



Louisville Metro Government

Action Summary - Tentative

Parks and Sustainability Committee

Chair Jecorey Arthur (D-4)

Vice Chair Marilyn Parker (R-18)

Committee Member Phillip T. Baker (D-6)

Committee Member Pat Mulvihill (D-10)

Committee Member Cindi Fowler (D-14)

Committee Member Betsy Ruhe (D-21)

Committee Member Jeff Hudson (R-23)

Committee Member Khalil Batshon (R-25)

May 25, 2023

3:00 PM

Council Chambers/Virtual

THIS MEETING IS BEING HELD VIA VIDEO TELECONFERENCE

Call to Order

Chair Arthur called the meeting to order at 3:06 p.m.

Roll Call

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

Note: All committee members and non-committee members attended in Chambers except for Committee Member Mulvihill, who attended virtually.

Present: 7 – Chair Jecorey Arthur (D-4), Committee Member Phillip T. Baker (D-6), Committee Member Pat Mulvihill (D-10), Committee Member Cindi Fowler (D-14), Committee Member Betsy Ruhe (D-21), Committee Member Jeff Hudson (D-23) and Committee Member Khalil Batshon (D-25)

Excused: 1 – Vice Chair Marilyn Parker (D-18)

Non-Committee Member(s)

Council Member Tammy Hawkins (D-1), Council Member Donna L. Purvis (D-5), Council Member Paula McCraney (D-7), Council President Markus Winkler (D-17)

Support Staff

Alice Lyon, Jefferson County Attorney's Office
Jason Fowler, Jefferson County Attorney's Office

Clerk(s)

Olivia Bennett, Assistant Clerk
Marissa Brown, Assistant Clerk

Pending Legislation

ID 23-0079

[See the "Unedited Captioning Transcript of the Parks and Sustainability Committee Meeting - May 25, 2023" attached hereto for additional information regarding discussion of each item.]

1. **O-073-23** AN ORDINANCE AMENDING THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES ("LMCO") CHAPTER 42 TO ELIMINATE FEES THAT MAY CREATE AN OBSTACLE TO BENEFICIAL YOUTH ORIENTED PROGRAMS.

Action Required By: October 2023

Sponsors: Donna L. Purvis, Jeff Hudson, Khalil Batshon

A motion was made by Committee Member Batshon, seconded by Committee Member Baker, to untable.

The following spoke to this item:

- Chair Arthur
- Committee Member Batson
- Council Member Hawkins
- Committee Member Fowler
- Council Member Purvis
- Committee Member Hudson
- Alice Lyon, Jefferson County Attorney's Office
- Jason Canuel, Metro Parks and Recreation

A motion was made by Committee Member Baker, seconded by Committee Member Batshon, to Call the Question.

This motion carried by a voice vote.

A motion was made by Committee Member Baker, seconded by Committee Member Ruhe, that this Ordinance be recommended for approval.

The motion carried by the following vote and this Ordinance was sent to Old Business:

Aye: 5 – Arthur, Baker, Ruhe, Hudson, Batshon

Nay: 1 – Member Mulvihill

Present: 1 - Fowler

2. O-092-23 AN ORDINANCE AMENDING CHAPTER 118 TO MINIMIZE THE WASTE OF SINGLE USE PLASTICS

Action Required By: November 2023

Sponsors: Betsy Ruhe

A motion was made by Committee Member Batshon, seconded by Committee Member Baker, that this Ordinance be recommended for approval.

The following spoke to this item:

- Chair Arthur
- Committee Member Baker
- Committee Member Batshon
- Committee Member Ruhe
- George Timmering, Bearnos Pizza
- JT Oakley, Bristol Bar and Grill

A motion was made by Committee Member Baker, seconded by Committee Member Fowler, that this Ordinance be tabled.

This motion carried by a voice vote and the Ordinance was tabled.

3. R-055-23 A RESOLUTION URGING THE IMPLEMENTATION OF THE AQUATICS MASTER PLAN DEVELOPED FOR LOUISVILLE'S DEPARTMENT OF PARKS AND RECREATION.

Action Required By: November 2023

Sponsors: Cindi Fowler

A motion was made by Committee Member Baker, seconded by Committee Member Fowler, that this Resolution be recommended for approval.

The following spoke to this item:

- Chair Arthur
- Committee Member Fowler
- Patrick Hoagland, Brandstetter Carroll
- Council Member Hawkins
- Council President Markus Winkler

A motion was made by Committee Member Baker, seconded by Chair Arthur that this Resolution be tabled.

The motion carried by a voice vote and the Resolution was tabled.

Adjournment

Without objection, Chair Arthur 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 June 1, 2023.

Unedited Captioning Transcript of Parks and Sustainability Committee Meeting - May 25, 2023

Please welcome to the parks and sustainability committee. Today is Thursday.

