

City Council Meeting Minutes

**May 16, 2023
City Hall, Council Chambers
749 Main Street
6:00 PM**

Call to Order – Mayor Maloney called the meeting to order at 6:00 p.m. **Roll Call** was taken and the following members were present:

City Council: *Mayor Dennis Maloney
Mayor Pro Tem Deborah Fahey
Councilmember Barbara Hamlington
Councilmember Dietrich Hoefner
Councilmember Chris Leh (attended remotely)
Councilmember Maxine Most*

Absent: *Councilmember Caleb Dickinson*

Staff Present: *Jeff Durbin, City Manager
Rob Zuccaro, Community Development Director
Ellie Hassan, Planner II
Adam Blackmore, Parks, Recreation, & Open Space Director
Ryder Bailey, Finance Director
April Kroner, Economic Vitality Manager
Meredyth Muth, City Clerk*

Others Present: *Kathleen Kelly, City Attorney*

APPROVAL OF AGENDA

Mayor Maloney called for changes to the agenda and hearing none asked for a motion. **Motion:** Mayor Pro Tem Fahey moved to approve the agenda, seconded by Councilmember Hoefner. **Vote:** All in favor.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA AND ON THE CONSENT AGENDA

Eric Lund, Chamber of Commerce, gave an update on their membership number; thanks the City for the recent business forum, and invited everyone to the various upcoming Chamber events.

John Willson, Louisville Fire District, gave his quarterly safety tip, reminding everyone to be careful while grilling this summer.

Cathern Smith, Louisville, thanked the Council for their service and particularly thanked Councilmember Most for her service on the Rocky Mountain Airport Roundtable.

APPROVAL OF THE CONSENT AGENDA

Mayor Maloney asked for changes to the consent agenda. Councilmember Most asked that Items E and I be moved to the regular agenda. **Motion:** Councilmember Most moved to approve the consent agenda as amended, seconded by Mayor Pro Tem Fahey. **Vote:** All in favor.

- A. ***Approval of Bills***
- B. ***Approval to Cancel May 23, 2023 City Council Study Session***
- C. ***Award Bid and Approve Contract for 2023 Construction Manager/General Contractor Preconstruction Services for Park and Playground Enhancements***
- D. ***Approval of Resolution No 26, Series 2023 – A Resolution Terminating the Declaration of Local Disaster Emergency In and For the City of Louisville with Regard to the COVID-19 Pandemic***
- E. ***Approval of Economic Vitality Committee Purpose Statement – moved to regular agenda***
- F. ***Approval of Request for Proposals for Downtown Vision Plan for Streetscapes & Public Places Consultant Services***
- G. ***Approval of Resolution No. 27, Series 2023 – A Resolution Amending the City Council Rules of Procedures to Allow for Fully Remote Meetings***
- H. ***Approval of Resolution No. 28, Series 2023 – a Resolution Approving a Memorandum of Understanding for the Development of a Community Decarbonization Plan***
- I. ***Approval of Proclamation Declaring June 2nd to be National Gun Violence Awareness Day – moved to regular agenda***

COUNCIL INFORMATIONAL COMMENTS ON PERTINENT ITEMS NOT ON THE AGENDA

Councilmember Most asked that City staff help promote the Chamber's events and the grilling safety information from the Fire Chief.

CITY MANAGER'S REPORT

None.

REGULAR BUSINESS

SWEARING IN OF 2023 PET MAYORS ARLO & HOPS

Youth Advisory Board Vice-Chair Lily and Chair Sam stated the goal of the project was to bring a stronger sense of community. There were over 13,000 visits to the website and it was a huge success. They congratulated Arlo and Hops on their appointments.

Municipal Judge David Thrower swore in the 2023-2024 Pet Mayors Arlo and Hops.

Arlo and Hops spoke via their owners and thanked everyone for this honor.

GUN VIOLENCE AWARENESS PROCLAMATION – *moved from consent agenda*

Mayor Pro Tem Fahey read the proclamation. Mayor Maloney moved to approve the proclamation; Councilmember Leh seconded the motion. All in favor.

