



**Florence City Council
Business Meeting
Tuesday, August 10, 2021
6:00 p.m.**

MINUTES

The City Council of the City of Florence, Kentucky, met in regular session on Tuesday, August 10, 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 five (5) members of council were present: Dr. Julie Aubuchon (Vice-Mayor), Mel Carroll, J. Kelly Huff, David Osborne, and Gary Winn.

Staff members present were: Assistant City Attorney, Thomas Nienaber; CFO/HR, Linda Chapman; Chief of Police, Tom Grau; Fire/EMS Chief, Rodney Wren; Public Services Director, Eric Hall; Business & Community Development Director, Joshua Hunt; City Engineer, Bill Viox; City Clerk, Melissa Kramer; Videographer, Spencer Foreman; and Police Officer, Mike Stanaland.

The following were also present in the audience: Brandi Roundtree, Assistant City Clerk; Matthew Turner, Superintendent of the Boone County Schools; Dr. Jim Detwiler, Deputy Superintendent/Chief Academic Officer of the Boone County Schools; Ms. Kathleen Reutman, Executive Director of Student/Community Services of the Boone County Schools; Jesse Parks, Board of Education Board Member; Patricia Wingo and Tom Wingo, Residents of Florence; Lee Cahill, Applicant for Marshall Land Management; Patrick Taylor, Florence Police Department new police officer; Family and Friends of the new Florence Police Department Employee, Patrick Taylor; Brock MacKay, Viox and Viox; Jenna Kemper; Resident of Florence; Lesley Chambers, Resident of Florence; Trisha Scheyer, The River City News; and Thomas Judd, observer.

DISCUSSION AND POSSIBLE ACTION RESOLUTION R-9-21:

Mayor Whalen announced the next item on the agenda, Discussion and Possible Action on the Appointment of a City Council Member to Fill the Vacancy on City Council created by the Resignation of Josh Walton.

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 Aubuchon. **All councilmembers present voted aye, the time being 6:01 p.m.**

Mayor Whalen called for a motion to come back into session after the Executive Session. Councilmember Winn so moved, with a second from Councilmember Huff. **All councilmembers present voted aye, the time being 6:06 p.m.**

Mayor Whalen called upon Vice Mayor Aubuchon to provide an update regarding the decision to fill the current City Council vacancy. Vice Mayor Aubuchon stated following the resignation of Josh Walton, City Council received many qualified applicants for the vacant seat. During previous Executive Sessions, City Council reviewed and discussed the applicants. Vice Mayor Aubuchon advised the members of City Council had unanimously chosen Patricia Wingo to fill the vacant seat on City Council due to the resignation of former councilmember Josh Walton.

Vice Mayor Aubuchon stated Mrs. Wingo had been a Florence resident since 2004. She previously served as the Florence City Coordinator from 2004-2009. Mrs. Wingo also filled the unexpired term of Councilmember Mike Apgar following his resignation in 2011 until 2012. In 2019, Mrs. Wingo returned to work at the City of Florence for one year as a part-time employee working as the Main Street and Neighborhood Revitalization Program Manager. In addition, Mrs. Wingo has served on the Boone County Historic Preservation Review Board since 2008, and the Boone Florence Water Commission since 2014. City Councilmembers felt Mrs. Wingo was well qualified and experienced to fill the vacant seat.

Mayor Whalen presented and read Resolution R-9-21 for consideration. A Resolution of the City Council of the City of Florence, Kentucky, appointing Patricia Wingo to fill the vacancy on City Council created by the Resignation of Josh Walton.

Mayor Whalen called for a motion to approve Resolution R-9-21. Councilmember Carroll motioned to approve Resolution R-9-21 with a second from Councilmember Osborne. **All councilmembers present voted aye.**

OATH OF OFFICE:

Mayor Whalen administered the oath of office to Patricia Wingo and congratulated Mrs. Wingo.

APPROVAL OF MINUTES:

Mayor Whalen called for a motion to approve the minutes of the July 27, 2021, business 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 Patrick Taylor, as the newest member of the Florence Police Department.

Chief Grau stated Officer Taylor is a lateral hire from the Kenton County Police Department. Patrick grew up in Florence and graduated from St. Henry High School. Patrick continued his academic career at Eastern Kentucky University where he obtained a Bachelor of Science Degree in Police Studies. Officer Taylor has served with the Kenton County Police Department since 2018. His dad is retired Florence Police Sergeant Pat Taylor. Chief Grau stated the Florence Police Department is excited to be adding Patrick as an officer. Patrick grew up in the building and has been a part of our City of Florence family since he was young.

Mayor Whalen administered the oath of office and welcomed Patrick to the City of Florence.

