



**Florence City Council
Special Meeting
Monday, June 17, 2024
5:30 p.m.**

MINUTES

The City Council of the City of Florence, Kentucky, met in special session on Monday, June 17, 2024, at 5:30 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 special meeting to order and declared the meeting open for the presentation of items on the special meeting agenda.

INVOCATION & PLEDGE OF ALLEGIANCE:

Mayor Aubuchon and Members of City Council recited the invocation.

All attendees recited the Pledge of Allegiance.

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), Patricia Wingo and Gary Winn. Councilmember David A. Osborne was absent.

Staff members present were: City Attorney, Thomas R. Nienaber; CFO/HR, Linda Chapman; Fire/EMS Chief, Rodney Wren; Chief of Police, Jeff Mallery; Public Services Director, Eric Hall; Director of Administration/City Administrator, Joshua J. Hunt; City Clerk, Melissa Kramer; Videographer, Perry Weber; and Police Lieutenant, Roger Allen.

The following were also present in the audience: Jenna M. LeCount, AICP Director, Boone County Planning Commission; Bridget Striker, Preservation Planning, Boone County Planning Commission; Kevin P. Costello, AICP, Executive Director, Boone County Planning Commission; Fire/EMS Assistant Chief, Chris Miller; Former Florence Mayor, Diane E. Whalen; Resident of Florence, Thomas Judd; and Spectrum 1 News Reporter.

APPROVAL OF MINUTES:

Mayor Aubuchon called for a motion to approve the minutes of the June 11, 2024, business meeting. Councilmember Wingo motioned to approve the minutes with a second from Councilmember Winn. **All councilmembers present voted aye.**

PROCLAMATION:

Mayor Aubuchon recognized Juneteenth and issued a Proclamation proclaiming June 19, 2024, as a day to celebrate Juneteenth reading the following Proclamation into record:

WHEREAS, Juneteenth, also known as Freedom Day, is a significant moment in our nation’s history marking the end of slavery in the United States; and

WHEREAS, the City of Florence recognizes the importance of this day and its impact on our community; and

WHEREAS, the organization “For Family by Family” has shown exceptional dedication to promoting the values of unity, equality, and freedom that Juneteenth represents; and

WHEREAS, “For Family by Family” has made significant contributions to our community, particularly in their efforts to involve and empower our youth; and

WHEREAS, Juneteenth commemorates the African American freedom and celebrates the successes gained through education and greater opportunity; and

WHEREAS, we are appreciative of the efforts of “For Family by Family” for their outstanding work and dedication to our community and join with them in celebration of Juneteenth to remind each of us of the promises of freedom, equality, and opportunity which are at the core of the American Dream.

NOW, THEREFORE, I, Julie M. Aubuchon, Mayor of the City of Florence, Kentucky, and on behalf of the members of Florence City Council, do hereby proclaim June 19, 2024, as a day to celebrate Juneteenth, and urge all citizens to join in this celebration.

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 June 2024.

PRESENTATION – BOONE COUNTY PLANNING COMMISSION:

Mayor Aubuchon called upon Jenna M. LeCount, AICP Director, Boone County Planning Commission for the presentation of the Boone County Comprehensive Plan, Our Boone County – Plan 2045.

Ms. LeCount referenced her presentation and information provided regarding the Comprehensive Plan. She stated the Boone County Planning Commission (BCPC) was currently halfway through the update process, focusing on adopting goals and objectives, which would guide future elements such as transportation, land use, and economic development. She explained the goals and objectives adopted by the legislative units, including the Boone County Fiscal Court and the cities of Florence, Union, and Walton. The elements could not be worked on until the goals and objectives are adopted, with the Boone County Planning Commission overseeing the final adoption of those elements.

In the presentation, Ms. LeCount explained the Long-Range Planning Committee (LRP) which began updating the document in Spring last year, focusing on the 2017 language and filling in gaps through public and stakeholder engagement. The LRP Committee reduced duplicative language and removed regulatory terms, consolidated feedback from public workshops, virtual engagement, and over fifty stakeholders, including city and county officials. She explained the draft document

which incorporated numerous edits and additional topics such as housing and workforce development. The document was presented at a public hearing on April 17. Following, the LRP Committee recommended advancement to the Boone County Planning Commission. Ms. LeCount advised that on May 15, the Boone County Planning Commission unanimously voted 13 to 0 to forward the draft document, with suggested changes from the LRP Committee to the county and three cities for their consideration. This initiated a 90-day period for action, which expires on September 4. If no action is taken by the city by September 4, the Planning Commission's recommendation would become effective.

