



**Florence City Council
Business Meeting
Tuesday, September 13, 2022
6:00 p.m.**

MINUTES

The City Council of the City of Florence, Kentucky, met in regular session on Tuesday, September 13, 2022 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 four (4) members of council were registered present: Dr. Julie Aubuchon (Vice-Mayor), J. Kelly Huff, Patricia Wingo, and Gary Winn. Councilmembers Mel Carroll and David Osborne were absent.

Staff members present were: Assistant City Attorney, Thomas Nienaber; Chief of Police, Tom Grau; Fire/EMS Chief, Rodney Wren; Business & Community Development Director, Joshua J. Hunt; Public Services Director, Eric Hall; City Engineer, Bill Viox; City Clerk, Melissa Kramer; Videographer, Perry Weber; and Police Lieutenant, Nathan Rettig.

The following were also present in the audience: Daughters of the American Revolution Boone County Chapter, Lynn Demi, Peggy Kennedy and Carolyn Wolfe; Resident of Florence, Aaron Gillum; and Resident of Florence, Thomas Judd.

APPROVAL OF MINUTES:

Mayor Whalen called for a motion to approve the minutes of the September 6, 2022, special meeting. Councilmember Winn motioned to approve the minutes with a second from Councilmember Huff. **All councilmembers present voted aye.**

PROCLAMATION:

Mayor Whalen called upon the Daughters of the American Revolution, Boone County Chapter, District 5, in attendance and welcomed them to the meeting.

Carolyn Wolfe introduced herself and stated she was the Historian. Lynn Demi introduced herself and stated she was Flag Chairman. Peggy Kennedy introduced herself and stated she was the Regent for the Boone County Chapter.

Mayor Whalen was appreciative of their attendance and stated the Kentucky Society of the Daughters of the American Revolution is a women's service organization committed to promoting education, historic preservation, and patriotism. The chapter and county are named in the honor of frontiersman Daniel Boone. Daniel Boone, while acting as an agent of the Transylvania Company for Colonel Richard Henderson in March, 1775, came to the Great Meadow with a party of thirty settlers and began clearing of the Wilderness Road. This permitted others to follow and established a settlement at Boonesborough in April of that year.

Mayor Whalen issued a Proclamation acknowledging September 17, 2022 through September 23, 2022, to be Constitution Week reading the following Proclamation into record:

WHEREAS, The Constitution of the United States of America, the guardian of our liberties, embodies the principles of limited government in a Republic dedicated to rule by law; and

WHEREAS, September 17, 2022, marks the two hundred and thirty-fifth anniversary of the framing of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS, It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebrations which will commemorate it; and

WHEREAS, Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week,

WHEREAS, the City of Florence recognizes and reaffirms the ideals the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties; and

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, proclaim the week September 17 through September 23, 2022 as Constitution Week 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 13th day of September, 2022.

SECOND READING ORDINANCE O-18-22:

Mayor Whalen read Ordinance O-18-22. 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. (2022)

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 thirty-one and three-tenths cents (\$.313) 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, 2022. Any such taxes remaining unpaid after January 1, 2023, 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, 2023, 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, 2022. Any such taxes paid after January 31, 2023, 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, 2023, until paid. The Ordinance establishes corresponding due dates, discounts and penalties for subsequent years.

Mayor Whalen called for a motion to approve the second reading of Ordinance O-18-22. Councilmember Aubuchon motioned to approve, with a second from Councilmember Wingo. **All councilmembers present voted aye.**

SECOND READING ORDINANCE O-19-22:

Mayor Whalen read Ordinance O-19-22. An Ordinance Adopting And Approving A Change In An Approved Concept Development Plan In An Office Two/Commercial Two / Planned Development / Houston-Donaldson Study Corridor Overlay (O-2/C-2/PD/HDO) District For An Approximate 2.4 Acre Site Located At 370 Meijer Drive, Florence, Kentucky, To Allow A Hotel. (Residence Inn by Marriott)

The effect of this Ordinance is to allow a hotel on an approximate 2.4 acre site in an Office Two/Commercial Two/Planned Development/Houston-Donaldson Study Corridor Overlay (O-2/C-2/PD/HDO) District.

The full text of Ordinance O-19-22 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-19-22. Councilmember Winn motioned to approve, with a second from Councilmember Huff. **All councilmembers present voted aye.**

DISCUSSION OF KENTUCKY BUSINESS INVESTMENT PROGRAM FOR MACKENZIE AND PAIGE LOGISTICS, LLC:

Mayor Whalen called upon Business and Community Development Director, Joshua Hunt, with regard to discussion of the Kentucky Business Investment Program for Mackenzie and Paige Logistics, LLC.

