



**Florence City Council
Business Meeting
Tuesday, February 14, 2023
6:00 p.m.**

MINUTES

The City Council of the City of Florence, Kentucky, met in regular session on Tuesday, February 14, 2023, at 6:00 p.m. at the Florence Government Center, 8100 Ewing Boulevard, Florence, Kentucky, with Mayor Julie M. Aubuchon presiding as chair.

CALL TO ORDER & WELCOME:

Mayor Julie M. Aubuchon 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: Mel Carroll, Lesley Chambers, Jenna Kemper (Vice-Mayor), David Osborne, and Patricia Wingo. Councilmember Gary Winn was absent.

Staff members present were: Assistant City Attorney, Thomas Nienaber; CFO/HR, Linda Chapman; Fire/EMS Chief, Rodney Wren; Chief of Police, Tom Grau; Public Services Director, Eric Hall; City Engineer, Bill Viox; City Clerk, Melissa Kramer; Videographer, Perry Weber; and Police Lieutenant, Jeff Mallery.

The following were also present in the audience: Pete Heiss, US Marine Riders Association; Christine Russell, Vice-President of Strategy, Northern Kentucky Tri-ED; Observer, C. Steffen; Northern Kentucky Tribune Reporter, Trisha Scheyer; and Resident of Florence, Thomas Judd.

PROCLAMATION:

Mayor Aubuchon issued a Proclamation in memory of Roger W. Rolfes. City Clerk, Melissa Kramer, read the following Proclamation into record:

*In Memory of Roger W. Rolfes
January 21, 1946 – February 2, 2023*

WHEREAS, on behalf of the City of Florence, Kentucky, the City of Florence wishes to record our deep sorrow over the passing of Roger W. Rolfes on February 2, 2023; and

WHEREAS, Roger W. Rolfes was a beloved husband, father, grandfather, friend, public servant, community volunteer; and

WHEREAS, Roger W. Rolfes was a graduate of Northern Kentucky University and was an accomplished and well respected individual with a passion for city government having served as Mayor for the City of Florence, member of

Florence City Council, City Coordinator for the City of Florence, long-time member of the Florence Volunteer Fire Department, City Administrator for the City of Edgewood; and

WHEREAS, his life was dedicated to the best interests of the community having served as President of the Northern Kentucky University Alumni Association, Vice President of the Norse Athletic Club, Board Chair of the Northern Kentucky Area Development District, past-president of the Kenton-Boone Cable TV Board, past-present of the Municipal Government League of Northern Kentucky, past chairman of the Florence Volunteer Fire Department, and an active member of the Knights of Columbus and St. Paul Church; and

WHEREAS, the City of Florence, along with Roger W. Rolfe's family, are blessed to have known him and been a part of his life; and

WHEREAS, the City of Florence and its citizens wish to honor Roger W. Rolfes for his distinguished service and unwavering commitment to Florence and the surrounding communities. The passing of Roger W. Rolfes has caused a deep void of sadness in the community.

NOW, THEREFORE, I, Julie M. Aubuchon, Mayor of the City of Florence, and on behalf of the members of Florence City Council, in recognition of Roger W. Rolfe's many contributions to our City and its citizens, do hereby express our deep appreciation for his dedication to the progress of this community and extend to his family our sincere sympathy upon his passing.

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 February, 2023.

Mayor Aubuchon stated Mr. Rolfes had a long and dedicated career to service. She expressed her appreciation to all of the city departments which participated in his funeral.

APPROVAL OF MINUTES:

Mayor Aubuchon called for a motion to approve the minutes of the January 24, 2023, business meeting. Councilmember Carroll motioned to approve the minutes with a second from Councilmember Wingo. **All councilmembers present voted aye.**

SECOND READING ORDINANCE O-1-23:

Mayor Aubuchon read Ordinance O-1-23. An Ordinance Adopting and Approving a Concept Development Plan in a Commercial Two / Planned Development / Mall Road Overlay (C-2/PD/MR) District for an approximate 1.4 acre site located at 7897 Mall Road, Florence, Kentucky, to allow an eating and drinking establishment with a drive through facility. (Taco John's)

The effect of this Ordinance is to allow an eating and drinking establishment with a drive through facility on approximately 1.4 acres located at 7897 Mall Road, Florence, Kentucky. The property is currently zoned Commercial Two/Planned Development/ Mall Road Overlay (C-2/PD/MR).

