



**Florence City Council  
Business Meeting  
Tuesday, December 8, 2020  
6:00 p.m.**

**MINUTES**

The City Council of the City of Florence, Kentucky, met in regular session on Tuesday, December 8, 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 regular meeting to order and declared the regular session open for the presentation of all city business.

**ROLL CALL:**

The roll was called, and the following five (5) members of council were present: Mel Carroll, Duane Froelicher, J. Kelly Huff, David Osborne, and Gary Winn.

Councilmember Dr. Julie Aubuchon (Vice-Mayor) was absent.

Staff members present were: City Coordinator, Joshua R. Wice; City Attorney, Hugh O. Skees; CFO/HR, Linda Chapman; Business & Community Development Director, Joshua Hunt; Fire/EMS Chief, Scott Knoll; City Clerk, Melissa Kramer; Event Consultant, Victoria Wells; Risk Manager, Justin Finke; Videographer, Spencer Foreman; and Police Officer, Patrick Cottingham.

The following were also present: Fire/EMS Department new employee, Steven Mohr; Family of the new Florence Fire/EMS Department employee, Steven Mohr; Councilmember Elect, Josh Walton; A&E Door President, Adam Weber; Vice President/Principal Broker at Warm Realty, Steve Fahrnbach; and Trisha Scheyer, The River City News.

**APPROVAL OF MINUTES:**

Mayor Whalen called for a motion to approve the minutes of the November 24, 2020, business meeting. Councilmember Huff motioned to approve the minutes with a second from Councilmember Froelicher. **All councilmembers present voted aye.**

**OATH OF OFFICE:**

Scott Knoll, Fire/EMS Chief, introduced the newest member of the Florence Fire/EMS Department, Steven Mohr, Firefighter/Paramedic.

Steven comes to us from the Lexington Fire Department where he was a full-time employee since 2014. Additionally he has 12 years of experience as a volunteer and part-time Fire/EMS member with various departments in the Northern Kentucky and Greater Cincinnati area. Steven has numerous fire and EMS certifications and an extensive Fire/EMS training history. He resides in Fairfield with his wife and their sons, and is eager to begin the next step in his Fire/EMS career. Steven is a welcome addition to the Florence Fire/EMS Department.

Mayor Whalen administered the oath of office and welcomed Steven to the City of Florence Fire/EMS Department.

### **SECOND READING OF ORDINANCE O-16-20:**

Mayor Whalen read Ordinance O-16-20. An Ordinance to close and abandon a portion of excess right-of-way for a public way along and near the intersection of Shelby Street and Main Street in the City of Florence, Kentucky pursuant to KRS 82.405(1) and (2), the City Council for the City of Florence, Kentucky having determined that all property owners in or abutting that portion of the public way agree to that closing or abandonment.

This Ordinance closes or abandons a portion of excess right of way as a public way along and near Shelby and Main Street that reverts to the abutting or adjacent owner. The only abutting owner to this portion of the public way being closed is the City of Florence, Kentucky. The ordinance sets forth those Findings of Fact made by the Florence City Council as the City legislative body. Upon this closing of this public way, that portion reverts to become the property of the City of Florence, Kentucky as the only abutting property owner.

Mayor Whalen called for a motion to approve the second reading of Ordinance O-16-20. Councilmember Huff motioned to approve, with a second from Councilmember Winn. **All councilmembers present voted aye.**

### **FIRST READING 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.

Linda Chapman, CFO/HR, stated a majority of the changes were a result of carryover projects not completed or started as a result of COVID-19.

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

**FIRST 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 first reading of Ordinance O-18-20. Councilmember Winn motioned to approve, with a second from Councilmember Froelicher. **All councilmembers present voted aye.**

**FIRST 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 first reading of Ordinance O-19-20. Councilmember Osborne motioned to approve, with a second from Councilmember Froelicher. **All councilmembers present voted aye.**

**FIRST 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 first reading of Ordinance O-20-20. Councilmember Winn motioned to approve, with a second from Councilmember Huff. **All councilmembers present voted aye.**

**MUNICIPAL ORDER MO-17-20:**

Mayor Whalen read Municipal Order MO-17-20. A Municipal Order approving the reappointment of Gary Winn to the Board of Directors of Ohio, Kentucky, and Indiana Regional Council of Governments (OKI).

Mayor Whalen thanked Mr. Winn for volunteering to continue to serve on the board.

Mayor Whalen called for a motion to approve Municipal Order MO-17-20. Councilmember Huff motioned to approve Municipal Order MO-17-20 with a second from Councilmember Osborne. **All councilmembers present voted aye.**

**MUNICIPAL ORDER MO-18-20:**

Mayor Whalen read Municipal Order MO-18-20. A Municipal Order approving the reappointment of Joshua Hunt as a Florence Appointee to the Airport Noise Abatement Committee for a two (2) year term.

Mayor Whalen called for a motion to approve Municipal Order MO-18-20. Councilmember Winn motioned to approve Municipal Order MO-18-20 with a second from Councilmember Huff. **All councilmembers present voted aye.**

**MUNICIPAL ORDER MO-19-20:**

Mayor Whalen read Municipal Order MO-19-20. A Municipal Order approving the reappointment of Lisa Wilson-Plajer as a Florence Appointee to the Airport Noise Abatement Committee for a two (2) year term.

