staff

Hollie Hopkins, Jefferson County Attorney's Office
Laura Ferguson, Jefferson County Attorney's Office
Paul Rutherford, Jefferson County Attorney's Office

Clerk(s)

Olivia Bennett, Assistant Clerk
Sonya Harward, Clerk

Pending Legislation

1. [R-149-21](#)

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 WELLNESS ("LMPHW") CONCERNING COVID TESTING EQUIPMENT - (LIFE TECHNOLOGIES CORPORATION - \$63,575.00).

Sponsors: Primary Keisha Dorsey (D-3)

Attachments: [R-149-21 V.1 120221 Contract for LMPHW concerning COVID-19 Testing Equipment.pdf](#)
[Life Technologies Contract Documents.pdf](#)

A motion was made by Vice Chair Piagentini, seconded by Committee Member Holton Stewart, that this Resolution be recommended for approval.

The following spoke to this item:

- Dr. Leslie Wolf, Louisville Metro Public Health and Wellness ("LMPHW")
- Committee Member Purvis
- Chair Dorsey

The following was discussed:

- This agreement is for a real time PCR instrument needed to run and maintain the new Centers for Disease Control and Prevention ("CDC"), for the Coronavirus and flu assay
- The PCR instrument LMPHW is currently using and have been utilizing since the beginning of the COVID-19 pandemic has been discontinued
- This is the only tool that LMPHW can run the approved CDC assay on

The motion carried by a voice vote and the Resolution was sent to the Consent Calendar.

2. [R-150-21](#)

**A RESOLUTION PURSUANT TO THE CAPITAL AND OPERATING BUDGET
ORDINANCES APPROVING THE APPROPRIATION TO FUND THE FOLLOWING
PROFESSIONAL SERVICE CONTRACT FOR THE LOUISVILLE ZOO CONCERNING AN
ANIMATRONIC INSECT DISPLAY - (DINO DON, INC. - \$225,000.00).**

Sponsors: Primary Pat Mulvihill (D-10)

Attachments: [R-150-21 V.1 120221 Contract for the Louisville Zoo concerning an Animatronic Display.pdf](#)
[Dino Don Inc Non-Competitive Contract Request - Redacted.pdf](#)
[Updated Louisville Zoo Contract for Dino Don - Redacted.pdf](#)

A motion was made by Committee Member Winkler, seconded by Vice Chair Piagentini, that this Resolution be recommended for approval.

The following spoke to this item:

- Stephanie Moore, Louisville Zoo
- Committee Member Holton Stewart

The following was discussed:

- Dino Don, Inc. is the same vendor the Louisville Zoo used last year to incorporate the animatronic dinosaur display
- Examples of some of the insects that will be on display were given
- This attraction will help to educate the public on the benefits of insects in our community
- This attraction will be on display during the summer months from June 2022-September 2022
- Whether the investment received from the dinosaur display was positive -- the Louisville Zoo saw an increase on the Zoo's attendance especially in July of 2021 -- the ticket cost to see the exhibit increased to also help pay for the exhibit cost

The motion carried by a voice vote and the Resolution was sent to the Consent Calendar.

3. [R-160-21](#)

A RESOLUTION RATIFYING AND APPROVING A COLLECTIVE BARGAINING AGREEMENT (THROUGH JUNE 30, 2023) RELATING TO WAGES, BENEFITS, AND OTHER TERMS AND CONDITIONS OF EMPLOYMENT BETWEEN LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AND THE RIVER CITY FRATERNAL ORDER OF POLICE LODGE NO. 614, POLICE OFFICERS AND SERGEANTS.

Sponsors: Primary Markus Winkler (D-17), Primary Anthony Piagentini (R-19), Primary Barbara Shanklin (D-2), Primary Paula McCraney (D-7), Primary Bill Hollander (D-9), Primary Pat Mulvihill (D-10), Primary Kevin Kramer (R-11), Primary Rick Blackwell (D-12), Primary Mark H. Fox (D-13), Primary Cindi Fowler (D-14), Primary Kevin Triplett (D-15), Primary Scott Reed (R-16), Primary Marilyn Parker (R-18), Primary Robin Engel (R-22), Primary James Peden (R-23), Primary Madonna Flood (D-24), Primary Amy Holton Stewart (D-25) and Primary David James (D-6)

Attachments: [R-160-21 V.1 120221 Concerning Collective Bargaining Agreement for Police Officers and Sergeants.pdf](#)
[R-160-21 ATTACH Contract for FOP Officers and Sergeants.pdf](#)

A motion was made by Committee Member Winkler, seconded by Vice Chair Piagentini, that this Resolution be recommended for approval.