PRESENTATION:

Mayor Whalen introduced and welcomed Superintendent of the Boone County Schools, Matthew Turner. Superintendent Turner thanked Mayor Whalen and City Council for inviting him to the meeting. Superintendent Turner also introduced Dr. Jim Detwiler, Deputy Superintendent/Chief Academic Officer, Ms. Kathleen Reutman, Executive Director of Student/Community Services, and Jesse Parks, Board of Education Board Member.

Superintendent Turner discussed the ARP Esser Funding for the Boone County Schools. He stated at the end of last year, there were approximately 20,132 students in the district. Approximately 12% (2,459) of the students were English Language Learners (ELL). The district has 64 different languages spoken and 100 different birth countries among the students. Students with physical/emotional/learning disabilities comprise approximately 14.9% (2,798) of the entire student body. Within the schools, there are sixty-three languages other than English spoken by 2,424 students including Spanish, French, Somali, and Arabic. Approximately 40% (8,072) of the students are economically disadvantaged. Superintendent Turner identified a breakdown of the diversity and a map with the 100 different birth countries represented in the Boone County Schools.

Throughout the summer, Superintendent Turner stated the schools have been questioned whether the critical race theory is taught within the district. The critical race theory is not taught within the schools as they believe it is a college level topic. The mission of the district is to teach all of their students. To achieve this, he feels it is important the students understand the schools care about them, know about them, recognized them, and know they are loved.

Superintendent Turner stated since the pandemic began, the schools received CARES funding through ESSER (Elementary and Secondary School Emergency Relief) and GEERS (Governor's Emergency Education Relief). ESSER II funds are funds currently being utilized and will continue into next year. Superintendent Turner stated in general, the students did fairly well, but there were some that struggled. There was a larger numbers of students attend summer school. Superintendent Turner stated he did not feel it was "learning lost" but rather "interrupted learning".

When the students return this year, it is their goal for the teachers to get to know the students and help them accelerate.

With regard to the ARP (American Rescue Plan) ESSER Funds, Superintendent Turner introduced Dr. Detwiler. Dr. Detwiler stated the CARES-ESSER/GEERS funds were allocated for various needs including for PPE (masks, thermometers), online learning platforms, and disbursed to private schools. The ESSER II funds were allocated for various needs including intervention teachers, counselors, and summer school. There were almost 7,000 students which attended summer school this year. The funds will be appropriated over the next two years.

Dr. Detwiler stated the ARP ESSER Funds budgets are due to Kentucky Department of Education by August 31, 2021. 20% of those funds will go toward interrupted learning. Through meetings with educators, they determined three questions to be answered: “What is the desired state? What is the current state? What does the data tell us?” The ARP ESSER funding will be utilized in four areas including Birth through Age 5; Career Pathways; Multi-Tiered Systems of Supports for Academic and Social Learning; Districtwide and Operational Costs to Implement Evidence Based Practices and COVID Mitigating Services.

Superintendent Turner inquired whether councilmembers had any suggestions or questions.

Councilmember Osborne inquired as to what the Boone County Schools were doing with regard to retaining employees and the competitive job market. Superintendent Turner stated they have a Salary Sub Committee working on the pay structure to remain competitive in the region.

Superintendent Turner advised the Boone County Schools is nearing the end of their five year strategic plan. Therefore, they will be engaging with the business community, parents, educators, and others for input with regard to their mission. Superintendent Turner stated he would like to come back and speak with City Council more in depth for their feedback. Mayor Whalen felt it would be important to teach the kids how to be financially savvy including life skills.

Councilmember Aubuchon thanked Superintendent Turner for attending the meeting and the ongoing dialog always experienced between the city and the schools. She encouraged everyone to sign up for the Boone County Schools Newsletter sent via email.

Superintendent Turner stated there are many construction projects ongoing in the schools. Boone County High School is undergoing construction with the addition of a new auditorium, new classrooms, and turf the stadium field. RA Jones is under construction with the addition of additional classrooms. In addition, Steeplechase Elementary is now open which will redistrict students from Collins Elementary.

Mayor Whalen informed everyone Boone County High School is inviting all former Boone County High School Football Team Players for their opening game on August 20 to rededicate the football field.

Mayor Whalen thanked Superintendent Turner, Dr. Detwiler, Ms. Reutman, and Mr. Parks for attending the meeting and for the wonderful relationship between the city and the schools.

FIRST READING ORDINANCE O-11-21:

Mayor Whalen read Ordinance O-11-21. An Ordinance Adopting and Approving a Zoning Map Amendment from Suburban Residential Two/Parkway Corridor Study Overlay (SR-2/PO) to Commercial Two/Planned Development/Parkway Corridor Study Overlay (C-2/PD/PO) for the northern, approximate 1.3 acres of the property located at 7544 Burlington Pike, Florence, Kentucky; and a Concept Development Plan in a Commercial Two/Planned Development/Parkway Corridor Study Overlay (C-2/PD/PO) Zone for the southern, approximate 1.23 acres of the property located at 7544 Burlington Pike, Florence, Kentucky, to allow an eating and drinking establishment, dog park, and food truck parking. (Marshall Land Management LLC)

This Ordinance adopts and approves a zoning map amendment and Concept Development Plan to allow an eating and drinking establishment, Dog Park, and food truck parking at 7544 Burlington Pike, Florence, Kentucky.

