



# City of Pensacola

## CITY COUNCIL

### Regular Meeting Minutes

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September 9, 2021

5:30 P.M.

Council Chambers

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Council President Moore called the meeting to order at 5:36 P.M.

#### ROLL CALL

**Council Members Present:** Jared Moore, Ann Hill, Jennifer Brahier, Teniade Broughton, Casey Jones, Sherri Myers (left 9:23), Delarian Wiggins

**Council Members Absent:** None

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 Teniade Broughton

**FIRST LEROY BOYD FORUM**

**Craig McDonnell:** Addressed Council representing Kiwanis Club of Big Lagoon and referred to a handout he provided (at Council's places - - on file) of an upcoming *Wreaths Across America* event.

**Karl Schwelm:** Addressed Council representing the Marine Corps League and referred to a handout he provided (at Council's places) of a memorial event being held Saturday at WSRE TV in honor of the 20<sup>th</sup> anniversary of 9/11.

**Michael Bearden:** First inquired of fees for parking at City Hall. He then addressed Council regarding matters of what he referred to as "restraint of trade" and related it to issues in the City regarding parking and operating of food trucks.

In response to Mr. Bearden's inquiry, City Administrator Wilkins advised that the fees collected for parking at City Hall is only required of patrons of the Wahoo Stadium and not for public attending Council meeting. Also, that any revenues from City Hall parking fees go back to fund maintenance provided by the City for the Community Maritime Park (CMP).

**Gloria Horning:** Addressing Council and clarifying that as she has previously mentioned, her home (300 block South DeVilliers Street) has flooded three times (not once) and her property and the street flood all the time and referred to neighbors whose properties were flooded during Hurricane Sally (in September 2020). She further commented on issues with sewage backed-up along with stormwater issues and referred to needing modern infrastructure planning to address new development within the area of Bruce Beach and the Tanyards neighborhood.

**Margaret Hostetter:** Addressed Council referring to a hand-out (at Council's places - - on file) regarding various (alleged) code violations related to aprons or approaches to driveways and right-of-way parking issues and urged the Council pass a moratorium on enforcement to allow time to explore proposed amendments to the City Code. She also advised the deadline stipulated by the City's magistrate for her property to come into compliance is October 5<sup>th</sup> and that is why she is urging the passage of a moratorium on enforcement of violations, and further that she has been communicating regularly with Interim Public Works & Facilities Director Forte on these issues (copies of emails attached to the referenced handout at Council's places).

**Larry Downs, Jr.:** First made comments regarding COVID-19 coronavirus. He then referred to fees required of adult entertainment employees. Council President Moore referenced Item 24, Proposed Ordinance No. 34-21 eliminating permit requirements for adult entertainment establishment employees and indicated he can address Council during consideration of its adoption.

**AWARDS**

None

**APPROVAL OF MINUTES**

1. [21-00772 APPROVAL OF MINUTES: REGULAR MEETING DATED AUGUST 12, 2021](#)

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

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

Yes: 7            Jared Moore, Ann Hill, Jennifer Brahier, Teniade Broughton, Casey Jones, Sherri Myers, Delarian Wiggins  
No: 0            None

**APPROVAL OF AGENDA**

Council President Moore **referenced hardcopies of five (5) add-on items with Council Executive Kraher summarizing each item.**

Council Member Myers (sponsor) referred to items **21-00781 Referral to Planning Board - Proposed Amendment to Section 12-3-65 - Parking for Certain Uses Prohibited - of the Land Development Code, 21-00782 Request for Legal Opinion from the Office of the City Attorney, and Proposed Ordinance No. 39-21 Amendment to Section 11-2-24 of the City Code - Parking for Certain Uses Prohibited and withdrew her request for each to be considered as add-ons to the agenda.**

The following two (2) add-on items sponsored by Council Member Jones were considered as follows:

**21-00780 REFERRAL TO PLANNING BOARD - REPEAL OF SECTION 12-3-65 - PARKING FOR CERTAIN USES PROHIBITED - OF THE CODE OF THE CITY OF PENSACOLA**

**A motion to add-on was made by Council Member Brahier and seconded by Council Member Wiggins.**

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

Yes: 7            Jared Moore, Ann Hill, Jennifer Brahier, Teniade Broughton, Casey Jones, Sherri Myers, Delarian Wiggins  
No: 0            None

**APPROVAL OF AGENDA (CONT'D.)**

38-21 PROPOSED ORDINANCE NO. 38-21 - AMENDING SECTION 11-2-24 - PARKING FOR CERTAIN USES PROHIBITED OF THE CODE OF THE CITY OF PENSACOLA

**A motion to add-on was made by Council Member Brahier and seconded by Council Member Hill.**

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

Yes: 7            Jared Moore, Ann Hill, Jennifer Brahier, Teniade Broughton, Casey Jones, Sherri Myers, Delarian Wiggins  
No: 0            None

**A motion to approve the agenda as amended was made by Council Member Wiggins and seconded by Council Member Hill.**

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

Yes: 7            Jared Moore, Ann Hill, Jennifer Brahier, Teniade Broughton, Casey Jones, Sherri Myers, Delarian Wiggins  
No: 0            None

**CONSENT AGENDA**

2. [21-00637](#) EXTEND TERMS OF ESCAMBIA PENSACOLA AFFORDABLE HOUSING ADVISORY COMMITTEE MEMBERS

**Recommendation:** That City Council approve to extend the terms of the Escambia Pensacola Affordable Housing Advisory Committee members to December 31, 2021.

