CITY OF FLORENCE KENTUCKY®

FLORENCE CITY COUNCIL

MINUTES – REGULAR MEETING TUESDAY, SEPTEMBER 23, 2014

The City Council of the City of Florence, Kentucky met in Regular Session on Tuesday, September 23, 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 Dale Wilson, Business/Community Development Director Joshua R. Wice, Fire/EMS Chief Marc Muench, Police Captain Tom Grau, Public Services Director Eric Hall, City Engineer Bill Viox, Fire/EMS Assistant Fire Chief Kelly Joe Aylor, Fire Marshal Robert Krebs, Police Officer Mike Stanaland, Boone County High School Executive Director of Student Services Kathy Reutman, R.A. Jones Middle School Principal Tony Pastura, Collins Elementary School Principal T.W. Loring, Videographer Jerry Schrepfer, Videographer Tom Lape, Florence Recorder Reporter Melissa Stewart, and City Clerk Joe Christofield.

APPROVAL OF MINUTES:

September 9, 2014 Business Meeting

Mayor Whalen called for a motion to approve the minutes of the September 9, 2014 business meeting of Council. Councilmember Huff so moved, with second from Councilmember Winn. **Council approved by unanimous vote.**

September 16, 2014 Special Meeting

Mayor Whalen called for a motion to approve the minutes of the September 16, 2014 special meeting of Council. Councilmember Huff so moved, with second from Councilmember Brown. **Council approved by unanimous vote.**

OATH OF OFFICE:

Fire/EMS Chief Kelly Joe Aylor

Mayor Whalen recognized Fire/EMS Chief Marc Muench who introduced new Fire/EMS Chief Kelly Joe Aylor. Mayor Whalen gave the Oath of Office to Fire/EMS Chief Aylor. Additional discussion followed.

RECOGNITION:

R.A. Jones Middle School Principal Tony Pastura
Collins Elementary School Principal T.W. Loring

Mayor Whalen recognized Boone County High School Executive Director of Student Services Kathy Reutman who introduced R.A. Jones Middle School Principal Tony Pastura and Collins Elementary School Principal T.W. Loring. Additional discussion followed.

FIRST READINGS:

Ordinance No. O-22-14

Mayor Whalen presented the following Ordinance for first reading:

ORDINANCE NO. O-22-14:
AN ORDINANCE AMENDING ORDINANCE NO. O-9-07 TO ADOPT THE NFPA 1 FIRE CODE, 2012 EDITION (THE "CODE").

Mayor Whalen read aloud the following summary of the Ordinance:

This Ordinance adopts the NFPA 1 Fire Code, 2012 Edition, as published by the National Fire Protection Association, Inc., and approved as an American National Standard on June 20, 2011, (the "Code"), with certain amendments, and incorporates its provisions by reference. The provisions of the Code apply to the construction, maintenance and use of property to the extent that such is not covered by other existing NFPA codes and standards. It applies to the inspection of buildings, the investigation of fires, the review of construction plans, the fire and life safety education of fire brigades, the design and construction of new and existing buildings, the storage and handling of hazardous materials, the design and maintenance of fire protection systems and equipment, access requirements for fire department operations, hazards from outside fires and vegetation, trash, etc., the regulation and control of special events, the regulation of combustibles that contribute to fire spread and smoke production, the storage, use and handling of flammable and combustible gases, liquids, and solids, and for administration, enforcement and penalties.

The following is the full text of that section of the Ordinance which imposes fines, penalties, forfeitures, taxes or fees:

SECTION F VIOLATIONS DESIGNATED AS CIVIL OFFENSE

All violations of this Code are designed as civil offenses and enforced by imposing civil fines as set out in Ordinance No. 0-7-02. The City of Florence Code Enforcement board shall have the power to issue remedial orders and impose civil fines to enforce this Code.

The Code provides that any person affected by a decision of a Code official or a notice or order issued under the Code shall have the right to appeal to the City of Florence Code Enforcement Board.