The full text of Ordinance O-1-23 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 Aubuchon called for a motion to approve the second reading of Ordinance O-1-23. Councilmember Osborne motioned to approve, with a second from Councilmember Wingo. **All councilmembers present voted aye.**

SECOND READING ORDINANCE O-2-23:

Mayor Aubuchon read Ordinance O-2-23. An Ordinance Adopting and Approving a Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) District for an approximate 3.9 acre site, located along the south side of Cavalry Drive, between Richmond Road and Wetherington Boulevard, approximately 650 feet west of Wetherington Boulevard, being directly south of the intersection of Express Street with Cavalry Drive and having a Parcel Identification Number (PIDN) of 062.00-00-131.35, Florence, Kentucky, to allow a mixed use building having retail, service and office uses and 48 multi-family residential units. (Plantation Luxury Flats, LLC)

The effect of this Ordinance is to allow a mixed use building having retail, service and office uses and 48 multi-family residential units in a Commercial Two/Planned Development District.

The full text of Ordinance O-2-23, 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 Aubuchon called for a motion to approve the second reading of Ordinance O-2-23. Councilmember Carroll motioned to approve, with a second from Councilmember Wingo. **All councilmembers present voted aye.**

SECOND READING ORDINANCE O-3-23:

Mayor Aubuchon read Ordinance O-3-23. An Ordinance Adopting and Approving a Zoning Map Amendment for a Special Sign District in a Commercial Two/Planned Development/Houston-Donaldson Study Corridor Overlay (C-2/PD/HDO) District for an approximate 1.2 acre site located at 4911 Houston Road, Florence, Kentucky, to allow projector lights, flood lights and two non-functional vintage gasoline pumps. (Ford's Garage)

The effect of this Ordinance is to allow a zoning map amendment for a Special Sign District in a Commercial Two/Planned Development/Houston-Donaldson Study Corridor Overlay (C-2/PD/HDO) District, which would allow projector lights, flood lights and two non-functional vintage gasoline pumps. This Ordinance does not change the zoning of the site, but approves a zoning map amendment for a Special Sign District based on its current zoning.

The full text of Ordinance O-3-23, 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 Boulevard, Florence, Kentucky, during regular office hours.

Mayor Aubuchon called for a motion to approve the second reading of Ordinance O-3-23. Councilmember Wingo motioned to approve, with a second from Councilmember Carroll. Additional discussion was held.

Councilmember Chambers inquired with regard to the signage and lighting requirements within the city. She questioned whether the signage regulations were in place to ensure the city did not look like “Vegas”, interfere with the bat migration for insect regulation and maintain the ability to stargaze.

Mayor Aubuchon explained that based on the regulations, any request which exceeds the guidelines, applicants are required to seek a special sign permit.

Councilmember Carroll explained the guidelines set forth ensure the city does not have visual clutter.

Mayor Aubuchon clarified the signage associated with this project was not a sign. Rather, decorative gas pumps and lighting around the building, which is classified as a sign.

Councilmember Chambers inquired whether the city frequently allows exceptions to the sign regulations. Assistant City Attorney Nienaber replied no.

Mayor Aubuchon stated every project is considered on its own merit.

Following discussion, based on Councilmember Wingo’s motion to approve the second reading of Ordinance O-3-23, with a second from Councilmember Carroll. **All councilmembers present voted aye.**

FIRST READING ORDINANCE O-4-23:

Mayor Aubuchon read Ordinance O-4-23. An Ordinance Adopting and Approving, with conditions, a request of Vision Engineering, LLC, Per Jihad Hillany (Applicant) for City of Florence (Owner) for a Zoning Map Amendment for a Special Sign District in a Recreational/Planned Development/Houston-Donaldson Study Corridor Overlay (R/PD/HDO) for an approximate 196.5 acre site located at 7500 Turfway Road, Florence, Kentucky, to allow for an electronic message board/screen. (Vision Engineering, LLC)

The effect of this Ordinance is to allow a zoning map amendment for a Special Sign District in a Recreation/Planned Development/Houston-Donaldson Study Corridor Overlay (R/PD/HDO) district to all for an electronic message board/screen. This Ordinance does not change the zoning of the site, but approves a zoning map amendment for a Special Sign District based on its current zoning.

