



**Florence City Council
Business Meeting
Tuesday, July 14, 2020
6:30 p.m.**

MINUTES

The City Council of the City of Florence, Kentucky, met in regular session on Tuesday, July 14, 2020, at 6:30 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 six (6) members of council were present: Dr. Julie Aubuchon (Vice-Mayor), Mel Carroll, Duane Froelicher, J. Kelly Huff, David A. Osborne, and Gary Winn.

Staff members present were: City Coordinator, Joshua R. Wice; City Attorney, Hugh O. Skees; CFO/HR, Linda Chapman; Chief of Police, Tom Grau; Fire/EMS Chief, Scott Knoll; Business & Community Development Director, Joshua Hunt; City Engineer, Bill Viox; City Clerk, Melissa Kramer; Assistant City Clerk, Brandi Roundtree; Event Consultant, Victoria Wells; Videographers, Ryan Born and Matt Miller; and Police Officer, Dustin Zink.

The following were also present: Judge J.R. Schrand, Boone Circuit Court Judge; David Martin, Boone Circuit Clerk; family and friends of Police Officer, Anthony McMahan; and Trish Scheyer, The River City News.

APPROVAL OF MINUTES:

Mayor Whalen called for a motion to approve the minutes of the June 16, 2020, special meeting. Councilmember Winn motioned to approve the minutes with a second from Councilmember Huff. **All councilmembers present voted aye.**

OATH OF OFFICE:

Tom Grau, Chief of Police, introduced Anthony McMahan as the newest member of the Florence Police Department. Officer McMahan joins the city as a lateral hire from the Louisville Metro Police Department. Officer McMahan grew up in Louisville and graduated from Valiant Christian Academy and the University of Louisville with a political science degree. Prior to his career at Louisville, Officer McMahan served in the United States Marine Corps. In the USMC, he served three combat tours, two in Iraq and one in Afghanistan with the 3rd Battalion 7th Marines as an

Intelligence Specialist. Chief Grau and the entire department is pleased to welcome Officer McMahan to the department.

Mayor Whalen swore in Officer McMahan and welcomed him to the City of Florence Police Department.

PRESENTATION – BOONE COUNTY COURTS:

Mayor Whalen introduced Honorable Judge J.R. Schrand, Boone County Circuit Court Judge to provide an update regarding the Boone County Courts. Judge Schrand thanked Mayor Whalen and councilmembers. Judge Schrand also introduced Circuit Court Clerk, David Martin.

Judge Schrand advised the Courts never closed. All of the Judges have continued to work every day including: District Court Judges, Judge Jeffrey Smith, and Judge Marcia Thomas; Family Court Judges, Judge Linda Bramlage and Judge Jennifer R. Dusing; Circuit Court Judges, himself and Judge Richard A. Brueggemann. Court has been conducted differently as they are following the mandates and guidelines set forth by the Supreme Court. Court has been conducted using new technology and will continue to use in the future. Individuals incarcerated have attended their hearings via Skype and Zoom. This has saved on transportation expenses and more than likely will continue. The Boone County Sheriff's Department led by Sheriff Michael A. Helmig and Court Services Director, Deputy Jim Beach, have continued to provide security and bailiffs at the courthouse.

The clerk's office has experienced significant changes. Requirements set forth by the Supreme Court have mandated operating at a 50/50 staffing. As a result of the reduced staffing, requesting if you are required to conduct business with the clerk's office, to have patience. They are trying to operate as efficiently as they can and remain open to the public. Due to the lines waiting to go into the Courthouse, a tent has been erected. Judge Schrand suggested if you have health issues or having issue with the heat while waiting, you are encouraged to let the bailiff's know. Masks are required for court appearances and in the building. Once a court proceeding begins, you will be possibly asked to remove the mask for proper court record.

