



**Florence City Council
Special Meeting
Tuesday, November 19, 2024
6:00 p.m.**

MINUTES

The City Council of the City of Florence, Kentucky, met in special session on Tuesday, November 19, 2024, 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 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, Patricia Wingo and Gary Winn. Councilmember David A. Osborne was absent.

Staff members present were: City Attorney, Thomas R. Nienaber; Fire/EMS Chief, Rodney Wren; Police Captain, Nathan Rettig; 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: Chamberlin Owen & Company, Inc., John R. Chamberlin, CPA, MBA; Director of Community Development, Todd Morgan; Resident of Florence, Thomas Judd; Resident of Florence, James Leach; NKY Tribune Reporter, Trisha Scheyer and Councilmember Elect, Diane E. Whalen.

APPROVAL OF MINUTES:

Mayor Aubuchon called for a motion to approve the minutes of the November 12, 2024, business meeting. Councilmember Wingo motioned to approve the minutes with a second from Councilmember Carroll. **All councilmembers present voted aye.**

**PRESENTATION – COMPREHENSIVE ANNUAL FINANCIAL REPORT – YEAR-END
JUNE 30, 2024:**

Mayor Aubuchon introduced John R. Chamberlin from Chamberlin Owen & Company, Inc. Mr. Chamberlin thanked everyone and presented the audit results for the year ending June 30, 2024. He extended special thanks to retired Linda Chapman and newly appointed Finance Director, Jason Lewis, for their invaluable assistance in completion of the audit.

Mr. Chamberlin referenced his presentation and stated regarding the Comprehensive Annual Financial Report – Year-end June 30, 2024, 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, 2024...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 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.

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. 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 with an increase of 26%; Police increased 7%; Fire decreased 10%; and Public Services increased 4%. He also reviewed the revenues and expenditures of all Proprietary Funds, including Water and Sewer, Health and Dental, and the Golf Course. Additionally, he provided an overview of the revenues and expenditures by function of all Property Funds. Mr. Chamberlin concluded his presentation.

Mayor Aubuchon opened the floor for questions or comments. With no comments or questions received, Mayor Aubuchon thanked Mr. Chamberlin for his presentation.

SECOND READING ORDINANCE O-19-2024:

Mayor Aubuchon read Ordinance O-19-2024. An Ordinance adopting and approving 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, Florence, Kentucky, to allow for the development of a 284 Unit Multi-Family Residential Development.

The effect of this Ordinance is to allow 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 having a Parcel Identification Number (PIDN) of 062.00-00-120.00, Boone County and Florence, Kentucky to allow for the development of a 284 unit multi-family residential development, in conjunction with proposed annexation of the approximate 28 acre site into the City of Florence, Kentucky.

The full text of Ordinance O-19-2024 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-19-2024. Councilmember Wingo motioned to approve, with a second from Councilmember Winn.

Councilmember Chambers asked what would happen if the builder disregarded the established timeline.

Joshua J. Hunt, Director of Administration/City Administrator, stated a citation would be issued and they could not obtain their occupancy permit. While they could proceed with construction, they would not be able to occupy the buildings, resulting in financial loss.

Councilmember Chambers expressed her concern about the narrowness and flooding issues on Gunpowder Road. However, with the upcoming Department of Transportation improvements, coordinated with the project, gave her confidence to move forward. As a Florence resident, she understands the congestion challenges in the area and appreciated the efforts of the Florence Planning and Zoning to address these issues.

No further discussion was necessitated and based on the motion to approve Ordinance O-19-2024 by Councilmember Wingo and seconded by Councilmember Winn, 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-19-2024 by unanimous vote.**

SECOND READING ORDINANCE O-20-2024:

Mayor Aubuchon read Ordinance O-20-2024. An Ordinance relating to the adoption and approval of Text Amendments to the Boone County Zoning Regulations Text as applicable to the City of Florence, Kentucky, these text amendments being to Section 3655, Fences, as applicable only to the City of Florence, Kentucky, to allow fences within corner side yards.

This Ordinance adopts and approves text amendments to the Boone County Zoning Regulations Text, these text amendments being to Section 3655, Fences, as applicable only to the City of Florence, Kentucky, to allow fences within corner side yards, subject to certain restrictions.

The full text of Ordinance O-20-2024, 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 Boulevard, Florence, Kentucky, during regular office hours.

Mayor Aubuchon called for a motion to approve the second reading of Ordinance O-20-2024. Councilmember Wingo motioned to approve, with a second from Councilmember Kemper.

Councilmember Carroll wanted clarification that the city would be allowing a fence to extend from the back corner of a house to the front corner.

Joshua J. Hunt, Director of Administration/City Administrator, directed everyone's attention to his presentation. He explained that currently regulations only allow fences to extend from the back corner of the house, leaving the side yard unfenced and underutilized. The change permits fencing to include the corner side yard, extending the right-of-way line which improves both functionality and aesthetics. The updates address those issues while also making minor adjustments to industrial areas that have minimal impact.

