



**Florence City Council
Business Meeting
Tuesday, May 25, 2021
6:00 p.m.**

MINUTES

The City Council of the City of Florence, Kentucky, met in regular session on Tuesday, May 25, 2021, 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 six (6) members of council were present: Dr. Julie Aubuchon (Vice-Mayor), Mel Carroll, J. Kelly Huff, David Osborne, Josh Walton, and Gary Winn.

Staff members present were: Assistant City Attorney, Thomas Nienaber; Business & Community Development Director, Joshua Hunt; City Clerk, Melissa Kramer; Videographer, Spencer Foreman; and Police Officer, Derrick Lynn.

The following were also present: Trisha Scheyer, The River City News; Resident of Florence, Jenna Kemper; Lauren O'Brien, Northern Kentucky Area Development District; Michael Waddell, Northern Kentucky Area Development District; and Thomas Judd, observer.

APPROVAL OF MINUTES:

Mayor Whalen called for a motion to approve the minutes of the May 11, 2021, business meeting. Councilmember Winn motioned to approve the minutes with a second from Councilmember Huff. **All councilmembers present voted aye.**

SECOND READING ORDINANCE O-4-21:

Mayor Whalen read Ordinance O-4-21. An Ordinance of the City of Florence, Kentucky, Amending Ordinance No. O-1-11, Providing for a Credit of its Occupational License Fee for new employees as part of an Economic Development Project by Robert Bosch Automotive Steering LLC (F/K/A ZF Steering Systems, LLC) under The Kentucky Business Investment (KBI Program (KRS 154.32-010-KRS 154.32-100).

The purpose of this Ordinance is to approve the continuation of the Occupational License Tax Credit for Robert Bosch Automotive Steering LLC (f/k/a ZF Steering Systems, LLC) in

accordance with an Amended and Restated Tax Incentive Agreement between that Company and the Kentucky Economic Development Finance Authority.

Joshua Hunt, Business & Community Development Director, advised a subsidiary company was added and the business underwent a name change requiring an Amended and Restated Tax Incentive Agreement. Both the City and Boone County Fiscal Court intend to pass Ordinances which will allow the company to continue to receive their tax incentive for payroll taxes.

Mayor Whalen called for a motion to approve the second reading of Ordinance O-4-21. Councilmember Huff motioned to approve, with a second from Councilmember Aubuchon. **All councilmembers present voted aye.**

MUNICIPAL ORDER MO-3-21:

Mayor Whalen read Municipal Order MO-3-21. A Municipal Order approving the reappointment of Rick Rowland to the City of Florence Code Enforcement Board for a three (3) year term.

Mayor Whalen called for a motion to approve Municipal Order MO-3-21. Councilmember Osborne motioned to approve Municipal Order MO-3-21 with a second from Councilmember Huff. **All councilmembers present voted aye.**

MUNICIPAL ORDER MO-4-21:

Mayor Whalen read Municipal Order MO-4-21. A Municipal Order approving the appointment of Eric Hall as the City's representative and Joshua J. Hunt as the City's alternate representative to the Intermodal Coordinating Committee of the Ohio-Kentucky-Indiana Regional Council of Governments.

Mayor Whalen called for a motion to approve Municipal Order MO-4-21. Councilmember Winn motioned to approve Municipal Order MO-4-21 with a second from Councilmember Walton. **All councilmembers present voted aye.**

MAYOR'S REPORT:

- Mayor Whalen advised while in the city building, in accordance with the guidelines, if you have been fully vaccinated, which requires that you are two weeks out from having your second-dose of the Pfizer or Moderna vaccine, or you are two weeks out from having your single-dose Johnson & Johnson vaccine, you are no longer required to wear a face covering. If you have not been fully vaccinated, or you are feeling ill, we do request that individuals wear a face covering until the mask mandate expires on June 11, 2021.
- The Florence Police Department is participating in the national "Click It or Ticket" seat belt campaign which began on May 24 and will run through June 6. During these dates, you will see officers more frequently at major intersections and roadways. Mayor Whalen encouraged everyone to be sure to wear their seatbelts.

- City offices will be closed on Monday, May 31, 2021 in observance of Memorial Day.
- The Memorial Day Program will be held on Monday, May 31, 2021 at 11:00 a.m. The ceremony will held at the Boone County Veterans Memorial located at the Florence Government Center. Mayor Whalen stated the city is very pleased to have musical performances by the Northern Kentucky Brotherhood Singers, as well as, the Florence Community Band and Chorus.
- Mayor Whalen reminded councilmembers of RA Jones Middle School's City of Florence Flag Raising Ceremony tomorrow morning, May 26, 2021 at 8:35 a.m.
- Mayor Whalen informed everyone the city would be recognizing Police and Fire/EMS personnel involved in the Parkland Fire at the City Council Business Meeting on June 8, 2021. The first reading of the budget for the upcoming fiscal year and Annual Budget Address will also occur at the meeting. Location to be determined.