District Court handles traffic court and are conducting court at this time. If you desire to appear via Skype, 48 hour notice is required. Small claims cases have resumed in person. Evictions are proceeding, however, not proceeding with nonpayment of rent. Exception for the nonpayment of rent is allowed on commercial tenants for eviction.

Jury trials will resume in September. Individuals selected to participate in Jury duty will receive a notice approximately the end of August. Previously, orientation was held with all jury selected individuals at once. Orientation will be held differently. Judge Schrand urged those individuals to check their notices for instructions. On the notice, there will be a number for general questions. Individuals chosen for jury will be orientated prior to the trial selected for.

Family Court Judges have conducted many cases by video. Determination of in person cases are selected by a case to case basis. Judge Schrand recommended individuals to call the office to determine whether the case will be heard in person or via video. Emergency Protective Orders, Domestic Violence Orders, and Emergency Custody Orders, are handled by Mr. Martin's office. These cases continue. Judge Schrand advised he and Judge Brueggemann are conducting both

criminal and civil dockets. These cases have been held multiple ways via telephone, Zoom, and in person.

David Martin, Circuit Court Clerk, thanked the Mayor and city council for the opportunity to provide an update. Mr. Martin stressed the Circuit Court Clerk's office is not the same as the County Clerk office. The Circuit Clerk's office does not handle real estate or vehicle registration. His office does handle and process documents relevant to the court system and driver license. As a result of the virus, his office initiated virtual technology including Zoom, Skype, and Microsoft teams. These platforms are alleviating individuals from coming in the courthouse when possible. In person hearings resumed last month on a limited basis.

Encouraging individuals to handle as much as possible online. Paying fines and fees for restitution can be done online at kycourt.gov. Individuals are also able to pay via phone with a debit or credit card, mail, or leave a drop box at the courthouse or government center. Individuals filing EPO's and ECO's are required to complete in person. Once the forms have been completed, the form will be filed and forwarded to the appropriate Judge for approval or denial. Individuals will still need to come in for certain court hearings and processes. Mr. Martin stated his office is trying to adapt like everyone else.

With regard to driver licenses, all offices were closed and resumed in person business June 1, 2020. Mr. Martin encouraged individuals with renewals to complete the renewal online. Forms can be downloaded at Kycourts.gov. Mail, email, or leave in the drop box the completed application for renewals with no changes. The office processed approximately 2,000 last month. In all, 5,000 licenses including commercial driver's licenses, renewals, and permits were processed last month. In a typical month, 300 are processed. Following requirements set forth by the Supreme Court, Mr. Martin has been required to be kept on a 50/50 staffing in the officers. His office is trying to process as much as possible.

Mr. Martin thanked Joshua Wice, City Coordinator, for all of his assistance. Currently, due to the staffing requirements, Mr. Martin has been unable to open the driver license office in the Florence Government Center. Mr. Martin thanked Mr. Wice, Mayor Whalen, and their team for helping them have plexiglas installed. Mr. Martin is hopeful the Florence office will be able to open soon. Individuals may go to Kycourts.gov to download the form with payment information. These will be processed in approximately 5-7 business days.

Permit testing resumed last month. Road tests resumed this week. Testing is administered by the Kentucky State Police. Initially testing was only in Independence and has since resumed in Burlington. Their number is 448-2920. For additional questions and answers, contact the Kentucky State Police. Their website is kystate.org.

Mr. Martin wanted to let everyone know his office is working with limited staffing. He would like everyone to be safe and his office will conduct business efficiently as possible. Mr. Martin has been in the role as the circuit clerk for approximately a year and half. He is enjoying the partnerships with the city and community. These relationships have been phenomenal.

Mayor Whalen inquired with regard to the requirements for expired driver licenses. Mr. Martin explained the 90 day extension initially granted March 1, 2020 through July 6, 2020 has expired. Any driver license with an expiration after July 7 is required to renew with no extension. Renewal

forms can be completed until September 30 with no address change or name change. Encouraging this process by mail as much as possible. This process takes a little time, but will be done as soon as possible. Citizens are encouraged to contact his office with any questions.

