CITY OF FLORENCE KENTUCKY®

FLORENCE CITY COUNCIL

MINUTES – SPECIAL MEETING TUESDAY, JULY 1, 2014

The City Council of the City of Florence, Kentucky met in Special Session on Tuesday, July 1, 2014 at 7:00 p.m. in the Florence Government Center with Mayor Diane E. Whalen presiding in the Chair.

CALL TO ORDER:

Mayor Whalen called the special meeting to order and declared the Special Session to be open for the presentation of all City business on the Special Meeting Agenda.

ROLL CALL:

The roll was called and the following five (5) members of Council registered present: Mel Carroll, Gary Winn, J. Kelly Huff, Larry Brown, and David A. Osborne. Absent was Vice Mayor Dr. Julie Metzger Aubuchon.

Also present were Mayor Diane E. Whalen, City Coordinator Richard J. Lunnemann, Business/Community Development Director Joshua R. Wice, City Attorney Hugh O. Skees, Fire/EMS Chief Marc Muench, Police Chief John McDermond, Public Services Director Eric Hall, Police Officer Chad Byers, Administrative Assistant Donna Smith, Fire/Assistant Chief Kelly Joe Aylor, Marty Thomas, Ellie Christofield, and City Clerk Joe Christofield.

SECOND READINGS:

Ordinance No. O-17-14

Mayor Whalen presented the following Ordinance for second reading:

ORDINANCE NO. O-17-14:
AN ORDINANCE ADOPTING AND APPROVING A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN IN A COMMERCIAL TWO/PLANNED DEVELOPMENT (C-2/PD) ZONE FOR A 10.8 ACRE SITE LOCATED AT 8739 US 42, FLORENCE, KENTUCKY, TO INCREASE THE PERMISSIBLE BUILDING HEIGHT TO 50 FEET. (BSM DEVELOPMENT, LLC/ERPS, INC.)

Mayor Whalen read aloud the following summary of the Ordinance:

The effect of this Ordinance is to allow an increase in the permissible building height to 50 feet in a Commercial Two/Planned Development (C-2/PD) zone for an approximate 10.8 acre site located at 8739 US 42, Florence, Kentucky.

The full text of Ordinance No. O-17-14, including its exhibits, is available for examination in the office of the City Clerk of the City of Florence, Kentucky, in the Florence Government Center, 8100 Ewing Blvd., Florence, Kentucky, during regular office hours.

Mayor Whalen called for a motion to approve Ordinance No. O-17-14 on second reading. Councilmember Huff so moved with second from Councilmember Brown, that Ordinance No. O-17-14 be approved on second reading and be published in accordance with the law. **Council approved by unanimous vote.**

Ordinance No. O-18-14

Mayor Whalen presented the following Ordinance for second reading:

ORDINANCE NO. O-18-14:
AN ORDINANCE ADOPTING AND APPROVING A ZONING MAP AMENDMENT FOR A SPECIAL SIGN DISTRICT IN A COMMERCIAL TWO/PLANNED DEVELOPMENT/MALL ROAD OVERLAY (C-2/PD/MR) ZONE FOR A 66.75 ACRE SITE LOCATED AT 8100 US 42 AND THE SOUTHEAST CORNER OF THE MALL ROAD/HEIGHTS BOULEVARD INTERSECTION, FLORENCE, KENTUCKY, TO ALLOW ALTERNATIVE SIGNAGE. (ANCHOR PROPERTIES/BERSKSHIRE PROPERTY)

Mayor Whalen read aloud the following summary of the Ordinance:

The effect of this Ordinance is to allow a zoning map amendment for a Special Sign District in a Commercial Two/Planned Development/Mall Road Overlay (C-2/PD/MR) zone, which would allow alternative signage, subject to conditions as approved in this Ordinance. This Ordinance does not change the zoning of the site, but approves a zoning map amendment for a Special Sign District based on its current zoning.

The full text of Ordinance No. O-18-14, including its Exhibits, is available for examination in the office of the City Clerk of the City of Florence, Kentucky, in the Florence Government Center, 8100 Ewing Boulevard, Florence, Kentucky, during regular office hours.

Mayor Whalen called for a motion to approve Ordinance No. O-18-14 on second reading. Councilmember Winn so moved with second from Councilmember Osborne, that Ordinance No. O-18-14 be approved on second reading and be published in accordance with the law. **Council approved by unanimous vote.**

Ordinance No. O-19-14

Mayor Whalen presented the following Ordinance for second reading:

ORDINANCE NO. O-19-14:
AN ORDINANCE ADOPTING AND APPROVING A CONCEPT DEVELOPMENT PLAN IN A COMMERCIAL TWO/PLANNED DEVELOPMENT/MALL ROAD OVERLAY (C-2/PD/MR) ZONE FOR A 21.26 ACRE SITE GENERALLY LOCATED ON THE SOUTH SIDE OF HEIGHTS BOULEVARD, TO THE EAST OF THE TANK PARK AND RIDE FACILITY AT 831 HEIGHTS BOULEVARD, FLORENCE, KENTUCKY, TO ALLOW AN ACCESSORY STORAGE BUILDING AND OUTDOOR SALES AREA TO BE PLACED IN A CORNER SIDE YARD, AND TO ALLOW MODIFICATIONS TO THE STORAGE BUILDING MATERIAL, OUTDOOR SALES AREA ENCLOSURE, AND VEHICULAR USE AREA LANDSCAPING REQUIREMENTS, IN CONJUNCTION WITH THE CONSTRUCTION OF AN APPROXIMATE 162,500 SQUARE FOOT HOME IMPROVEMENT STORE. (ANCHOR PROPERTIES/MALL ROAD KY, LLC)

