



**Florence City Council
Special Meeting
Tuesday, September 16, 2025
6:00 p.m.**

MINUTES

The City Council of the City of Florence, Kentucky, met in special session on Tuesday, September 16, 2025, 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 six (6) members of council were registered present: Angie Cable, Lesley Chambers, David M. Schneider, Diane E. Whalen (Vice Mayor), Patricia Wingo and Gary Winn.

Staff members present were: City Attorney, Thomas R. Nienaber; Finance Director, Jason Lewis; Fire/EMS Chief, Rodney Wren; Chief of Police, Jeff Mallery; Director of Administration/City Administrator, Joshua J. Hunt; City Clerk, Melissa Kramer; Videographer, Perry Weber; and Police Sergeant, Erik Daniels.

The following were also present in the audience: Director of Community Development, Todd Morgan; NKY Tribune Reporter, Trisha Scheyer; LINK nky Reporter, David Rotenstein; Resident of Florence, James Leach; Resident of Florence, Robert Sergeant; Resident of Florence, Naomi Liebson; Resident of Florence, Thomas Judd; and Representative of Bank of America, Andrew Horwath.

APPROVAL OF MINUTES:

Mayor Aubuchon called for a motion to approve the minutes of the August 19, 2025, special meeting. Councilmember Whalen motioned to approve the minutes with a second from Councilmember Wingo. **All councilmembers present voted aye.**

FIRST READING ORDINANCE O-19-2025:

Mayor Aubuchon read Ordinance O-19-2025. An Ordinance Creating and Establishing for bid a non-exclusive Electric Franchise for the Placement of Facilities for the Transmission, Distribution and Sale of Electrical Energy within the Public Right-of-Way of the City of Florence for a twenty (20) year duration, reserving the right to impose a franchise fee in an amount up to five percent (5%) of franchisee's gross receipts per year from the franchisee's sale of electricity to electric-consuming entities inside the City of Florence's corporate limits and further providing for compliance with relevant laws, regulations and standards; indemnification; insurance; cancellation or termination; and bid requirements; all effective on date of passage.

The purpose of this Ordinance is to allow the City to publicly bid and award electric franchise rights to electric utility companies for a period of 20 years. This franchise will govern the placement and maintenance of equipment and facilities necessary for the transmission, distribution, and sale of electricity within the public rights-of-way. The Ordinance will include a provision allowing City Council to impose a franchise fee of up to 5% of the franchisee's gross receipts generated from electric sales within the City's boundaries.

The full text of Ordinance O-19-2025, 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 first reading of Ordinance O-19-2025. Councilmember Wingo motioned to approve, with a second from Councilmember Winn.

Joshua J. Hunt, Director of Administration/City Administrator explained the ordinance would not raise electric rates or impose a franchise fee. The ordinance would provide a framework for the bid process should the ordinance pass.

Councilmember Wingo explained the city has had agreements in the past for electric franchise which expired after a certain period of time. She added that the ordinance would be considered a housekeeping measure to ensure the city maintains control over the issues with the electric companies.

Mayor Aubuchon stated that the city has multiple franchise agreements regarding cable, cell tower, and trash.

Mayor Aubuchon requested any additional discussion or questions. Hearing none and based on the motion by Councilmember Wingo and second from Councilmember Winn, Mayor Aubuchon requested a Roll Call Vote. Councilmember Wingo, yes; Councilmember Chambers, yes; Councilmember Winn, yes; Councilmember Whalen, yes; Councilmember Schneider, yes; Councilmember Cable, yes. **Roll call recognized six yes votes approving the first reading of Ordinance O-19-2025 by unanimous vote.**

FIRST READING ORDINANCE O-20-2025:

Mayor Aubuchon read Ordinance O-20-2025. An Ordinance Relating to the levying of a Tax Upon Real Estate and Personal Property in the City of Florence, Kentucky; Levying a tax on all franchises taxable within the City of Florence, Kentucky; Specifying payment dates, discounts and penalties for the franchise tax on financial institutions measured by the deposits in the institutions located within the city; and Levying a special tax for the payment of current service costs for police and firemen in the County Employees Retirement System. (2025)

This is the Ordinance by which the City establishes tax rates and levies annual taxes.

The basic tax levied for General Fund purposes is a tax of eighteen and seven-tenths cents (\$.187) per one hundred dollars of value on real property and a tax of twenty-three and nine-tenths cents (\$.239) per one hundred dollars of value on personal property (except for motor vehicles and watercraft) and upon all franchises taxable by the City.

In addition, this Ordinance levies a tax in the amount of four and four-tenths cents (\$.044) per one hundred dollars of value upon all real and personal property (except for motor vehicles and watercraft) and upon all franchises taxable by the City for the purpose of payment of the City's obligations for current service costs for police and firemen in the County employees' retirement system.

