



# City of Pensacola

## CITY COUNCIL

### Regular Meeting Minutes

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September 12, 2019

5:30 P.M.

Council Chambers

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Council President Terhaar called the meeting to order at 5:32 P.M.

#### ROLL CALL

**Council Members Present:** Andy Terhaar, P.C. Wu, Jewel Cannada-Wynn, Ann Hill, John Jerrals, Jared Moore, Sherri Myers

**Council Members Absent:** None

**Also Present:** Mayor Grover C. Robinson, IV

#### INVOCATION

Rev. Freddie Augustine, Pastor - First Corinthian Baptist Church

#### PLEDGE OF ALLEGIANCE

Council Member Ann Hill

#### AWARDS

Mayor Robinson presented a proclamation to Cindi Bonner, Director of Rally Pensacola and others in attendance recognizing September as *Childhood Cancer Awareness Month*.

**FIRST LEROY BOYD FORUM**

The following individuals addressed Council regarding their opposition to a proposal by business owners of *Hair of the Dog* to locate a (private) dog park and beer garden, on four (4) acres of the Hollice T. Williams Park, within an area parallel to the Eastside Neighborhood:

Colvin Rancifer  
Anthony Williams  
David Williams  
Anita Williams  
Doris Hayes  
Dianne Robinson

Goreatha Simmons  
Teniade' Broughton  
Raynette Ikner Lewis  
Jeannie Rhoden  
Jonathan Green

Some speakers (listed above) referenced the approved plan in place for the Hollice T. Williams Park which specifies the wants and needs of the neighborhood. Mayor Robinson also addressed Council explaining the owners of the business' contacts with the City regarding their proposal.

**Michelle Press:** Identified herself as one of the owners of *Hair of the Dog* and addressed Council explaining the intent of the operations of their business proposal and indicated they did not mean to stir up unrest within the neighborhood or offend the family.

**Stephanie Hudgens:** *Waived indicating Ms. Press addressed on her behalf.*

**Taran Black:** Thanked Council for the opportunity to have been considered for appointment to City Council District 5 (unexpired term of Gerald Wingate). He indicated he will continue to look for opportunities to be involved in the community.

**John Johnson:** Executive Director of *Opening Doors Northwest Florida* addressed Council requesting to make a presentation at an upcoming meeting to provide an update regarding the issues of homelessness and the impacts of last year's funding.

Council Member Cannada-Wynn recommended Mr. Johnson contact Council Executive Kraher to schedule a presentation.

The following individuals addressed Council addressing recent gun violence within the City and needed resources to make a positive impact within the community:

Marcella Powell

Antonio Royster

**Dorothy Dubuisson:** Urged the City to clarify the potential for dog park / beer operations and that the zoning needs to be addressed so businesses maybe properly vetted.

That concluded the first segment of LeRoy Boyd Forum.

**APPROVAL OF MINUTES**

1. [19-00427 APPROVAL OF MINUTES: REGULAR MEETING DATED AUGUST 8, 2019 AND SPECIAL MEETING DATED SEPTEMBER 4, 2019](#)

**A motion to approve was made by Council Member Cannada-Wynn, and seconded by Council Member Hill.**

**The motion carried by the following vote:**

Yes: 7      Andy Terhaar, P.C. Wu, Ann Hill, Jared Moore, Jewel Cannada-Wynn, John Jerrals, Sherri Myers  
No: 0      None

**APPROVAL OF AGENDA**

Council President Terhaar referenced hardcopies provided at Council Members' places of an Add-on Action Item sponsored by Mayor Robinson as follows:

19-00400 MEMORANDA OF UNDERSTANDING FOR AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES (AFSCME) COLLECTIVE BARGAINING AGREEMENT, THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS ("IAFF"), LOCAL 707 AND THE FLORIDA STATE LODGE FRATERNAL ORDER OF POLICE, INC. (FOP OFFICERS, SERGEANTS AND LIEUTENANTS).