Mayor Whalen read aloud the following summary of the Ordinance:

The effect of this Ordinance is to: (a) allow an accessory storage building and outdoor sales area to be placed in a corner side yard; and (b) to allow modifications to the storage building material, outdoor sales area enclosure, and vehicular use area landscaping requirements to occur in conjunction with the construction of an approximate 162,500 square foot home improvement store in a Commercial Two/Planned Development/Mall Road Overlay (C-2/PD/MR) zone for a 21.26 acre site located on the south side of Heights Boulevard, to the east of the Tank Park and Ride facility at 831 Heights Boulevard, Florence, Kentucky.

The full text of Ordinance No. O-19-14, including its exhibits, is available for examination in the office of the City Clerk of the City of Florence, Kentucky, in the Florence Government Center, 8100 Ewing Blvd., Florence, Kentucky, during regular office hours.

Mayor Whalen called for a motion to approve Ordinance No. O-19-14 on second reading. Councilmember Brown so moved with second from Councilmember Winn, that Ordinance No. O-19-14 be approved on second reading and be published in accordance with the law. **Council approved by unanimous vote.**

DISCUSSION AND POSSIBLE ACTION:

Landscape Agreement between the Kentucky Transportation Cabinet and the City of Florence

MUNICIPAL ORDER:

Municipal Order No. MO-9-14

Mayor Whalen presented the following Municipal Order for consideration:

MUNICIPAL ORDER NO. MO-9-14:
A MUNICIPAL ORDER APPROVING AN AGREEMENT BETWEEN THE COMMONWEALTH OF KENTUCKY, TRANSPORTATION CABINET, DEPARTMENT OF HIGHWAYS AND THE CITY OF FLORENCE, KENTUCKY, ALLOWING THE CITY TO ENTER UPON STATE RIGHT-OF-WAY WITHIN THE CITY LIMITS FOR INSTALLING AND MAINTAINING LANDSCAPING WITHIN THE MEDIAN AREA OF THAT RIGHT-OF-WAY AND AUTHORIZING DIANE E. WHALEN, AS MAYOR, TO EXECUTE THIS AGREEMENT ON BEHALF OF THE CITY OF FLORENCE, KENTUCKY.

Councilmember Osborne moved, with second from Councilmember Winn, that Municipal Order No. MO-9-14 be approved as reviewed. **Council approved by unanimous vote.**

DISCUSSION AND POSSIBLE ACTION:

Commonwealth of Kentucky Statewide Emergency Management Mutual Aid Agreement

RESOLUTION:

Resolution No. R-6-14

Mayor Whalen presented the following Resolution for consideration:

RESOLUTION NO. R-6-14:
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FLORENCE, KENTUCKY THAT THE COMMONWEALTH OF KENTUCKY STATEWIDE EMERGENCY MANAGEMENT MUTUAL AID AND ASSISTANCE AGREEMENT IS HEREBY APPROVED AND ADOPTED, AND THAT MAYOR DIANE E. WHALEN AND CITY COORDINATOR RICHARD J. LUNNEMANN ARE HEREBY AUTHORIZED TO EXECUTE THE AGREEMENT AND TO REQUEST, OFFER, OR OTHERWISE PROVIDE AID AND ASSISTANCE UNDER THE TERMS OF THE AGREEMENT FOR AND ON BEHALF OF THE CITY OF FLORENCE, KENTUCKY, A PUBLIC ENTITY ESTABLISHED UNDER THE LAWS OF THE COMMONWEALTH OF KENTUCKY AND TO FILE A COPY OF THIS RESOLUTION WITH THE KENTUCKY DIVISION OF EMERGENCY MANAGEMENT FOR THE PURPOSE OF ENTERING INTO THE AGREEMENT AND THEREBY BECOME A PARTY TO THE COMMONWEALTH OF KENTUCKY STATEWIDE EMERGENCY MANAGEMENT MUTUAL AID AND ASSISTANCE AGREEMENT.

Councilmember Huff moved, with second from Councilmember Brown, that Resolution R-6-14 be approved as reviewed. **Council approved by unanimous vote.**

EXECUTIVE SESSION:

There was no need for City Council to go into Executive Session.

ADJOURNMENT:

Mayor Whalen called for a motion to adjourn the Special Meeting. Councilmember Winn so moved, with second from Councilmember Huff, and **unanimous approval of Council**, the time being 7:13 p.m.

APPROVED:

Diane E. Whalen, Mayor

ATTEST:

Joseph A. Christofield, City Clerk

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