



**Florence City Council  
Business Meeting  
Tuesday, November 22, 2022  
6:00 p.m.**

**MINUTES**

The City Council of the City of Florence, Kentucky, met in regular session on Tuesday, November 22, 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 five (5) members of council were registered present: Dr. Julie Aubuchon (Vice-Mayor), Mel Carroll, J. Kelly Huff, David Osborne, and Gary Winn. Councilmember Patricia Wingo was absent.

Staff members present were: Assistant City Attorney, Thomas Nienaber; CFO/HR, Linda Chapman; 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 Corporal, Adam DeSalvo.

The following were also present in the audience: Chamberlin Owen & Company, Inc., John R. Chamberlin, CPA, MBA; Executive Director of the Boone County Planning Commission, Kevin P. Costello, AICP; Director/Zoning Administrator, Boone County Planning Commission, Michael D. Schwartz; Northern Kentucky Student Observer; Councilmember Elect, Lesley Chambers; and Resident of Florence, Thomas Judd.

**APPROVAL OF MINUTES:**

Mayor Whalen called for a motion to approve the minutes of the November 15, 2022, special meeting. Councilmember Winn motioned to approve the minutes with a second from Councilmember Huff. **All councilmembers present voted aye.**

**PRESENTATION – COMPREHENSIVE ANNUAL FINANCIAL REPORT – YEAR-END  
JUNE 30, 2022:**

Mayor Whalen introduced John Chamberlin from Chamberlin Owen & Company, Inc. Mr. Chamberlin thanked everyone and presented the audit results for the year ending June 30, 2022.

Mr. Chamberlin referenced his presentation and stated with regard to the Comprehensive Annual Financial Report – Year-end June 30, 2022, page 2 of the report, the Auditor’s opinion, states: “In our opinion, the financial statements...present fairly, in all material respects, the respective financial position of the City of Florence as of June 30, 2022...in accordance with accounting principles generally accepted in the United States of America”. Mr. Chamberlin stated it was an unmodified opinion and is the highest opinion in governmental auditing.

Mr. Chamberlin referenced the report documenting the Internal Controls and Compliance: Internal, no material weakness or significant deficiencies noted; Compliance – no instances of non-compliance. Additionally, Internal Control and Compliance over the Expenditure of Federal Funds noted no instances of lack of internal controls or non-compliance with Uniform Guidance requirements over the expenditure of Federal Funds. Due to the ARPA funds, the auditor was required to perform a special examination of the expenditure of Federal Funds and found the funds were expended appropriately.

The auditor’s correspondence to those in charge of governance stated that there were no audit adjustments, no disagreements with management or difficulties in performing the audit, significant accounting estimates for depreciation and CERS noted, and no comments to provide to management.

Mr. Chamberlin identified and reviewed the five year summary of assets/unrestricted cash comparison as of June 30, 2022. The City Wide Debt Comparison included all fund types identified as current liabilities, debt for pension and OPEB liabilities, and long term debt.

Mr. Chamberlin identified the Revenues and Expenditures for the Governmental Funds and the Proprietary Funds. Revenues by all Governmental Funds and Proprietary Funds were reviewed. Expenditures by Department of all Government Funds including Admin had an increase of 14%; Police increased 14%; Fire decreased 7%; Public Services increased 27% and the debt service decreased. Revenues and Expenditures of all Proprietary Funds including Water and Sewer, Health and Dental, and the Golf Course increased. Mr. Chamberlin reviewed the Revenues and Expenditures by Function of all Property Funds. Mr. Chamberlin stated the City of Florence would be receiving an award for excellence in financial statements.

Mayor Whalen opened the floor for questions or comments.

Councilmember Carroll stated it was a great audit and testimony of what goes on every day in the city departments.

Councilmember Winn applauded Linda Chapman, CFO/HR.

Mayor Whalen thanked Mr. Chamberlin for his presentation.

**PRESENTATION – BOONE COUNTY PLANNING COMMISSION:**

Mayor Whalen called upon Kevin P. Costello, Executive Director of the Boone County Planning Commission, and Michael D. Schwartz, Director/Zoning Administrator of the Boone County Planning Commission.

Mr. Schwartz directed everyone's attention to the handout regarding an update to the Zoning Regulations. He stated the review and update was performed in accordance with KRS 100.201(2) and KRS 100.203. The process included the Comprehensive Plan Goals and Objections, which was adopted October 2017-January 2018; Comprehensive Plan which was adopted June 2019; Zoning Ordinance Update which was ongoing; and the Subdivision Regulations Update.

Mr. Schwartz stated the project began in 2020. Public Meetings were held, as well as, public workshops and stakeholder meetings. The Planning Commission's Long Range Planning Committee evaluated the draft text/map changes and preparation of the draft regulations. In June, the Planning Commission's Long Range Planning Committee authorized the draft regulations to go to public hearing. The Public Hearing was held on September 21, 2022 and the Planning Commission took action to recommended approval of those regulations on November 2, 2022.

With regard to significant changes, Mr. Schwartz stated the overall goal was for better readability, added graphics and added tables. In Article 5, all land uses were reviewed and reduced the list from 564 to 160 land uses for easier readability and created use matrix tables. Article 17 and Article 18, included regulatory language from study into the zoning regulations. The Land Use Study I-75/Turfway Road Interchange Overlay District (TRO) in Article 19 was eliminated. Mr. Schwartz stated the study was outdated and no regulations were associated with the study.

