CITY OF FLORENCE KENTUCKY®

FLORENCE CITY COUNCIL

MINUTES – REGULAR MEETING TUESDAY, JUNE 24, 2014

The City Council of the City of Florence, Kentucky met in Regular Session on Tuesday, June 24, 2014 at 7:00 p.m. in the Florence Government Center with Mayor Diane E. Whalen presiding in the Chair.

CALL TO ORDER & WELCOME:

Mayor Whalen called the regular meeting to order and declared the Regular Session to be open for the presentation of all City business.

ROLL CALL:

The roll was called and the following six (6) members of Council registered present: Mel Carroll, Gary Winn, J. Kelly Huff, Vice Mayor Dr. Julie Metzger Aubuchon, Larry Brown, and David A. Osborne.

Also present were Mayor Diane E. Whalen, City Coordinator Richard J. Lunnemann, City Attorney Hugh O. Skees, Business/Community Development Director Joshua R. Wice, Finance Director Linda J. Chapman, Fire/EMS Chief Marc Muench, Police Chief John McDermond, Public Services Director Eric Hall, City Engineer Bill Viox, Police Officer Chad Byers, St. Elizabeth Florence Vice President Chris Carle, Fire Department Temporary Lieutenant David Dannemiller, Fire Department Temporary Lieutenant Ryan Born, University of Cincinnati Director of Trauma Research Rich Branson, Assistant Fire/EMS Chief Kelly Joe Aylor, Fire/EMS Captain John Black, Fire/EMS Captain Pat Marshall, Fire/EMS Captain Steve Schreck, Fire/EMS Commander Elliott Cross, Fire/EMS Commander Chris Miller, Fire/EMS Apparatus Operator/EMT Mike Amend, Fire/EMS Apparatus Operator/EMT Jim Kunert, Matt Grever of Anchor Properties, Mike Ricke of Anchor Properties, Tom O'Neil of Menards, Bill Davin, Boy Scout from Troop 805, Videographer Jerry Schrepfer, Videographer Tom Lape, Florence Recorder Reporter Melissa Stewart, and City Clerk Joe Christofield.

APPROVAL OF MINUTES:

June 10, 2014 Business Meeting

Mayor Whalen called for a motion to approve the minutes of the June 10, 2014 business meeting of Council. Councilmember Winn so moved, with second from Councilmember Brown. **Council approved by unanimous vote.**

PRESENTATION:

St. Elizabeth Florence Facility Update
(Vice President of St. E. Florence, Chris Carle)

Mayor Whalen recognized St. Elizabeth Florence Vice President Chris Carle who gave a brief presentation/update regarding the St. Elizabeth Florence Facility. Additional discussion followed.

OATH OF OFFICE:

Fire Department Temporary Lieutenants David Dannemiller and Ryan Born

Mayor Whalen recognized Fire/EMS Chief Marc Muench who introduced Fire Department Temporary Lieutenants David Dannemiller and Ryan Born. Mayor Whalen gave the Oath of Office to Fire Department Temporary Lieutenants Dannemiller and Born. Additional discussion followed.

PRESENTATION:

University of Cincinnati Trauma Research Study
(Director of Trauma Research, Rich Branson)

Mayor Whalen recognized University of Cincinnati Director of Trauma Research Rich Branson who gave a brief presentation/update regarding the University of Cincinnati Trauma Research Study. Additional discussion followed.

SECOND READINGS:

Ordinance No. O-13-14

Mayor Whalen presented the following Ordinance for second reading:

ORDINANCE NO. O-13-14:
AN ORDINANCE OF THE CITY OF FLORENCE, KENTUCKY, AMENDING THE BUDGET FOR THE 2013-2014 FISCAL YEAR OF THE CITY. (AMENDMENT #2)

Mayor Whalen read aloud the following summary of the Ordinance:

