



**Florence City Council
Business Meeting
Tuesday, November 24, 2020
6:00 p.m.**

MINUTES

The City Council of the City of Florence, Kentucky, met in regular session on Tuesday, November 24, 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; Business & Community Development Director, Joshua Hunt; City Clerk, Melissa Kramer; Videographer, Spencer Foreman; and Police Officer, Joshua Koors.

The following were also present: Carrie Herrmann, Boone County Public Library; Robert Sweet, McBride Dale & Clarion; and Trisha Scheyer, The River City News.

APPROVAL OF MINUTES:

Mayor Whalen called for a motion to approve the minutes of the November 10, 2020, business meeting. Councilmember Winn motioned to approve the minutes with a second from Councilmember Huff. **All councilmembers present voted aye.**

PRESENTATION:

Mayor Whalen recognized Kim Clements on behalf of Type I Diabetes in memory of her daughter, Allyson Clements. Kim and her support group were scheduled to attend the meeting, however, due to COVID-19, they were unable to attend. Mayor Whalen announced the presentation on Kim's behalf.

Kim's daughter, Allyson, passed away on May 27, 2019 at the young age of 24. Allyson had Type 1 diabetes from the age of 10, while also battling cerebral palsy, asthma, and respiratory

issues. Since her daughter's passing, Kim has raised money for Juvenile Diabetes warriors. Last year, she raised \$900 and was able to donate to a local Florence residence suffering from Type 1 diabetes. The City honored Kim with a Proclamation for Allyson, Allyson Clements Day on November 24, 2019. Therefore, Kim wanted to provide everyone with an update.

This year, Kim and her fundraising group were able to raise \$3,000.00 by making masks as part of their fundraiser. Her team of mask makers included herself, Cathy Cahill, Jill Cahill, and Anna Foster. They made over 1,200 masks and sold them for \$2.50 each. As a result, she was able to give three recipients, each \$1,000.00 in helping for their fight against juvenile diabetes. The recipients were Jill Cahill, Ashley Tinch, and Brady McClanahn.

Mayor Whalen expressed Kim's thankfulness for the support of the community, the fundraiser, and efforts to honor her daughter's memory to help provide for others struggling with the same disease. Mayor Whalen encouraged everyone to learn more about juvenile diabetes and what you can do to help. On behalf of Kim, Mayor Whalen thanked everyone.

PRESENTATION:

Mayor Whalen called upon Carrie Herrmann, Executive Director of the Boone County Public Library, to provide information regarding the new Boone County Public Library Wi-Fi Mesh Network Project.

Carrie Herrmann provided information for the new broadband access in Boone County. Ms. Herrmann believes broadband access is comparable to a utility and everyone needs the access for telehealth, government resources, and workforce development. This need was brought to their attention after the shutdown in March and considering approximately 10% of Boone County School District students do not have broadband access.

Therefore, Ms. Herrmann compiled a team of library workers with aid in a solution. Their first solution was hot spots. Due to the cost of hot spots, this solution was eliminated. The team next provided her with the idea of a wide area mesh network. This would have the library build out their Wi-Fi access at all six of their locations. If one of the library branches built their network out 1,000 feet, anyone within the 1,000 feet would be able to access the library network. Increasing their reach, the team came up with the idea of placing an antenna at each of their locations and finding a partner agency to put another antenna up. This would allow the Wi-Fi network to increase from the library to the agency.

The team determined the Florence firehouses were scattered throughout the community. Ms. Herrmann referenced the map of the Florence Library and drawing the 1,000 foot circles around the surrounding firehouses in Florence. Reviewing the GIS map, the Historical Main Street Firehouse was the closest firehouse to the library allowing for a strong network.

As a pilot project, Ms. Herrmann is proposing to partner with the City of Florence for the Wi-Fi Mesh Network. Providing an antenna at the location of the Main Street Firehouse and the Florence library, the Wi-Fi Mesh Network would provide access to approximately 200 households.

To proceed with the project, the library would need to put Wi-Fi access points and one of the antennas at the firehouse on Main Street. The pilot project would cost \$16,000.00. These costs would be paid for by the library. The Boone County Library Board supported the project and amended the capital projects budget to expand the Wi-Fi Mesh Network. Therefore, allowing the project to proceed, to install the antennas, and to install the Wi-Fi access points at the historic firehouse. Should the library proceed with additional sites, the cost would be \$3,000.00.

Councilmember Winn inquired whether the fee was per year or a flat fee. Ms. Herrmann stated it was a flat fee to buy the equipment and install.

Councilmember Carroll inquired as to the installation of the network and determination for success of the program. Ms. Herrmann replied success would be based on how many people are accessing the network. The Florence branch was already expanded with no announcement and within fifteen minutes of initiating the service, 105 people had already logged on to the new network. The library is able obtain daily and monthly reports to determine the amount of individuals using the network. The library will be able to work with the schools to determine how many students were having issues connecting before and now able to connect to do their schoolwork.

