



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

MINUTES

The City Council of the City of Florence, Kentucky, met in special session on Tuesday, September 6, 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 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 registered present: Dr. Julie Aubuchon (Vice-Mayor), Mel Carroll, J. Kelly Huff, David Osborne, Patricia Wingo, and Gary Winn.

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

The following were also present in the audience: Resident of Florence, Aaron Gillum; Resident of Florence, Jonathan Sterling; and Resident of Florence, Thomas Judd.

APPROVAL OF MINUTES:

Mayor Whalen called for a motion to approve the minutes of the August 23, 2022, business meeting. Councilmember Wingo motioned to approve the minutes with a second from Councilmember Osborne. **All councilmembers present voted aye.**

PROCLAMATION:

Mayor Whalen issued a Proclamation proclaiming September as City Government Month and read the following Proclamation into record:

WHEREAS, civics education is important to ensure Kentucky children develop an interest and understanding of local government and their role in the community; and

WHEREAS, Kentucky Academic Standards for Social Studies require instruction on citizenship and local government for entry-level elementary school children;

WHEREAS, involving and informing students of local government programs and duties can provide an opportunity for entire families to connect with vital city services and programs;

WHEREAS, there are 416 cities in Kentucky and 56% of the state's population lives in a city;

WHEREAS, "City Government Month" is a civics awareness campaign that educates elementary school students about city services by providing teacher lesson plans, students coloring/activity books, and classroom materials; and

WHEREAS, "City Government Month" calls on city officials to get involved in their local schools and in educating and engaging elementary school students in city government; 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, do hereby proclaim September 2022 as "City Government Month" in the city and encourage city officials and employees are encouraged to collaborate with local elementary schools to educate students about their city government and to engage them in city services.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Florence, Kentucky, to be affixed hereto, this 6th day of September, 2022.

SECOND READING ORDINANCE O-17-22:

Mayor Whalen read Ordinance O-17-22. An Ordinance relating to Alcoholic Beverage Control and amending Section X of Ordinance No. O-34-82, as last Amended by Ordinance No. O-8-17.

This Ordinance amends the hours when alcohol sales are permitted within the City.

The full text of Ordinance O-17-22, 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-17-22. Councilmember Aubuchon motioned to approve, with a second from Councilmember Winn. **All councilmembers present voted aye.**

FIRST 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 twenty-seven and two-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.

Councilmember Winn requested clarification with regard to the tax of personal property and whether the correct amount was twenty-seven and two-tenths cents or thirty-one and three-tenths cents. Typographical error on the Reading Summary and Ordinance was corrected and denoted the correct amount of thirty-one and three-tenths cents.

Therefore, Mayor Whalen read the corrected Reading Summary of 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)

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

DISCUSSION AND POSSIBLE FIRST READING ORDINANCE O-19-22:

Mayor Whalen called upon Business and Community Development Director, Joshua Hunt, with regard to the next agenda item.

Mr. Hunt referred to his PowerPoint Presentation and identified the proposed project. Mr. Hunt stated the proposed project is a Residence Inn by Marriott and will be a seven story, one hundred four thousand square foot hotel. With regard to the height, if approved, Mr. Hunt stated the building will be one of the tallest in Florence. The hotel will consist of one hundred twenty-four rooms, one hundred twenty-one parking stalls and the hotel will have a shared parking agreement with Duluth Trading Company. Mr. Hunt identified and explained the requested variances in his presentation including landscaping and height. Mr. Hunt stated the proposed hotel will have an indoor pool, fitness facility, meeting rooms and an indoor patio. Additionally, Mr. Hunt noted the hotel will be locally owned and operated by the Athena Hospitality Group, Mr. Devesh Patel. Athena Hospitality Group's company headquarters are in Florence. Mr. Hunt identified renderings of the hotel.

Mr. Hunt stated the Florence Planning and Zoning Committee met and recommended approval with no additional conditions.

Councilmember Winn inquired with regard to the height and airline requirements. Mr. Hunt stated the hotel will have to obtain a permit which is standard.

Councilmember Carroll inquired whether Fire/EMS Chief Wren had any concerns with regard to the ability to gain access to the building. Chief Wren did not have any concerns and noted the plans were previously reviewed by Fire Marshal Childress with Mr. Hunt. Mr. Hunt identified the access points for the building.

Councilmember Aubuchon believed the project was a great project and the shared parking with Duluth Trading Company would work well together.

No further discussion was needed and therefore 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 first reading of Ordinance O-19-22. Councilmember Wingo motioned to approve, with a second from Councilmember Osborne. **All councilmembers present voted aye.**

EXECUTIVE SESSION:

Mayor Whalen called for a motion to go into Executive Session pursuant to KRS 61.810 (1)(b) acquisition/sale of real property - where publicity would be likely to affect the value of property to be acquired for public use or to be sold by the city and pursuant to KRS 61.810 (1) (c) litigation proposed or pending against or on behalf of the city.

Councilmember Huff so moved with a second from Councilmember Carroll. **All councilmembers present voted aye, the time being 6:20 p.m.** Mayor Whalen advised they would return to the room to adjourn and did not anticipate any further business taking place following Executive Session.

Mayor Whalen called for a motion to come back into session after the Executive Session. Councilmember Osborne so moved, with a second from Councilmember Huff. **All councilmembers present voted aye, the time being 7:30 p.m.**

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 Winn. **Councilmembers present voted aye**, the time being 7:31 p.m.

ATTEST:

/s/ Melissa Kramer
Melissa Kramer, City Clerk

APPROVED:

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

