



City of Pensacola

CITY COUNCIL

Regular Meeting Minutes

September 15, 2022

5:30 P.M.

Council Chambers

Council President Hill called the meeting to order at 5:33 P.M.

ROLL CALL

Council Members Present: Ann Hill, Jennifer Brahier, Teniade Broughton, Casey Jones (left 9:00), Jared Moore (arrived 5:34), Sherri Myers (arrived 5:43)

Council Members Absent: Delarian Wiggins

Also Present: Mayor Grover C. Robinson, IV

Members of the public may attend the meeting in person. City Council encourages those not fully vaccinated to wear face coverings that cover their nose and mouth.

The meeting can also be watched live stream at: [cityofpensacola.com/428/Live-Meeting-Video](https://www.cityofpensacola.com/428/Live-Meeting-Video).

To provide input:

- Leroy Boyd Forum, for items not on the agenda: citizens may submit an online form here <https://www.cityofpensacola.com/ccinput> **beginning at 3:00 P.M. until 5:30 P.M. only** to indicate they wish to speak during LeRoy Boyd Forum **and include a phone number. Staff will call the person** at the appropriate time so the citizen can directly address the City Council using a telephone held up to a microphone.
- Agenda Items, for specific items on the agenda: citizens may submit an online form here <https://www.cityofpensacola.com/ccinput> **beginning at 3:00 P.M. until that agenda item has been voted upon** to indicate they wish to speak to a specific item on the agenda **and include a phone number. Staff will call the person** at the appropriate time so the citizen can directly address the City Council using a telephone held up to a microphone. **Any form received after an agenda item has been voted upon will not be considered.**

INVOCATION

Moment of Silence

PLEDGE OF ALLEGIANCE

Council Member Casey Jones

FIRST LEROY BOYD FORUM

Colvin Rancifer: Addressed Council regarding issues related to attainable housing and increased costs.

Council Member Broughton made follow-up remarks.

Daryn Flanders: Addressed Council regarding homelessness and related issues of sleeping on library property, storage of personal belongings within the public right-of-way, feeding in Dr. Martin Luther King, Jr. Plaza on Friday evenings, and panhandling.

Laura Kennedy: Addressed Council and provided a hand-out (on file) regarding allegations made against her and Melissa Johnson while working at the SOS Camp (homeless encampment operated by Re-Entry Alliance Pensacola (REAP)).

Melissa Johnson: Addressed Council and provided a hand-out (on file) regarding allegations made against her and Laura Kennedy while working at the SOS Camp (homeless encampment operated by Re-Entry Alliance Pensacola (REAP)).

Bobby Taylor: Identified himself as a homeless veteran and described his good experiences since receiving shelter at the MaxWell Respite Center.

Christian Wagley: Addressed Council regarding stormwater prone areas and FEMA flood zones. Additionally, he commended the GIS map layering tool *CityView* available on the City's website and suggested staff provide a demonstration during an upcoming agenda conference.

Council Member Brahier made follow-up remarks.

Doris Hayes: On behalf of Eastside Neighborhood advised of traffic safety concerns on Davis Highway and Dr. Martin Luther King, Jr Drive related to driving in the wrong direction (on these one-way streets), need for better signage, and trees needing trimming.

Council Member Broughton and Mayor Robinson made follow-up remarks with Ms. Hayes responding accordingly.

AWARDS

Mayor Robinson presented a proclamation to the Hendricks Family on behalf of Rally Foundation Pensacola recognizing September as *Childhood Cancer Awareness Month*.

APPROVAL OF MINUTES

1. [22-00933 APPROVAL OF MINUTES: REGULAR MEETING DATED AUGUST 18, 2022 AND SPECIAL MEETING DATED SEPTEMBER 7, 2022](#)

A motion to approve was made by Council Member Jones and seconded by Council Member Brahier.

