



**Florence City Council  
Special Meeting  
Tuesday, September 7, 2021  
6:00 p.m.**

**MINUTES**

The City Council of the City of Florence, Kentucky, met in special session on Tuesday, September 7, 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 special meeting to order and declared the meeting open for the presentation of items on the special meeting agenda.

**ROLL CALL:**

The roll was called, and the following six (6) members of council were present: Dr. Julie Aubuchon, Mel Carroll, J. Kelly Huff, David A. Osborne, Patricia Wingo, and Gary Winn.

Staff members present were: Assistant City Attorney, Thomas Nienaber; Chief of Police, Tom Grau; Fire/EMS Chief, Rodney Wren; Public Services Director, Eric Hall; Business & Community Development Director, Joshua Hunt; Assistant City Clerk, Brandi Roundtree; Videographer, Spencer Foreman; and Police Lieutenant, Roger Allen.

The following were also present in the audience: City of Florence Fire/EMS Department Employees; Alex Martin, Drees Homes; Kathy Hinkebein, Gomez Family LLC; and Observer, Thomas Judd.

**APPROVAL OF MINUTES:**

Mayor Whalen called for a motion to approve the minutes of the August 24, 2021, business meeting. Councilmember Winn motioned to approve the minutes with a second from Councilmember Huff. **All councilmembers present voted aye.**

**PRESENTATION – TRAUMA AND ITS EFFECT ON FIRST RESPONDERS AND THEIR FAMILY:**

Mayor Whalen introduced and welcomed Jo Terry regarding her presentation “Trauma and Its Effect on First Responders and their Family, The Chip Terry Story”. Mayor Whalen stated Chip Terry was a firefighter who worked for the City of Covington for nearly 30 years. During his tenure, Chip was the Assistant Fire Chief for Covington Fire. He retired in 2012 and gave a retirement speech to their commission sharing his feelings of his time as a first responder.

Continuing to struggle with the effects of his time as a first responder, he sought treatment in 2017. Instead of treating him for trauma, he was treated for substance abuse. He was prescribed nine weeks of outpatient therapy. Following his release, he committed suicide on September 15, 2017. Chip left behind his wife of thirty-one years, Jo, six children, and a grandson. Following his death, The Terry Family started The Chip Terry Fund for First Responders. Jo Terry speaks at seminars and fire departments to bring attention to the issue and help those who are struggling to find and secure help. Since the fund began, sixteen first responders have been assisted with inpatient care.

Mrs. Terry thanked Mayor Whalen for inviting her to meeting. Mrs. Terry previously gave her presentation to the Florence Fire/EMS Department and wanted to provide information to city council. Mrs. Terry helps first responders obtain the necessary help for Posttraumatic stress disorder (PTSD) and stated she is not a clinician, she is a wife and widow of a first responder.

Mrs. Terry's presentation consisted of the Anatomy of the Brain including the three primary brain regions affected by PTSD and their functions. In addition, she explained the Sympathetic/Parasympathetic Nervous System, as well as, the effects of stress hormones including normal response to trauma and the PTSD response to trauma. Mrs. Terry explained PTSD with the effects on the brain, symptoms, four categories of PTSD, and first responder stressors. Mrs. Terry provided statistics for PTSD and suicide among first responders.

A video of Chip Terry's retirement speech was played and video of her children discussing their father. Mrs. Terry continued her presentation and provided resources for stress reduction to reduce cortisol and healing the brain. She stated not every first responder will be diagnosed with PTSD, however, she believes we are responsible to help those that are. Since 2018, The Chip Terry Fund Outreach has assisted first responders with inpatient care, provided awareness and prevention seminars, fundraisers, resiliency programs, and Terrace Metrics, a Behavioral Health Assessment. She urged first responders to reach out for help and also provided information with regard to The Chip Terry Fund website: <https://www.thechipterryfund.org/training>.

Councilmember Aubuchon thanked Mrs. Terry for sharing her story and helping first responders.