RECOGNITION:

Mayor Whalen asked if any of the following desired recognition:

Members of City Council:

Councilmember Aubuchon inquired whether any shoebox floats were received. Mayor Whalen advised several shoebox floats were received from different organizations and the awards will be announced at the Memorial Day Program.

Audience:

City of Florence resident, Jenna Kemper of 2230 Bourbon Street stated the following:

Mrs. Kemper was appreciative the city was willing to sponsor the swim team. Upon learning of the news, she was ecstatic and appreciated the support. The swim team will be a part of the Northern Kentucky Youth Swim League (NKYSL). The swim team is renting space at the YMCA and will continue to be the Florence Hammerheads this summer.

Mrs. Kemper inquired as to the current status of the pool as she observed it was not open. Mayor Whalen stated there was no update as the city is working through the budget. Upon first reading, the city would have a better idea and anticipate an update at that time.

Mrs. Kemper inquired as to the date of the first reading. Mayor Whalen informed Mrs. Kemper first reading of the budget would occur on June 8, 2021.

Mrs. Kemper inquired as to what would happen if the pool "sits" there for a month. Mayor Whalen advised Mrs. Kemper she did not have the answers to her inquires this evening and would be able to answers her inquiries following the first reading of the budget.

Mrs. Kemper informed everyone she had been exploring other alternatives to alleviate the burden of the pool from city. She had discussions with other individuals within the county and

inquired whether the Mayor and councilmembers were open to a committee meeting to discuss alternatives.

Mayor Whalen inquired as to what alternatives Mrs. Kemper was referring to. Mrs. Kemper stated she had a few different ideas between the school and the county and opined that the pool is an asset, not just for the City of Florence, but for the entire Northern Kentucky Area, especially, Boone County, as it was the only facility in Boone County.

Mrs. Kemper continued: "I have a swimmer at a high school level and she learned to swim in a public pool because it costs, I don't have the money to join Triple Crown. You know, as we mentioned, and I went from like, passionate swim mom, to I am just passionate about swimming in general. For especially, I think the statistic is one in four Boone County students go hungry in the summertime. So when they don't have summer engagements like this, their parents are not feeding them. Where are they going? They are going to camps. Where do the camps bring them? They bring them here. I sit and watch kids all day long get bussed in for programs they enjoy. They learn to swim, which is a life skill. Okay. So, you know, these underprivileged kids can learn to swim and we can create a non-profit, and we can create grants, and we can offer things, and there is also discussion of possibly doming it, so it could be a year round facility, and our high schools could even practice, diving and swimming. So, I would like to request an answer sooner than June 8. Memorial Day Weekend is when it typically opens. I would like to see if you all would be open to hearing more so that we can get it functioning in time for the season. So it doesn't sit and rot."

Mayor Whalen stated: "The pool will not open this year."

Mrs. Kemper stated she was not requesting for this year, but rather for next year as they already have a plan in place for this year at the YMCA. Mrs. Kemper's current concern is for all the children bussed here in Boone County. She believes going through the school system will create opportunities to provide swim lessons for all ages and offer an opportunity for the children to be on the swim team. Mrs. Kemper stated: "We can get the Boone County Schools behind us, we can get the county behind us. I've already, I've already got it going. I already got conversations going, they are all on board. They don't understand what exactly the hang up is."

Mayor Whalen inquired as to the individuals Mrs. Kemper was referring to. Mrs. Kemper stated she had spoken to Judge Gary Moore several times.

Mayor Whalen inquired as to what he is "on board" with. Mrs. Kemper replied: "Having a meeting to discuss why exactly it, why this facility isn't going to open next year." Mrs. Kemper requested the city maintain the pool as they did in 2020.

Mrs. Kemper inquired with regard to the current site of the Aquatic Center becoming a YMCA and doming the pool as in Eastgate. If that was to occur, Mrs. Kemper stated there could be swim meets for all of the high school. She stated there are swim and dive teams at every single high school within the county and Gary Moore's granddaughter won state in Kentucky and has to go to Columbus to practice.

Mayor Whalen inquired as to whom else Mrs. Kemper had spoken with. Mrs. Kemper replied: "Jenny Watson...she is on the Board of Education for Boone County Schools, and she is an advocate for the underprivileged...Julia Pile, who is a parent that's also on Parent Board, there are a couple different people within Boone County that, well the Superintendent, I am not saying he would be part of this meeting, but I know for a fact that Julia, Jenny, and Gary would like to meet face to face to discuss this. Because if you don't open it this summer, it's dead. When I say open it, I mean run it. So I am using the wrong word. How much does it cost, how much did it cost last year to maintain the pool in 2020?"