The motion carried by the following vote:

Yes: 6 Ann Hill, Jennifer Brahier, Teniade Broughton, Casey Jones, Jared Moore, Sherri Myers
No: 0 None

APPROVAL OF AGENDA

Mayor Robinson referenced hardcopies at Council's places and introduced the following add-on item:

2022-095 SUPPLMENTAL BUDGET RESOLUTION NO. 2022-095 - TAXIWAY "A" NORTH REHABILITATION

A motion to add-on was made by Council Member Jones and seconded by Council Member Moore.

Council Executive Kraher clarified the supplemental budget resolution corresponds to Item 14, 22-00861 and should be placed accordingly on the regular agenda.

The motion to add-on Supplemental Budget Res. No. 2022-095 carried by the following vote:

Yes: 6 Ann Hill, Jennifer Brahier, Teniade Broughton, Casey Jones, Jared Moore, Sherri Myers
No: 0 None

Council Executive Kraher referenced hardcopies of revised Item 7, 22-00893 correcting an error of the funding amount.

A motion was made by Council Member Jones and seconded by Council Member Brahier to move up Item 21, 22-00926 to the top of the regular agenda.

Yes: 6 Ann Hill, Jennifer Brahier, Teniade Broughton, Casey Jones, Jared Moore, Sherri Myers
No: 0 None

APPROVAL OF AGENDA (CONT'D.)

A motion to approve the agenda as amended was made by Council Member Moore and seconded by Council Member Jones.

Yes: 6 Ann Hill, Jennifer Brahier, Teniade Broughton, Casey Jones, Jared Moore, Sherri Myers
No: 0 None

CONSENT AGENDA**2. [22-00862](#) APPOINTMENTS - ARCHITECTURAL REVIEW BOARD**

Recommendation: That City Council reappoint Yuri L. Ramos and Jordan M. Yee, registered architects, and reappoint Anna Fogarty and Derek Salter, representatives from the University of West Florida Historic Trust (UWFHT), to the Architectural Review Board for a term of two (2) years, expiring September 30, 2024.

3. [22-00887](#) DISCRETIONARY FUNDING ALLOCATION - CITY COUNCIL PRESIDENT ANN HILL - DISTRICT 6

Recommendation: That City Council approve funding of \$200 for the WSRE-TV Foundation from the City Council Discretionary Funds for District 6.

4. [22-00888](#) DISCRETIONARY FUNDING ALLOCATION - CITY COUNCIL VICE PRESIDENT DELARIAN WIGGINS - DISTRICT 7

Recommendation: That City Council approve funding of \$800 for the WSRE-TV Foundation from the City Council Discretionary Funds for District 7.

5. [22-00889](#) DISCRETIONARY FUNDING ALLOCATION - CITY COUNCIL MEMBER CASEY JONES - DISTRICT 3

Recommendation: That City Council approve funding of \$1,000 for the WSRE-TV Foundation from the City Council Discretionary Funds for District 3.

6. [22-00892](#) FISCAL YEAR 2023 COMMUNITY POLICING INTERLOCAL AGREEMENT

Recommendation: That the City Council approve an interlocal agreement with the City of Pensacola for the purpose of providing Community Policing Innovations within the Urban Core Community Redevelopment Area for Fiscal Year 2023 in an amount not to exceed \$100,000.

REGULAR AGENDA (CONT'D.)

Upon advisement from City Attorney Peppler and without objection from Council Members, Council Member Wiggins (sponsor of Item 12, 22-00926) who was out of town on City business but available via Microsoft Teams, was provided an opportunity to address Council regarding the intent of his recommendation for an audit by a third party. City Attorney Peppler and Police Chief Randall responded accordingly to questions.

Based on discussion, **Council Member Brahier offered a friendly amendment adding language (at the end of the recommendation) "...to ensure the safety and health of campers". Council Members Jones and Myers agreed.**

Mayor Robinson and Deputy City Administrator Miller briefly addressed Council clarifying Code Enforcement's involvement and response based on inspections of the premises.