Councilmember Carroll inquired to the timeline of additional locations following the Main Street Fire Station. Ms. Herrmann stated once the program is initiated, the library will evaluate the signal strength and ensure the network is working prior to installing additional sites.

Mayor Whalen inquired as to whether the network would be secure. Ms. Herrmann stated the network will not be password protected. Upon signing on, users will have a “splash page” indicating it is a network provided by the Boone County Public Library and the City of Florence.

Councilmember Huff inquired as to the speed of the network. Ms. Herrmann stated the library network was recently upgraded to 2gbps. The library is anticipating reliable speeds on the network and once the program is implemented, the speeds will be tested.

Councilmember Huff inquired as to data caps. Ms. Herrmann stated data caps have not been evaluated as yet. Councilmember Huff inquired whether the library’s internet provider was aware of the network. Ms. Herrmann answered affirmatively and stated the internet is provided through an E-rate program.

Mayor Whalen believes the Wi-Fi Mesh Network is a great program to test at the Main Street Fire Station and will have the ability to reach out to a residential area which could be impacted by a lack of internet. In reviewing the firehouses, the Industrial Road Station would not reach the amount of households and children as the Main Street Fire Station. Ms. Herrmann agreed based on the library study, the Main Street Fire Station location would provide service to more households.

Councilmember Carroll suggested future locations such as the Florence Nature Park and Banklick area to reach additional underserved households. Ms. Herrmann thanked Councilmember Carroll for his suggestion.

Councilmember Carroll inquired as whether the library would be installing the network at other branches. Ms. Herrmann stated the library will be building the network out at all the branches. The next possible branch could be the Walton branch due to feedback received from users in that area. Another location could be the main library due to users within those areas with broadband issues.

Councilmember Osborne thanked Ms. Herrmann for attending and inquired whether the network would mainly be provided for children and access for their school. Ms. Herrmann stated anyone would be able to use the service, however, the decision was based from information gathered from the schools and students having difficulties performing online school work. Councilmember Osborne inquired whether the students would have access from their home. Ms. Herrmann answered affirmatively.

Mayor Whalen thanked Ms. Herrmann for attending and the information provided. Mayor Whalen inquired as to the study performed by the library for facilities and invited Ms. Herrmann to attend another meeting in the future to discuss the results of the study. Mayor Whalen expressed the desire of the city to pursue a new library facility within the city. Ms. Herrmann stated the study should have been completed the end of July, however, due to COVID-19, the results were delayed. The final study is anticipated to be completed in January. Following receipt of the final study, Ms. Herrmann would be more than happy to attend a meeting and review the study.

SECOND READING OF ORDINANCE O-11-20:

Mayor Whalen read Ordinance O-11-20. An Ordinance annexing certain territory consisting of a parcel of approximately 2.735 acres located at 6136 Hopeful Church Road, adjacent to the city limits. (Decastro Management, LLC property).

This Ordinance annexes and makes a part of the City a tract of approximately 2.735 acres located at 6136 Hopeful Church Road, adjacent to the City limits. This annexation is in response to a request by the owner, to have the property become part of the City. The annexation will be complete upon second reading and publication of this Ordinance. After annexation the property shall be zoned Commercial Services District (C-3).

Mayor Whalen called for a motion to approve the second reading of Ordinance O-11-20. Councilmember Huff motioned to approve, with a second from Councilmember Froelicher. **All councilmembers present voted aye.**

SECOND READING OF ORDINANCE O-15-20:

Mayor Whalen read Ordinance O-15-20. An Ordinance adopting and approving a zoning map amendment from Suburban Residential One (SR-1) to Commercial Services (C-3) for a 2.735 acre site located on the west side of Hopeful Church Road and approximately 30 feet north of the Hopeful Church Road/Chancellor Court intersection (6136 Hopeful Church Road), Boone County, Kentucky (annexation into the City of Florence pending), to allow an expansion of an existing automobile dealership. (Kerry Toyota)

The effect of this Ordinance is to allow a Zoning Map Amendment from Suburban Residential One (SR-1) to Commercial Services (C-3), to allow an expansion of an existing automobile dealership.

The full text of Ordinance O-15-20, 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-15-20. Councilmember Winn motioned to approve, with a second from Councilmember Osborne. **All councilmembers present voted aye.**

EXECUTIVE SESSION:

Mayor Whalen called for a motion to go into Executive Session pursuant to KRS 61.810 (1)(b) acquisition/sale of real property - where publicity would be likely to affect the value of property to be acquired for public use or to be sold by the city.

Councilmember Huff so moved with a second from Councilmember Winn. **All councilmembers present voted aye, the time being 6:23 p.m.** Mayor Whalen advised they will return for further business following 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 Osborne. **All councilmembers present voted aye, the time being 6:31 p.m.**

DISCUSSION AND POSSIBLE ACTION ORDINANCE O-16-20:

Mayor Whalen called upon City Coordinator, Joshua Wice, with regard to discussion and possible first reading of Ordinance O-16-20.