Mayor Whalen called for a motion to approve Municipal Order MO-19-20. Councilmember Huff motioned to approve Municipal Order MO-19-20 with a second from Councilmember Winn. **All councilmembers present voted aye.**

**MUNICIPAL ORDER MO-20-20:**

Mayor Whalen read Municipal Order MO-20-20. A Municipal Order approving the reappointment of Teresa Kraft as a Florence Appointee to the Airport Noise Abatement Committee for a two (2) year term.

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

**MUNICIPAL ORDER MO-21-20:**

Mayor Whalen read Municipal Order MO-21-20. A Municipal Order approving the reappointment of Lois Evans 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-21-20. Councilmember Huff motioned to approve Municipal Order MO-21-20 with a second from Councilmember Froelicher. **All councilmembers present voted aye.**

Mayor Whalen thanked everyone that volunteers and serves as appointees on the boards. She stated they are all important and we appreciate their service to the community.

**RESOLUTION R-5-20:**

Mayor Whalen read Resolution R-5-20. A Resolution approving the transfer of control of Cincinnati Bell Extended Territories, LLC, the current holder of a city franchise for a cable system, to Red Fiber Parent, LLC.

Mayor Whalen called for a motion to approve Resolution R-5-20. Councilmember Froelicher motioned to approve, with a second from Councilmember Winn. **All councilmembers present voted aye.**

**MAYOR'S REPORT:**

- City offices will be closed on Thursday, December 24, 2020 and Friday, December 25, 2020 for the Christmas holiday. We will resume regular hours on Monday, December 28, 2020.
- City offices will be closed on Friday, January 1, 2021 for New Year's Day and resume regular hours on Monday, January 4, 2021.
- The annual leaf collection runs through December 28, 2020. Contact the City of Florence Public Services Department at 859.647.5416 for more information. The schedule for your neighborhood is also on the website – [florence-ky.gov](http://florence-ky.gov)
- The city will have a Christmas Tree Recycling Pickup scheduled for Wednesday, January 6, 2021. Trees must be placed at the curb to be collected.
- Boone County Christmas Tree recycling drop off – Please drop off your trees before 8:00 a.m. on Saturday, January 9, 2021. You may drop off prior to January 9, 2021. Places available for drop off include the Boone County Cooperative Extension Enrichment Center, Lakeside Christian Church Parking lot, Stringtown Park, Union Park, and Walton Park. Please remove all tinsel, ornaments, ribbons, lights and bags.
- As a result of COVID-19, we did not have our Veteran's Day Program. We received a letter from a Florence resident regarding the Veteran's Day pins sent to Florence Veterans. The resident stated: "My wife and I just returned to Florence after being gone for seven weeks. We were fortunate to be able get away to our Florida condo. We just opened your November letter and discovered the "Proud Veteran" lapel pin. I want to personally thank you for your recognition and the gift. It was also kind of you to include the list of local Veterans Day discounts that local merchants were offering. How ironic that included were the words to Lee Greenwood's song, "God Bless the USA". We saw him in concert." The resident continued and stated he was also part of a parade in Florida and rode in a snazzy convertible. He expressed his thanks to all who were responsible for honoring and recognizing Florence Veterans. The letter was from Kenneth Schmitt on Parkview Drive. Mayor Whalen stated the city has explored different options to celebrate and commemorate. She was very thankful to Vanessa Leneer for the idea to still honor our Veterans. Mayor Whalen also thanked Mr. Schmitt for his service.
- Dr. Julie Aubuchon received this year's recipient of the KOA's Clifford Leadingham Award. The award is given to an optometrist who has been practicing for over 25 years who has demonstrated a lifetime commitment to the profession of optometry and the visual welfare of the people of the Commonwealth of Kentucky. This award was made especially special to Dr. Aubuchon since her father, Dr. Ferd Metzger, also received the award a few years ago. A virtual event was held this evening. Mayor Whalen thanked Dr. Aubuchon for her service in the field of optometry and her service to the community.
- Next Tuesday evening will be the swearing in for the upcoming term for City Council.
- Mayor Whalen requested Dr. Julie Aubuchon to serve on the Florence Planning & Zoning Committee. She previously served on the committee and has agreed to serve again for the upcoming year with Mr. Winn. There were no objections from council.

**RECOGNITION:**

Mayor Whalen asked if any of the following desired recognition:

City Coordinator, Joshua R. Wice

Mr. Wice identified a memorandum contained in packets regarding an activity next Tuesday evening prior to the council meeting. Mr. Wice requested councilmembers schedule their timeslot for the activity with Melissa.

Mr. Wice introduced Justin Finke. Mr. Finke is new member of the Administration Department serving in the role of Risk Manager. Justin previously served as Grounds Supervisor in the Public Services Department, and we congratulate him on his promotion.

Department Heads:

Fire/EMS Chief, Scott Knoll:

Chief Knoll did not desire recognition.

Members of City Council:

None desired recognition.

Audience:

No recognition requested from the audience.

**ADJOURNMENT:**

There being no further business to come before the Council, Mayor Whalen called for a motion to adjourn. Councilmember Huff so moved, with a second from Councilmember Winn. **Councilmembers present voted aye**, the time being 6:24 p.m.

**APPROVED:**

/s/ Diane E. Whalen  
Diane E. Whalen, Mayor

**ATTEST:**

/s/ Melissa Kramer  
Melissa Kramer, City Clerk