Joshua J. Hunt, Director of Administration/City Administrator, stated that the city had been working closely with the planning commission for over a year. He advised that a few months ago the draft went before the Florence Planning & Zoning Committee and it was reviewed. Mr. Hunt acknowledged his support of the progress and final document. The next step would be for city council to adopt the goals and objectives via ordinance at an upcoming meeting.

SECOND READING ORDINANCE O-11-2024:

Mayor Aubuchon read Ordinance O-11-2024. An ordinance of the City of Florence, Kentucky, amending the budget for the 2023-2024 fiscal year of the city.

The purposes of this amendment are: (a) to reflect an increase in General Fund – Capital Outlay for the Pee Wee Athletic field upgrades; and (b) to reflect increases in Golf Course Fund – Revenues/Expenses based on year-to-date actual results.

The full text of Ordinance O-11-2024, 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-11-2024. Councilmember Carroll motioned to approve, with a second from Councilmember Wingo. Mayor Aubuchon requested a Roll Call Vote. Councilmember Carroll, yes; Councilmember Chambers, yes; Councilmember Winn, yes; Councilmember Kemper, yes; Councilmember Wingo, yes. **Roll call recognized five yes votes approving the second reading of Ordinance O-11-2024 by unanimous vote.**

SECOND READING ORDINANCE O-12-2024:

Mayor Aubuchon read Ordinance O-12-2024. An ordinance of the City of Florence, Kentucky, adopting the official budget for the 2024-2025 fiscal year of the city.

This Ordinance adopts the fiscal year 2024-2025 budget of the City, including the General Fund, the Municipal Aid Road Fund, the Infrastructure Fund, the Asset Forfeiture Fund, the Aquatic Center Fund, the Water & Sewer Fund, the World of Golf Fund, and the Health and Dental Fund. Budgeted resources and expenditures are as shown on Exhibit “A”.

The full text of Ordinance O-12-2024, 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-12-2024. Councilmember Carroll motioned to approve, with a second from Councilmember Winn. Mayor Aubuchon requested a Roll Call Vote. Councilmember Carroll, yes; Councilmember Chambers, no; Councilmember Winn, yes; Councilmember Kemper, yes; Councilmember Wingo, yes. **Roll call recognized four yes votes and one opposed approving the second reading of Ordinance O-12-2024 with a 4-1 majority.**

SECOND READING ORDINANCE O-13-2024:

Mayor Aubuchon read Ordinance O-13-2024. An ordinance relating to personnel: amending ordinance O-4-2024 and O-9-2024 relating to personnel policies, job descriptions, authorized positions, and pay plan.

The purpose of Ordinance O-13-2024 relating to Personnel Policies, Job Descriptions, Authorized Positions and the Pay Plan is to a) add three positions for Police Officer; b) add the position of AMI Coordinator; c) add six positions for Firefighter/EMT or Firefighter/Paramedic or Paramedic; d) add three positions for Fire Lieutenant; e) add three positions for Fire Captain; f) eliminate one position for Director of Hospitality; g) change the position of Administrative Secretary I to Administrative Assistant; h) change the position of GIS Technician to GIS Administrator; i) change Project Administrator to Public Infrastructure Analyst; and j) create the position and job description for Police Property Clerk. In all other respects, the current Ordinance relating to Personnel Policies, Job Descriptions, Authorized Positions and Pay Plan shall remain the same.

The full text of Ordinance O-13-2024, 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-13-2024. Councilmember Wingo motioned to approve, with a second from Councilmember Kemper. Mayor Aubuchon requested a Roll Call Vote. Councilmember Carroll, yes; Councilmember Chambers, yes; Councilmember Winn, yes; Councilmember Kemper, yes; Councilmember Wingo, yes. **Roll call recognized five yes votes approving the second reading of Ordinance O-13-2024 by unanimous vote.**

DISCUSSION AND POSSIBLE ACTION – MEDICAL CANNABIS:

Mayor Aubuchon called upon Joshua J. Hunt, Director of Administration/City Administrator, with regard to the possible action city council could take regarding medical cannabis.

Mr. Hunt referenced his presentation from the prior city council meeting and his recent memo provided with updated options. He explained that city council could discuss three presented options, with the opportunity to act on two. The first option was an Ordinance prohibiting medical

cannabis within the city. The second option was a Resolution for a ballot measure, allowing Florence residents to vote on the issue with exact wording finalized for uniformity with other Boone County cities. The third option involved a zoning text amendment, which the Boone County Planning Commission would address in early July, with potential action not expected until September. Mr. Hunt explained that there had been a significant amount of interest in the legislation and he opened the floor for questions and discussion.

Councilmember Wingo requested clarification regarding permitting not only allowing dispensaries but also other facilities such as cultivators, processors, and producers.

