



**Florence City Council
Special Meeting
Wednesday November 6, 2024
5:30 p.m.**

MINUTES

The City Council of the City of Florence, Kentucky, met in special session on Wednesday, November 6, 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, David A. Osborne, Patricia Wingo and Gary Winn. Councilmember Jenna Kemper was absent.

Staff members present were: City Attorney, Thomas R. Nienaber; 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; Finance Director, Jason Lewis; Videographer, Perry Weber; and Police Lieutenant, Roger Allen.

The following were also present in the audience: Director of Business Development, Justin Finke; Director of Community Development, Todd Morgan; Resident of Florence, Thomas Judd; Councilmember Elect, Angie Cable; BBB Developers, LLC, Steve Berling; KPD Developers, LLC, Matt Dedden; and Representative of KPD Developers, LLC.

APPROVAL OF MINUTES:

Mayor Aubuchon called for a motion to approve the minutes of the October 22, 2024, business meeting. Councilmember Wingo motioned to approve the minutes with a second from Councilmember Winn. **All councilmembers present voted aye.**

DISCUSSION AND POSSIBLE ACTION – MUNICIPAL ORDER MO-12-2024:

Mayor Aubuchon read Municipal Order MO-12-2024. A Municipal Order authorizing and directing Mayor Dr. Julie M. Aubuchon to execute a consent to Fourth Amendment to Fee and Leasehold Mortgage, Assignment of Rents, and Leases, Security Agreement and fixture Filing Between Turfway Park, LLC, as Mortgagor, and J.P. Morgan Chase Bank, N.A., as Mortgagee.

Joshua J. Hunt, Director of Administration/City Administrator, explained that Turfway Park was restructuring its financing as part of the major capital improvement project. He explained that due to the Industrial Revenue Bonds, the city holds the title to the property, necessitating the city's approval for the amendments to the financing.

Mayor Aubuchon called for a motion to approve Municipal Order MO-12-2024. Councilmember Wingo motioned to approve Municipal Order MO-12-2024 with a second from Councilmember Winn. Mayor Aubuchon requested a Roll Call Vote. Councilmember Carroll, yes; Councilmember Chambers, yes; Councilmember Winn, yes; Councilmember Wingo, yes; Councilmember Osborne, yes. **Roll call recognized five yes votes approving Municipal Order MO-12-2024 by unanimous vote.**

DISCUSSION - NORTHERN KENTUCKY PARAMEDIC PROGRAM AGREEMENT BETWEEN GATEWAY COMMUNITY AND TECHNICAL COLLEGE AND THE CITY OF FLORENCE, KENTUCKY:

Mayor Aubuchon called upon Rodney Wren, Fire/EMS Chief, to discuss the Northern Kentucky Paramedic Program Agreement between Gateway Community and Technical College and the City of Florence.

Chief Wren explained that Florence Fire/EMS, Gateway Community and Technical College, and St. Elizabeth Healthcare were partnering together to provide a Capstone Field preceptor program to address the critical shortage of paramedics many departments were experiencing. This program, similar to the previous agreement with Cincinnati State, would enhance the pool of available paramedics and continue offering exceptional education with field opportunities. The program was designed to ensure students were well prepared for the workforce.

Councilmember Wingo requested clarification that the city would provide a space for classes at the Weaver Road Fire Station in exchange for securing three spots in the class.

Chief Wren confirmed that, in exchange for the classroom space, three Florence Fire/EMS employees would be able to enter the paramedic program at no expense to the city.

No further questions or discussion was necessitated. Therefore, a Municipal Order would be placed on the next agenda for formal action.

DISCUSSION: ZONE MAP AMENDMENT – GUNPOWDER ROAD:

Mayor Aubuchon called upon Todd Morgan, Director of Community Development to discuss the request of Steve Berling (Applicant) for BBB Developers LLC, per Kimberly Dedden and KPD Developers LLC, per J.J. Miller (Owners) for a Zoning Map Amendment from Suburban Residential One (SR-1) to Urban Residential One (UR-1) for an approximate 28 acre area located along the east side of Gunpowder Road, including the property at 9104-9108 Gunpowder Road and the property having a Parcel Identification Number (PIDN) of 062.00-00-120.00.

Mr. Morgan directed everyone's attention to his presentation and identified the project which included an approximate 28-acre site along the east side of Gunpowder Road between Ridgeview Drive and Sunrise Drive. Mr. Morgan explained the proposal was to rezone the property from SR1 to UR1 for a condo development. The site also contained twenty-six (26) single-family residential homes, which were not part of the development required to have the zone change. He explained the project would have two new access points on Gunpowder Road and the streets in the development would be privately owned built to public specifications.

Mr. Morgan referenced the concept drawings identifying and explaining the project which included two-bedroom, two-bath condos. The project has had many revisions to ensure all the landscape buffers and parking spaces were included. Additionally, he explained the development would occur in phases and provided a proposed timeline.

The Florence Planning and Zoning Committee met and required conditions. Mr. Morgan explained the conditions and requested any questions.

Councilmember Wingo explained the project came to Florence without a recommendation from the Boone County Planning Commission due to a tied vote. As a result, the Administration Department team members worked with the requestors on the project specifications and conditions to ensure certain specifications were met. She stated the Florence Planning and Zoning Committee met and was comfortable with the project considering the requirements that had been implemented.

Councilmember Winn stated the city had more information available to them than the Boone County Planning Commission had during the approval process.

