



OFFICE OF THE MAYOR
LOUISVILLE, KENTUCKY

GREG FISCHER
MAYOR

April 29, 2015

Allison Lundergan Grimes
Commonwealth of Kentucky Secretary of State
700 Capital Avenue, Suite 152
Frankfort, KY 40601

RECEIVED AND FILED
DATE May 5, 2015

ALISON LUNDERGAN GRIMES
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY Karen A. Anderson

RE: 2014 Annexation Approvals by the Metro Council of the Louisville/Jefferson County Metro Government ("Metro Council")

Dear Secretary of State:

KRS 67C.111(3) provides:

(3) Upon the adoption of a consolidated local government in a county containing a city of the first class, there shall be no annexations for a period of twelve (12) years by any city remaining in the county. After that time, any proposed annexation by a city in that county shall first receive the approval of the legislative council of the consolidated local government prior to the city proceeding under the provisions of KRS Chapter 81A. The city shall request the approval of the consolidated legislative council by ordinance. The consolidated legislative council's decision shall be made by ordinance and within sixty (60) days of the receipt of the request by the affected city. If an ordinance has not been enacted by the consolidated legislative council within sixty (60) days, the request for a city to proceed with an annexation proposal shall be deemed to be approved by the consolidated legislative council.

In 2014, the Metro Council approved six (6) different ordinances authorizing annexations within Louisville Metro as follows:

1. Metro Ordinance No. 087, Series 2014, authorizing Jeffersontown to annex 2 tracts of land as requested by Jeffersontown in Ordinance No. 1304-2014, and approved by Jeffersontown in Ordinance Nos. 1303-2014 and 1306-2014.
2. Metro Ordinance No. 215, Series 2014, authorizing Jeffersontown to annex property described as Chenoweth Hills Estates as requested by Jeffersontown in Ordinance No. 1318-2014 and approved by Jeffersontown in Ordinance No. 1326-2015.
3. Metro Ordinance No. 214, Series 2014, authorizing St. Matthews to annex 416 Springwood Lane, and 4905 and 4125 Massie Avenue, as requested by St. Matthews in Ordinance No. 14-13 and approved by St. Matthews in Ordinance No. 14-12.

4. Metro Ordinance No. 055, Series 2014, authorizing St. Matthews to annex 11 houses on Springwood Lane, as requested by St. Matthews in Ordinance No. 13-07 and approved by St. Matthews in Ordinance No. 14-01.
5. Metro Ordinance No. 160, Series 2014, authorizing Middletown to annex the Beckley Woods Subdivision, as requested by Middletown in Ordinance No. 14-16 and approved by Middletown in Ordinance No. 14-17.
6. Metro Ordinance No. 147, Series 2014, authorizing St. Matthews to annex the City of Richlawn, as requested by the City of St. Matthews in Ordinance No. 14-10 and the City of Richlawn in Ordinance No. 2014-04. The annexation question was submitted to the voters of the City of Richlawn on Election Day in November 2014. See page 17 of the Jefferson County Board of Elections Official Results of the General Election held November 4, 2014, which indicate that the Richlawn annexation by St. Matthews was opposed by more than 55% of the voters. Therefore, pursuant to KRS 81A.420(3), the annexation was ineffectual.

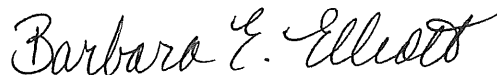
Enclosed with this letter are certified copies of the Metro Ordinances referenced in subparagraphs 1 through 5 above, the election results referenced in paragraph 6 above, and the materials submitted to Metro by the cities of Jeffersontown, St. Matthews and Middletown seeking Metro Council authorizations for the annexations. These materials include the items required to be filed by these cities with the Secretary of State and the County Clerk.

Due to the unique nature of a consolidated local government, Louisville/Jefferson County Metro Government is not deannexing the property sought to be annexed by cities located in Jefferson County. While the boundaries of the annexing cities will expand as a result of these annexations, the boundaries of Louisville Metro will remain unchanged. As such, there is no requirement that Metro submit or record any documentation under KRS Chapter 81A. We are providing the Metro Ordinances and other enclosed documentation to your office as a matter of information and convenience.

Finally, please note that regardless of when the cities' ordinances approving the annexations may have been adopted, annexations within Louisville Metro may not take effect until on or after January 6, 2015, which is 12 years after Louisville/Jefferson County Metro Government came into existence.

If you need any additional information, please call me at (502) 574-8134. Thank you for your assistance in this matter.