3. [21-00648](#) APPOINTMENT OF MEMBERS TO THE CHARTER REVIEW COMMISSION

**Recommendation:** That City Council, in accordance with City Charter Section 8.01(b) and through joint agreement between the Mayor and City Council, appoint seven (7) members, one coming from each of the seven Council Districts, and (2) appointees from the Mayor for a total of nine (9) appointees to the Charter Review Commission.

**CONSENT AGENDA (CONT'D.)****4. [21-00669](#) AWARD OF CONTRACTS RFP #21-028 FIVE (5) YEAR CONTRACT FOR DEBRIS MONITORING SERVICES**

**Recommendation:** That City Council approve the ranking of the selection committee for RFP #21-028 "Five (5) Year Contract for Debris Monitoring Services," with Tetra Tech, Inc. of Maitland, Florida submitting the best proposal. Further, that Council award the primary contract for the debris monitoring services to Tetra Tech, Inc., and that a secondary contract be awarded to Witt O'Brien's, LLC in the event Tetra Tech, Inc. is unable to perform the required services or in the event circumstances require more than one firm to adequately respond. Finally, that City Council authorize the Mayor to negotiate and the execute the contract with each named firm and take all related actions necessary to engage their services, as required.

**5. [21-00701](#) FISCAL YEAR 2022 COMMUNITY POLICING INTERLOCAL AGREEMENT**

**Recommendation:** That the City Council approve an interlocal agreement with 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 for Fiscal Year 2022 in an amount not to exceed \$100,000.

**6. [21-00723](#) 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 consent agenda items 2, 3, 4, 5, and 6 was made by Council Member Hill and seconded by Council Member Jones.**

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

Yes: 7	Jared Moore, Ann Hill, Jennifer Brahier, Teniade Broughton, Casey Jones, Sherri Myers, Delarian Wiggins
No: 0	None

**REGULAR AGENDA**

7. [21-00719](#) SECOND ADDENDUM TO THE PARTIAL ASSIGNMENT TO INSPIRED COMMUNITIES OF FLORIDA, LLC OF THE OPTION AGREEMENT BETWEEN THE CITY OF PENSACOLA AND STUDER PROPERTIES, LLP

**Recommendation:** That City Council approve and authorize the Mayor to execute the Second Addendum to the Partial Assignment to Inspired Communities of Florida, LLC of the Option Agreement between the City of Pensacola and Studer Properties, LLP for the development of Parcels 3, 6, 8, and 9 of the Vince J. Whibbs Jr. Community Maritime Park, extending the agreement for twelve months through September 30, 2022.

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

Property Lease Manager Stallworth responded accordingly to questions related to the term extension (for this item and the next) and indicated she will request to obtain an update from City consultant Andrew Rothfeder on the negotiation process with Carson Lovell for development of CMP Parcels 4 and 5 and forward to Council.

Upon conclusion of discussion, the vote was called.

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

Yes: 7      Jared Moore, Ann Hill, Jennifer Brahier, Teniade Broughton, Casey Jones, Sherri Myers, Delarian Wiggins  
No: 0      None

8. [21-00722](#) SECOND ADDENDUM TO THE PARTIAL ASSIGNMENT TO VALENCIA DEVELOPMENT CORPORATION OF THE OPTION AGREEMENT BETWEEN THE CITY OF PENSACOLA AND STUDER PROPERTIES, LLP

**Recommendation:** That City Council approve and authorize the Mayor to execute the Second Addendum to the Partial Assignment to Valencia Development Corporation of the Option Agreement between the City of Pensacola and Studer Properties, LLP for the development of Parcel 7 of the Vince J. Whibbs Jr. Community Maritime Park, extending the agreement for twelve months through September 30, 2022.

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

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

**The motion (to approve Item 8, 21-00722) carried by the following vote:**

Yes: 7            Jared Moore, Ann Hill, Jennifer Brahier, Teniade Broughton, Casey Jones, Sherri Myers, Delarian Wiggins  
No: 0            None

9. [21-00690 PUBLIC HEARING: PROPOSED AMENDMENT TO THE LAND DEVELOPMENT CODE - RESIDENTIAL DENSITY TRANSFERS](#)

**Recommendation:** That City Council conduct a public hearing on September 9, 2021 to consider a proposed amendment to Section 12-3-109 of the Land Development Code, pertaining to Residential Density Transfers.