**A motion to add-on to the regular agenda was made by Council Member Moore and seconded by Council Member Hill.**

**The motion carried by the following vote:**

Yes: 7      Andy Terhaar, P.C. Wu, Ann Hill, Jared Moore, Jewel Cannada-Wynn, John Jerrals, Sherri Myers  
No: 0      None

Council President Terhaar indicated the add-on item will be placed as the last action item.

**A motion to approve the agenda as amended was made by Council Member Cannada-Wynn and seconded by Council Member Moore.**

**The motion carried by the following vote:**

Yes: 7      Andy Terhaar, P.C. Wu, Ann Hill, Jared Moore, Jewel Cannada-Wynn, John Jerrals, Sherri Myers  
No: 0      None

**CONSENT AGENDA**2. [19-00404](#) INTERLOCAL AGREEMENT FOR THE ACCEPTANCE AND PROCESSING OF SOURCE SEPARATED RECYCLABLES

**Recommendation:** That City Council approve an Interlocal Agreement for the Acceptance and processing of Source Separated Recyclables with Emerald Coast Utilities Authority. Further, that City Council authorize the Mayor to take all action necessary to execute an agreement.

3. [19-00405](#) LICENSE AGREEMENT - DAILY CONVO, LLC

**Recommendation:** That City Council approve the License Agreement with Daily Convo, LLC for the improvements in connection with the Southtowne Development

4. [19-00417](#) FISCAL YEAR 2020 COMMUNITY POLICING INTERLOCAL AGREEMENT

**Recommendation:** That the City Council approve an Interlocal Agreement between the City of Pensacola and the Community Redevelopment Agency (CRA) for the purpose of providing Community Policing Innovations within the Urban Core Community Redevelopment Area of the CRA for Fiscal Year 2020 in an amount not to exceed \$100,000.

5. [19-00419](#) TWO-WAY CONVERSION OF MARTIN LUTHER KING JR. DRIVE-ALCANIZ STREET AND DAVIS HIGHWAY

**Recommendation:** That the City Council request the Florida-Alabama Transportation Planning Organization (TPO) and Florida Department of Transportation (FDOT) return Davis Highway and Dr. Martin Luther King, Jr. Drive-Alcaniz Street to two-way streets and take all actions necessary to complete the conversion as a priority project.

**A motion to approve consent agenda Items 2 through 5 was made by Council Member Moore and seconded by Council Member Cannada-Wynn.**

**The motion carried by the following vote:**

Yes: 7            Andy Terhaar, P.C. Wu, Ann Hill, Jared Moore, Jewel Cannada-Wynn, John Jerrals, Sherri Myers  
No: 0            None

**REGULAR AGENDA**

6. [19-00312 PUBLIC HEARING: PROPOSED AMENDMENT TO THE CODE OF THE CITY OF PENSACOLA - LAND DEVELOPMENT CODE, SECTION 12-12-5 - BUILDING PERMITS - TO INCLUDE HISTORIC BUILDING DEMOLITION REVIEW](#)

**Recommendation:** That City Council conduct a public hearing on September 12, 2019 to consider an amendment to the Code of the City of Pensacola, Land Development Code Section 12-12-5 - Building Permits - to include Historic Building Demolition Review

Council Member Hill (sponsor) indicated the proposed language has been revised based on discussion from the initial public hearing (on 7/18/19) and meets state requirements. Mayor Robinson made follow-up remarks in support of the proposed amendment and thanked City staff for their collaboration.

Public input was heard from Teniade' Broughton.