Site Plan reviews in Article 30 were increased from 30 days to include an automatic one-time thirty-day extension. Supplemental Performance Standards in Article 31 added regulations for 'Accessory Dwelling Units' and 'Emergency Shelters', additionally, added regulations to make a distinction between 'Home Business' and 'Home Occupation', and deleted regulations for Radioactivity, Electrical Disturbances, and Vibrations. By request of the city, regulations for 'Data Centers' have been included and crypto-currency mining which is to be prohibited.

In Article 33, Mr. Schwartz stated Off-Street parking and Loading Facilities, included an update to require developments with bay docks to have tractor-trailer parking spaced and added regulations for electrical vehicle charging stations.

Mr. Schwartz stated the Sign Regulations in Article 34 had the most significant changes. Only signs that are 'legible' from the roadway or from an adjacent property shall be regulated. Additionally, the update provides signage for vacant properties. Regulations were added for window signs and Special Sign Districts. Mr. Schwartz explained off-premise signs, such as billboards, would be prohibited. Additional regulations were added with regard to temporary

commercial displays, seasonal temporary commercial displays, storage trailers permits and temporary use permits. Article 35 contained an update with regulations added for food trucks.

Mr. Schwartz reviewed the mapping issues and stated there were twenty-one specific mapping issues identified within the city. The staff initiated mapping issues and identified removal of the TRO District text, adjusted zoning lines to follow property lines, and reflected recreational or public facility use. Four sites were revised at the request of property owners including three from the Boone County Schools to reflect Public Facility Use and one from a property owner to have the property changed from C-1 to SR-1(1).

Mr. Schwartz stated the Zoning Ordinance would be in an electronic format and be searchable. Mr. Schwartz concluded his presentation and requested questions.

Mayor Whalen inquired with regard to the increase of time in the site plan reviews. Mr. Schwartz stated through their experience, site plan reviews are unable to be completed within thirty days. Therefore, they believed it would be beneficial to expand from thirty days to forty-five days with a one-time thirty-day extension.

No further questions or discussion were needed and Mayor Whalen advised an Ordinance would be placed on the next agenda for first reading on December 13.

#### **DISCUSSION OF BUDGET AMENDMENT #1 FOR FISCAL YEAR 2022-2023:**

Mayor Whalen called upon Linda Chapman, CFO/HR, to present the Budget Amendment #1 for fiscal year 2022-2023.

Ms. Chapman noted there were changes made due to carryovers for budgeted operating and capital items, increases in estimates for capital projects and the incorporation of the period year audited fund balance amounts from the fiscal year 2022 year-end audit.

Ms. Chapman referenced the proposed amendments and identified information provided in the packets:

Page 1/2 – General Fund – Departmental Expenditures were adjusted for computer services as a result of the upgrade of the accounting program to the cloud based version.

Page 6/7 – Reflected capital in all departments for carryover amount from FY 2021 and increase in projects.

Page 8 – Municipal Aid Expenditures reflected adjustments for resurfacing projects, infrastructure funds for the Weaver Road Sidewalk Project, and carryover for projects not completed.

Page 9 – Adjustment to the beginning fund balance for the audit report.

Page 10 – Aquatic Center – Adjusted revenues, the beginning fund balance, and the revenues to reflect the pool season revenues and expenditures.

Page 13/14 – Water & Sewer Fund Revenues and Expenditures – Added an additional \$50,000 in the capital contribution fund for the CDBG grant funds for utility assistance payments. Additional \$50,000 was increased for the administrative expense and an increase of \$14,000 for the update of the accounting software. A \$15,000 line item was added for maintenance projects for both the sewer and water departments to capture expenditures not capitalized under the \$5,000 threshold.

No further questions or discussion were needed and Mayor Whalen advised an Ordinance would be placed on the next agenda for first reading on December 13.

### **MAYOR’S REPORT:**

- As a result of Dr. Aubuchon becoming Mayor-elect, Mayor Whalen requested Patricia Wingo to serve on the Florence Planning & Zoning Committee to replace Dr. Julie Aubuchon. There were no objections from council.
- Mayor Whalen reminded everyone the City of Florence leaf collection continues through December 22. A list of street pick up dates can be found on the City of Florence website.
- Mayor Whalen announced the City of Florence offices will be closed in observance of the Thanksgiving holiday on Thursday, November 24 and Friday, November 25.
- Mayor Whalen announced the Annual Christmas Tree Lighting event will be held on Tuesday, December 6 at the Florence Government Center, North Parking lot near the skate park, 8100 Ewing Boulevard, Florence from 5:00 p.m. until 8:00 p.m. This will be an in person event. In addition to the traditional tree lighting and musical presentation, there will be exciting new changes. The Winter Wonderland Village will host crafts and activities for the children, visits and photos with Santa, face painting, music, a variety of food trucks available, and lights displays from our Public Services Department.  
Mayor Whalen stated the Florence Community Christmas Tree will have changes this year. The ornaments used to decorate the tree will be in one of the craft booths and children will be able to make an ornament for the tree.
- Mayor Whalen announced the Oath of Office for councilmembers and Mayor will be held during the December 20 council meeting.

### **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 Winn so moved with a second from Councilmember Huff. **All councilmembers present voted aye, the time being 6:46 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 Winn so moved, with a second from Councilmember Aubuchon. **All councilmembers present voted aye, the time being 7:09 p.m.**

**ADJOURNMENT:**

There being no further business to come before the Council, Mayor Whalen called for a motion to adjourn. Councilmember Osborne so moved, with a second from Councilmember Aubuchon. **Councilmembers present voted aye, the time being 7:10 p.m.**

**APPROVED:**

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

**ATTEST:**

/s/ Melissa Kramer  
Melissa Kramer, City Clerk