Councilmember Aubuchon stated the concept plan does include a place for up to three food trucks, the applicant went above and beyond with the buffer yard requirements, and the plan will be unique to the area. Councilmember Aubuchon stated the Florence Planning and Zoning Committee met and determined there was no need for an additional public hearing.

Mayor Whalen called for a motion to approve the first reading of Ordinance O-11-21. Councilmember Aubuchon motioned to approve, with a second from Councilmember Winn. **All councilmembers present voted aye.**

FIRST READING ORDINANCE O-12-21:

Mayor Whalen read Ordinance O-12-21. An Ordinance Adopting and Approving a Change in a Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) Zone and Office One/Planned Development (O-1/PD) zone for a .9703 acre site located at 8747 U.S. 42, Florence, Kentucky, to modify a previous condition of approval regarding the location of a drive-through menu board sign. (Ken Butler/Jimmy Johns)

The effect of this Ordinance is to modify a previous condition of approval regarding the location of a drive-through menu board sign in a Commercial Two/Planned Development (C-2/PD) zone and Office One/Planned Development (O-1/PD) zone.

The full text of Ordinance O-12-21, 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 Blvd., Florence, Kentucky, during regular office hours.

Councilmember Aubuchon stated the Florence Planning and Zoning Committee met, recommended approval, and determined there was no need for an additional public hearing. The modification is for the drive-through menu board sign. The sign was constructed in the wrong area, however, has been determined to be better for stacking and therefore recommending the modification.

Mayor Whalen called for a motion to approve the first reading of Ordinance O-12-21. Councilmember Aubuchon motioned to approve, with a second from Councilmember Winn. **Council approved 5–0, with an abstention by Councilmember Huff.**

FIRST READING ORDINANCE O-13-21:

Mayor Whalen read Ordinance O-13-21. An Ordinance Adopting and Approving a Change in a Concept Development Plan in an Urban Residential Two/Commercial Two/Planned Development (UR-2/C-2/PD) Zone for an approximate 3.5 acre site located at 1200 Bill Wentz Drive, Florence, Kentucky, to allow an alternate buffer yard planting scheme in the north/northeast most part of the site. (Gunpowder Estates)

The effect of this Ordinance is to allow an alternate buffer yard planting scheme in the north/northeast most part of a 3.5 acre site in an Urban Residential Two/Commercial Two/Planned Development (UR-2/C-2/PD) zone.

The full text of Ordinance O-13-21 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 Blvd., Florence, Kentucky, during regular office hours.

Councilmember Aubuchon stated the Florence Planning and Zoning Committee met, recommended approval, and determined there was no need for an additional public hearing. The change is to allow an alternate buffer yard behind the strip center.

Mayor Whalen called for a motion to approve the first reading of Ordinance O-13-21. Councilmember Aubuchon motioned to approve, with a second from Councilmember Winn. **All councilmembers present voted aye.**

FIRST READING ORDINANCE O-14-21:

Mayor Whalen called upon Linda Chapman, CFO/HR. Ms. Chapman recommended switching the payroll cycle for Mayor and Councilmember from monthly to biweekly. The switch will align all city staff on the same payroll cycle and provide consistency for both payroll procedures and reporting procedures.

Mayor Whalen read Ordinance O-14-21. An Ordinance Amending Ordinance O-9-06 and fixing the payment schedule for the offices of Mayor and Member of City Council.

This Ordinance fixes the payment schedule for the Office of Mayor and the Office of Member of City Council. The Mayor and Members of City Council shall be paid bi-weekly.

The full text of Ordinance No. O-14-21 is available for examination in the office of the City Clerk of the City of Florence, Kentucky, in the Florence Government Center, 8100 Ewing Blvd., Florence, Kentucky, during regular office hours.

Mayor Whalen called for a motion to approve the first reading of Ordinance O-14-21. Councilmember Carroll motioned to approve, with a second from Councilmember Osborne. **All councilmembers present voted aye.**

RESOLUTION R-6-21:

Mayor Whalen read Resolution R-6-21. A Resolution Authorizing and Approving Certain Actions in Connection with the Community Development Block Grant Coronavirus (CDBG-CV) Utility Relief Program.

Ms. Chapman stated as part of the CARES Act funding, City Council passed a Resolution in February authorizing the Mayor to sign documents to participate in the Utility Assistance Program through the CARES Act. The grant was approved and awarded to the city in the amount of \$184,000. As a result, the city is required to pass three Resolutions. The Community Action Commission will be administering the program on behalf of the city.