The following spoke to this item:

- Monica Harmon, Office of Management and Budget ("OMB")
- Committee Member Purvis
- Chief Matt Golden, Public Services
- Chief Erika Shields, Louisville Metro Police Department ("LMPD")
- Committee Member Mulvihill
- Vice Chair Piagentini

The following was discussed:

- This agreement covers approximately 1,250 police officers and sergeants positions
- This contract meets the objective of the Administration, that is in line with the projected revenue growth over the life of the contract
- This is a two-year contract covering fiscal year 2022 to June 2023
- This contract includes Cost-Of-Living-Adjustment's ("COLA") for fiscal year 2022 of 9 percent wage increases and a 6 percent wage increase in fiscal year 2023
- The economic changes within this contract include the following:
 - Additional compensation with forced overtime in excess of 16 hours
 - Greater reimbursement of members personal property loss from \$400 to \$1,000
 - Greater maternity and paternity leave benefits offered under the Metro Council Ordinance
- Cumulative compensation is 19.2 percent, the total cost of the contract without fringe benefits is \$143.2M and with fringe benefits is \$221.6M
- Union member votes came out as 66 percent in favor of the tentative agreement and 34 percent against

- The membership when voting for the contract was provided a new tool to calculate back pay based on the terms of the tentative agreement -- there was a coding error within the tool which over estimated the base pay for the 11-week period -- cost of the error was \$2.6M including fringe benefits and the pay to the members is a result of the differential from the error in the tool provided by OMB -- the estimated payment to the individual members is approximately \$1,800 to \$2,500 depending on the years of service with LMPD, this represents 1.1 percent of the contract cost
- Questions were asked regarding whether the officers have an option regarding type of alcohol testing they will have -- the testing exists within the Chief's discretion
- Questions were asked regarding Article 39 of the contract, specifically whether an officer must volunteer two hours of their time per pay period and elaboration on consequences for not upholding the volunteer agreement -- there are no consequences as LMPD officers are encouraged to volunteer but it is not mandatory
- Questions were asked regarding the retention policy surrounding informal complaints and how the Chief plans to handle the informal complaints -- the current policy is that the informal complaint records would be destroyed after 90 days and with the new contract they will now be destroyed after two years
- A new Accountability and Improvement Bureau is being set up
- Whether the Hillard Heintze report specifically addressed retention and if this was in the parameters of their recommendation -- complaint processes and early intervention systems were addressed but not retention specifically
- The contract will better align with what the city's retention schedule is
- Questions were asked regarding plans to recreate and reestablish trust in minority communities on the force -- intends to hire and recruit deliberately, greater diversity within law enforcement must be had so inherent biases as well as discriminatory behaviors can be addressed internally so they are not taken out on the community -- the current issue with deliberate recruiting is not many individuals want to police
- Questions were asked regarding diversifying LMPD -- LMPD is approximately 15 percent female and 15 percent African American
- Misconduct issues tend to come from the police culture and not necessarily the employee's race
- Whether Article 10, Section 3, limits how the Chief recruits individuals, and whether she has the ability within the contract to recruit African Americans specifically as there is no current Consent Decree established within the new contract as it was in prior contracts -- though the contract does not clearly state a minority quota when hiring, the Mayor's Office of Equity does incorporate that in LMPD's benchmarks when hiring -- the Chief has implemented a more uniform interview process across all positions within LMPD and a rank list review must be done by the Chief prior to hiring
- Examples of the security clauses established in the contract were given
- Questions were asked regarding how the Chief plans to deal with the community aspect with lack of diversity and where that may lead in the future -- holding law enforcement in higher positions accountable and LMPD performing in a manner that is consistent with the expectations of the community to eventually gain trust back within the community over time
- Examples of racial societal issues were given
- Questions were asked regarding whether state law sets the standards and if those laws can be changed -- the Chief not being accustomed to states running local agencies which hinders the work because KRS 67C has many

components that apply to small agencies and not larger agencies
- Questions were asked regarding Early Warning Systems and the timeline to get the Early Warning System set in place -- LMPD is currently running a pilot of the Early Warning System in two divisions, the hope is to have the Early Warning Systems operating in every division within LMPD at the beginning of 2022

A motion was made by Vice Chair Piagentini, seconded by Committee Member Winkler, to call the question.

The motion to call the question carried by a voice vote.