All of the above mentioned taxes are due and payable upon final passage and publication of this Ordinance. A discount of two percent (2%) is allowed for any such taxes paid in full by November 1, 2025. Any such taxes remaining unpaid after January 1, 2026, are subject to a penalty of twelve percent (12%) plus interest on the amount unpaid at the rate of twelve percent (12%) per annum from January 1, 2026, until paid.

This Ordinance also establishes a franchise tax in the amount of twenty-five thousandths of one percent (0.025%) on all financial institutions measured by deposits in such institutions located in the City. This tax was levied by Ordinance No. O-18-96, pursuant to the Bank Franchise and Local Deposit Tax Act. (KRS 136.575) A two percent (2%) discount is allowed against this tax on bank deposits if paid before December 31, 2025. Any such taxes paid after January 31, 2026, will be subject to a penalty of twelve percent (12%) plus interest in the unpaid amount at the rate of twelve percent (12%) per annum from January 31, 2026, until paid. The Ordinance establishes corresponding due dates, discounts and penalties for subsequent years.

Mayor Aubuchon called for a motion to approve the first reading of Ordinance O-20-2025. Councilmember Wingo motioned to approve, with a second from Councilmember Chambers. Mayor Aubuchon requested a Roll Call Vote. Councilmember Wingo, yes; Councilmember Chambers, yes; Councilmember Winn, yes; Councilmember Whalen, yes; Councilmember Schneider, yes; Councilmember Cable, yes. **Roll call recognized six yes votes approving the first reading of Ordinance O-20-2025 by unanimous vote.**

DISCUSSION – RESOLUTION R-25-020-A OF THE BOONE COUNTY PLANNING COMMISSION:

Mayor Aubuchon called upon Todd Morgan, Director of Community Development with regard to Resolution R-25-020-A of the Boone County Planning Commission recommending approval, with conditions for a request of Bank of America (Applicant) for Farmview Commons LLC (Owner) for a Change of Concept Development Plan in a Commercial Two/Planned Development (C-2/PD) District, for an approximate 1.0 acre area located at 8748 US 42 and being located at the northeast corner of the intersection of US 42 with Farmview Drive, Florence, Kentucky and providing the recommendation be forwarded to the City of Florence, Florence, Kentucky and the City of Union, Union, Kentucky.

Mr. Morgan presented the proposed project for a one-acre site at US 42 and Farmview Drive, located within both the City of Florence and the City of Union as part of the Publix development. The property is zoned Commercial Two/Planned Development and designated for commercial use in the 2040 Future Land Use Map. A 2023/2024 Concept Development Plan established architectural and site standards, including pitched roofs for buildings under 8,000 square feet, brick detailing, approved color palettes, canopies, and site lighting consistent with Publix (maximum 20-foot poles).

Bank of America submitted plans for a 4,250-square-foot bank with two drive-through lanes, sharing access with the adjacent lot. The initial design, featuring gray brick, limited detailing, large white panels, and 25-foot poles, did not meet Concept Development Plan standards. Following staff feedback, the bank revised its plans to include red brick, a stone base, and compliant lighting. The only remaining deviation was the lack of a pitched roof, which staff did not consider a major concern.

Mr. Morgan reported that the Boone County Planning Commission confirmed the revised plans met all requirements, and the City of Florence Planning and Zoning Committee recommended approval with no additional conditions.

No additional discussion was needed. Therefore, an ordinance would be placed on the next agenda for first reading.

DISCUSSION – REAPPOINTMENT OF BOONE-FLORENCE WATER COMMISSION:

Mayor Aubuchon requested any objections to the reappointment of Jeffrey P. Koenig to the Boone-Florence Water Commission. She noted that a copy of his resume was provided to councilmembers in their council packets.

Councilmember Chambers asked if Mr. Koenig lived in Florence.

Mayor Aubuchon stated he resided within the Florence Fire District.

Councilmember Whalen praised Mr. Koenig as detail oriented and highly knowledgeable about the water system, noting his years of service in Public Services and as City Coordinator. She voiced support for his reappointment.

Councilmember Wingo, a former Boone-Florence Water Commission member, agreed. She emphasized Mr. Koenig's dedication, attention to detail, and direct experience with the water district as valuable assets.

Mayor Aubuchon explained that the Boone-Florence Water Commission, made up of Boone County and the City of Florence, purchases water from the City of Cincinnati, which helps maintain competitive rates and high quality. She credited former Mayor Whalen with its creation.

Councilmember Chambers requested information regarding how many people serve on the Boone-Florence Water Commission Board and how they were appointed.

Mayor Aubuchon stated the commission consists of three members appointed by the Boone County Fiscal Court and one appointed by the City of Florence, each serving four-year terms. The commission oversees water supply contracts, staffing or professional services, legal actions, and other responsibilities. It meets monthly on the third Wednesday at 8:30 a.m. in Burlington, with Jeff Eager serving as General Manager.

With no further discussion, a Municipal Order for Mr. Koenig's reappointment would be placed on the next agenda.

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 Whalen so moved, with a second from Councilmember Schneider. **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