May 25th 2023 the time is currently.

306? 0 PM. I'm chairman. jukari Arthur.

Vice chair, male and Parker has an excuse absence. We have committee members Rui.

Hudson bat Sean Baker, we also have council members purpose and Hawkins. This meeting is being held pursuant to 61.826 and council rule 5 a.

Item number 1 is, oh, Dash 073 Dash, 23 and ordinance amending the renewable Jefferson County, Metro government code of ordinances, chapter 42 to eliminate fees that may create an obstacle to beneficial youth oriented programs.

beneficial youth oriented programs

May have a motion.

Thank you so much. Our primary sponsors are all here who wants the mic.

Item number 1. okay. And before you jump in, we've also been joined by council member of training.

Committee member bash on, thank you chair. Um, I guess we're.

Making a motion to on table, just for discussion.

Um, in lieu of just metro parks.

Meeting we're the purpose of this ordinance is to allow.

Um, disadvantage, football teams are sports leagues.

To be able to use metro parks, um.

For no additional cost, um, on top of the.

The fees that they're already charging their, their players parents.

The, the ordinance that we have written was to basically give the parks free.

To the leagues and we have spoken.

To as he gets in and.

Jason with parks to possibly rewrite this um, preferably I'd like to get some opinion from the county attorney.

On how we can do an contract instead of this ordinance where.

For every league that wants to use this particular field.

And use it.

In lieu of their maintenance agreement so I guess.

For example, chair, if you your football team wanted to use.

Let's use Cindy councilman founders park at Sun Valley, for example, to do practices and games.

Instead of charging you a fee from the city.

You would take care of all of the maintenance on that field for the entire 12 month contract.

Or, but I'm finding that we have a misunderstanding in the contract that the union is not allowing that.

Can somebody advise me on that? Please can I speak.

Yes, ma'am. All right after speaking with Earl Warner, he stated that we needed to look over the contract that the union has with Metro parks.

It states that no non union person can cut the grass. So I would say that we need to look into the.

Correct also, I would say that, um.

We have a lot going on in the city and Metro parks, uh, does not police the parks anyway.

So, for them to lose any funds.

Half the time they don't get him anyway. I don't want us to be counteracting. I want us to be working together.

I think our youth programs should be able to use the parks because if not before long.

As you see, Chickasaw, shiny, we have a lot of different activities Algonquin within the last 3 to 4 months. There's been homicides in those parts.

So, I think that it would be a great recommendation that we have positive things going on in those parts for at least the summer months. If.

Something else anything outside those summer months if there are fees or cost, we're not trying to weigh those, but for those 3 months, I would say, no,

1 should have any issues with the youth age. 5 to 14 utilizing those.

Through sports, whatever that fee may be. Some things are just priceless and I think that's 1 of them.

Want to jump to committee member Fowler, but I guess the question I would have just in response to what I've just heard was I'm curious.

Since the parks aren't necessarily policed if someone does go and cut the grass.

Then what or is it just a matter of we can't have contracts.

With people to actually be responsible for that. So.

A committee member filer. Bye. Thank you. Mr. chair. I don't know if.

Jason canwel is here yet. Hi is not here. No.

So, my understanding, or at least this is how it has worked for my park in sun Valley and district 14 since I came into office. Um.

If it has been least say the baseball fields have been leased to a certain organization.

Mostly that whole time questionable, whether they have paid their fees, but they are responsible for cutting the grass inside those in areas, you know, within the ball diamonds.

Those those are the responsibility of the leasing organization. That's not parks anyway.

Um, so that that's all.

That's what I'm talking. Okay. I'm trying to get in the queue so I'll be able to get in there in just a 2nd I can speak to that just a little bit. Um.

I would say that I've asked.

For the parks to be equal, um, during budget committee was in that budget committee, and he stated himself that the fees were not consistent.

You have fees that are in the West in that are 6 to 700 dollars. You have fees that are in the East that are dollar. They need to be consistent across the board.

Whatever that looks like so, with that being said, they're not being policed. You have teams that are not paying their fees.

I do believe quote me if I'm wrong Merlin Parker counsel women Parker, she's even question her park.

Her park was paying a dollar, it went from a dollar to 1500 dollars and that was for a year.

I know in Russell, Russell, Lee.

I just paid a park permit for 600 dollars. How is metro government paying? Metro government?

Period bottom line, the youth should be able to play for free in the parts or else. We're going to be in a world of trouble.

Can I respond to that? Can I speak? Yes, I just want to point out. We've been joined by council member Shanklin and next in the queue. I see. Hudson then father then Baker. So I'll jump to you just in case. You haven't been able to get in the queue.

You haven't said anything yet council members.

Thank you Mr. chair. It looks like there's no equity amongst any of the park operations when it comes to the fees, been charged for little leagues.