APPROVAL OF ECONOMIC VITALITY COMMITTEE PURPOSE STATEMENT – *moved from consent agenda*

Councilmember Most stated she is on the Economic Vitality Committee and did want to see a purpose statement created for the EVC to help better understand the role of the Committee. She feels the proposed statement is more of a job description of what staff should be doing and to her it is still not clear the roll of the Committee.

She would like this Committee's role to be included in the discussion of all the City's boards and commissions when that item comes to Council in June. She would like to evaluate the role of the Committee and the amount of staff time being used to support it. She stated the business community wants more direct communication with the City Council and she is not sure this Committee is serving that purpose. She feels this misses the mark.

MOTION: Councilmember Hoefner moved to approve the statement; seconded by Mayor Pro Tem Fahey.

Mayor Pro Tem Fahey agreed this item should be discussed when the roles and duties of the boards and commissions is discussed.

VOICE VOTE: Motion passed. Five votes in favor, none against, and Most abstained.

ORDINANCE NO. 1853, SERIES 2023 – AN ORDINANCE APPROVING AN ELEVENTH AMENDMENT TO THE CENTENNIAL VALLEY GENERAL DEVELOPMENT PLAN'S AMENDED AND RESTATED DEVELOPMENT AGREEMENT TO REVISE PERMITTED USES FOR A PORTION OF PARCEL H AT

972 WEST DILLON ROAD – 2nd READING, PUBLIC HEARING (advertised *Daily Camera* 5/7/23)

Mayor Maloney introduced the item and asked for disclosures; seeing none he opened the public hearing.

Planner Hassan reviewed the history of the property. She stated the existing development agreement limited uses on the site. It required special review use approval for several uses and several SRU's were approved on this site since it was built.

The applicants propose an amendment to the development agreement to allow for new permitted uses either by right or by special review at 972 Dillon. She noted the inclusion of an amendment for the second reading to change "churches" to "religious institutions" which has a specific definition in the code. She stated that in the amendment any uses that are not listed as by right or by SRU are specifically prohibited.

Staff believes this change meets the code and allows for more uses in the McCaslin corridor. Staff recommends approval of the ordinance.

Councilmember Most asked if these changes to allow non-retail uses would impact sales tax revenue. Hasan stated staff believes these uses make sense for a parcel of this size and the underlying zoning, and may help reduce vacancy rates in the area.

Public Comments – None.

Councilmember Most thanked staff for correcting the term churches to religious institutions to better reflect the community desires.

Mayor Maloney stated he believes this won't affect sales tax as there are still retail areas on the site.

Public Comments – None.

Councilmember Hoefner agreed with Maloney that making these changes is good for the property and may help reduce vacancy rates in this area. Mayor Pro Tem Fahey agreed.

Mayor Maloney closed the public hearing.

MOTION: Councilmember Most moved to approve Ordinance. No. 1853; seconded by Councilmember Leh.

Vote: Motion carried by unanimous roll call vote.

BUDGET AMENDMENT

RESOLUTION NO. 29, SERIES 2023 – A RESOLUTION AMENDING THE 2023 BUDGET BY AMENDING APPROPRIATIONS IN THE GENERAL FUND, OPEN SPACE & PARKS FUND, CONSERVATION TRUST - LOTTERY FUND, HISTORIC RESERVATION FUND, RECREATION FUND, CAPITAL PROJECTS FUND, RECREATION CONSTRUCTION FUND, WATER UTILITY FUND, WASTEWATER UTILITY FUND, STORM WATER UTILITY FUND, GOLF COURSE FUND, AND FLEET MANAGEMENT FUND FOR CARRY FORWARD OF APPROPRIATIONS AND ADDITIONAL APPROPRIATIONS WITHIN SUCH FUNDS AND ADJUSTING BUDGETED REVENUE IN THE GENERAL FUND, OPEN SPACE & PARKS FUND, HISTORIC PRESERVATION FUND, RECREATION FUND, AMERICAN RESCUE PLAN ACT FUND, CAPITAL PROJECTS FUND, WATER UTILITY FUND, WASTEWATER UTILITY FUND, GOLF COURSE FUND, AND FLEET MANAGEMENT FUND

RESOLUTION NO. 30, SERIES 2023 – A RESOLUTION AMENDING THE 2023 BUDGET BY AMENDING APPROPRIATIONS IN THE LOUISVILLE REVITALIZATION COMMISSION

Mayor Maloney introduced the item and opened the public hearing.