**A motion to approve was made by Council Member Hill and seconded by Council Member Moore.**

**The motion carried by the following vote:**

Yes: 6      P.C. Wu, Ann Hill, Jared Moore, Jewel Cannada-Wynn, John Jerrals, Sherri Myers  
No: 1      Andy Terhaar

7. [24-19 PROPOSED ORDINANCE NO. 24-19 - AMENDING THE CODE OF THE CITY OF PENSACOLA, LAND DEVELOPMENT CODE, SECTION 12-12-5 - BUILDING PERMITS; PROVIDING FOR HISTORIC DEMOLITION REVIEW](#)

**Recommendation:** That City Council approve Proposed Ordinance No. 24-19 on first reading:

AN ORDINANCE AMENDING SECTION 12-12-5 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; CREATING SUBSECTION 12-12-5(E) ESTABLISHING A PROCESS FOR THE REVIEW OF REQUESTS TO DEMOLISH BUILDINGS OF HISTORICAL, ARCHITECTURAL, CULTURAL OR URBAN DESIGN VALUE TO THE CITY; PROVIDING DEFINITIONS; PROVIDING ARCHITECTURAL REVIEW BOARD CRITERIA AND PROCEDURES; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

**A motion to approve on first reading was made by Council Member Cannada-Wynn and seconded by Council Member Hill.**

**REGULAR AGENDA (CONT'D.)**

**The motion (to approve P.O. No. 24-19 on first reading) carried by the following vote:**

Yes: 6      P.C. Wu, Ann Hill, Jared Moore, Jewel Cannada-Wynn, John Jerrals, Sherri Myers  
No: 1      Andy Terhaar

8. [19-00418](#) PITT SLIP AMENDED AND RESTATED LEASE

**Recommendation:** That City Council approve the Amended and Restated Lease Agreement requested by Seville Harbour, Inc. (f/k/a South Florida Marine Investors, Inc.). Further that City Council authorize the Mayor to take all necessary actions to execute the Amended and Restated Lease Agreement.

**A motion to approve was made by Council Member Terhaar and seconded by Council Member Wu.**

Council Member Myers made comments indicating there is not sufficient information to move forward with considering this recommendation, citing the all background materials on the original lease have not been provided. Also the current proposal makes reference to a site specific development, but that information is not provided.

**Council Member Myers made a substitute motion that this item be pulled from consideration at this time and Council Member Hill seconded.**

Discussion ensued among Council with Mayor Robinson fielding comments and questions. Also, City Attorney Woolf responded accordingly to questions.

Ed Fleming, legal counsel for the master lessee was in attendance and responded accordingly to questions of Council Members.

Public input was heard from Jantzen Liscoe.

Upon conclusion of discussion, **the vote was called on the substitute motion.**

**The substitute motion carried by the following vote:**

Yes: 4      Ann Hill, Jewel Cannada-Wynn, John Jerrals, Sherri Myers  
No: 3      Andy Terhaar, P.C. Wu, Jared Moore

**REGULAR AGENDA (CONT'D.)**

9. [25-19 PROPOSED ORDINANCE NO. 25-19, REPEALING SECTION 12-13-4 OF THE LAND DEVELOPMENT CODE; ABOLISHING THE GATEWAY REVIEW BOARD; AMENDING SECTION 12-13-2, TRANSFERRING FUNCTIONS TO THE PLANNING BOARD AND CONFORMING REFERENCES WITHIN THE CODE.](#)

**Recommendation:** That City Council approved Proposed Ordinance No. 25-19 on first reading:

AN ORDINANCE REPEALING SECTION 12-13-4, OF THE CODE OF THE CITY OF PENSACOLA,FLORIDA; ABOLISHING THE GATEWAY REVIEW BOARD; AMENDING SECTION 12-13-2, TRANSFERRING FUNCTIONS OF THE GATEWAY REVIEW BOARD TO THE PLANNING BOARD; CONFORMING REFERENCES WITHIN THE CODE; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

**A motion to approve on first reading was made by Council Member Cannada-Wynn seconded by Council Member Terhaar.**

**The motion carried by the following vote:**

Yes: 7            Andy Terhaar, P.C. Wu, Ann Hill, Jared Moore, Jewel Cannada-Wynn, John Jerralds, Sherri Myers  
No: 0            None