The full text of Ordinance O-4-23, 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 Boulevard, Florence, Kentucky, during regular office hours.

Mayor Aubuchon called upon Councilmember Wingo, member of the Florence Planning & Zoning Committee, with regard to the request. Councilmember Wingo stated the submitted request was for a free standing sign and referred to the PowerPoint Presentation. She identified the signage and explained the location and dimensions of the proposed sign. She stated the sign would be on the interior of the property and only used during races.

No further comments or discussion were necessitated, therefore Mayor Aubuchon called for a motion to approve the first reading of Ordinance O-4-23. Councilmember Osborne motioned to approve, with a second from Councilmember Wingo. **All councilmembers present voted aye.**

MUNICIPAL ORDER MO-1-23:

Mayor Aubuchon called upon Chief of Police, Tom Grau, with regard to the Municipal Order. As discussed at the Caucus Meeting on February 7, Chief Grau stated Sheriff Joe Engle of the Perry County Sheriff's Department contacted him. He explained Perry County was one of the hardest hit by the severe flooding in Eastern Kentucky. Perry County Sheriff's Department is comprised of thirteen officers including six road deputies, six resource officers, and a transport officer. The Department only has six cruisers and is in need of a cruiser for their transport officer. The cruiser requested to be declared surplus has been rotated out the fleet and is a 2015 Ford Interceptor with 96,000 miles.

No further comments or discussion were necessitated, therefore Mayor Aubuchon read Municipal Order MO-1-23. A Municipal Order declaring one Ford Interceptor Police Vehicle as surplus property, approving its transfer to the Perry County Sheriff's Department, and authorizing the execution of a Transfer Agreement with respect thereto.

Mayor Aubuchon called for a motion to approve Municipal Order MO-1-23. Councilmember Carroll motioned to approve Municipal Order MO-1-23 with a second from Councilmember Kemper. **All councilmembers present voted aye.**

MUNICIPAL ORDER MO-2-23:

Mayor Aubuchon called upon Chief Grau with regard to the Memorandum of Understanding between the United States Department of Veterans Affairs, Cincinnati Veteran Affairs Medical Center and the City of Florence Police Department.

Chief Grau stated the Veterans Affairs Hospital has a primary care clinic located in Florence at 7310 Turfway Road, Suite 510. Chief Grau was contacted by Chief Maggard with the Cincinnati VA Medical Center for consideration and approval of a Memorandum of Understanding to partner with the Florence Police Department. Chief Grau explained the Veterans Affairs physician's office have federal officers within their location, however, those officers do not have jurisdiction outside of the Veterans Affairs physician's office. Therefore, they would require the assistance of the Florence Police Department to respond to any request for assistance outside their jurisdiction necessitating the need for the Memorandum of Understanding between departments.

Councilmember Carroll inquired as to the location of the office. Chief Grau explained the location and hours of the facility.

Councilmember Osborne inquired with regard to a veterans treatment options outside of normal office hours. Chief Grau stated the Veterans Affairs has a hotline number and the veteran would need to seek medical attention at the Veterans Affairs Hospital in Cincinnati or the closest emergency room.

No further comments or discussion were necessitated, therefore Mayor Aubuchon read Municipal Order MO-2-23. A Municipal Order approving a Memorandum of Understanding between the United States Department of Veterans Affairs, Cincinnati Veteran Affairs Medical Center and the City of Florence Police Department.

Mayor Aubuchon called for a motion to approve Municipal Order MO-2-23. Councilmember Osborne motioned to approve Municipal Order MO-2-23 with a second from Councilmember Wingo. **All councilmembers present voted aye.**

MOTION TO AUTHORIZE:

Mayor Aubuchon requested a motion to allow her to proceed with a request to provide written notice extending the City's solid waste contract with Rumpke for two years beginning on April 1, 2023.

As discussed in the Caucus Meeting on February 7, Mr. Hall stated the solid waste contract was re-bid in 2018 which resulted in a contract with Rumpke. The term of the contract was two years with four optional two year extensions. He explained the first extension was authorized in 2021 and the current two-year contract period expires on March 31, 2023. The residential waste collection rate will increase from \$6.30 per month to \$6.62 per month. The residential recycling rate will increase from \$4.20 per month to \$4.41 per month. He explained Florence still has the lowest residential trash and/or recycling rates in the area compared with Erlanger, Covington and Newport. Mr. Hall stated he would like to exercise the extension based on Rumpke's lowest rates and excellent customer service.