Sincerely,



Barbara E. Elliott
Assistant Counsel to the Mayor

Cc: Stephen Ott, Metro Council Clerk
Sarah Martin, Assistant Jefferson County Attorney

Materials accompanying paragraph #2



LOUISVILLE METRO COUNCIL
CLERK'S OFFICE

H. STEPHEN OTT
CLERK OF THE COUNCIL

I, H. STEPHEN OTT, CLERK OF THE METRO COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT AND CUSTODIAN OF THE ORIGINAL ROLLS OF THE CITY OF LOUISVILLE ORDINANCES, JEFFERSON COUNTY ORDINANCES, LOUISVILLE JEFFERSON COUNTY METRO GOVERNMENT ORDINANCES, PUBLIC RECORDS, PAPERS AND DOCUMENTS OF THE FORMER BOARD OF ALDERMEN OF THE CITY OF LOUISVILLE, FISCAL COURT OF JEFFERSON COUNTY AND LOUISVILLE METRO GOVERNMENT, AND PURSUANT TO SECTION 83A.060 OF THE KENTUCKY REVISED STATUTES, I DO HEREBY CERTIFY THAT THE ATTACHED IS A FULL AND TRUE COPY OF:

ORDINANCE No. 215, Series 2014

AN ORDINANCE OF THE LOUISVILLE METRO COUNCIL TO APPROVE THE ANNEXATION BY JEFFERSONTOWN OF CHENOWETH HILLS ESTATES.

DATED THIS 18TH DAY OF FEBRUARY 2015

A handwritten signature in black ink, appearing to read "H. Stephen Ott", is written over a horizontal line.

H. STEPHEN OTT, COUNCIL CLERK
LOUISVILLE METRO COUNCIL
LOUISVILLE/JEFFERSON COUNTY
METRO GOVERNMENT

SEAL

ORDINANCE NO. 215, SERIES 2014

AN ORDINANCE OF THE LOUISVILLE METRO COUNCIL TO APPROVE THE ANNEXATION BY JEFFERSONTOWN OF CHENOWETH HILLS ESTATES.

Sponsored By: Councilman Kelly Downard

WHEREAS, on October 21, 2014 the City Council of City of Jeffersontown, Kentucky voted in favor of an ordinance to annex the property known as Chenoweth Hills Estates and identified by the Jefferson County Clerk at Deed Book 08694, page 271; and

WHEREAS, the Chenoweth Hills Estates is a subdivision of 143 single family homes with street access through the City of Jeffersontown;

WHEREAS, the City Council of City of Jeffersontown stated in its ordinance, No. 1318, series 2014, that 95% of the property owners of the territory sought to be annexed executed a written consent in favor of annexation by the City of Jeffersontown (a copy of the signatures is attached hereto);

WHEREAS, the City of Jeffersontown believes it is in a position to provide municipal services to the area proposed for annexation;

WHEREAS, Mayor Bill Dieruf, City of Jeffersontown, advised the residents of the Chenoweth Hills Estates in a letter dated September 4, 2014 of the projected property tax increase as well as the additional city services to be provided by the City of Jeffersontown;

WHEREAS, the City of Jeffersontown held a public meeting on September 23, 2014 regarding the proposed annexation and invited the residents of Chenoweth Hills Estates;

WHEREAS, the City of Jeffersontown filed a request on November 14, 2014 with the Office of the Metro Council Clerk requesting that the Louisville Metro Council approve the annexation of the property described above (a copy of which is attached hereto;

WHEREAS, KRS 67C.111(3) requires the City of Jeffersontown obtain approval of the annexation from Louisville Metro Council prior to the City of Jeffersontown proceeding with the annexation requirements under KRS Chapter 81A;

WHEREAS, KRS 67C.111(3) gives Louisville Metro Council the authority to approve or deny annexation requests "by ordinance and within sixty (60) days of the receipt of the request" and if Louisville Metro Council does not act within "sixty (60) days, the request for a city to proceed with an annexation proposal shall be deemed to be approved";

WHEREAS, Louisville Metro Council has been advised by legal counsel that KRS 67C.111(3) bars annexations by the City of Jeffersontown until January 2015; and

WHEREAS, for the reasons stated above Louisville Metro Council wishes to proceed with approval of the City of Jeffersontown's annexation ordinance to become effective upon the date provided in KRS 67C.111(3).

BE IT RESOLVED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT (THE COUNCIL) AS FOLLOWS:

SECTION I: Metro Council hereby approves the annexation of the property known as the Chenoweth Hills Estates proposed by the City of Jeffersontown in its ordinance

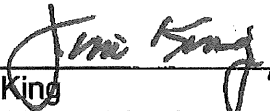
number 1318, series 2014 on October 21, 2014 (attached hereto) pursuant to its authority under KRS 67C.111(3).

SECTION II: This ordinance shall take effect on the date provided in KRS 67C.111(3).




H. Stephen Ott
Metro Council Clerk

Approval Date




Jim King
President of the Council

PRO-TEM


 12/18/2014

Approval Date

APPROVED AS TO FORM:



Michael J. O'Connell
Jefferson County Attorney



Approval Date

Ordinance Annexation Proposal from J-town ROC sjm 19 Nov 2014

LOUISVILLE METRO COUNCIL
READ AND PASSED
December 18, 2014

ADDITIONAL DOCUMENTS
INCLUDED WITH SUBMISSION.

To research the filing, contact the
Office of Secretary of State.