And my ideal is to have a little have fees way for disadvantage. Literally.

Whether it be baseball or football, but that is my goal. That's what I would like to see happen. Uh, actually.

Across the board, I don't I don't understand why these fees are associated with kids playing sports. It.

When you have to pass the cost on to kids, that is the difference between your kid participate and can they not participate? So then if they don't participate, then they find something else to participate.

And that's what we are trying to avoid across.

The county in the city committee member Hudson.

Thank you so I think there are a lot of, um.

Ancillary topics getting introduced in this that are not actually part of the ordinance that we're talking about.

Um, and before we get wrapped up around the axle on cutting grass and upkeep versus non upkeep.

And I'm a simple person maybe I'm over oversimplifying this.

Uh, the only portion of this ordinance.

That that we're really talking about is adding subsection E and correct me if I'm wrong county attorney.

And I'll just read it no fees under a no fees authorized under subsection B, shall be required for the use of Metro and parks by nonprofit organizations,

utilizing such locations and facilities for the exclusive benefit of a youth sports league. This section shall not apply to unaffiliated individual teams that are not members.

Good standing with a defined and recognized youth sports league.

Period, there's, there's nothing in there that talks about who, who cuts the grass who, who does what.

And if if we can keep it to keep keep the conversation to just what.

The ordinance talks about, uh, I think this is pretty straightforward.

Committee member follow Thank you. Thank you. Mr. chair. Can I ask if you can explain.

If if it pleases the, um, chair.

Um, how, how is that going to work for just going to be a blanket across the city?

All sports leagues are.

Going to be free. The way I want to answer that is.

Yes, and no, it would cause there were a couple of questions in there. Uh, the way I read it.

And again, correct me if I'm wrong county attorney, um, it would be across all metro parks.

But in order to qualify for this.

Exemption to the fee, it would have to be a recognized youth sports league that is in good standing and recognized as a youth sports league. So so for example, private, I couldn't grab.

9 other people and want to go in and play flag football on 1 of these, and not have to pay that fee. I would I would have to be a recognized.

In good standing, defined and recognized youth sports league.

And now we talked in private, or are we talking about ones that the metro parks sponsors.

Because there are private ones, and then we have metro park leads within the park system. It would have to be a non profit Corporation. According to what's in the in the ordinance here.

Okay, so.

Look at I feel it's important and.

I can't speak for parks. It's just I can speak for the experience in the last 10 and a half years that I've been on council. Um.

They have never turned away a league because they couldn't pay.

You know, that just that's not the practice. Um, and and I, I understand what you're trying to do.

I really do and and I get it and I think that disadvantage leagues should certainly take top top priority and not have to pay, you know, cause it becomes a burden.

But I think we've got a new director come in. We've got the parks for all study.

I think that this might be a little bit premature until we see my understanding is they were going to do an audit of all the fields in all of the facilities within the park system and determine.

Going forward what I just I would prefer to give them an opportunity to do that work before we.

Likes more things on top of that, but yeah, I do understand what you're trying to do.

I would certainly entertain him. I'll move to the table to get those things.

Um, it's under consideration.

Sorry before we go to the next person, you have a question for the county attorney.

Page 2, under the youth sports leagues definition.

B says Lou metro government may charge reasonable fees, et cetera.

Is the issue that the language says may charge and then they charge what they consider reasonable fees at different rates across the city? Do you think that's an issue with how this is being implemented?

The ordinal language with may makes it permissive instead of mandatory.

So that's part of an administration making decisions about how to implement.

Ordinances and then I just wanted to note that the new language that council member had some ran into the record.

Directs about those fees that are in subsection base so that's that's B is there, but he says no fee authorized under B.

Comes in for these limited situations, nonprofit corporation, use sports league in good standing, et cetera.

And the next question I would have, and maybe, I don't know if Jason, you can answer it or if anybody else can answer it.

It seems like the fee is just to make sure you reserve the park, but if somebody decides, but your example, I want to go play flat football in the park.

Nobody's really stopping them from doing that, but the reservation would help make sure that that's your spot your day to go and do that. If you want to answer that you can't just make sure you say your name a title for the record. Then we'll jump to the queue.

My name is Jason assistant director of the parks and recreation department. Um, I will start off by clarifying. I am not over the reservations and.

This this topic that's handled by a different assistant director, um, and the director, but I, I do have a lot of knowledge, um, being here this long. So I know what I'll get to your question in a 2nd, but I do want to clarify.

I think we're kind of talking about 2 different things and kind of mixing them up. So I think there was talk about.

Um, for instance, the sports complex to pray park and Crosby park and things like that, when we have multiple fields with a concession stand, um, kind of W, what we call a complex.