There being no further discussion, **the vote on the motion including the friendly amendment was called.**

The motion (with friendly amendment) carried by the following vote:

Yes: 6 Ann Hill, Jennifer Brahier, Teniade Broughton, Casey Jones, Jared Moore, Sherri Myers
No: 0 None

8. [22-00894 PUBLIC HEARING -- PROPOSED AMENDMENT TO SECTION 12-6-4\(4\) OF THE CITY CODE-LANDSCAPE AND TREE PROTECTION PLAN OF THE LAND DEVELOPMENT CODE.](#)

Recommendation: That City Council conduct a public hearing regarding the proposed amendment to Section 12-6-4(4) of the City Code - Landscape and Tree Protection Plan of the Land Development Code.

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

Council Member Myers (sponsor) addressed Council regarding the intent of the proposed amendment. Council Member Moore asked for clarification what the intended benefit of extending the posting requirement period from two (2) weeks to thirty (30) days with Council Executive Kraher responding accordingly.

Council Member Moore made a motion and Council Member Jones seconded that instead of four (4) weeks (as recommended by the Planning Board) City Council amend the posting requirement period to three (3) weeks.

REGULAR AGENDA (CONT'D.)

Discussion ensued among Council (regarding the amendment to Public Hearing Item 8, 22-00894) with Council Member Myers responding to comments and questions. Mayor Robinson also provided input. Council Executive Kraher suggested, for procedural purposes, that the amendment take place under the first reading of the ordinance (P.O. 42-22) rather than during the public hearing.

Council Member Moore withdrew the amendment. City Attorney Peppler suggested that there was no need to vote on the public hearing. City Clerk Burnett recommended that Council vote on the public hearing item to move the ordinance forward for first reading.

There being no further discussion, **the vote (on the original motion for Public Hearing Item 8, 22-00894) was called.**

The motion carried by the following vote:

Yes: 6 Ann Hill, Jennifer Brahier, Teniade Broughton, Casey Jones, Jared Moore, Sherri Myers
No: 0 None

9. [42-22 PROPOSED ORDINANCE NO. 42-22 - AMENDING SECTION 12-6-4\(4\) OF THE CITY CODE - LANDSCAPE AND TREE PROTECTION PLAN OF THE LAND DEVELOPMENT CODE](#)

Recommendation: That City Council approve Proposed Ordinance No. 42-22 on first reading:

[AN ORDINANCE AMENDING SECTION 12-6-4 \(4\) OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, LANDSCAPE AND TREE PROTECTION PLAN; PROVIDING FOR A THIRTY-DAY POSTING REQUIREMENT PRIOR TO ISSUANCE OF PERMIT; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.](#)

A motion to approve on first reading was made by Council Member Moore and seconded by Council Member Brahier.

Council Member Moore made a motion and Council Member Jones seconded that instead of thirty (30) days (as recommended by the Planning Board) City Council amend the posting requirement period to twenty-one (21) days.

The motion to amend carried by the following vote:

Yes: 4 Ann Hill, Teniade Broughton, Casey Jones, Jared Moore,
No: 2 Jennifer Brahier, Sherri Myers

REGULAR AGENDA (CONT'D.)

The main motion **as amended** (on P.O. No. 42-22) carried by the following vote:

Yes: 6 Ann Hill, Jennifer Brahier, Teniade Broughton, Casey Jones, Jared Moore, Sherri Myers
No: 0 None

10. [22-00854](#) QUASI-JUDICIAL HEARING - FINAL SUBDIVISION PLAT - STILLMAN SUBDIVISION

Recommendation: That City Council conduct a quasi-judicial hearing on September 15, 2022, to consider approval of the Final Subdivision Plat, Stillman Subdivision.

Council President Hill read into the record a description of the requirements for conducting a quasi-judicial hearing. Assistant Planning & Zoning Manager Cannon indicated that this issue is not contested, therefore, Council President Hill indicated they may dispense of the formalities but must receive appropriate evidence into the record.