The motion to recommend for approval carried by the following vote and the Ordinance was sent to Old Business:

Yes: 5 - Piagentini, Mulvihill, Winkler, Benson, and Holton Stewart

Present: 2 - Dorsey, and Purvis

4. [R-163-21](#)

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 LOUISVILLE METRO DEPARTMENT OF PUBLIC HEALTH AND WELLNESS CONCERNING SUPPORTING POLICY WORK FOR METRO'S COVID-19 RESPONSE - (HOLDEN HUNTZINGER - \$18,000.00 FOR A NEW NOT-TO-EXCEED AMOUNT OF \$36,000.00).

Sponsors: Primary David James (D-6)

Attachments: [R-163-21 V.1 120221 Contract for LMPHW concerning supporting policy work for Metro's COVID-19 response.pdf](#)
[DocuSign_NCCR_Holden_Huntzinger_FY22_amendment.pdf](#)
[Health Department - PSC with Holden Huntzinger First Amendment 112921.pdf](#)

This item was held in committee.

5. [O-642-21](#)

AN ORDINANCE ESTABLISHING A DEVELOPMENT AREA PURSUANT TO PROVISIONS OF KRS 65.7041- 65.7083 TO BE KNOWN AS THE MAGAZINE STREET DEVELOPMENT AREA, DESIGNATING THE METRO DEVELOPMENT AUTHORITY, INC. AS AN "AGENCY", ADOPTING A DEVELOPMENT PLAN, APPROVING ENTERING INTO A LOCAL PARTICIPATION AGREEMENT, AUTHORIZING THE PAYMENT OF THE "RELEASED AMOUNT" PURSUANT TO THE TERMS AND CONDITIONS OF THE LOCAL PARTICIPATION AGREEMENT, REQUIRING THE SUBMISSION OF REGULAR REPORTS TO LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AND AUTHORIZING THE EXECUTION AND DELIVERY OF ANY OTHER DOCUMENTS AND THE TAKING OF ANY OTHER ACTIONS NECESSARY TO ACCOMPLISH THE PURPOSES AUTHORIZED BY THIS ORDINANCE.

Sponsors: Primary Jecorey Arthur (D-4)

Attachments: [O-642-21 V.1 120221 Establishing the Magazine Street Development Area as an Agency.pdf](#)
[O-642-21 ATTACH Exhibit A Magazine Street Development Plan.pdf](#)
[O-642-21 ATTACH Exhibit B Magazine Street Development Area Map.pdf](#)
[O-642-21 ATTACH Exhibit C Magazine Street Local Participation Agreement.pdf](#)
[Mt. Lebanon Senior Apartments - LAEDC.pdf](#)

A motion was made by Committee Member Winkler, seconded by Vice Chair Piagentini, that this Resolution be recommended for approval.

The following spoke to this item:

- Jeff O'Brien, Louisville Foward
- Council Member Arthur

The following was discussed:

- This agreement is for a Tax Increment Finance ("TIF") Project for the Mt. Lebanon Senior Apartments located on Magazine Street
- This property is approximately 1.6 acres
- The project will yield \$791,341 to the developer, which is a capped amount over a 20-year time span
- This project is a rehabilitation of an existing senior housing facility -- includes 70 one-bedroom units
- The Mt. Lebanon Senior Apartments are for low- and moderate-income residents
- As part of the rehabilitation, the units will be renovated and residents will be moved around the property, but would not be displaced from the property
- Resident rental payments will not be increased
- The total project investment is \$10M
- Metro would receive 20 percent of the new at or below wage of the property taxes earned over the 20-year time span and the developer would receive 80 percent of the new at or below of the property taxes earned

- This property meets two of the seven conditions of blight
- Examples of several new amenities and upgrades to the facility were given
- This project will update the existing facility while keeping it affordable for the residents to reside in
- Questions were asked regarding how Metro can maintain the facilities affordability for the residents once the project is completed -- this is a tax credit project, the tax credits earn additional land use and this is what will ultimately keep the rental payments affordable in the long term

A motion was made by Vice Chair Piagentini that this Ordinance be tabled, but this motion failed due to lack of a second.

The motion to recommend for approval carried by the following vote and the Ordinance was sent to Old Business:

Yes: 5 - Purvis, Mulvihill, Winkler, Benson, and Holton Stewart

No: 1 - Piagentini

Present: 1 - Dorsey

Adjournment

Without objection, Chair Dorsey adjourned the meeting at 4:02 p.m.

Note: Items sent to the Consent Calendar or Old Business will be heard before the full Council at the Metro Council meeting on December 16, 2021.