We have what's called a rec agreement with a 500 that's in good standing with the, with the secretary. the secretary

State, um, they have insurance and also written into this rec, agreement is that they are responsible for maintenance of the fields, everything inside of the ball field fences. So, that that's kind of on 1 side.

And I think we're kind of mixing that up a little bit. But there's also the individual field rentals where, like.

You can go reserve a field, the football field for a team for a practice for a game. So on and so forth. So just there's kind of 2 different things that I want to make sure that we're.

Being consistent in what we're talking about, when we just say blanket fees across the board, go down to 0. so, again, I I know there was mentioned it being tabled. Um, I do think that's excuse me.

Um, I do think that's probably the best thing for it, because there's a lot of discussion that needs to happen in order to clarify things and. And kind of go down the right road. So does, does that make sense? Thank you so much. And I'll pass the Mike, but I just want to point out.

The ordinance in my opinion is necessary. As long as the ordinance continues to say little metro government may charge, it gives you flexibility but as long as you have that flexibility, you know, the council should take a stance and say, you may charge.

But not for these youth leagues. Well, Here's Here's playing devil's advocate for just 3rd, though, for instance, and MS Hawkins you're here.

So, I'm just using southwick as a good example if, if she is if, if there's a group that's reserved or playing football on the football field, and it's free. free

How do we handle who gets to use the field if it's free?

If there's 3 groups that want to use that free field, how to, who determines, who gets to use it so, in our current practice, it's basically it's the team that's going to pay the reservation fees.

So also keep that in mind when we're, when we're going down that road is.

Who gets it that's a big question that we don't have an answer for. We've talked about it internally quite a bit, but we just haven't really come to a good conclusion for that. Yet. Committee member Baker.

Thank you thank you chair. I just want to echo.

Um, in supported this resolution, because it does say, may have, I think.

That we're getting the weeds a little bit. I think it's an equity issue and I think that we really don't have time with some are approaching us. Um, and I think it's also a public safety issue.

We don't want to be a deterrent and someone who has been involved in youth sports, those park fees, and looking at other teams and it not being equitable across the board.

I get the reservation fee. I get that in theory, but what we're seeing across the board is.

Just to be frank teams, Western knife street.

Billing like, they have been held to a different standard than teams east of 9th street. Um, and I've seen it in my in my own lifetime and I've seen it continue to happen and I see it as a deterrent.

Um, we need to give kids something to do, and we need to remove as many barriers. Impossible. I mean, we can always.

I think this ordinance is necessary to counseling artist point, because it does give that flexible language. Um.

But again, I just encouraged colleagues to be supportive of it. If you guys motion to table, we can continue to revisit but I just want my students to be known, is that we need to remove as many barriers as we can for our kids.

And again, it is a flat out equity issue. Uh, it's a flat out public safety issue. We cannot continue to say, hey.

What's going on with our kids these days, because every household and living room dining room tables, had this conversation, but they have nothing to do.

And the people who are on the ground doing the work, we are not equipping them from this body to be able to do that work. So, that is my stance. And again, thank you for your time. It's.

Purpose committee member Hawkins.

Thank you. Um, so, Jason, let me ask you this question around equipment. He used to send her so.

Every year is pretty consistent, you guys haven't had any issues or.

How long can if you guys had any issues with anybody COLLIN saying I'm supposed to be on this field but somebody else is on the field reserving it.

Um, I've been involved with youth.

Um, probably for the last 20 years.

And, of course, this week, um.

The jets have used that fee over the last probably 30 years.

Same field has never had an issue.

And somebody else wants to come over there and use it, you know, they may be go live before the day on. I would say the Yellow Jackets they've been in existence for 30 years.

In Russell, Lee, same football team Vijay field.

Down a purpose is district.

30 your existing team, they've been paying these part permits for they've been friendly neighbors for years while they pay them or not, they're helping deter.

Things that can happen in part and they so vital for what's going on right now. So, can you.

Tell me any issues the parts have had within the last 5 years.

Most teens are pretty consistent with using the same field. Is that pretty fair to say if you pull that record up.

I don't know about miss Valerie and what she has going on at. It's Sun Valley.

But I'm going to speak to the entire Western.

The teams are very consistent, and the team that are not are teams like Christian Academy who have their own turf field.

No, other teams like the storm, she'll be storm Franklin County.

Those teams are playing on their fields.

I'm speaking predominantly about the teams and the parks in the West.

Where the hack crime areas are and, um.

The airwire fail, which consists of 1919.

Are under 1 umbrella with insurance.

Add a nonprofit, so I'm just trying to figure out.

Without having to ask is pretty self explanatory that, uh, we know who belongs in those parts.

And we know, um, the teams.

That year after year has been practicing in those parts.

And if anybody owns the rights to those parts.

It's the people that have been used in.

For years that have kept those parks safe.

So, can you speak to any issues or concerns that parts has ever had about issues with.