Assistant Planning & Zoning Manager Cannon provided a summary of the issue as outlined in the memorandum regarding the subject subdivision plat. She responded accordingly to questions from Council Member Myers regarding the tree and landscape plan with Neil Tucker with Geci & Associates Engineering (applicant) elaborating. Mayor Robinson (sponsor) also provided input.

Upon conclusion of discussion, Council President Hill indicated she will entertain a motion.

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

The motion carried by the following vote:

Yes: 6 Ann Hill, Jennifer Brahier, Teniade Broughton, Casey Jones, Jared Moore, Sherri Myers
No: 0 None

REGULAR AGENDA (CONT'D.)11. [22-00895](#) HIRING OF LEGAL COUNSEL TO THE CITY COUNCIL

Recommendation: That City Council begin the process of hiring an Attorney to function as Legal Counsel to the City Council in accordance with Section 4.02(a)(6) of the City Charter.

A motion to approve was made by Council Member Myers and seconded by Council Member Brahier.

Council Member Brahier (sponsor) addressed Council regarding the intent of (the above referenced) City Charter section. Discussion ensued among Council with Council Member Brahier fielding comments and questions. City Attorney Pepler responding accordingly to questions. Council Executive Kraher and Mayor Robinson also provided input.

Upon conclusion of discussion, the vote was called.

The motion failed by the following vote:

Yes: 3 Ann Hill, Jennifer Brahier, Sherri Myers
No: 3 Teniade Broughton, Casey Jones, Jared Moore

12. [22-00800](#) HURRICANE SALLY CATHODIC PROTECTION REPAIRS

Recommendation: That City Council award Bid #22-045 Cathodic Protection Repairs to Hewes and Company, LLC with a base bid of \$2,085,000.00 plus a 10% contingency in the amount of \$208,500.00. Further, that City Council authorize the Mayor to execute the contract and take all actions necessary to complete the project.

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

As suggested by Council Member Brahier, a motion to amend was made by Council Member Myers and seconded by Council Member Brahier that the last sentence be revised to read as follows: Further, that City Council authorize the Mayor to execute the contract and take those actions necessary to complete the project consistent with the contract and bid.

Mayor Robinson (sponsor) made comments.

There being no further discussion, **the vote on the amendment was called.**

REGULAR AGENDA (CONT'D.)

The motion **to amend** (Item 12, 22-00800) carried by the following vote (with Council Member Jones no longer in attendance):

Yes: 5 Ann Hill, Jennifer Brahier, Teniade Broughton, Jared Moore, Sherri Myers
No: 0 None

There being no discussion, **the vote on the main motion as amended was called.**

The main motion **as amended** carried by the following vote (with Council Member Jones no longer in attendance):

Yes: 5 Ann Hill, Jennifer Brahier, Teniade Broughton, Jared Moore, Sherri Myers
No: 0 None

13. [22-00872 PORT TARIFF REVISIONS](#)

Recommendation: That City Council approve the proposed revisions to Port of Pensacola Tariff No. 5A. Further, that City Council authorize the Mayor to take all actions necessary to implement the changes.

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

As suggested by Council Member Brahier, a motion to amend was made by Council Member Myers and seconded by Council Member Brahier that the last sentence be revised to read as follows: Further, that City Council authorize the Mayor to take those actions necessary to implement the approved changes.

Some discussion took place with input from Council Executive Kraher, Mayor Robinson, City Administrator Fiddler, and Deputy City Administrator Miller.

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

The motion **to amend** carried by the following vote (with Council Member Jones no longer in attendance):

Yes: 5 Ann Hill, Jennifer Brahier, Teniade Broughton, Jared Moore, Sherri Myers
No: 0 None

REGULAR AGENDA (CONT'D.)