Councilmember Wingo motioned to approve the extension, with a second from Councilmember Carroll. **All councilmembers present voted aye.**

RESOLUTION R-3-23:

Mayor Aubuchon read Resolution R-3-23. A Resolution Opposing the passage of Senate Bill 50 and House Bill 50 relating to Partisan Local Elections.

Mayor Aubuchon called for a motion to approve Resolution R-3-23. Councilmember Wingo motioned to approve, with a second from Councilmember Carroll. **All councilmembers present voted aye.**

RESOLUTION R-4-23:

Mayor Aubuchon read Resolution R-4-23. A Resolution of the City of Florence, Kentucky, authorizing the Mayor to enter into settlement participation forms to opt-in to additional class action Opioid Settlements.

Mayor Aubuchon called upon Mr. Nienaber with regard to the opioid litigation. Mr. Nienaber explained the process for which the City of Florence needed to undertake to participate in future settlements. Should the city decide not to opt-in to the settlement, the city would be deemed to have opted out and pursue any recovery on their own. The amount of the settlement is unknown. To proceed with participation in the settlement, the City of Florence is required to sign opt-in settlement forms. Therefore, Florence City Council needed to provide authorization to the Mayor to sign the required forms.

Mayor Aubuchon called for a motion to approve Resolution R-4-23. Councilmember Wingo motioned to approve, with a second from Councilmember Kemper. **All councilmembers present voted aye.**

MAYOR'S REPORT:

- Mayor Aubuchon announced Duke Energy would be performing gas leak and corrosion inspections in Florence. She explained Duke Energy has arranged for the work to be performed by Southern Cross, Inc. The technicians working for Southern Cross, Inc. will be going door to door to inspect inside gas piping and metering equipment. The technicians will be readily available by wearing a visible Southern Cross picture ID on the outside of the uniform, Duke Energy picture ID on the outside of the uniform, having a contact phone number for the customer to call for verification of the Duke Energy Inspection and driving a Southern Cross, Inc. vehicle. She stated residents should not expect to see the technician in a Duke Energy vehicle.
- Mayor Aubuchon informed every the city offices would be open on President's Day, Monday, February 20.
- Mayor Aubuchon encouraged everyone to stop by the Florence Government Center for a historical and educational display of United States Presidents on President's Day, Monday, February 20 from 9:00 a.m. until 4:00 p.m. For more information, she encouraged everyone to contact the Community Services Coordinator, Victoria Riley, at 859-647-5425.
- Mayor Aubuchon announced the city will host Youth in Government. Local schools will be visiting the Florence Government Center for field trips from March 14-March 16. The city will host an evening event on Tuesday, March 14 from 4:30 p.m. – 6:00 p.m. She stated there are currently approximately 500 children scheduled to visit the Florence Government Center.

RECOGNITION:

Mayor Aubuchon 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.

Members of the Audience:

No recognition requested from the audience.

Mayor Aubuchon recognized the veterans with the US Marine Riders Association in the audience and thanked them for their service.

Mayor Aubuchon recognized Christine Russell, Vice-President of Strategy, Northern Kentucky Tri-ED, in the audience. Ms. Russell introduced herself and thanked councilmembers. She informed everyone members of Northern Kentucky Tri-Ed would be attending meetings in the future and encouraged everyone to contact them if they can be of any assistance.

Mayor Aubuchon wished everyone a Happy Valentine's Day. She thanked the city departments for the tours as she delivered Valentines to the city employees.

CLOSED SESSION:

There was no need for Closed Session.

ADJOURNMENT:

There being no further business to come before the Council, Mayor Aubuchon called for a motion to adjourn. Councilmember Carroll so moved, with a second from Councilmember Osborne. **Councilmembers present voted aye**, the time being 6:38 p.m.

APPROVED:

/s/ Julie M. Aubuchon
Julie M. Aubuchon, Mayor

ATTEST:

/s/ Melissa Kramer
Melissa Kramer, City Clerk