10. [27-19 PROPOSED ORDINANCE NO. 27-19, AMENDMENT TO SECTION 10-4-19 - SCHEDULE OF GAS RATES AND CHARGES](#)

**Recommendation:** That City Council approve Proposed Ordinance No. 27-19 on first reading.

AN ORDINANCE AMENDING SECTION 10-4-19 OF THE CODE OF THE CITY OF PENSACOLA ENTITLED: "SCHEDULE OF RATES AND CHARGES"; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE

**A motion to approve on first reading was made by Council Member Moore seconded by Council Member Terhaar.**

Council Member Cannada-Wynn inquired of the increase with City Administrator Holley responding and Pensacola Energy Director Suarez clarifying.

There being no further discussion, the vote was called.

**REGULAR AGENDA (CONT'D.)**

**The motion (to approve P.O. No. 27-19 on first reading) carried by the following vote:**

**The motion carried by the following vote:**

Yes: 7            Andy Terhaar, P.C. Wu, Ann Hill, Jared Moore, Jewel Cannada-Wynn, John Jerrals, Sherri Myers  
No: 0            None

11. [28-19 PROPOSED ORDINANCE NO. 28-19 - AMENDMENT TO CITY CODE SECTION 4-3-97 - SANITATION COLLECTION FEE AND EQUIPMENT SURCHARGE.](#)

**Recommendation:** That City Council approve Proposed Ordinance No. 28-19 on first reading.

AN ORDINANCE AMENDING SECTION 4-3-97 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; PROVIDING FOR INCREASE IN SANITATION COLLECTION FEES AND THE SANITATION EQUIPMENT SURCHARGE; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

**A motion to approve on first reading was made by Council Member Cannada-Wynn seconded by Council Member Terhaar.**

Council Member Cannada-Wynn inquired of the increase as well as how the City's rates compare with Emerald Coast Utilities Authority (ECUA) with City Administrator Holley responding regarding the increase. Sanitation and Fleet Services Director Pittman indicated he has not yet reviewed ECUA's rates.

There being no further discussion, the vote was called.

**The motion carried by the following vote:**

Yes: 7            Andy Terhaar, P.C. Wu, Ann Hill, Jared Moore, Jewel Cannada-Wynn, John Jerrals, Sherri Myers  
No: 0            None



**REGULAR AGENDA (CONT'D.)**

12. [29-19](#) PROPOSED ORDINANCE NO. 29-19 REPEALING AND REPLACING ORDINANCE NO. 10-19 AUTHORIZING A SPECIAL ASSESSMENT UPON HOSPITAL PROPERTY TO GENERATE FUNDS FOR INDIGENT HEALTH CARE

**Recommendation:** That City Council approve Proposed Ordinance No. 29-19 on first reading.

AN ORDINANCE RELATING TO FUNDING FOR THE PROVISION OF INDIGENT CARE SERVICES BY HOSPITALS LOCATED WITHIN THE CITY OF PENSACOLA; PROVIDING A SPECIAL NON-AD VALOREM ASSESSMENT AGAINST THE PROPERTY OF SUCH HOSPITALS FOR THE PURPOSE OF INCREASING FUNDING AVAILABLE FOR THE PROVISION OF SUCH SERVICES; PROVIDING DEFINITIONS; PROVIDING PROCEDURES FOR THE IMPLEMENTATION AND COLLECTION OF SPECIAL ASSESSMENTS CONFORMING TO THE REQUIREMENTS OF LAW; PROVIDING FOR SEVERABILITY; REPEALING AND REPLACING ORDINANCE NO. 10-19; AND PROVIDING AN EFFECTIVE DATE.