Mrs. Terry thanked city council for allowing her to come and share her story and stated they were the first to invite her and she was very appreciative.

Mayor Whalen thanked Mrs. Terry and stated she recognizes the difficulties our first responders deal with and is grateful for our first responders and all they do.

Mrs. Terry stated that first responders are required to have physicals every year and encouraged the department to begin checking blood work for cortisol levels and testosterone levels as part of the physical.

Mayor Whalen thanked Mrs. Terry sharing her story and thanked the first responders in the audience.

**FIRST READING OF ORDINANCE O-16-21:**

Mayor Whalen read Ordinance O-16-21. An Ordinance Relating to the Levying of a Tax Upon Real Estate and Personal Property in the City of Florence, Kentucky; Levying a Tax on all Franchises Taxable within the City of Florence, Kentucky; Specifying Payment Dates, Discounts and Penalties for the Franchise Tax on Financial Institutions Measured by the Deposits in the Institutions Located within the City; and Levying a Special Tax for the Payment of Current Service Costs for Police and Firemen in the County Employees Retirement System. (2021)

This is the Ordinance by which the City establishes tax rates and levies annual taxes. The basic tax levied for General Fund purposes is a tax of eighteen and one-tenths cents (\$.181) per one hundred dollars of value on real property and a tax of twenty-seven and two-tenths cents (\$.272) per one hundred dollars of value on personal property (except for motor vehicles and watercraft) and upon all franchises taxable by the City.

In addition this Ordinance levies a tax in the amount of six and five-tenths cents (\$.065) per one hundred dollars of value upon all real and personal property (except for motor vehicles and watercraft) and upon all franchises taxable by the City for the purpose of payment of the City's obligations for current service costs for police and firemen in the County employees' retirement system.

All of the above mentioned taxes are due and payable upon final passage and publication of this Ordinance. A discount of two percent (2%) is allowed for any such taxes paid in full by November 1, 2021. Any such taxes remaining unpaid after January 1, 2022, are subject to a penalty of twelve percent (12%) plus interest on the amount unpaid at the rate of twelve percent (12%) per annum from January 1, 2022, until paid.

This Ordinance also establishes a franchise tax in the amount of twenty-five thousandths of one percent (0.025%) on all financial institutions measured by deposits in such institutions located in the City. This tax was levied by Ordinance No. O-18-96, pursuant to the Bank Franchise and Local Deposit Tax Act. (KRS 136.575) A two percent (2%) discount is allowed against this tax on bank deposits if paid before December 31, 2021. Any such taxes paid after January 31, 2022, will be subject to a penalty of twelve percent (12%) plus interest in the unpaid amount at the rate of twelve percent (12%) per annum from January 31, 2022, until paid. The Ordinance establishes corresponding due dates, discounts and penalties for subsequent years.

Mayor Whalen called for a motion to approve the first reading of Ordinance O-16-21. Councilmember Huff motioned to approve, with a second from Councilmember Aubuchon. **All councilmembers present voted aye.**

**DISCUSSION AND POSSIBLE ACTION - ORDINANCE O-17-21:**

Mayor Whalen called upon Joshua Hunt, Business Community and Development Director. Mr. Hunt stated previously in 2017, the owner, Andy Ammon, requested annexation of approximately

three acres off of Weaver Road to build single family homes. The city took first reading and the proposed project did not complete the process through the planning commission and second reading never occurred. Since that time, Drees Homes entered into a purchase agreement for the property and first reading of annexation occurred in June of this year. Following the presentation, should city council concur and the project move forward, first reading of the zone change would occur this evening. At the next city council meeting, second reading of both ordinances would occur.

Mr. Alex Martin with Drees Homes provided a presentation with regard to the proposed project. Mr. Martin stated Drees Homes is a family-owned and operated company for more than 90 years. Drees Homes is headquartered in Ft. Mitchell, Kentucky and operates in ten major metropolitan areas. Drees Homes is ranked as the 29<sup>th</sup> largest homebuilder and 13<sup>th</sup> largest private builder by Builder Magazine.