This Ordinance is an amendment to the fiscal year 2013-2014 Budget of the City. The purposes of this amendment are as follows: (a) to reflect increased General Fund Revenues due to draw down of grant funds for the Police Department and Fire/EMS Department and reimbursement from KYTC for the U.S. 42 Project; (b) to reflect increased General Fund Expenditures in the Public Services Department to cover the past winters snow removal events. The Fire/EMS Department increases are to cover cost of hiring additional personnel under the SAFER Grant. Capital Expenditure increases occurred for purchase of the battery backup replacement and inclusion of the water main replacement in the CMAQ Turn Lane Project; (c) to reflected increased expenditures in the Municipal Aid/LGEA Fund for snow removal costs; (d) to reflect increased expenditures in the Infrastructure Fund due to transfers for the Mall Road Project; (e) to reflect increased expenses in the Health and Dental Fund related to the costs of the newly opened clinic; and (f) to reflect a change in the Golf Course Fund due to growth in private lessons.

Mayor Whalen called for a motion to approve Ordinance No. O-13-14 on second reading. Councilmember Carroll so moved with second from Councilmember Huff, that Ordinance No. O-13-14 be approved on second reading and be published in accordance with the law. **Council approved by unanimous vote.**

Ordinance No. O-14-14

Mayor Whalen presented the following Ordinance for second reading:

ORDINANCE NO. O-14-14:
AN ORDINANCE OF THE CITY OF FLORENCE, KENTUCKY, ADOPTING THE OFFICIAL BUDGET FOR THE 2014-2015 FISCAL YEAR OF THE CITY.

Mayor Whalen read aloud the following summary of the Ordinance:

This Ordinance adopts the fiscal year 2014-2015 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".

Mayor Whalen called for a motion to approve Ordinance No. O-14-14 on second reading. Councilmember Huff so moved with second from Councilmember Brown, that Ordinance No. O-14-14 be approved on second reading and be published in accordance with the law. **Council approved by unanimous vote.**

Ordinance No. O-15-14

Mayor Whalen presented the following Ordinance for second reading:

ORDINANCE NO. O-15-14:
AN ORDINANCE AMENDING ORDINANCE NO. O-14-12 RELATING TO ESTABLISHMENT OF STANDARDS FOR TRAINING AND PROMOTIONS WITHIN THE FIRE/EMS DEPARTMENT.

Mayor Whalen read aloud the following summary of the Ordinance:

This Ordinance revises minimum qualifications and training requirements for persons hired to become members of the Fire/EMS Department. The ordinance further revises qualifications and training requirements for promotion to higher rank within the Department.

The full text of Ordinance No. O-15-14, 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 Whalen called for a motion to approve Ordinance No. O-15-14 on second reading. Councilmember Winn so moved with second from Councilmember Osborne, that Ordinance No. O-15-14 be approved on second reading and be published in accordance with the law. **Council approved by unanimous vote.**

Ordinance No. O-16-14

Mayor Whalen presented the following Ordinance for second reading:

ORDINANCE NO. O-16-14:
AN ORDINANCE AMENDING PRIOR ORDINANCES RELATING TO PERSONNEL POLICIES, JOB DESCRIPTIONS, AND THE PAY PLAN.

Mayor Whalen read aloud the following summary of the Ordinance:

This Ordinance makes revisions to the City regulations relating to personnel as follows:

(a) To provide a cost of living factor of 1.1% for FY 2014-2015;
(b) To eliminate the position of Fire Apparatus Operator/EMT and Paramedic and to combine that former position into the position of Firefighter EMT and Paramedic;
(c) To add three additional police officer positions to accommodate the formation of a drug task force unit;
(d) To eliminate designated smoking areas in the Fire/EMS station;
(e) To eliminate the provision for the gift of their service weapon to retiring police officers;
(f) To change the payout of sick leave upon retirement;
(g) To revise sick leave and vacation accruals and donations of sick time; and
(h) To provide employees the option of short term disability insurance to be paid 50% by the City and 50% by the employee.

