



**Florence City Council
Special Meeting
Tuesday, December 15, 2020
6:00 p.m.**

MINUTES

The City Council of the City of Florence, Kentucky, met in special session on Tuesday, December 15, 2020, at 6:00 p.m. at the Florence Government Center, 8100 Ewing Boulevard, Florence, Kentucky, with Mayor Diane E. Whalen presiding as chair.

CALL TO ORDER & WELCOME:

Mayor Diane E. Whalen called the special meeting to order and declared the meeting open for the presentation of items on the special meeting agenda.

ROLL CALL:

The roll was called, and the following six (6) members of council were present: Dr. Julie Metzger-Aubuchon (Vice-Mayor), Mel Carroll, Duane Froelicher, J. Kelly Huff, David A. Osborne, and Gary Winn.

Staff members present were: City Attorney, Hugh O. Skees; CFO/HR, Linda Chapman; Chief of Police, Tom Grau; Fire/EMS Assistant Chief, Chris Miller; City Clerk, Melissa Kramer; Assistant City Clerk, Brandi Roundtree; Event Consultant, Victoria Wells; and Police Officer, Patrick Cottingham.

The following were also present: Josh Walton; Family of Councilmember Elect, Josh Walton; Family of Councilmember Dr. Julie Metzger-Aubuchon; Family of Councilmember J. Kelly Huff; Family of Councilmember David Osborne; and River City News Reporter, Trisha Scheyer.

APPROVAL OF MINUTES:

Mayor Whalen called for a motion to approve the minutes of the December 8, 2020, business meeting. Councilmember Winn motioned to approve the minutes with a second from Councilmember Aubuchon. **All councilmembers present voted aye.**

SECOND READING OF ORDINANCE O-17-20:

Mayor Whalen read Ordinance O-17-20. An Ordinance of the City of Florence, Kentucky, amending the budget for the 2020-2021 Fiscal Year of the City. (Amendment #2)

The purposes of this amendment are: (a) General Fund-to reflect increases in public services and City projects capital budgets due to carryovers from prior years; (b) Infrastructure Fund – to reflect

increases in expenditures for storm water improvements and unfinished projects due to carryovers FY 2020 with the addition of the Houston Road sewer line extension; and (c) Fund Balances – all beginning fund balances are adjusted to reflect ending fund balance amounts per the June 30, 2020 year-end audit.

Mayor Whalen called for a motion to approve the second reading of Ordinance O-17-20. Councilmember Aubuchon motioned to approve, with a second from Councilmember Huff. **All councilmembers present voted aye.**

SECOND READING ORDINANCE O-18-20:

Mayor Whalen read Ordinance O-18-20. An Ordinance adopting and approving a Concept Development Plan for a 4.0895 acre site, currently zoned Commercial Services / Planned Development / Parkway Corridor Study Overlay (C-3/PD/PO), located along the north side of Safeway Drive, the west side of Industrial Road on the northwest corner of the Industrial Road/Safeway Drive/Hillcrest Drive Intersection, and along the east side of Freedom Way on the northeast corner of the Freedom Way/Safeway Drive Intersection, Florence, Kentucky, to allow retail and restaurant uses. (Florence Exchange, LLC)

The effect of this Ordinance is to approve a Concept Development Plan for property located along the north side of Safeway Drive, the west side of Industrial Road on the northwest corner of the Industrial Road/Safeway Drive/Hillcrest Drive Intersection, and along the east side of Freedom Way on the northeast corner of the Freedom Way/Safeway Drive Intersection, Florence, Kentucky, to allow retail and restaurant uses in a Commercial Services/Planned Development/Parkway Corridor Study Overlay (C-3/PD/PO) Zone.

The full text of Ordinance O-18-20, 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 the second reading of Ordinance O-18-20. Councilmember Winn motioned to approve, with a second from Councilmember Osborne. **All councilmembers present voted aye.**

SECOND READING ORDINANCE O-19-20:

Mayor Whalen read Ordinance O-19-20. An Ordinance adopting and approving text amendments to Articles 9, 16, 23, 31, and 40 of the Boone County Zoning Regulations to (1) define “Short Term Rental”; (2) allow “Short Term Rentals” in the Residential, Employment Planned Development/Residential Planned Development (EPD/RPD) Zone, and Florence Main Street Zoning Study (FMS) Zones; and (3) add supplementary performance standards for “Short Term Rentals”, within the City of Florence, Kentucky.