Mr. Martin identified the site map and site overview of the proposed annexation and rezoning. The 2010 Comprehensive Plan stated “The area south of the Saddlebrook Farms Subdivision along Weaver Road, has developed in an Urban Density Residential manner...” This site has been designed to comply with the High Suburban Residential Density that makes up most of the project. In support of the comprehensive plan, the project provides of variety of in demand housing types and will maintain adequate buffers using open space and landscaping.

The site plan consists of 26.45 acre parcel located southeast of US 42 and intersection by Weaver Road. Drees Homes is seeking annexation into Florence and a zone change from SR-1 and SR-2 to SR-2/PD with proposal to provide 135 total lots on the site.

With regard to traffic, Drees Homes commissioned SHA Engineering, LLC to conduct a traffic impact study. Data was collected for the study in late April 2021. Results indicated that a left turn lane is warranted for both the northbound and southbound lanes of Weaver Road.

Mr. Martin identified an amenity overview with regard to the entry monument, possible dog park, park, landscaping including maintaining existing trees and sufficient buffer to adjacent single-family homes.

Councilmember Osborne inquired with regard to the design of the houses. Mr. Martin identified the slide containing the architecture designs including the lifestyle units, carriage units, and townhome units.

Councilmember Osborne inquired with regard to the population of the project upon completion. Mr. Martin stated the usual buyer is an empty nester or possible two-four per unit.

Councilmember Osborne was concerned with the traffic that the project could generate. Mr. Martin stated Drees Homes hired a firm to provide a traffic study and potentially could install turn lanes to ensure safe traffic passage in and out of the site.

Councilmember Aubuchon stated she lives near the proposed project and with the installation of the jug handle, traffic flows much better. Councilmember Aubuchon felt councilmembers should look at the project as a whole and base their decision on the merits of the project.

Councilmember Winn inquired with regard to the prices of the units. Mr. Martin stated sales prices could range from \$240,000 to \$370,000. Price point will be based on the unit.

Councilmember Wingo inquired with regard to the number of bedrooms within each unit. Mr. Martin stated the units will be two bedroom.

Councilmember Aubuchon stated the Florence Planning and Zoning Committee met and found no need for further public hearing and recommended approval. Councilmember Aubuchon made a motion to take action on Ordinance O-17-21 with a second from Councilmember Winn.

Mayor Whalen read Ordinance O-17-21. An Ordinance Adopting and Approving a Zoning Map Amendment from Suburban Residential One (SR-1) To Suburban Residential Two/Planned Development for the 3.0733 acre site located on the north/east side of Weaver Road, approximately 520 feet south of the Weaver Road/Ascot Drive Intersection, to the immediate south of the properties at 15 through 21 Tattersall Lane, and to the immediate west of the properties at 901 through 923 Dapple Grey Drive, Boone County, Kentucky (Annexation Pending); and for the Request of The Drees Company – Matt Mains (Applicant) for Weaver Road Properties, LLC (Owners) for a Zoning Map Amendment from Suburban Residential One (SR-1) and Suburban Residential Two (SR-2) to Suburban Residential Two/Planned Development (SR-2/PD) for the 16.5410 acre site located at 903 Weaver Road, and between the properties at 8986 and 9034 Evergreen Drive, Boone County, Kentucky (Annexation Pending), to allow attached and detached dwelling units. (Weaver Road Properties, LLC)

This Ordinance adopts and approves a Zoning Map Amendment from Suburban Residential One (SR-1) to Suburban Residential Two/Planned Development for a 3.0733 acre site located on the north/east side of Weaver Road, approximately 520 feet south of the Weaver Road/Ascot Drive Intersection, to the immediate south of the properties at 15 through 21 Tattersall Lane, and to the immediate west of the properties at 901 through 923 Dapple Grey Drive, Boone County, Kentucky; and adopts and approves a Zoning Map Amendment from Suburban Residential One (SR-1) and Suburban Residential Two (SR-2) to Suburban Residential Two/Planned Development (SR-2/PD) for a 16.5410 acre site located at 903 Weaver Road, and between the properties at 8986 and 9034 Evergreen Drive, Boone County, Kentucky, in conjunction with annexation of both parcels into the City of Florence, Kentucky, to allow attached and detached dwelling units.