Other teams having conflict again I don't I don't have that info. Uh, I'm sorry, that's not my area. I, I just stepped up to try to help out.

We've been joined by a committee member Mulvihill.

Committee member bachelor member.

Thank you. Mr. chair. Um, so look.

You know, I, I understand what everybody's saying.

You Mister Baker, I just, you know, I, I guess I need to know whether or not. We have gone as a group to the parks department and sit down and talk. And what was the outcome of those talks.

Well, I don't think that, um.

He has the issue with any of that. I do believe that he is working with the group um, the affair with the 19 teens.

Um, well, I believe that he's working with them now. Um.

And again, earn Horner said that so it may be a conflict, but con, continuing to, um.

Keep tabling in it. We have you thought her that's getting killed every day. Okay. Um, so with that being said, you know, I don't sit on this committee, but, um.

What is it gonna hurt? I'm just trying to figure out. What is it gonna hurt for 3 months.

You know, to let this happen and.

And we oversee it and then revisit it if there's any issues.

I'm just trying to see who would be a.

I'm just trying to figure this out. We're talking about you this getting killed every day in the park.

So, I'm just, what are we here for.

I'm I'm trying to figure, I don't understand why this is being held up the summer. Is here school with out next week.

You know, the, how was that? Everybody is going up. This shouldn't even be a question.

Committee member Baker can I finish? I'm sorry go ahead. Go ahead. 1st and then we'll.

So, I'm not saying, hold up nothing. I'm just saying, I think there's the opportunity to work this all out without this what you said yeah. A month ago.

Yeah, I'm working it out. I know and I still stand by it so so.

Yeah, well, at any rate, um, I just.

Want to make sure that we aren't open in a Pandora's box that is going to cause look, I get what you're saying. I stay in value on that.

The Eastern people can afford to pay.

You know, I just don't want us opening this up to the point that everybody's a disadvantage youth group. Right? Whether it's criterias. If I'm not mistaken nonprofit insurance.

Um, but let me be clear which you counsel a woman with wholeheartedly respectfully.

Pandora box, uh, Pandora's box has already been opened up.

From our constituents and the Western long way before now. Okay. So that box has been.

Opened up a long time ago. We're right now, what we're trying to do is close. It. Are there youth real quick? I just got a reminder from the clerk to make sure you address

the chair whenever you make comments and also make sure you speak into the mic. So everyone can hear online and so forth.

But that's true. Sorry about that. So it may have been me, um.

But so is there just certain groups that are.

Like, taking top priority on these fields no. Well, I sure can speak. Yes. Okay. Then we'll jump to Baker in the queue. Okay. All right. Um.

We're not going to say the East team, because I would say that the press park is the Eastern.

Um, the low balls practice there, uh, during the same boat.

The difference is, is they have a concession stand they have baseball football, uh.

You know, and their fees were a dollar, and they're moved to 5,500 dollars and I can understand that. That's the difference.

You know, I'm.

I'm just going to say East and West, and it's all the youth. I'm not gonna say 1 more than the other homicides are being everywhere. I just don't think for these.

Next 3 months, I'm sure we got to do something, um, you know, and I understand you guys saying that you want to table it it's been table for well over a month or so.

And a lot of times people don't want to touch things until it affects them.

Um, and right now this is affecting, you know, my constituents is affecting the yield.

Um, and I believe that parts.

Um, we don't have park rangers. Police is short staffed, so to have youth in the park, that's the least that we can do.

All right, just a reminder for folks, we do have a hard stop at 4, because of budget hearings later committee member Baker.

Mr. chair I call the question to call the the question.

You got a 2nd, standby.

All in favor of calling the questions say aye aye aye.

Any opposed no, the eyes have it.

Let's open it up.

Committee member yes. Just so I'm clear I did come in a little late. Is this on a vote for motion to table? Or are you voting on the ordinance itself? Mr? Chair?

I didn't hear anything about the tabling. I heard call the question called the question. Oh, okay. I thought we had the parks department talk about tabling. So I'm confused.

So, I mentioned it, but nobody motion to table.

This is my, my call, the question is for the ordinance itself.

Hang on a 2nd and approval Thank you.

Committee member mobile.

Good sir. Okay. Did that register? I think, um, put it in.

Yes, thank you. Thanks.

Ocean.

Excuse me.

Where does it say that.

Just a reminder this is a vote for the ordinance itself.

Mm, hmm you have 5 years votes 1 no vote and 1 present vote.

All right, this ordinance passes, we'll put it in our old business.

At the next council meeting item number 2, is that.

23 an ordinance amending chapter 118 to minimize the waste of single plus single use plastics motion.

2nd council really sponsored this. I'll pass the Mike to her. 1st.

Okay, thank you. Chairman, Arthur, this, this motion was brought about because we have a proliferated of plastic that's filling our landfills. Littering our, uh.