The full text of Ordinance No. O-22-14, 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-22-14 on first reading. Councilmember Carroll moved, with second from Vice Mayor Metzger Aubuchon, that Ordinance No. O-22-14 be approved on first reading and be held for second and final reading at the next meeting of Council. Roll Call Vote: Councilmembers Carroll, Winn, Huff, Metzger Aubuchon, Brown, and Osborne voted yes. **Council approved by unanimous vote.**

Ordinance No. O-23-14

Mayor Whalen presented the following Ordinance for first reading:

ORDINANCE NO. O-23-14:
AN ORDINANCE AMENDING ORDINANCE NO. O-10-07 TO ADOPT THE NFPA 101 LIFE SAFETY CODE, 2012 EDITION (THE "CODE").

Mayor Whalen read aloud the following summary of the Ordinance:

This Ordinance adopts the NFPA 101 Life Safety Code 2012 Edition, effective August 31, 2011, as published by the National Fire Protection Association, Inc., and approved as an American National Standard, (the "Code"), with certain amendments, and incorporates its provisions by reference. The provisions of the Code apply to new and existing buildings and structures as well as vehicles, vessels or other similar conveyances, and the purpose of the Code is to provide minimum requirements, with due regard to function, for the design, operating and maintenance of buildings and structures for safety to life from fire. Its provisions will also aid life safety in similar emergencies.

The following is the full text of that section of the Ordinance which imposes fines, penalties, forfeitures, taxes or fees:

SECTION C - VIOLATIONS DESIGNATED AS CIVIL OFFENSE

All violations of this Code are designed as civil offenses and enforced by imposing civil fines as set out in Ordinance No. 0-7-02. The City of Florence Code Enforcement Board shall have the power to issue remedial orders and impose civil fines to enforce this Code.

The Code provides that any person affected by a decision of a Code official or a notice or order issued under the code shall have the right to appeal to the City of Florence Code Enforcement Board.

The full text of Ordinance No. O-23-14, 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-23-14 on first reading. Councilmember Winn moved, with second from Councilmember Carroll, that Ordinance No. O-23-14 be approved on first reading and be held for second and final reading at the next meeting of Council. **Council approved by unanimous vote.**

Ordinance No. O-24-14

Mayor Whalen presented the following Ordinance for first reading:

ORDINANCE NO. O-24-14:
AN ORDINANCE AMENDING ORDINANCES NO. O-27-81 AND O-38-93 RELATING TO REGULATION OF COIN-OPERATED AMUSEMENT DEVICES AND ELECTRO-MECHANICAL PINBALL MACHINES.

Mayor Whalen read aloud the following summary of the Ordinance:

The purpose of this Ordinance is to make adjustments to the regulations of amusement devices to accommodate changes in the amusement industry while retaining the desirable regulatory effects. These adjustments include an increase in the number of devices allowed in facilities which serve food and/or meet certain size requirements.

The full text of Ordinance No. O-24-14, 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-24-14 on first reading. Councilmember Osborne moved, with second from Councilmember Carroll, that Ordinance No. O-24-14 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 congratulated Fire/EMS Chief Aylor on becoming the City's new Chief.

Mayor Whalen advised of the National Prescription Drug Take-Back Day, scheduled for Saturday, September 27 from 10am-2pm at the Florence Police Department.

Mayor Whalen advised of the City's annual Arbor Day program, scheduled for Saturday, October 4 from 10am-noon at South Fork Park.

Mayor Whalen advised of the Florence Heights commercial development project, which will include Costco, Menards, and other businesses.

CITY COORDINATOR'S REPORT:

City Coordinator Richard J. Lunnemann

City Coordinator Richard J. Lunnemann advised of the retirement luncheon for Fire/EMS Chief Muench, scheduled for Tuesday, September 30 at 11:30 at the Florence Government Center.

City Coordinator Richard J. Lunnemann advised there would be no city council meeting on Tuesday, September 30 due to it being the fifth Tuesday of the month.

OTHER:

Mayor Whalen asked if any councilmember desired recognition; no one responded.

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 Huff so moved, with second from Councilmember Carroll, and **unanimous approval of Council,** the time being 7:26 p.m.

APPROVED:

Diane E. Whalen

Diane E. Whalen, Mayor

ATTEST:

Joseph A. Christofield, City Clerk

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