Mayor Whalen called for a motion to approve the first reading of Ordinance O-17-21. Councilmember Huff motioned to approve, with a second from Councilmember Carroll. Mayor Whalen requested a Roll Call Vote. Councilmember Carroll, yes; Councilmember Winn, yes; Councilmember Huff, yes; Councilmember Aubuchon, yes; Councilmember Wingo, yes; Councilmember Osborne, yes. **Roll call recognized six yes votes, approving the first reading of Ordinance O-17-21.**

**DISCUSSION AND POSSIBLE ACTION - ORDINANCE O-18-21:**

Mayor Whalen called upon Joshua Hunt, Business Community and Development Director. Mr. Hunt advised the proposed project is for an approximate 4,100 square foot car wash and 4,200 square foot restaurant on the south side of Dunkin Donuts, lots five and six. Mr. Hunt identified the lots on the presentation slide. Mr. Hunt advised that there are traffic stacking issues and the city is currently taking steps to help alleviate the issues with installation of curb cuts. There is also a project underway by the city for improvements on Bill Wentz Drive.

Mr. Hunt identified the site plan with renderings of the carwash, buffer yard, and potential for an access road in the future. All variance requests were minor. Mr. Hunt stated there was concept plans submitted with the site and the designs were progressive. Mr. Hunt stated the Florence Planning and Zoning Committee met and proposed conditions including design requirements with regard to the building and sidewalks along Bill Wentz Drive. The owner has signed the conditions.

Councilmember Huff inquired as to the nature of the carwash. Representative of Gomez Family, LLC, Kathy Hinkebein, stated the carwash will be an express tunnel with free vacuums. There are employees on site during business hours.

Councilmember Aubuchon made a motion to take action on Ordinance O-18-21 with a second from Councilmember Winn.

Mayor Whalen read Ordinance O-18-21. An Ordinance Adopting and Approving a Change in a Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) Zone for a 2.78 acre site located on the east side of Bill Wentz Drive, between the properties located at 8509 and 8519 U.S. 42, Florence, Kentucky, to allow a car wash and a Restaurant. (Hinkebein/Gomez)

The effect of this Ordinance is to allow a car wash and a restaurant in a Commercial Two/Planned Development (C-2/PD) zone.

The full text of Ordinance No. O-18-21, 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.

Mayor Whalen called for a motion to approve the first reading of Ordinance O-18-21. Councilmember Aubuchon motioned to approve, with a second from Councilmember Huff. **All councilmembers present voted aye.**

**SECOND READING OF ORDINANCE O-15-21:**

Mayor Whalen read Ordinance O-15-21. An Ordinance relating to personnel; Amending Ordinance No. O-8-21 relating to the pay plan.

The Pay Plan is changed by a complete analysis of all positions and corresponding changes related thereto.

The full text of Ordinance O-15-21, 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.

Mayor Whalen called for a motion to approve the second reading of Ordinance O-15-21. Councilmember Osborne motioned to approve, with a second from Councilmember Carroll. **All councilmembers present voted aye.**

**ADJOURNMENT:**

There being no further business to come before Council, Mayor Whalen called for a motion to adjourn the Special Meeting. Councilmember Huff so moved, with a second from Councilmember Osborne. **Council approved by unanimous vote**, the time being 7:15 p.m.

**APPROVED:**

/s/ Diane E. Whalen

Diane E. Whalen, Mayor

**ATTEST:**

/s/ Melissa Kramer

Melissa Kramer, City Clerk