Planet and it's an excess expense for our restaurant tours too. And so in the interest of bettering things for everybody, um, it was just.

Let's just believe that this is a almost a common sense ordinance that we'd like to bring forward. Now, as I say, that I note our guests out there in the audience who would like to speak to this ordinance in ways that they can, we can make it better.

So I want to give them a chance to speak to their concerns today.

And then I will probably move to table it. All right committee member. Best 1, thank you chair. Um, just for full disclosure. Um, I'm gonna.

Before proceeding, I'd like to disclose it. I am a restaurant owner on Dixie highway.

As well, as the catering business, I've reached out to Jeff county Attorney's office.

And Todd Lewis with the ethics commission to advise on whether or not, I can speak on this and vote on this ordinance. They both, um.

Under local metric ordinance, 21 dot 2 subsection H, that I would be allowed to participate in the process for this ordinance. I am happy to share those opinions and emails.

If requested my question is council woman, Rui chair if it's okay to ask the question, the resolution. resolution

Um, presents itself or so, excuse me the ordinance presents itself as a title and the title to be limited. It's a single use plastics. However, the definition of single use food wear and their requirements.

Section of the ordinance include non plastic, single use food wear.

In its current language and mentions napkins, wet wipe's toothpicks cups, sleeves and more.

Why is this language on this? So so broad.

Um, how would also.

How would single use biodegradable items be affected by this? And then another question, if it's okay, the ordinance also defines the word sealed.

But where there's nowhere and mention of the word in the ordinance or the existing code.

Ordinances in chapter 118 why is this here?
And how does it impact the implications of the ordinance.

Okay, thank you. I'll let me try and take those in order. I'll try to remember them.

But there is okay, so the, the, uh, compostable.

Where is still at this point considered as part of that it can be sliced out. And as far as the other items that were in there, and why they were added, this is taken from model of ordinances, used elsewhere across the country.

And so this is these are the definitions that they were using there.

What was your last question the definition or.

For the word sealed, um, but there's nowhere mentioned in the ordinance that you have written counts women and in the code.

Um, that is currently existing in chapter 118. so why is.

Why is this here? And how does it impact the implications of this ordinance as far as sealed goes? Could you please read for me? Exactly what you're referencing? Yes. So.

In the definitions of 118 dot 1 seal means the free free of cracks or other openings, which permit the entry of passage of moisture.

To me, I read this and it says you also want to.

Make sure that carry out containers are so sealed that no moisture can get in them.

And the best ones that I carry in my facility, um, still even have a crack or a slit in them to allow some ventilation. Mm. Hmm.

Because when was the last time that you went and got an order of fries, and it carry out, and it wasn't seal or wasn't vented and they were just extremely soggy. That's the example that I'll use on that case.

For sealed, it doesn't mention sealed in your ordinance, but you have the definitions of sealed, nor does it mention it in in chapter 118 of the actual code that is written that is in effect for restaurants and businesses currently.

Okay, those are fair concerns. We'll be happy to revisit them as we work on this ordinance further.

Do you have some guests today that we could hear from because I know the 3rd item we have a guest from out of town, so I want to give them a chance to speak. Yes. So, we have guests from the Kentucky restaurant Association, other restaurant tours and managers.

Stacy roof is invited a handful of people so I want to thank them all for her for all being here. And I think George would like to speak 1st, if that's okay chair. And then we can just kind of proceed. Absolutely just. So, you name your title for the record.

Thank you for being here. Good afternoon. My name is George. I'm CEO of beronas pizza.

An operator of a, by the bridge downtown. I think the the thought and the.

Roll of council ordinance is good about minimizing the plastics in the environment also. Think from a ownership standpoint. Minimizing cost is also good.

I think the main thing I want to express today is in the, in the environment.

Of the restaurant employee today, you kind of have to give them clear cut instructions and when they, when they deal in the gray area of whether or not should certain things be done, that's where we get a lot of problems.

And this would be an example of this and also expressed our miles of concern is, I guess a.

We do about 50% carry out and 50% dine in and carry out and dine in 50. I'm sorry 50% dine in 50% carry out and delivery and a lot of that goes to hotels.

And then a lot of them are actually selling a lot of salads and those are the. and those are the

The items that we kind of always mandatorily give plastic wear to. So I think we can hopefully work through those issues.

But that's that's my concern is on the delivery business and the hotel business and, and even the 3rd party.

The 3rd party providers that a lot of restaurants are using today, there's communication breakdowns with them, and hopefully we can work through all these issues but I wanted to to let the council know about our concerns.

Thank you.

Thank you and we will table this. I heard from the sponsor, but do we have anyone else who wants to just share on the record?

From the guest before we do table, remember say your name and title for us Thank you so much.