Mr. Hunt replied yes and stated that historically the cost of available industry locations in the city may not be economical for the operations. He also explained that the city would not receive sales tax from the businesses.

Councilmember Carroll believed that government should not regulate behavior which is not harmful to others including the use of medical cannabis as it benefits individuals with certain ailments and accessible with a doctor's prescription. He expressed support of placing the issue on the ballot.

Councilmember Wingo expressed concern with children under eighteen receiving medical cannabis prescriptions and school nurses having to administer during school hours. Additionally, she agreed with Councilmember Carroll to place the issue on the ballot.

Councilmember Winn expressed his agreement with placing the issue on the ballot.

Councilmember Chambers expressed her agreement with Councilmember Carroll and felt the residents of the city should be able to access their medication without having to travel outside of the city. She believed that not allowing dispensaries would be a disservice, especially to those with transportation and financial issues. She expressed her preference for allowing the dispensaries to meet the timeframe for the first wave of applicants but understood if most city council decided to place the issue on the ballot.

Mayor Aubuchon requested clarification that if city council placed the matter on the ballot and citizens approved that Councilmember Chambers would be in support.

Councilmember Chambers replied yes.

Councilmember Wingo stated that even if city council approved dispensaries for the first wave of applicants, there was no guarantee that one would be in the city as there were only two dispensaries permitted in Northern Kentucky.

Councilmember Kemper expressed her support for placing the matter on the ballot and permitting the citizens to decide.

Mayor Aubuchon stated that based on the comments from city council's discussion, no one wanted to ban medical cannabis and most councilmembers wanted to place the issue on the ballot. Therefore, Mayor Aubuchon read Resolution R-3-2024.

A RESOLUTION AUTHORIZING A REFERENDUM TO DETERMINE WHETHER CANNABIS BUSINESS OPERATIONS MAY OCCUR IN THE CITY OF FLORENCE, KENTUCKY

WHEREAS, on April 15, 2024, the Kentucky General Assembly adopted House Bill 829, signed into law by the Governor on April 17, 2024, amending KRS Chapter 218B, the Kentucky Medical Cannabis chapter; and

WHEREAS, KRS §218B.130 authorizes local governments to pass resolutions directing that the question of prohibiting cannabis businesses from operating within its territory be submitted to the voters of its territory at the next regular election; and

WHEREAS, the City of Florence, Kentucky wishes to utilize the authority granted to it by KRS §218B.130 to direct that the question of prohibiting cannabis businesses from operating within the City of Florence be submitted to the voters of the City of Florence at the next regular election.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF FLORENCE, KENTUCKY, AS FOLLOWS:

***SECTION I
DEFINITIONS***

The definitions within KRS §218B.010 are hereby adopted as if set out herein and as relevant to this resolution.

***SECTION II
CANNABIS BUSINESS REFERENDUM AUTHORIZED***

Pursuant to KRS §218B.130(2)(a)(2) and KRS §218B.130(3)(b), the City of Florence, Kentucky hereby resolves that the question of prohibiting cannabis businesses from operating within the City of Florence be submitted to the voters of the City of Florence at the next regular election in accordance with the language in KRS §218B.130(3)(b).

***SECTION III
EFFECTIVE DATE***

This Resolution shall be effective on the date of its passage.

Mayor Aubuchon called for a motion to approve Resolution R-3-2024. Councilmember Wingo motioned to approve, with a second from Councilmember Kemper.

Mayor Aubuchon clarified that while the ballot measure reads as if the city is prohibiting medical cannabis, it is not the case.

Mr. Hunt confirmed and stated technically, it is prohibited until the ballot measure passes. Boone County had denied it. The zoning text will proceed to a public hearing in July and if the ballot measure passes, the zoning text would be ready for adoption in September. Next, city council would adopt the business license and fee schedule to permit the use in Florence.

No further discussion was necessitated and based on the motion to approve Resolution R-3-2024 by Councilmember Wingo and seconded by Councilmember Kemper, Mayor Aubuchon requested a Roll Call Vote. Councilmember Carroll, yes; Councilmember Chambers, yes; Councilmember

Winn, yes; Councilmember Kemper, yes; Councilmember Wingo, yes. **Roll call recognized five yes votes approving Resolution R-3-2024 by unanimous vote.**

DISCUSSION & POSSIBLE ACTION – TITLE VI COMPLIANCE:

Mayor Aubuchon advised the discussion and possible action related to Title VI Compliance was postponed pending further legal review.

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 the Special Meeting. Councilmember Carroll so moved, with a second from Councilmember Winn. **Councilmembers present voted aye**, the time being 6:20 p.m.

APPROVED:

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

ATTEST:

/s/ Melissa Kramer
Melissa Kramer, City Clerk