Director Bailey stated staff is seeking City Council's approval of the First Budget Amendment to the 2023 City and Revitalization Commission's Adopted Budgets. The First Budget Amendment is largely administrative and is primarily driven by the timing of large capital and utility projects. It also includes amendments from previously heard Council items. Today's amendment can be broken out into three types of categories: capital project carry-forward; adjustments to budgeted capital projects, and operational amendments/carry-forwards.

The resolutions present the amendment by fund, the City's legal level of budgetary control, per the City's Financial Policies. Appendices A & B to the Resolutions present the amendment by line item account, the greatest level of amendment detail. He reviewed the revenue and expenditure amendments for each fund. He noted that all funds with reserve requirements are projected to remain in full compliance with the City's Reserve Policies.

The Finance Committee reviewed the amendment at their last meeting. Staff recommends approval of both resolutions.

Public Comments – None.

Mayor Maloney closed the public hearing.

MOTION: Mayor Pro Tem Fahey moved to approve Resolution No. 29; seconded by Councilmember Most.

VOTE: Motion carried by unanimous roll call

MOTION: Mayor Pro Tem Fahey moved to approve Resolution No. 30; seconded by Councilmember Hoefner.

VOTE: Motion carried by unanimous roll call vote.

RESOLUTION NO. 31, SERIES 2023 – A RESOLUTION APPROVING AN AMENDMENT TO THE COOPERATION AGREEMENT BETWEEN THE CITY OF LOUISVILLE AND THE LOUISVILLE REVITALIZATION COMMISSION FOR PRE-APPROVED SPENDING AUTHORITY

Mayor Maloney introduced the item.

Economic Vitality Manager Kroner stated the purpose of the agreement is to allow greater spending discretion for the LRC for certain preapproved items. The draft amendment would add a new subsection to Section 5 of the 2015 Agreement to set forth a formal process to enable the LRC to obtain City Council approval of “LRC Programs,” which would include pre-approved spending authority. This would allow the LRC to move forward with contracts with program awardees without requiring the applicants to get additional Council approval. All new programs would require City Council approval.

Mayor Maloney states this just streamlines the process to allow the Council to approve one appropriation for a program and allows the LRC to then spend the funds more efficiently.

Councilmember Most noted all the programs are noted in the annual budget approval from the City Council.

Councilmember Hoefner asked for a program example. Korner noted the recent Façade Improvement Program. Council approved the general program and how it would work and also gave the LRC the approval to award money to applicants without additional Council approval.

City Attorney Kelly noted that the program form contracts would be approved by the Council at the beginning of the program so the LRC could enter into contracts without requiring additional Council approval.

Public Comments

Graham Smith, LRC, encouraged Council to approve this change to allow the LRC to function more efficiently.

Lexi Adler, LRC, also encouraged approval to create a better process.

MOTION: Councilmember Most moved to approve Resolution No. 31; seconded by Councilmember Hoefner.

VOTE: Motion carried by unanimous roll call vote.

CITY ATTORNEY'S REPORT

None.

COUNCIL COMMENTS, COMMITTEE REPORTS, AND IDENTIFICATION OF FUTURE AGENDA ITEMS

Councilmember Leh noted the Economic Vitality Committee will be having a Dark Skies discussion this Friday.

Mayor Maloney noted the Open Space & Parks Sales Tax Task Force concluded meeting last night and will be bringing a recommendation on what to place on the ballot in November to the Council next month.

Mayor Maloney stated the legislative session is over but there are policy issues that will need to be addressed, specifically how SB 123 will affect municipalities. The Council will need to address that on a future agenda.

ADJOURN

Members adjourned at 7:10 pm.

Dennis Maloney, Mayor

Meredyth Muth, City Clerk