Hi, I'm I'm a managing partner and operations director for the Bristol bar and grill also a CO owner of wine table as well. I did write my notes down. That's probably great for everyone to keep me on track here.

But why don't want to thank you all for inviting us here today?

And, um, personally, um, it makes me happy to have members on our council that prioritize limiting harm to the environment and caring about the future for our kids.

Very proud to be a partner in a community of local restaurant owners that already takes sustainability. Seriously. And I feel unclear.

As to why oversight on this particular issue is needed, there are several issues in this ordinance that I have concerns about and worry about the unintentional consequences.

I limit my time to only a few of these, but in section 2, a under requirements, it says food service establishment shall provide options for customers to.

We request single used food where, when ordering food and beverages for delivery, or take out across all ordering or point of sale platforms.

So, whereas the company such as McDonalds or or Starbucks, they have that financial ability to design their own mobile, ordering platforms with an entire.

Technology department, most establishments specifically locally owned establishments are at the mercy of the software that's provided by the systems that we've invested tens of thousands of dollars in.

We may have the ability to change our daily specials.

Um, or keep track of ourselves, but we don't have the ability to rewrite the software that a system has.

Um, there's dozens of systems that choose from, but if we selected the system 2 or 3 years ago, that doesn't have that capability, or doesn't make the upgrade for this localized ordinance.

And we'll be in a position to either terminate unnecessary online ordering revenue stream or scrap a system that we're probably still paying for.

Um, and then I'd like to also go back to page 2, where it says, quote, whereas this ordinance that does not cost businesses, anything extra. Um, we do need to realize that unintentional consequences could cost us lots and lots of money.

Um, also, if you're a restaurant doing 2Million dollars annually in revenue, you're considered. considered

Successful if you can bring 2500 to 5,000 dollars to the bottom line monthly. I say this, because you often hear that restaurants work on thin margins. Um, but it's not an exaggeration. If anything. It's a, it's an understatement. Um.

it's an understatement um

I can promise you that myself, any other locally owned restaurants in town are managing every single penny that comes through our operations.

Um, and we're already managing the disposable cost out of the necessities to survive as a business, and is completely unnecessary for additional oversight. And red tape.

To be added to our ability to provide utensils to our guests that order food. Um, we also have an obligation to meet the expectation. This kind of presents what you said of sealed containers.

But I'll get our guests have an expectation to serve high for us to serve high quality dishes to folks that are not only Donegan. But.
395

Are taking carry out as well that sometimes means we have to deconstruct some of our dishes such as placing Caesar dressing on the side of a Caesar salad.

So it's not soggy or taking the cream sauce for a chicken and putting it on the side. So, it doesn't break down or even for us at the Bristol, taking our.

Walk Molly, that's an expectation with our and putting that on the side as well.

Um, these are are all key and expected ingredients for these dishes, but just like catch up and mustard um, they may be expected, like, you would for for a burger. Um, it did list on there as condiments, being 1 of those things that they.

Specifically have to ask for so so I just want to be clear on where that line's drawn as to how many things that we have to ask the customers reach dish if they want it to be in that container.

Um, perhaps it isn't a big mishap for quick service and fast food restaurants, but but for us, it would be impossible.

Logistically it would be a nightmare for us to have to break down all of those ingredients that we package separately in that.

So, thanks again for, for letting us come here today and, you know, um.

If you have any other questions, I can be completely transparent. I'm happy to share any of our numbers and discuss what margins really look like on restaurants and what a burden it could be. So, thank you.

Thank you so much and I think I heard earlier that the sponsor is committed to working with everybody to make sure we have the best ordinance.

Do we have a motion to table to the table?
2nd, all in favor the table, say, aye, any opposed.

That'll be table until our next meeting item. Number 3 is our dash 055 dash 23 a resolution, urging the implementation of the Aquatics master plan developed for rules.

The Department of parks and recreation. Let me get a motion.

So, I moved 2nd, thank you so much counseling with file respond to this. I'll pass the mic to her. 1st, thank you. Mr. chair. So this master plan was conducted. I want to say in 2021. um.

and twenty one um

And we.

I think we need to have a game plan on Aquatics.

There's some RFP out right now for the 2 inoperable pools and I just think going forward, we need to have something in place and we don't have to agree with everything.

In this binder, but, you know, it does provide us a roadmap going forward for the city and the Aquatics needs of the city.

And we have someone here from brand center that, um.

Was able to work with his colleagues to develop this um, if we can have him speak, please, sir name title for the record. Patrick Hoagland with branstedter, Carol and Lexington. And I'm pleased to be here with you.

It was great working with the community on, on developing this, this master plan for your aquatic facilities.

And I'm really mainly here to answer any questions that anyone may have. I know that we brought some of the binders today, but the plans were distributed a while back.