Councilmember Carroll requested clarification with regard to driver license renewals and the office opening in Florence. Mr. Martin explained due to requirements set forth by the Supreme Court, he has limited staffing and unable to open the Florence location at this time.

Councilmember Carroll inquired regarding the REAL ID. Mr. Martin explained the Transportation Cabinet has relinquished this duty from his office and will be phased out over the next few years. The closest office to Florence is an office in Fayette County. The virus has delayed the opening of the Northern Kentucky office. The deadline for the REAL ID has been extended until October of 2021 by Homeland Security. Individuals are able to obtain a REAL ID from the transportation cabinet in Frankfort or the office in Lexington. The Northern Kentucky office location should be opened the later part of this year.

Mayor Whalen thanked Judge Schrand and Mr. Martin for the information and updates.

FIRST READING OF ORDINANCE O-9-20:

Mayor Whalen read Ordinance O-9-20. An Ordinance amending Ordinance No. O-02-01, (last amended by Ordinance No. O-20-19) to change the times for regular meetings of the city council. The ordinance changes the date and time of the regular meetings of city council to 6:00 p.m.

Mayor Whalen requested any comments or discussion prior to proceeding. Mayor Whalen called for a motion to approve the first reading of Ordinance O-9-20. Councilmember Huff motioned to approve, with a second from Councilmember Osborne. **All councilmembers present voted aye.**

Mayor Whalen advised the Ordinance will require a second reading and once the Ordinance had been published, the meetings will change to 6:00 p.m.

FIRST READING OF ORDINANCE O-10-20:

Mayor Whalen read Ordinance O-10-20. An ordinance of the City of Florence, Kentucky, amending the budget for the 2020-2021 fiscal year of the city (amendment #1), and providing for redemption prior to maturity of the outstanding bonds of the City of Florence, Kentucky General Obligation Public Project Refunding Bonds, Series 2008B and the City of Florence, Kentucky General Obligation Refunding Bonds, Series 2010. The purpose of this Amendment is to provide for redemption prior to maturity of all the bonds remaining outstanding of the City of Florence, Kentucky General Obligation Public Project Refunding Bonds, Series 2008B and the City of Florence, Kentucky General Obligation Refunding Bonds, Series 2010.

Mayor Whalen called for a motion to approve the first reading of Ordinance O-10-20. Councilmember Aubuchon motioned to approve, with a second from Councilmember Winn. **All councilmembers present voted aye.**

MUNICIPAL ORDER MO-11-20:

Mayor Whalen read Municipal Order MO-11-20. A Municipal Order declaring surplus property and approving a donation of an oxygen refill station (Model No. PCV-E100), including a blast shield, a small pump, and an air cleaner to the Gallatin County EMS.

Fire/EMS Chief, Scott Knoll, advised the oxygen refill station was previously used by the department and ceased operation several years ago. The pump became inoperable and was determined to be less expensive and more efficient to exchange cylinders with a local supplier. Gallatin County EMS requested donation to their organization which will be a great asset for their community.

Mayor Whalen called for a motion to approve Municipal Order MO-11-20. Councilmember Osborne motioned to approve Municipal Order MO-11-20 with a second from Councilmember Froelicher. **All councilmembers present voted aye.**

PROCLAMATION:

Mayor Whalen issued a Proclamation acknowledging July as Parks and Recreation Month reading the following Proclamation into record:

WHEREAS, parks and recreation programs are an integral part of communities throughout this country, including Florence, Kentucky; and

WHEREAS, our parks and recreation are vitally important to establishing and maintaining the quality of life in our communities, ensuring the health of all citizens, and contributing to the economic and environmental well-being of a community and region; and

WHEREAS, parks and recreation programs build healthy, active communities that aid in the prevention of chronic disease, provide therapeutic recreation services for those who are mentally or physically disabled, and also improve the mental and emotional health of all citizens; and