This Ordinance amends and enacts text provisions of the Boone County Zoning Regulations Text as applicable to the City of Florence, Kentucky, to provide for and regulate “Short Term Rentals” in the City of Florence, Kentucky. These amendments and enactments apply to Articles 9, 16, 23, 31, and 40 of those Boone County Zoning Regulations text provisions. The effect of these amendments and enactments is to establish a definition for “Short Term Rentals” and to allow that use as conditional uses in various zoning districts and permitted or principally permitted uses in other zoning districts.

The full text of Ordinance O-19-20, 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 the second reading of Ordinance O-19-20. Councilmember Huff motioned to approve, with a second from Councilmember Froelicher. **All councilmembers present voted aye.**

SECOND READING ORDINANCE O-20-20:

Mayor Whalen read Ordinance O-20-20. An Ordinance of the City of Florence, Kentucky, relating to Short Term Rentals.

The purpose of this Ordinance is to establish regulations for Short Term Rentals (STR) in order to allow property owners to occasionally utilize their properties for that purpose in a matter which will not negatively affect adjacent properties.

The Ordinance defines STR as a residential dwelling unit or portion thereof rented for a period of less than 30 days. An owner wishing to utilize residential property for a STR must register with the City and obtain a permit. The Ordinance identifies residential zoning districts in which a STR is a conditional use which requires a conditional use permit from the Florence Board of Adjustment and Zoning Appeals. The Ordinance further provides that in the Main Street Overlay District, STRs are principally permitted uses not requiring a conditional use permit. In the residential zoning districts, STRs cannot be closer together than 1000 feet. The Ordinance specifies a manner in which STRs must be operated dealing with subjects such as occupancy limits, parking, advertisement, compliance with existing laws, including the City Noise Ordinance, and safety features. There are provisions for revocation of permits and an appeal process therefrom. Enforcement of the Ordinance shall be handled through the City’s Code Enforcement Board.

Mayor Whalen called for a motion to approve the second reading of Ordinance O-20-20. Councilmember Aubuchon motioned to approve, with a second from Councilmember Froelicher. **All councilmembers present voted aye.**

MUNICIPAL ORDER MO-22-20:

Mayor Whalen read Municipal Order MO-22-20. A Municipal Order approving the appointment of Duane Froelicher to the Florence Board of Adjustment and Zoning Appeals for a four (4) year term.

Mayor Whalen called for a motion to approve Municipal Order MO-22-20. Councilmember Winn motioned to approve Municipal Order MO-22-20 with a second from Councilmember Carroll. Councilmember Froelicher stated that he would abstain from the vote. **Council approved 5-0, with an abstention by Councilmember Froelicher.**

MUNICIPAL ORDER MO-23-20:

Mayor Whalen read Municipal Order MO-23-20. A Municipal Order approving the appointment of Timothy Pieper to the City of Florence Urban Forest Commission for a three (3) year term.

Mayor Whalen called for a motion to approve Municipal Order MO-23-20. Councilmember Huff motioned to approve Municipal Order MO-23-20 with a second from Councilmember Winn. **All councilmembers present voted aye.**

RECOGNITION BY MAYOR DIANE E. WHALEN:

Mayor Whalen thanked Councilmember Duane Froelicher for his service and commitment to the Florence City Council, herself, the employees of the city, and citizens of Florence during his tenure on city council from January 2015 through December 2020. Mayor Whalen presented Councilmember Froelicher with a plaque for his service on behalf of the city.

OATHS OF OFFICE:

Mayor Whalen administered the oaths of office to Councilmember Dr. Julie Metzger-Aubuchon, Councilmember Mel Carroll, Councilmember J. Kelly Huff, Councilmember David A. Osborne, Councilmember Elect Josh Walton, and Councilmember Gary Winn.

Mayor Whalen advised the Councilmembers their new terms of office will start on January 1, 2021. She also advised there will be no additional meetings in 2020.

EXECUTIVE SESSION:

Mayor Whalen called for a motion to go into Executive Session pursuant to KRS 61.810 (1)(f) appointment, discipline, or dismissal of personnel.

Councilmember Huff so moved with a second from Councilmember Winn. **All councilmembers present voted aye, the time being 6:17 p.m.** Mayor Whalen advised that no further business is anticipated to take place after the executive session.

Mayor Whalen called for a motion to come back into session after the Executive Session. Councilmember Huff so moved, with a second from Councilmember Aubuchon. **All councilmembers present voted aye, the time being 6:24 p.m.**

ADJOURNMENT:

There being no further business to come before Council, Mayor Whalen called for a motion to adjourn the Special Meeting. Councilmember Winn so moved, with a second from Councilmember Huff. **Council approved by unanimous vote**, the time being 6:25 p.m.

APPROVED:

/s/ Diane E. Whalen

Diane E. Whalen, Mayor

ATTEST:

/s/ Melissa Kramer

Melissa Kramer, City Clerk