No further discussion was necessitated and based on the motion to approve Ordinance O-20-2024 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 the second reading of Ordinance O-20-2024 by unanimous vote.**

SECOND READING ORDINANCE O-21-2024:

Mayor Aubuchon read Ordinance O-21-2024. An Ordinance relating to the adoption and approval of text amendments to the Boone County Zoning Regulations Text as applicable to the City of Florence, Kentucky, these text amendments being considered for enactment to regulate cannabis businesses that may become authorized by Kentucky Revised Statutes (KRS) 218B.010 through 218B.155, as well as House Bill (HB) 829, and other applicable law within the Boone County Planning Unit for Boone County, Kentucky, subject to the recommended terms and provisions set forth in the Technical/Design Review Committee Report.

This Ordinance adopts and approves text amendments to the Boone County Zoning Regulations Text, these text amendments being enacted to regulate cannabis businesses.

The full text of Ordinance O-21-2024, 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 Boulevard, Florence, Kentucky, during regular office hours.

Mayor Aubuchon called for a motion to approve the second reading of Ordinance O-21-2024. Councilmember Wingo motioned to approve, with a second from Councilmember Carroll.

Mayor Aubuchon explained that after Florence residents voted to allow cannabis businesses in the city, the city promptly developed regulations to address this change. This meeting provided the second reading of the ordinance.

Councilmember Chambers asked if a map of the available areas was available.

Joshua J. Hunt, Director of Administration/City Administrator, confirmed and directed everyone's attention to the map. He identified the red dots on the map, indicating the proposed buffer zones. He detailed the highlighted parcels where dispensaries could operate, ensuring citywide coverage for residents seeking medicinal cannabis. He further explained that businesses would need to undergo a conditional use process with the Board of Adjustment to gain approval for operating in these zones.

Councilmember Chambers thanked Mr. Hunt for all his hard work on the legislation. She noted the significance of the vote, noting that 7,801 residents supported allowing cannabis businesses in Florence, while 4,271 opposed it. She believed the proposed regulations would ensure controlled implementation, preventing uncontrolled spread throughout Florence and felt confident that residents would be happy.

Mr. Hunt explained that due to zoning regulations, medical cannabis dispensaries cannot be located next to each other. Each designated parcel prevents nearby establishments, limiting the city to potentially six dispensaries. The current regulations could be adjusted if necessary with any changes brought back before council for discussion.

No further discussion was necessitated and based on the motion to approve Ordinance O-21-2024 by Councilmember Wingo and seconded by Councilmember Carroll, 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-21-2024 by unanimous vote.**

SECOND READING ORDINANCE O-22-2024:

Mayor Aubuchon read Ordinance O-22-2024. An Ordinance Relating to the Adoption and Approval of Chapter 122 of the City Code of Ordinances to Regulate Medical Cannabis Businesses in the City of Florence that may become authorized to conduct business pursuant to Kentucky Revised Statutes, KRS 218B.010 through KRS 218B.155. Chapter 122 shall include the regulation of permits, issuance of licenses, assessment of fees, suspension and revocation procedures, and hearings and appeals.

The City's Code of Ordinances is hereby amended to include various Regulations relating to Medical Cannabis Businesses pursuant to Kentucky Revised Statutes, KRS 218B.010 through KRS 218B.155, and 915 KAR Chapter 1. These Regulations shall address the issuance of permits licenses, assessment of fees, suspension and revocation procedures. The Regulations also address application procedures for the issuance of licenses and permits.

The full text of Ordinance O-22-2024, 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 Boulevard, Florence, Kentucky, during regular office hours.

Mayor Aubuchon called for a motion to approve the second reading of Ordinance O-22-2024. Councilmember Winn 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-22-2024 by unanimous vote.**

DISCUSSION AND POSSIBLE ACTION – RESOLUTION R-6-2024:

Mayor Aubuchon read Resolution R-6-2024. A Resolution Approving and Directing Mayor Aubuchon to execute a Certain Agreement between the Commonwealth of Kentucky, Transportation Cabinet, Department of Highways, and the City of Florence, Kentucky, for the Maintenance of Landscaping in and upon medians, utility strips, and areas in and around the I-75 Mt. Zion Interchange.

Mayor Aubuchon called for a motion to approve Resolution R-6-2024. Councilmember Wingo motioned to approve, with a second from Councilmember Carroll.

Eric Hall, Public Services Director, explained this was a maintenance agreement with the Kentucky Transportation Cabinet ensuring that the four islands within the City of Florence, created during the Mt. Zion renovation are kept in top condition. He explained the agreement was similar to the agreements currently in place for US 42 and Turfway Road. The agreement would allow the city the option to landscape and enhance the islands in the future.

No further discussion was necessitated and based on the motion to approve Resolution R-6-2024 by Councilmember Wingo and seconded by Councilmember Carroll, 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-6-2024 by unanimous vote.**

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 Wingo. **Councilmembers present voted aye**, the time being 6:30 p.m.

APPROVED:

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

ATTEST:

/s/ Melissa Kramer
Melissa Kramer, City Clerk