Mr. Wice provided information regarding abandonment of public right of way on Main Street. Mr. Wice stated that while the process is an easy process, the steps for the process are not straightforward. As part of the renovations for the Main Street Fire Station and the proposed improvements for additional parking at the corner of Shelby & Main Street, the Florence Public Services Department and Duke Energy concluded that an upgrade to the electrical service was required. As part of the upgrade, Duke Energy would like to install a new electric pedestal at the corner of Shelby and Main Street.

To implement this upgrade, the proposed area is currently City right-of-way. Duke Energy will not install the pedestal on a right-of-way. To proceed with the upgrade, the City would need to abandon the excess right-of-way on the corner. The abandonment of the right-of-way reverts back to the property owner, which is the City of Florence, since the City owns the parking lot. The City of Florence can then grant an easement to Duke Energy for the installation and future maintenance of the pedestal. Mr. Wice referenced the Exhibit attached to the Memorandum provided by Viox.

As part of the notification process, Mr. Wice was required to notify the Mayor that the City of Florence wanted to abandon the right-of-way in accordance with KRS 82.405. As long as the Mayor does not object, City Council could then proceed with adopting an Ordinance to complete the process to abandon the right-of-way and grant an easement to Duke Energy.

No further questions or discussion was necessitated, therefore, 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 first reading of Ordinance O-16-20. Councilmember Winn motioned to approve, with a second from Councilmember Froelicher. **All councilmembers present voted aye.**

MUNICIPAL ORDER MO-16-20:

Mayor Whalen read Municipal Order MO-16-20. A Municipal Order approving the ratifying and approving, and authorizing purchase by the City of the leasehold interest of Midwest Properties, LLC (“Midwest”), in the property located at 8275 Ewing Blvd., Florence, Kentucky, under a ground lease agreement between the City and Midwest dated May 12, 1998; and authorizing and directing the Mayor, together with other appropriate officials of the City, to take such steps as are necessary to complete the sale.

Mayor Whalen called for a motion to approve Municipal Order MO-16-20. Councilmember Osborne motioned to approve Municipal Order MO-16-20 with a second from Councilmember Carroll. **All councilmembers present voted aye.**

MAYOR’S REPORT:

- City of Florence has partnered with Go Pantry, a non-profit outreach providing food for hungry local children on days that schools are not open. The food drive began on November 2 and runs through tomorrow, November 25. There is a barrel in the lobby of the Government Center for donations. Our employees have been very generous. The donations will be delivered tomorrow to Go Pantry for distribution to local children. We will more than likely collect donations for the Christmas holiday.
- City offices will be closed on Thursday, November 26, 2020, for the Thanksgiving Holiday, but will resume normal hours on Friday, November 27, 2020, at 8:30 a.m.

- Next Tuesday the City will host the Christmas Tree Lighting virtually in the lobby at 5:30 p.m. The City will livestream and have on the website for the community to watch. There will be instructions on our website and Facebook page.
- Santa Claus will also be virtual this year to keep him healthy so he can make all of his deliveries to the children on Christmas Eve.
- Our annual leaf collection runs through December 28, 2020. Any issues or questions with leaf collection, please contact the City of Florence Public Services Department at 859.647.5416.
- Swearing in of council will be held at a Special Meeting on December 15, 2020, COVID-19 withstanding. Stay tuned for additional information.

RECOGNITION:

Mayor Whalen asked if any of the following desired recognition:

City Coordinator, Joshua R. Wice

Mr. Wice wished everyone a Happy Thanksgiving.

Audience:

No recognition requested from the audience.

Members of City Council:

Councilmember Froelicher relayed a conversation he had with the Mayor of Union, Larry Solomon, regarding their PPE money. Their money was returned to the state of Kentucky. Councilmember Froelicher inquired as to funds the city received. Mayor Whalen stated the CARES act money received was utilized to submit police and fire benefits. The entire amount received was accounted for. If the funds were not utilized, the funds would revert back to the federal government.

Councilmember Froelicher inquired as to the storm drains on Hopeful Church Road. He was contacted by a resident with emails to the Kentucky Transportation Cabinet. Mayor Whalen advised Mr. Froelicher Hopeful Church Road is a state road. However, if he would like to forward the emails to her, the city would look into the issue.

Councilmember Froelicher expressed his pleasure in reading the monthly Florence Police Department reports. He commended the officers for narcotic raid over \$500,000.00 recently. Mayor Whalen stated the city has remarkable officers and K-9 officers. The raid was a joint effort with Dearborn County Indiana Sheriff's Department and the Boone County Sheriff's Department.

Mayor Whalen advised the Florence Y'all's would have a Black Friday sale on their tickets and merchandise.

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Mayor Whalen wished everyone a Happy Thanksgiving. She encouraged everyone to wear their masks, wash their hands, and stay six feet apart. God Bless everyone.

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 6:46 p.m.

APPROVED:

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

ATTEST:

/s/ Melissa Kramer
Melissa Kramer, City Clerk