There being no discussion, **the vote on the main motion as amended (for Item 13, 22-00872) was called.**

The main motion as amended carried by the following vote (with Council Member Jones no longer in attendance):

Yes: 5 Ann Hill, Jennifer Brahier, Teniade Broughton, Jared Moore, Sherri Myers

No: 0 None

Add-on: 2022-095 SUPPLEMENTAL BUDGET RESOLUTION NO. 2022-095 - TAXIWAY "A" NORTH REHABILITATION

Recommendation: That City Council adopt Supplemental Budget Resolution No. 2022-095.

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2022; PROVIDING FOR AN EFFECTIVE DATE.

A motion to adopt was made by Council Member Myers and seconded by Council Member Moore.

The motion carried by the following vote (with Council Member Jones no longer in attendance):

Yes: 5 Ann Hill, Jennifer Brahier, Teniade Broughton, Jared Moore, Sherri Myers

No: 0 None

14. 22-00861 AWARD OF CONTRACT - ITB NO. 21-040 TAXIWAY "A" REHABILITATION AT PENSACOLA INTERNATIONAL AIRPORT - LAGAN CONSTRUCTION, LLC

Recommendation: That City Council award Bid No. 21-040 for Taxiway "A" Rehabilitation at Pensacola International Airport to Lagan Construction, LLC of Sterling, VA with a base bid of \$12,391,942.00 plus 10% contingency of \$1,239,194.20 for a total of \$13,631,136.20. Further that City Council authorize the Mayor to take all actions necessary to execute the contract and complete the project.

A motion to approve was made by Council Member Brahier and seconded by Council Member Myers.

REGULAR AGENDA (CONT'D.)

Council Member Brahier suggested an amendment to the last sentence be made as follows: Further, that City Council authorize the Mayor to execute the contract and take those actions necessary to complete the project consistent with the contract and bid. Mayor Robinson (sponsor) indicated he would accept as a friendly amendment. *No objections.*

The motion (with friendly amendment) carried by the following vote (with Council Member Jones no longer in attendance):

Yes: 5 Ann Hill, Jennifer Brahier, Teniade Broughton, Jared Moore, Sherri Myers
No: 0 None

15. 22-00884 AWARD OF QUOTE - PERIMETER SECURITY FENCE FIBER RELOCATION AT PENSACOLA INTERNATIONAL AIRPORT - SECURITY ENGINEERING, INC.

Recommendation: That City Council award Quote No. AAAQ4885 for perimeter security fence fiber relocation at Pensacola International Airport, to Security Engineering, Inc. with a base quote of \$104,773.77, plus a 15% contingency of \$15,716.07, for a total of \$120,489.84. Further, that City Council authorize the Mayor to take all actions necessary to complete the project.

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

Council Member Brahier suggested an amendment to the last sentence be made as follows: Further, that City Council authorize the Mayor to take those actions necessary to complete the project consistent with the awarded quote. Mayor Robinson (sponsor) suggested the amendment be accepted as a friendly amendment. Council Member Myers called for a point of order indicating that it is not appropriate for Mayor Robinson who is not a member of the legislative body to accept friendly amendments. Council Member Moore and Council Member Myers agreed to accept as a friendly amendment.

There being no discussion the vote was called.

The motion (with friendly amendment) carried by the following vote (with Council Member Jones no longer in attendance):

Yes: 5 Ann Hill, Jennifer Brahier, Teniade Broughton, Jared Moore, Sherri Myers
No: 0 None

REGULAR AGENDA (CONT'D.)**16. [22-00857](#) INTERLOCAL AGREEMENT FOR THE ACCEPTANCE AND PROCESSING OF SOURCE SEPARATED RECYCLABLES**

Recommendation: That City Council approve the 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 the agreement.

A motion to approve was made by Council Member Brahier and seconded by Council Member Myers.

Council Member Brahier offered a friendly amendment to the last sentence be made as follows: Further, that City Council authorize the Mayor to execute the agreement as presented. Council Member Myers agreed.