Mayor Whalen replied she did not have the numbers in front of her and could not offer a response. However, she would reach out to Judge Moore in the morning as she already had another matter to discuss with him. Mayor Whalen informed Mrs. Kemper the first reading of the budget and some of the discussions which are included in the budget would take place on June 8th.

Mrs. Kemper inquired: "So you are not willing to be open to speaking to the committee?"

Mayor Whalen indicated she did not say she would not meet with the committee and would speak with Judge Moore the following morning.

Mrs. Kemper questioned Mayor Whalen whether councilmembers were aware she called her and whether her ideas were presented to council. Mrs. Kemper continued, "...I am not here as a swim mom. I am here as an advocate for the children in Boone County that use this facility in the summertime and what the potential could be for all of the swimmers in our whole county to possibly use year round. So was the council made aware of that?"

Mayor Whalen informed Mrs. Kemper, as a rule, her and councilmembers do not get together to discuss items not on the agenda outside of a meeting. Councilmember Aubuchon also reiterated they are not permitted to meet outside of a meeting.

Mrs. Kemper stated Mayor Whalen advised her during their phone conference her ideas would be discussed during the budget retreat. Mayor Whalen replied that ideas were discussed in the Budget Retreat which have been included in the budget, however, those items had not been discussed publicly yet and intends to make those items public at the meeting on June 8.

Mrs. Kemper inquired whether Councilmember Metzger would be permitted to attend her committee meeting. Councilmember Aubuchon informed Mrs. Kemper she did speak briefly with Judge Moore and she did not get the feeling he was interested in the county participating with the city in opening the pool. Councilmember Aubuchon continued: "...I think it is always good to have collaboration. We meet with the school system. We have relationships with them. We are just not hearing the same things that maybe you are hearing."

Mrs. Kemper was persistent on collaborating together and interrupted: "That's why we all need to be in the same room. Like, immediately, because this is a really big deal. I know that you guys have your agenda and I know, the county, the schools, nobody has any money, right? They are not going to just jump in and say they want to fund this thing. You use the word collaborate, having a meeting, not just calling Judge Moore in the morning."

Councilmember Aubuchon replied there is open dialog between all of these entities and these conversations have not come up as a priority for them.

Councilmember Walton requested clarification from Mrs. Kemper with regard to her request of opening the pool.

Mrs. Kemper stated: "I am asking for you all to fund this summer to run the pool, maintenance wise, not open to the public."

Councilmember Walton stated: "That's what we have already decided, we won't be opening the pool this summer."

Mrs. Kemper replied: "To the public you've decided that you are not opening pool to the public, but what I'm saying is if you let it sit the way it looks right now, then, oh gosh, now nothing works, now we just have to bulldoze it, I guess we will just sell the property. Am I right?"

Mayor Whalen stated: "No one is going to sell the property. What we talked about and what we mentioned at the meeting to you was what this council is interested in, is trying to make the best possible use of what we have here, and provide something that is open and available to our community more than two months, two and a half months a year. We had no idea what would happen with Covid, which is what we told you. The mask mandate will be lifted on June 11. That is a good thing for everybody."

Mrs. Kemper interrupted: "We are all here without masks now."

Mayor Whalen continued: "...In our discussions, we have talked about what potentially is the best way to provide for our community a site for recreation that will be available more than two months a year, that's not 100% dependent on a wonderful weather year. We have made no promises about what happens with that facility at this point. We have talked about what happens with that facility. We have some thoughts on what that is, but until we take the first reading of the budget, nothing is a done deal, but if Judge Moore is telling you one thing, if the school board is telling you one thing..."

Mrs. Kemper interrupted: "They are not telling me anything. They are agreeing to collaborate...What I would like to do is bring these people that I have already had discussions, and they are open to coming in and talking, to have a meeting with them, to discuss what 2022 looks like, what the county, what this future ideas, how that can take the burden off of the city, because obviously it's a burden to run a recreational facility here. I mean, you told me on the phone that you guys are in the city, you're in the business of government, not in the business of recreation."

Mayor Whalen replied: "Our primary focus, yes mam,"

Mrs. Kemper interrupted: "So how does the Boone County Parks and Recreation Group respond to that when they send their campers here? That's recreation for the whole county. So it's not just a city issue. So what I'm saying is, rather than you having a conversation with Gary

Moore, because I had a conversation with you and you told me you were going to talk to council about it and apparently you didn't."

Mayor Whalen replied: "We did talk at the Budget Retreat,"

Mrs. Kemper interrupted: "You did not express my ideas to them. That's why I am here because I want to know, Mr. Walton, Mr. Huff, Mr. Winn, Mr. Osborne, Mrs. Metzger, have you heard of any of these ideas?"

Mayor Whalen replied: "The only ideas that you shared, were that you were going to try to put together a group, I have not heard another word from you about a group or a collaboration."