**A motion to approve on first reading was made by Council Member Cannada-Wynn seconded by Council Member Terhaar.**

**The motion carried by the following vote:**

Yes: 7            Andy Terhaar, P.C. Wu, Ann Hill, Jared Moore, Jewel Cannada-Wynn, John Jerralds, Sherri Myers  
No: 0            None

13. [2019-44](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 2019-44 - AMENDING THE FISCAL YEAR 2019 BUDGET FOR THE DOWNTOWN IMPROVEMENT BOARD

**Recommendation:** That City Council adopt Supplemental Budget Resolution No. 2019-44

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE DOWNTOWN IMPROVEMENT BOARD FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2019; PROVIDING FOR AN EFFECTIVE DATE.

**A motion to adopt was made by Council Member Hill seconded by Council Member Terhaar.**

**REGULAR AGENDA (CONT'D.)**

Council Member Cannada-Wynn inquired (regarding Res. No. 2019-44) if this is providing the DIB an allocation from the City's general fund in the amount of \$50,000? Chief Financial Officer Barker indicated it is not.

There being no further discussion the vote was called.

**The motion carried by the following vote:**

Yes: 7      Andy Terhaar, P.C. Wu, Ann Hill, Jared Moore, Jewel Cannada-Wynn, John Jerrals, Sherri Myers  
No: 0      None

14. [2019-48 SUPPLEMENTAL BUDGET RESOLUTION NO. 2019-48 - AMENDING THE FISCAL YEAR 2019 BUDGET](#)

**Recommendation:** That City Council adopt Supplemental Budget Resolution No. 2019-48.

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2019; PROVIDING FOR AN EFFECTIVE DATE.

**A motion to adopt was made by Council Member Cannada-Wynn seconded by Council Member Terhaar.**

**The motion carried by the following vote:**

Yes: 7      Andy Terhaar, P.C. Wu, Ann Hill, Jared Moore, Jewel Cannada-Wynn, John Jerrals, Sherri Myers  
No: 0      None

**REGULAR AGENDA (CONT'D.)**

15. [26-19 PROPOSED ORDINANCE NO. 26-19 CREATING SECTION 7-12 OF THE CODE OF THE CITY OF PENSACOLA - DOCKLESS SHARED MICROMOBILITY DEVICES PILOT PROGRAM ORDINANCE](#)

**Recommendation:** That City Council adopt Proposed Ordinance No. 26-19 on second reading.

AN ORDINANCE OF THE CITY OF PENSACOLA, FLORIDA CREATING CHAPTER 7-12 OF THE CODE OF THE CITY OF PENSACOLA TO REGULATE A DOCKLESS SHARED MICROMOBILITY DEVICE PILOT PROGRAM; PROVIDING FOR PURPOSE AND APPLICABILITY; PROVIDING FOR DEFINITIONS; PROVIDING FOR A PILOT PROGRAM FOR SHARED MICROMOBILITY DEVICES ON PUBLIC RIGHTS-OF-WAYS; PROVIDING FOR THE VENDORS' RESPONSIBILITIES AND OBLIGATIONS IN OPERATING A SHARED MICROMOBILITY DEVICE SYSTEM; PROVIDING FOR SHARED MICROMOBILITY DEVICE SPECIFICATIONS; PROVIDING FOR THE OPERATION AND PARKING OF A SHARED MICROMOBILITY DEVICE; PROVIDING FOR IMPOUNDMENT OR REMOVAL OR RELOCATION BY THE CITY; PROVIDING FOR ENFORCEMENT, FEES AND PENALTIES; PROVIDING AN APPEAL PROCESS; PROVIDING FOR INDEMNIFICATION AND INSURANCE; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE. ([Ordinance No. 17-19](#))

**A motion to adopt was made by Council Member Terhaar seconded by Council Member Cannada-Wynn.**

City Administrator Holley and Assistant City Administrator Wilkins clarified the some revisions have been made to the map providing the *Proposed Franchise Area*, but that the map is not a part of the ordinance.

Some discussion took place with Mayor Robinson also providing input.