Mayor Whalen called for a motion to approve Resolution R-6-21. Councilmember Aubuchon motioned to approve Resolution R-6-21 with a second from Councilmember Huff. **All councilmembers present voted aye.**

RESOLUTION R-7-21:

Mayor Whalen read Resolution R-7-21. A Resolution Implementing HUD/CDBG program requirements and adopting the Kentucky Department for Local Government's Title VI Plan.

Mayor Whalen called for a motion to approve Resolution R-7-21. Councilmember Winn motioned to approve Resolution R-7-21 with a second from Councilmember Huff. **All councilmembers present voted aye.**

RESOLUTION R-8-21:

Mayor Whalen read Resolution R-8-21. A Resolution of the City Council of the City of Florence, Kentucky, prohibiting discrimination in the sale, rental, leasing, financing of housing, or land to be used for construction of housing, or in the provision of brokerage services on the basis of race, color, religion, sex, or national origin, as codified in Title VIII of the 1968 Civil Rights Act (Federal Fair Housing Law).

Mayor Whalen called for a motion to approve Resolution R-8-21. Councilmember Huff motioned to approve Resolution R-8-21 with a second from Councilmember Aubuchon. **All councilmembers present voted aye.**

MAYOR'S REPORT:

- Mayor Whalen informed everyone the 34th Annual Boone County Senior Picnic is scheduled for Wednesday, September 8, 2021 from 9:00 a.m. until 2:00 p.m. at the Boone

County Fairgrounds. Tickets may be purchased at the Finance Counter in the Florence Government Center.

- The city will be hosting the Annual Pooch Fest on Saturday, September 11, 2021, at the Florence Senior Activity Center. Registration begins at 10:00 a.m. Additional information is available on the city's website.
- In conjunction with the Boone County Fiscal Court and the Florence Y'all, the city will be hosting a Patriot Day Remembrance, commemorating the 20th anniversary of 9/11, to be held on Saturday, September 11, 2021. The program will feature patriotic performances by Northern Kentucky Brotherhood Singers, recognition of Boone County's First Responders, baseball game with the Florence Y'all, view a piece of the structural steel from the Twin Towers Building, pictorial timeline of the 9/11 events, fireworks after the game, as well as, a musical performance by Cassette Junkies Band. Tickets will be made available to first responders. In addition, the city will be partnering with the Go Pantry to bring donations of canned goods of spaghetti, ravioli, and fruit cups to the event.
- Mayor Whalen informed everyone retired City Clerk, former City Council Person, as well as dedicated Boone County Historian, Girl Scout Leader, and overall community cheerleader, Betsy Conrad, passed away over the weekend on Saturday. Her visitation will take place on Friday, August 13, from 5 until 8 at Stith Funeral Home. The funeral service will be on Saturday, August 14 at 11:00 at the funeral home. Mayor Whalen expressed her sympathy to the family.
- John Bauerle, Retired Kentucky State Trooper and Boone County Sheriff's Department Resource officer at Ockerman, passed away over the weekend on Sunday. His wife, Linda Bauerle, retired in 2019 from City of Florence Police Department as an Administrative Clerk. His visitation will take place Friday, August 13, from 11 until 3 at Linnemann Funeral Home in Burlington. Mayor Whalen expressed condolences to Linda and her family.

RECOGNITION:

Mayor Whalen asked if any of the following desired recognition:

Members of City Council:

None desired recognition.

Department Heads:

Fire/EMS Chief, Rodney Wren:

Chief Wren 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:

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

Mrs. Kemper thanked everyone for the motion to halt the demolition of the Florence Aquatic Center and her involvement in providing questions for the recreational survey. Mrs. Kemper stated she has had individuals reach out to her and read a message she received.

City of Florence resident, Lesley Chambers of 7777 Cedar Wood Circle, stated the following:

Ms. Chambers inquired with regard to the survey and how it will be distributed to City of Florence residents. Public Services Director, Eric Hall, stated the survey will be addressed to the water bill recipients. Linda Chapman, CFO/HR, reiterated the survey will be mailed to the water bill recipient and explained the billing process to Ms. Chambers.

Ms. Chambers inquired with regard to how citizens working within the city would be able to obtain a survey. Mr. Hall explained the process to Ms. Chambers and stated they will be able to obtain a survey at the Florence Government Center.

Ms. Chambers inquired should an individual throw their survey away, would they be able to obtain a new survey. Mr. Hall stated the surveys will have the name and address on the return envelope and they would be able to provide identification and obtain a new survey. The consultant will be able to identify duplicate surveys.

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 Osborne. **Councilmembers present voted aye**, the time being 7:06 p.m.

ATTEST:

/s/ Melissa Kramer
Melissa Kramer, City Clerk

APPROVED:

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

