

Republican Caucus Issues List

December 30th, 2009

From the Republican Minority Caucus of the Metro Council comes the "Summary of 2009 Council Accomplishments and Metro Missteps."

Let's just dig right in by starting with the bad stuff, because that's obviously more fun:

Lawsuits and General Mismanagement

Firefighter Lawsuit

Instead of settling a lawsuit between the Firefighter's Union and Metro that started many years ago over less than \$10 million in funds, Jerry Abramson and his administration decided to fight, appeal and delay. Now, some 5 years later, Metro Government will have to pay current and retired firefighters more than \$45 million, with the Mayor proposing more than \$30 million of this settlement coming from new debt.

Metro Animal Services

A wide variety of problems at Metro Animal Services (MAS) were brought to light due to investigations by members of the Metro Council and lawsuits filed by various persons and groups within Jefferson County. During 2009 the public was made aware of the fact that Metro Animal Services didn't have an written emergency plan of action for the department, the Director of MAS has entered into an illegal contract to sell animals and that the MAS Director was accused by multiple MAS employees of sexual harassment.

Despite the above along with lawsuits claiming illegal search and seizure, Mayor Jerry Abramson refused to remove Dr. Meloche, instead waiting for the director of MAS to resign effective December 31, 2009. It is our hope that since Dr. Meloche resigned of his own free will to pursue other ventures, the taxpayers will not be asked to pay a claim of unemployment as former Housing Director Kimberly Bunton did following the Metro Housing Department scandal that was uncovered by the Courier-Journal and later the Commonwealth of Kentucky's State Auditor, Crit Luallen.

Police Officers

During 2009, Metro lost an argument with the Department of Labor and the Courts concerning the legality of charging police officers for personal use of their vehicle. Not only did Metro lose the challenge, they had to repay the funds already withheld from the officers' paychecks. It was found charging for personal use was a violation of the police union contract. The Mayor had implemented the new charge in an effort to generate revenue for Metro during a time of reduced revenues.

Broken Policies for Special Friends

The Metro Auditor noted and the Government Oversight Committee investigated special treatment given to two members of the Mayor's administration. This finding was part of a regular Payroll Audit conducted by the Office of the Internal Audit and found that Ms. Jane Driskell, Mr. Rick Johnstone and one other employee were paid a total of \$36,444 for either termination compensation and/or service time purchase. Ms. Driskell and Mr. Johnstone were given this special treatment when they retired from Metro Government at the end of 2008. The Mayor's Office defended the actions but did later acknowledge that changes were needed to clarify the policy along with providing a policy change if any future actions are taken. Both Driskell and Johnstone were rehired by Metro Government in early 2009.

In addition, the audit disclosed payments made to Police Chief White to purchase retirement years in accordance with a letter dated December, 2002 from the Mayor Elect. The amounts were increased in 2007. Additionally, recently the audit disclosed the Police Chief was allowed to begin cashing out up to 20 leave days per year. None of these benefits are covered under present policies.

Kentucky League of Cities / Kentucky Association of Counties

The Metro Council called both the Kentucky league of Cities (KLC) and Kentucky Association of Counties (KACo) to explain the scandals that had been brought to light by the Lexington Herald Leader. Council members Downard (District 16) and Hamilton (District 5) along with others pushed representatives for examples of how the two organizations were fixing reported problems and how they would avoid future scandals. Earlier this month, State Auditor Crit Luallen released her report on waste, fraud and abuse within KLC. In response to this report, Councilman Downard proposed a resolution calling for the reduction of dues by half and for Metro Government to seek approximately \$40,000 in previous dues back from KLC. Metro Mayor Abramson sits on the board for KLC and has failed to call for such action, instead opting to keep the review in-house.

Transparency

LouisvilleCheckbook.com & LouisvilleCheckbook.gov

An Ordinance to establish LouisvilleCheckbook.com was unanimously passed by the Council after Councilmen Hal Heiner (District 19) and Ken Fleming (District 7) pushed for the establishment of a website that would both examine the City's financial transactions for the past 3 fiscal years and allow citizens to electronically review payments made to various vendors during our current fiscal year. Council members helped to fund www.LouisvilleCheckbook.com which was released in October and established a deadline for the Mayor's Administration to have a fully functional site available for the current fiscal year. There are still other innovations planned for the City's Checkbook, as ordinance sponsors are pushing for contracts and other agreements to be posted as attachments on the web-site to offer even more transparency in the coming year.

3rd Party Anonymous Tip Line

A 3rd Party Tip Line was unanimously passed by the Council after about 3 months of research and debate. This ordinance was sponsored by Kevin Kramer (District 11) after a series of attempts to start a tip-line were stopped/delayed for many years by a Mayor's Office more focused on presenting obstacles than finding answers to establishing such a valuable tool for stopping fraud and abuse.

Cordish Ordinance #1

Late in 2008 Mayor Jerry Abramson agreed to a \$27 million give-a-way to the Baltimore, MD based Cordish Group. This give-a-way included cash and prizes with virtually no oversight and few guarantees for actual development.

After the \$27 million dollar giveaway of government funds and assets, Councilmen Kelly Downard (District 16) and Jim King (District 10) worked together to write an ordinance that would require any group receiving government funds or resources to agree to open their records to members of the Metro Council, Administration and Office of the Internal Auditor so future questions regarding the expenditure of Metro funds can be examined.

The need for this ordinance was best exemplified by a trip taken by Council President David Tandy, Mayor's Economic Advisor Bruce Traugher and Internal Auditor Mike Norman in which each was required to sign confidentiality agreements in which they were not allowed to disclose any research or knowledge gained through the trip.

Cordish Ordinance #2

On January 9, 2009, the Mayor signed an agreement with Cordish authorizing a 5 year forgivable loan of \$1.8 million leftover from a 2002 Marriott Bond for the renovation of a bowling alley and sports bar (formerly known as Lucky Strike) into a sports bar and bowling alley (now known as Louisville Sports and Social Club). After the agreement was disclosed, members of the Metro Council moved to place additional limitations on the Mayor's ability to move funds in the future. An ordinance was passed that secured the remaining money from being spent without the Council's approval and a provision was also added requiring any movement of funds between projects, over the amount of \$500,000 must get Metro Council Approval.

Accountability/Budgetary Improvements

Council Prioritization of Governmental Functions

For the first time since merged government, members of the Metro Council collected and later released a listing of their budgetary priorities by department. This listing was sent to the Mayor in advance of his budget presentation, and was used to help make the priorities of the Metro Council clear as they conducted hearings during the month of June and was to be used if revenues are not achieved.

Set Aside of Budget Funds

Understanding the state of the economy, members of the Metro Council, established a \$10 million portion of the budget in which listed projects would be sequestered and potential additional revenue sources would be held until later in the fiscal year. This concept was added to the FY10 Budget to ensure that the priorities outlined by the entire council were taken into consideration should the economy turn around prior to the conclusion of the current fiscal year.

New Reporting Requirements

The FY10 Budget included language supported by Metro Budget Committee Members requiring the administration to publish revenue reports comparing actual revenues received compared to revenue projections for Metro Government ten days after the conclusion of the previous month. This requirement, which is similar to what is required from the Commonwealth of Kentucky Government, gives citizens more opportunity to understand the state of the current budget and of our local economy.

Cost Study of Fleet Use and Economic Development Programs

The Metro Council, led by the efforts of Ken Fleming (District 7) and Tina Ward Pugh (District 9), required a study regarding the cost of Fleet use and Economic Development Departments of Metro Government. This study was to be conducted during FY10.