**Council President Terhaar indicated he will work with City Administration to provide an action item for Council's consideration for adoption of map of the *Proposed Franchise Area* for the next meeting (on 9/26/19).**

Upon conclusion of discussion, the vote was called.

**The motion carried by the following vote:**

Yes: 7	Andy Terhaar, P.C. Wu, Ann Hill, Jared Moore, Jewel Cannada-Wynn, John Jerrals, Sherri Myers
No: 0	None

**REGULAR AGENDA (CONT'D.)**

Add-On: 19-00400 MEMORANDA OF UNDERSTANDING FOR AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES (AFSCME) COLLECTIVE BARGAINING AGREEMENT, THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS ("IAFF"), LOCAL 707 AND THE FLORIDA STATE LODGE FRATERNAL ORDER OF POLICE, INC. (FOP OFFICERS, SERGEANTS AND LIEUTENANTS).

**Recommendation:** That City Council approve the Memoranda of Understanding between the City of Pensacola and each of the unions, to wit: the American Federation of State, County, and Municipal Employees (AFSCME), the International Association of Firefighters ("IAFF") Local 707 (subject to ratification of tentative agreement) and the Florida State Lodge Fraternal Order of Police, Inc. (FOP Officers, Sergeants and Lieutenants), pending adoption of the Fiscal Year 2020 Budget.

**A motion to approve was made by Council Member Cannada-Wynn seconded by Council Member Terhaar.**

Council Member Cannada-Wynn inquired of the increased costs in budgetary funding with City Attorney Holley responding accordingly.

There being no further discussion, the vote was called.

**The motion carried by the following vote:**

Yes: 7            Andy Terhaar, P.C. Wu, Ann Hill, Jared Moore, Jewel Cannada-Wynn, John Jerralds, Sherri Myers  
No: 0            None

**COUNCIL EXECUTIVE'S REPORT**

Council Executive Kraher addressed Council regarding the following:

- Items due tomorrow for the 9/26 Council Meeting
- Reminded the second (final) budget public hearing will be held at a special City Council meeting on Wednesday, September 18, 2019, at 5:30 P.M.
- Council pictures to follow immediately following this meeting.
- Referenced the City's proposed pay plan and indicated he will provide information to Council Members regarding its impacts on Council's staff.

**MAYOR'S COMMUNICATION**

Mayor Robinson made follow-up remarks regarding the issue addressed by citizens during the first segment of LeRoy Boyd Forum related to the proposal for a dog park/beer garden within Hollice T. Williams Park.

He also made follow-up remarks regarding Item 8, 19-00418 Pitt Slip Amended and Restated Lease.

Finally, he requested Council consider rescheduling the November Agenda Conference from 11/12 to 11/7 in order to accommodate Leadership Pensacola (LeaP).

**COUNCIL COMMUNICATIONS**

Some Council Members also made follow up remarks regarding the proposal for a dog park/beer garden within Hollice T. Williams Park; and Pitt Slip Amended and Restated Lease.

Council Executive introduced Council's newly hired Budget Analyst Melanie Kruszona who is in attendance this evening.

**CIVIC ANNOUNCEMENTS**

Council Member Hill announced an upcoming community fund-raising event.

**SECOND LEROY BOYD FORUM**

**Doris Hayes:** Addressed consent agenda Item 5, 19-00419 Two-Way Conversion of Martin Luther King Jr. Drive-Alcaniz Street and Davis Highway and inquired of the impacts to the neighborhood while the project is implemented.

Mayor Robinson responded indicating it is his understanding the impacts should be minimal.

That concluded the final segment of LeRoy Boyd Forum.

**ADJOURNMENT**

WHEREUPON the meeting was adjourned at 8:28 P.M.

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Adopted: \_\_\_\_\_

Approved: \_\_\_\_\_  
R. Andy Terhaar, President of City Council

Attest:

\_\_\_\_\_  
Ericka L. Burnett, City Clerk