Mr. Hunt stated Mackenzie and Paige Logistics, LLC (M&P) purchased the former Gerner & Kearns Building on Tanners Lane. Currently, M&P offices are located on Houston Road in Florence and the company sought expansion. Through discussion and collaboration with the city, M&P purchased the former Gerner & Kearns building as their new headquarters to expand their business. Mr. Hunt explained the KBI incentive is state level and the city and county will split a portion of the payroll tax. The city's portion is 0.7857% and the county's portion is 0.2143%. The 1% payroll credit over ten years permits M&P to have the 3% state level reduction for their incentive. Mr. Hunt stated all incentives have a built in claw back feature and if M&P does not deliver on the capital investment, they do not receive the incentive.

No further discussion or questions were needed. Therefore, Councilmember Wingo made a motion to take action on Ordinance O-20-22 with a second from Councilmember Winn. **All councilmembers present voted aye.**

FIRST READING ORDINANCE O-20-22:

Mayor Whalen read Ordinance O-20-22. An Ordinance of the City of Florence, Kentucky, Providing for a credit of its Occupational License Fee for new Kentucky Resident Employees as part of an Economic Development Project under The Kentucky Business Investment Program by Mackenzie and Paige Logistics, LLC.

This Ordinance approves participation by the City of Florence in an economic development project in conjunction with the Kentucky Economic Development Finance Authority. The purpose of the Project is for Mackenzie and Paige Logistics, LLC to relocate their operations within the City and to create 120 new full time Kentucky resident jobs. Participation by the City will consist of a credit equal to 0.7857% of the City's 2% occupational license fees on wages of new Kentucky resident employees created as part of this project, for a period of 10 years.

The full text of this Ordinance O-20-22 is available for examination in the office on 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 first reading of Ordinance O-20-22. Councilmember Wingo motioned to approve, with a second from Councilmember Aubuchon. **All councilmembers present voted aye.**

Mayor Whalen commended Business & Community Director, Joshua Hunt, for all of his efforts with regard to the property and business.

MUNICIPAL ORDER MO-9-22:

Mayor Whalen read Municipal Order MO-9-22. A Municipal Order Approving the Appointment of Alegra Spille to the City of Florence, Kentucky Urban Forest Commission to fill the unexpired term of Jerry Auton.

Mayor Whalen called for a motion to approve Municipal Order MO-9-22. Councilmember Winn motioned to approve Municipal Order MO-9-22 with a second from Councilmember Aubuchon. **All councilmembers present voted aye.**

MAYOR'S REPORT:

- Mayor Whalen informed everyone an Arbor Day Celebration will be held Saturday, September 24 at 10:00 a.m. at Niblack Memorial Park, 7431 US 42.
- Mayor Whalen reminded everyone the city will be hosting a Halloween Night Out on Tuesday, October 25 – 6:00-8:00 p.m. at Thomas More Stadium. “Nightmare at the Ballpark”, will be a spooktacular family friendly event. If you would like to be a vendor, please contact Victoria Wells, Community Services Coordinator, at 859.647.5425.
- Mayor Whalen reminded everyone the Boone County Senior Picnic was tomorrow. The event is sold out.

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.

Chief of Police, Tom Grau:

Chief Grau did not desire recognition.

Public Services Director, Eric Hall:

Mr. Hall provided an update on ongoing and upcoming projects within the city:

- Weaver Sidewalk Project – Mr. Hall advised the Weaver Sidewalk Project will be sent out for bid again in October. Previously, the project went through the bid process and came in over budget due to restrictions required in the project. Through discussion with the Kentucky Transportation Cabinet, the restrictions have been

revised and amended. Therefore, the project will be sent out for bid again. Mr. Hall stated the project is for a sidewalk from Weaver Road to Saddlebrook.

- Main Street – Mr. Hall stated the parking lot at Main Street and Shelby Street is progressing and 45% complete.
- Main Street Improvements – Mr. Hall advised the Main Street Improvements Phase 1 is underway and the project is 10% complete. Pavers are currently being replaced with the stamped concrete on the sidewalk.
- Kentaboo Phase 2 – Mr. Hall stated they are in the final phase of the project. While the project had been ongoing for some time, the project is nearing completion.

Members of the audience:

No recognition requested from the audience.

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 6:20 p.m.

ATTEST:

/s/ Melissa Kramer
Melissa Kramer, City Clerk

APPROVED:

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