Mrs. Kemper stated that is why she was here. Mayor Whalen continued, "We are now how many weeks past that conversation? Had I heard from you about a group or a collaboration,"

Mrs. Kemper interrupted: "You heard from Gary Moore because he told me he was going to talk to you all, I thought Gary was leading the meeting for all of us to meet, okay. I never said Gary was 100% behind me, I never said Gary was offering money. I am saying that, in your reserves you have money to run this for the summer and to maintain the pool for the summer. You have the money."

Mayor Whalen stated City Council bases the choices to use funds of the city based on the current needs. Mrs. Kemper interrupted and stated they may not know what the big picture was because they were not receiving information.

Mayor Whalen stated she had not heard from Mrs. Kemper until this evening and inquired whether Judge Moore had told Mrs. Kemper he was "leading the charge" to put together a meeting.

Mrs. Kemper stated: "He told me he was going to be in touch with you. That was the last I heard of it. I have spoken to him twice. Apparently he spoke with Mrs. Metzger and I."

Councilmember Aubuchon replied during their conversation she did not get that feeling that he was leading the charge, that this was something he was passionate about, prioritizing, or willing to spend county money for.

Mrs. Kemper stated she was leading the charge and leading the charge of the committee. She stated she did not say Judge Moore was willing to spend county money but that he was willing to collaborate.

Councilmember Aubuchon stated to collaborate would mean that he would also invest funds. Mrs. Kemper stated: "That doesn't necessarily mean that. What if it looks like a nonprofit? What if it looks like grants? What if it looks like things you have never even thought of?"

Councilmember Walton stated: "I think what it comes back to is our responsibility is to figure out, with the property that we have there, what is the best use of that to benefit the community. While it is a good idea always to talk to our county, to talk to our school board, it falls upon us, and this is what we have done in our recent budget retreat, and this is what we are looking

at big picture wise, is to say what is the best thing to do with that property looking forward. That is what has been in discussion amongst this group. We have tossed out, how many dozen of ideas, and you're talking to somebody that grew up at a swim club. Loves a swim club. Is very sympathetic to your point, but I would have to say regardless of what the county or the school board may say to you, it comes down to us to say we have to make a decision going forward with the property as to the best use of resources for this summer and summers beyond." Councilmember Walton stated the city would be releasing plans with the budget for going forward.

Mrs. Kemper inquired whether plans were already made when the budget is reviewed with regard to the future. Councilmember Walton stated the budget would include what the city would be funding within the next year.

Mrs. Kemper inquired whether funding for the pool could be maintained in the current budget and build upon a collaboration. Mrs. Kemper requested a meeting and the city fund the pool to maintain for this year to figure out next year.

Mayor Whalen replied there were no funds allocated in the budget for the current fiscal year for any maintenance on the pool and the pool would not be filled with water this year. Mrs. Kemper was not in agreement with the decision and requested a meeting. Mrs. Kemper requested funds be allocated in the current budget to fund water in the pool.

Mayor Whalen encouraged Mrs. Kemper to coordinate with all the individuals of her collaboration to set up a meeting and she would be happy to attend. Mrs. Kemper inquired whether Mrs. Metzger could be a part of the collaboration. Mayor Whalen explained meetings are permitted to be less than a quorum, otherwise the meeting would become an official meeting of the city council. Therefore, two members of council and herself, or just three members of council would be permitted to attend. Mayor Whalen encouraged Mrs. Kemper to coordinate the meeting and let her know it could be challenging.

Due to the difficulties of gathering the requested individuals for her collaboration, Mrs. Kemper requested whether the city would maintain the pool this summer. Mayor Whalen reiterated there were no funds allocated in the budget to fill the pool.

Mayor Whalen stated she understood Mrs. Kemper's passion and the councilmembers were very passionate about our community, however, there is a difference of opinion which is not uncommon. Mayor Whalen encouraged Mrs. Kemper to coordinate a meeting to discuss.

Mrs. Kemper replied: "I don't want to waste anybody's time, because if you don't maintain this summer, there is no point in meeting. It's over. If you do not maintain the pool this summer, its dead and that's what you want."

Mayor Whalen let Mrs. Kemper know she appreciated her attending the meeting and requested any additional comments from the audience or councilmembers.

Councilmember Carroll stated: "There was a time in Florence, that the seventh largest charity in America, maintained an indoor and outdoor pool for the communities use. Additionally, they had a large gym and other meeting rooms. This seventh largest charity in America chose to

abandon Florence and take their resources to another location and that was a tragedy for the City of Florence. We have never gotten past it as far as our children are concerned.”

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 Aubuchon. **Councilmembers present voted aye**, the time being 6:32 p.m.

APPROVED:

ATTEST:

/s/ Melissa Kramer
Melissa Kramer, City Clerk

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