As well, so I'm really just it's definitely time the pools are old tired and need work. And the biggest thing we heard from the public is we want something that's fun and safe and.

What you've got now, isn't so, if there's any questions about the planner, so I'll just ask a few questions just to get us started. I received an email with this plan on March, 14 2023. did this master plan get presented to metro Council, or a committee before that date?

committee before that date

No, no, it might have been sent to them, but not, we want to present. And did we get updates about the process before then?

Oh, did you all update him on the process? No, Jason no, we didn't.

Um, but whether the, the parks and recreation department may have okay section 1 of our resolution as the parks department to implement this to the extent.

That it is consistent with parks for all, I don't see anything about parks for all in the master plan. So what's consistent versus what's contradicting? Well, the parts for all was going on at the same time our 2 surveys we sort of delayed our survey.

So that 1 could go. 1st. Um, so we were coordinated with them throughout the.

Process we had several meetings with that team as well, sort of combine the 2 teams and several discussions, but we, they didn't have the results of the part for all when we were writing most of this plan. Um.

You know, a lot of it was finished, you know, it's got a date of November 7th, but it was.

Really the most, the plan and the drafts were submitted well, before that.

The executive summary says the total replacement costs for our pool is 6Million dollars, but later on PDF page 62 says it's 7Million dollars. Which 1 is it? Mm. Hmm.

Probably the 7. okay, well, document on the document page 12, it has pull revenue and expenses. The revenue is broken down by outdoor pool, but the expenses are grouped together. We don't see a breakdown for each pool.

So, do we have that information? No, that information was not available.

Okay, uh, the PDF page 34 and I'm sorry, I'm going back and forth physical and PDF. It explains existing conditions at each pool, but it doesn't compare how those conditions are pulled a pool. So, do you have that information?

Yeah, you just did we just looked at each pool individually as far as saying which 1 is worse than another, or right just like, you have a priority investment writing, but I'm not sure if that's clear from portal pool, it just has program priorities right?

The priority investment in here is based on.

The neighborhoods where the pools are, where were they, they would be the most beneficial to the community understood.

A council member Hawkins, and also just let folks know, uh, budget chair Rick black. Well, dig, if it's 5 extra minutes. So we're going to try to squeeze as much out of it as we can.

Okay, so so the resolution urgent implementation of the aquatic.

Master plan, um, I've only been on Metro Council since January. Um, I've only been in 1 aquatic task force.

Um, meeting, um.

I contacted California Shanklin because I was told that she was on that.

A task force, she said, she didn't know anything about it.

Um, contacted councilman.

Because he had a park that was in there, he said, he didn't know anything about it.

Um, think that Travis fester or anyone from the county Attorney's office sir, I just spoke to the county Attorney's office about it.

Um, I'm unsure.

And very concerned about the aquatic task force.

Um, I represent district 1, um.

It was re, not long ago, so I just adopted this park in this pool.

And today.

Some information was dropped off to my office.

Is very concerning, so I would like to get with all my colleagues.

Um, and let them review the documents that was dropped off.

From 1 of my constituents, so that's all I've site, thank you.

Thank you so much a question before I jump to President Winkler, who's here? I see. There were open houses and in person, public meetings.

And it shows that 3 people attended the 1 on April 21st, which was the 1 at Southwest community center, and keep in mind. This is in the Western.

A part of town that if you took that population and made it its own city, it's 1 of the largest cities in Kentucky if it was a city but only 3 people showed up. Do you have any insight to, you know, why 3 people showed up or what did you do to promote that? That was happening?

Yeah, the parks and recreation department was the 1 that was responsible for promoting the workshops and the open houses. So we basically prepared the materials for the workshops.

I know they use Facebook ads and and another methods to get the word out.

How's it in Winkler? Thank you. Um, I just want to speak about.

Sort of adopting master plans generally and and just offer mine.

Philosophy, but I hope we all agree and I think we did with the, the parks for all study, which is, I think there is a lot of value in.

You know, especially around our, our physical assets, developing a master plan, setting a goal for the implementation of that master plan and then working to fund over time that implementation. Now.

Again, whether there's maybe more work that has to go into the product's master plan or not. Really? What I'm speaking to. I'm really speaking more to the idea of, um.

Setting expectations, and then executing against those expectations.

I think there's a lot of value in doing that and hope that it is a process that we will follow, you know, not just with parks, but also with the products and, and really quite frankly with a number of our other deferred maintenance type, uh, initiatives.

Thank you Mr. chair. I'm going to remember Baker just for the sake of time. And, uh, because they're still just I completely agree with you president weekly on it, but just because there's so many outstanding questions I'll make a motion to table.

2nd, we have a motion and we have a 2nd all in favor of the table say, aye, any opposed no.

All right it sounds like it is table.

That was our last item on the agenda, so we're adjourned Thank you for your service.