The full text of Ordinance No. O-16-14, 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 Whalen called for a motion to approve Ordinance No. O-16-14 on second reading. Vice Mayor Metzger Aubuchon so moved with second from Councilmember Brown, that Ordinance No. O-16-14 be approved on second reading and be published in accordance with the law. **Council approved by unanimous vote.**

Discussion and Possible Action:

Change to an Approved Concept Development Plan from ERPS, Inc. to all Modification to a Previous Condition of Approval to allow building height of up to 50 feet

Ordinance No. O-17-14

Mayor Whalen presented the following Ordinance for first reading:

ORDINANCE NO. O-17-14:
AN ORDINANCE ADOPTING AND APPROVING A CHANGE IN AN APPROVED CONCEPT DEVELOPMENT PLAN IN A COMMERCIAL TWO/PLANNED DEVELOPMENT (C-2/PD) ZONE FOR A 10.8 ACRE SITE LOCATED AT 8739 US 42, FLORENCE, KENTUCKY, TO INCREASE THE PERMISSIBLE BUILDING HEIGHT TO 50 FEET. (BSM DEVELOPMENT, LLC/ERPS, INC.)

Mayor Whalen read aloud the following summary of the Ordinance:

The effect of this Ordinance is to allow an increase in the permissible building height to 50 feet in a Commercial Two/Planned Development (C-2/PD) zone for an approximate 10.8 acre site located at 8739 US 42, Florence, Kentucky.

The full text of Ordinance No. O-17-14, 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 Whalen called for a motion to approve Ordinance No. O-17-14 on first reading. Councilmember Brown moved, with second from Councilmember Winn, that Ordinance No. O-17-14 be approved on first reading and be held for second and final reading at the next meeting of Council. **Council approved by unanimous vote.**

Discussion and Possible Action:

Request from Anchor Properties for Joseph Berkshire and Kate Berkshire and D & J Mall Road LLC for a Zoning Map Amendment for a Special Sign District for a 66.75 acre site off Mall Road and U.S. 42

Ordinance No. O-18-14

Mayor Whalen presented the following Ordinance for first reading:

ORDINANCE NO. O-18-14:
AN ORDINANCE ADOPTING AND APPROVING A ZONING MAP AMENDMENT FOR A SPECIAL SIGN DISTRICT IN A COMMERCIAL TWO/PLANNED DEVELOPMENT/MALL ROAD OVERLAY (C-2/PD/MR) ZONE FOR A 66.75 ACRE SITE LOCATED AT 8100 US 42 AND THE SOUTHEAST CORNER OF THE MALL ROAD/HEIGHTS BOULEVARD INTERSECTION, FLORENCE, KENTUCKY, TO ALLOW ALTERNATIVE SIGNAGE. (ANCHOR PROPERTIES/BERSKSHIRE PROPERTY)

Mayor Whalen read aloud the following summary of the Ordinance:

The effect of this Ordinance is to allow a zoning map amendment for a Special Sign District in a Commercial Two/Planned Development/Mall Road Overlay (C-2/PD/MR) zone, which would allow alternative signage, subject to conditions as approved in this Ordinance. 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 No. O-18-14, 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 Whalen called for a motion to approve Ordinance No. O-18-14 on first reading. Councilmember Huff moved, with second from Vice Mayor Metzger Aubuchon, that Ordinance No. O-18-14 be approved on first reading and be held for second and final reading at the next meeting of Council. **Council approved by unanimous vote.**

Discussion and Possible Action:

Request from Anchor Properties for Concept Development Plan for a 21.26 acre site located on the south side of Heights Boulevard at 831 Heights Boulevard to allow for an Accessory Storage Building in the Corner Side Yard and to allow modifications to the Storage Building Material, Outdoor Sales Area Enclosure, and Vehicle Use and Landscaping Requirements

Ordinance No. O-19-14

Mayor Whalen presented the following Ordinance for first reading:

ORDINANCE NO. O-19-14:
AN ORDINANCE ADOPTING AND APPROVING A CONCEPT DEVELOPMENT PLAN IN A COMMERCIAL TWO/PLANNED DEVELOPMENT/MALL ROAD OVERLAY (C-2/PD/MR) ZONE FOR A 21.26 ACRE SITE GENERALLY LOCATED ON THE SOUTH SIDE OF HEIGHTS BOULEVARD, TO THE EAST OF THE TANK PARK AND RIDE FACILITY AT 831 HEIGHTS BOULEVARD, FLORENCE, KENTUCKY, TO ALLOW AN ACCESSORY STORAGE BUILDING AND OUTDOOR SALES AREA TO BE PLACED IN A CORNER SIDE YARD, AND TO ALLOW MODIFICATIONS TO THE STORAGE BUILDING MATERIAL, OUTDOOR SALES AREA ENCLOSURE, AND VEHICULAR USE AREA LANDSCAPING REQUIREMENTS, IN CONJUNCTION WITH THE CONSTRUCTION OF AN APPROXIMATE 162,500 SQUARE FOOT HOME IMPROVEMENT STORE. (ANCHOR PROPERTIES/MALL ROAD KY, LLC)

Mayor Whalen read aloud the following summary of the Ordinance:

The effect of this Ordinance is to: (a) allow an accessory storage building and outdoor sales area to be placed in a corner side yard; and (b) to allow modifications to the storage building material, outdoor sales area enclosure, and vehicular use area landscaping requirements to occur in conjunction with the construction of an approximate 162,500 square foot home improvement store in a Commercial Two/Planned Development/Mall Road Overlay (C-2/PD/MR) zone for a 21.26 acre site located on the south side of Heights Boulevard, to the east of the Tank Park and Ride facility at 831 Heights Boulevard, Florence, Kentucky.

The full text of Ordinance No. O-19-14, 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 Whalen called for a motion to approve Ordinance No. O-19-14 on first reading. Councilmember Winn moved, with second from Councilmember Brown, that Ordinance No. O-19-14 be approved on first reading and be held for second and final reading at the next meeting of Council. **Council approved by unanimous vote.**

MAYOR'S REPORT:

Mayor Diane E. Whalen

Mayor Whalen advised of the Fire/EMS Station One farewell event, scheduled for Sunday, June 29 from 1-5pm at its location on Main Street.

Mayor Whalen advised of the dedication and ribbon-cutting ceremony for the new Fire/EMS Station, scheduled for Sunday, July 6 at 5pm at its location on Ted Bushelman Boulevard.

Mayor Whalen advised of the City's annual Independence Day event, scheduled for Thursday, July 3 beginning at 5pm at the Florence Government Center

Mayor Whalen advised of the new TANK route (from Florence to Cold Spring, stopping in Crestview Hills, Fort Wright, and Northern Kentucky University) which will begin operating on Friday, August 1.

Mayor Whalen advised of a Boy Scout from Troop 805 in Union who was in the audience working on his Communications Badge.

CITY COORDINATOR'S REPORT:

City Coordinator Richard J. Lunnemann

City Coordinator Richard J. Lunnemann advised City Council would be holding a special meeting on Tuesday, July 1 to take second reading on Ordinances O-17-14, O-18-14, and O-19-14.

OTHER:

Mayor Whalen asked if any councilmember desired recognition; Vice Mayor Metzger Aubuchon advised she was the official timekeeper during the June 18 Burger Battle between the City's Fire/EMS Department and Florence FOP Lodge 33 at Smokey Bones.

Mayor Whalen asked if any department head desired recognition; Public Services Director Eric Hall gave a brief update on the ongoing construction on U.S. 42. Additional discussion followed.

Mayor Whalen asked if anyone in the audience desired recognition; no one responded.

EXECUTIVE SESSION:

There was no need for City Council to go into Executive Session.

ADJOURNMENT:

There being no further business to come before the Council, Mayor Whalen called for a motion to adjourn. Councilmember Carroll so moved, with second from Councilmember Winn, and **unanimous approval of Council,** the time being 8:17 p.m.

APPROVED:

Diane E. Whalen, Mayor

ATTEST:

Joseph A. Christofield, City Clerk

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