WHEREAS, parks and recreation programs increase a community's economic prosperity through increased property values, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS, our parks and natural recreation areas provide a place for children and adults to connect with nature and recreate outdoors; and

WHEREAS, our parks and recreation amenities ceased amid the COVID-19 pandemic, parks were temporarily closed and have since reopened following guidelines set forth; and

WHEREAS, eighty-three percent of U.S. adults agree that visiting their local parks, trails and open spaces is essential for their mental and physical well-being during the COVID-19 pandemic; and

WHEREAS, the City of Florence, Kentucky recognizes the benefits derived from parks and recreation resources.

NOW, THEREFORE, BE IT PROCLAIMED THAT, I, Diane E. Whalen, Mayor of the City of Florence, Kentucky, and on behalf of the members of Florence City Council, recognize July as Parks and Recreation Month in the City of Florence, Kentucky.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Florence, Kentucky, to be affixed hereto, this 14th day of July, 2020.

MAYOR'S REPORT:

- The National Neighborhood Night Out scheduled for August 4, 2020 is canceled.
- The Safe Sitter class scheduled for August 4, 2020 is canceled.
- Update on COVID: Today was the highest number of cases reported in a single day, over 500. Only time this number was higher was when the prison population was tested.
- Northern Kentucky is seeing an increase in positive tests. The new cases have been traced to individuals visiting bars, traveling outside of the area, and going to funerals.
- Mayor Whalen urged everyone to take precautions.
- Mayor Whalen advised approximately 6.5% of COVID tests in Northern Kentucky are coming back as positive, which is a significant increase in the positivity rate. St. Elizabeth Healthcare is currently seeing an increase in younger patients, 20-30 year olds. These individuals are seeking treatment in physicians' offices which has not led to an increase in hospitalizations. St. Elizabeth believes they are in a good place with hospital capacity and would like to remain. St. Elizabeth is monitoring the new positive cases very closely.
- We want all of our businesses to remain operational and open. We would like people to be able to visit loved ones at hospitals or long-term care facilities.
- While it is mandated to wear a mask in public and when unable to separate six feet, it is important that we recognize, do not wear a mask because it is mandated, but because it is the right thing to do for anyone you come into contact with. Even if a mask helps slow the spread a little, hopefully then our businesses will be able to continue to reopen until there is a vaccine.
- Mayor Whalen encouraged everyone to wear their face mask, wash their hands, and be a good neighbor.

RECOGNITION:

Mayor Whalen asked if any of the following desired recognition:

City Coordinator, Joshua R. Wice:

Mr. Wice did not desire recognition.

Members of City Council:

Councilmember Froelicher advised he nominated Scott and Laura Spicher for Rotarian of the Year. The Spicher's won and will tentatively be honored on August 17, 2020 at the Burlington YMCA. The Spicher's will also receive \$1,000.00 donated to the charity of their choosing.

Mayor Whalen advised Mr. Spicher will be in contact with the Northern Kentucky Health Department to determine whether or not the Honor Run will take place in November. As soon as a decision is made with regard to the race, the information will be passed along.

Councilmember Winn reminded fellow councilmembers the position drawing for the ballot in November will be Thursday at the Courthouse.

Mayor Whalen provided councilmembers a City of Florence Essential Workers Cookbook. The cookbook was compiled with recipes by our essential workers. Mayor Whalen thanked and appreciated all who participated. Mayor Whalen thanked Victoria Wells for the artwork and putting the project together.

Department Heads:

Fire/EMS Chief, Scott Knoll:

Chief Knoll did not desire recognition.

Public Services Director, Eric Hall:

Mr. Hall did not desire recognition.

Chief of Police, Tom Grau:

Chief Grau did not desire recognition.

Audience:

No one in the audience desired recognition

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 7:05 p.m.

APPROVED:

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

ATTEST:

/s/ Melissa Kramer
Melissa Kramer, City Clerk