Councilmember Chambers requested clarification about the widening of Gunpowder Road and the different phases of the development. Mr. Morgan explained the developers may wait until KYTC completes the Gunpowder Road project to begin the construction on the condo development and explained the phases of the development.

KPD Developers Representative, JJ Miller, stated that they have agreed to not build any buildings near Gunpowder Road until the widening project was complete.

BBB Developers Representative, Matt Dedden, referred to the two buildings indicated in the presentation explaining they would not be completed until after the widening project was complete and explained the phases of the project.

No further questions or discussion was necessitated. Therefore, an Ordinance would be placed on the next agenda for formal action.

DISCUSSION: CONSIDERATION OF RESOLUTION R-24-022-A OF THE BOONE COUNTY PLANNING COMMISSION:

Mayor Aubuchon called upon Director of Community Development, Todd Morgan, to discuss consideration of Resolution R-24-022-A of the Boone County Planning Commission relating to the adoption of Zoning Regulations applicable to the City of Florence, Kentucky, such amendments to be made to Section 3655, fences, to allow fences within corner side yards, subject to restrictions.

Mr. Morgan referenced his PowerPoint presentation and explained that currently the city does not permit fences in front or corner side yards. Currently, the fences are permitted in unincorporated Boone County, the City of Union, and the City of Walton. Therefore, the city wanted to permit fences in corner side yards in all zoning districts in the city and identified and explained the requirements.

Mayor Aubuchon confirmed that the Florence Planning and Zoning Committee met and made a recommendation to approve the changes.

Councilmember Wingo confirmed that the Florence Planning and Zoning Committee did meet and recommended approval.

Mayor Aubuchon requested clarification regarding the zoning text changes and passing new zoning laws.

Mr. Morgan explained that the zoning code is updated approximately every five years to include necessary text changes. Additionally, the text amendments are made in between these updates to address any corrections needed. In this case, following the update, Florence Code Enforcement Officers were encountering issues with fences being placed in corner side yards. Therefore, this text amendment was proposed to make the zoning regulations less restrictive.

Councilmember Carroll inquired as to who requested the change. Mr. Hunt explained that the request was initially made during the Boone County Planning Commission's Zoning Regulation Five Year update but was overlooked. He added that Florence Code Enforcement contacted the Planning Commission to request the change due to the issues arising with fences in corner side yards.

No further questions or discussion was necessitated. Therefore, an Ordinance would be placed on the next agenda for formal action.

DISCUSSION: CONSIDERATION OF RESOLUTION R-24-023-A OF THE BOONE COUNTY PLANNING COMMISSION:

Mayor Aubuchon called upon Joshua J. Hunt, Director of Administration/City Administrator, and Todd Morgan, Director of Community Development, to discuss consideration of Resolution R-24-023-A of the Boone County Planning Commission relating to the adoption of Zoning Text Amendments to the Boone County Zoning Regulations for enactment to regulate cannabis businesses that may become authorized by a KRS bill that passed this year.

Mr. Hunt explained that the medical cannabis passed at the ballot on Tuesday by a 3 to 1 margin. In anticipation of the outcome, the city had been working on the regulations and zoning.

Mr. Morgan explained that, following the vote, the city needed to enact an ordinance to regulate the time, place, and manner of the business operations and to comply with state regulations. He explained the various types of cannabis operations such as cultivators, processors, producers, safety compliance facilities, and dispensaries. All cannabis businesses would be conditional uses in the districts in which they were permitted. Additionally, the city provided additional conditions to require that all cannabis businesses would be required to submit a Concept Development Plan Application or Change in Concept Plan Application ensuring that all proposals would come before council for action.

Councilmember Chambers ask regarding any parking requirements due to potentially increased traffic.

Mr. Hunt explained that each underlying zone has an associated parking count, and all requests for cannabis businesses would be conditional uses that must go before the Florence Board of Adjustment which would evaluate each request on a case-by-case basis.

No further questions or discussion was necessitated. Therefore, an Ordinance would be placed on the next agenda for formal action.

DISCUSSION: MEDICAL CANNABIS BUSINESS LICENSING AND OCCUPATIONAL LICENSE AGREEMENT:

Mayor Aubuchon called upon Todd Morgan, Director of Community Development, to discuss Medical Cannabis Business Licensing and Occupational License Agreement.

Mr. Morgan explained that now that cannabis sales are permitted in Florence, a business license and occupational license were required for these businesses. He referenced the draft copy of Chapter 122 that addressed the licensing requirements and explained the ordinance was modeled after Kentucky's regulations and covers required permits and licenses, initial and renewal application fees, and suspension and revocation of permits. Additionally, he referenced his PowerPoint presentation and explained the application fee.

Mr. Hunt noted that there was currently limited information available. Prior to the next meeting, the revocation process would be amended while all other portions were complete.

Mayor Aubuchon explained that Kentucky would hold a lottery for cannabis related businesses. If Florence was not selected in the lottery, a medical cannabis business would not be permitted to operate in Florence, even with all necessary regulations in place.

No further questions or discussion was necessitated. Therefore, an Ordinance would be placed on the next agenda for formal action.

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 Winn so moved, with a second from Councilmember Wingo. **Councilmembers present voted aye**, the time being 6:14 p.m.

APPROVED:

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

ATTEST:

/s/ Melissa Kramer
Melissa Kramer, City Clerk