There being no discussion the vote was called.

The motion (with friendly amendment) carried by the following vote (with Council Member Jones no longer in attendance):

Yes: 5 Ann Hill, Jennifer Brahier, Teniade Broughton, Jared Moore, Sherri Myers
No: 0 None

17. [2022-068](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 2022-068 LAW ENFORCEMENT TRUST FUND (LETF) PURCHASE FOR THE PENSACOLA POLICE DEPARTMENT

Recommendation: That City Council adopt Supplemental Budget Resolution No. 2022-068.

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2022; PROVIDING FOR AN EFFECTIVE DATE.

A motion to adopt was made by Council Member Moore and seconded by Council Member Brahier.

The motion carried by the following vote (with Council Member Jones no longer in attendance):

Yes: 5 Ann Hill, Jennifer Brahier, Teniade Broughton, Jared Moore, Sherri Myers

No: 0 None

REGULAR AGENDA (CONT'D.)

18. [25-22](#) REVISED PROPOSED ORDINANCE NO. 25-22 AMENDMENT TO CITY CODE SECTION 4-3-97 - SANITATION COLLECTION FEE AND THE SANITATION EQUIPMENT SURCHARGE

Recommendation: That City Council adopt Proposed Ordinance No. 25-22 on second 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. ([Ordinance No. 28-22](#))

A motion to adopt was made by Council Member Moore and seconded by Council Member Myers.

The motion carried by the following vote (with Council Member Jones no longer in attendance):

Yes: 5 Ann Hill, Jennifer Brahier, Teniade Broughton, Jared Moore, Sherri Myers
No: 0 None

19. [33-22](#) PROPOSED ORDINANCE NO. 33-22 - REQUEST FOR FUTURE LAND USE MAP AMENDMENT - 411 N. BAYLEN STREET

Recommendation: That City Council adopt Proposed Ordinance No. 33-22 on second reading:

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN AND FUTURE LAND USE MAP OF THE CITY OF PENSACOLA, FLORIDA; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE. ([Ordinance No. 29-22](#))

A motion to adopt was made by Council Member Moore and seconded by Council Member Brahier.

The motion carried by the following vote (with Council Member Jones no longer in attendance):

Yes: 5 Ann Hill, Jennifer Brahier, Teniade Broughton, Jared Moore, Sherri Myers
No: 0 None

REGULAR AGENDA (CONT'D.)**20. [34-22](#) PROPOSED ORDINANCE NO. 34-22 - REQUEST FOR ZONING MAP AMENDMENT - 411 N. BAYLEN STREET**

Recommendation: That City Council adopt Proposed Ordinance No. 34-22 on second reading.

AN ORDINANCE AMENDING THE ZONING CLASIFICATION FOR CERTAIN PROPERTY PURSUANT TO AND CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY OF PENSACOLA, FLORIDA; AMENDING THE ZONING MAP OF THE CITY OF PENSACOLA; REPEALING CLAUSE AND EFFECTIVE DATE. ([Ordinance No. 30-22](#))

A motion to adopt was made by Council Member Moore and seconded by Council Member Myers.

The motion carried by the following vote (with Council Member Jones no longer in attendance):

Yes: 5	Ann Hill, Jennifer Brahier, Teniade Broughton, Jared Moore, Sherri Myers
No: 0	None

COUNCIL EXECUTIVE'S REPORT

None

MAYOR'S COMMUNICATION

Mayor Robinson announced upcoming events within the community.

COUNCIL COMMUNICATIONS & CIVIC ANNOUNCEMENTS

None

SECOND LEROY BOYD FORUM

Larry Downs, Jr.: Addressed Council regarding various subjects.

ADJOURNMENT

WHEREUPON the meeting was adjourned at 9:35 P.M.

Adopted: _____

Approved: _____
Ann Hill, President of City Council

Attest:

Ericka L. Burnett, City Clerk