Planning Services Director Morris explained the proposed amendments before Council as outlined in the memorandum dated 9/9/21.

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

There being no discussion or public input, the vote was called.

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

Yes: 7            Jared Moore, Ann Hill, Jennifer Brahier, Teniade Broughton, Casey Jones, Sherri Myers, Delarian Wiggins  
No: 0            None

10. [35-21 PROPOSED ORDINANCE NO. 35-21 - AMENDMENT TO THE LAND DEVELOPMENT CODE - RESIDENTIAL DENSITY TRANSFERS](#)

**Recommendation:** That City Council approve Proposed Ordinance No. 35-21 on first reading.

[AN ORDINANCE AMENDING SECTION 12-3-109 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, ESTABLISHING A PROCESS FOR THE APPROVAL OF RESIDENTIAL DENSITY TRANSFERS; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.](#)

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

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

**The motion (to approve P.O. No. 35-21) carried by the following vote:**

Yes: 7        Jared Moore, Ann Hill, Jennifer Brahier, Teniade Broughton, Casey Jones, Sherri Myers, Delarian Wiggins  
No: 0        None

11. [21-00694 PUBLIC HEARING: ZONING MAP AND FUTURE LAND USE MAP AMENDMENT - RECENTLY ANNEXED PROPERTY - AMR PENSACOLA, INC.](#)

**Recommendation:** That City Council conduct a Public Hearing on September 9, 2021, to consider the request to amend the Zoning Map and Future Land Use Map for the parcel located on the southeast corner of the intersection of West Blount Street and North Pace Boulevard which was recently annexed into the city.

Planning Services Director Morris explained the request before Council is to designate the parcel as R-2 Residential/Office zoning district, and amend the FLUM to O, Office as outlined in the memorandum dated 9/09/21 and provided overhead slides depicting the subject property.

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

There being no discussion or public input, the vote was called.

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

Yes: 7        Jared Moore, Ann Hill, Jennifer Brahier, Teniade Broughton, Casey Jones, Sherri Myers, Delarian Wiggins  
No: 0        None

12. [37-21 PROPOSED ORDINANCE NO. 37-21 - FUTURE LAND USE MAP AMENDMENT - RECENTLY ANNEXED PROPERTY - AMR PENSACOLA, INC](#)

**Recommendation:** That City Council approve Proposed Ordinance No. 37-21 on first reading:

AN ORDINANCE AMENDING THE FUTURE LAND USE CLASSIFICATION OF CERTAIN PROPERTY PURSUANT TO AND CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY OF PENSACOLA; AMENDING THE FUTURE LAND USE MAP OF THE CITY OF PENSACOLA; REPEALING CLAUSE AND EFFECTIVE DATE.



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

**A motion to approve (P.O. No. 37-21) on first reading was made by Council Member Hill and seconded by Council Member Jones.**

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

Yes: 7            Jared Moore, Ann Hill, Jennifer Brahier, Teniade Broughton, Casey Jones, Sherri Myers, Delarian Wiggins  
No: 0            None

13. [36-21 PROPOSED ORDINANCE NO. 36-21 - ZONING MAP AMENDMENT - RECENTLY ANNEXED PROPERTY - AMR PENSACOLA, INC](#)

**Recommendation:** That City Council approve Proposed Ordinance No. 36-21 on first reading:

[AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY PURSUANT TO AND CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY OF PENSACOLA; AMENDING THE ZONING MAP OF THE CITY OF PENSACOLA; REPEALING CLAUSE AND EFFECTIVE DATE.](#)

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

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

Yes: 7            Jared Moore, Ann Hill, Jennifer Brahier, Teniade Broughton, Casey Jones, Sherri Myers, Delarian Wiggins  
No: 0            None

14. [21-00689 REQUEST FOR LICENSE TO USE A 20' x 72' PORTION AND A 20' X 27' PORTION OF THE BRAINERD STREET USE RIGHT OF WAY - 1154 NORTH 12TH AVENUE](#)

**Recommendation:** That City Council approve the request for a License to Use Right of Way a 20' x 72' portion and a 20' x 27' portion of the Brainerd Street right of way adjacent to property located at 1154 North 12th Avenue for the purpose of providing parking within the right-of-way.

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

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

Dickie Heckler, applicant/requester (**Item 14, 21-00689**) was provided an opportunity to address Council and described the area being requested for use in relation to the operation of a restaurant that he and his wife are converting the existing building that was previously used as a beauty salon and the process undertaken before the Planning Board. He responded accordingly to questions from Council Members.

Public input was heard from Margaret Hostetter.

Mr. Heckler and civil engineer for the restaurant project Clint Geci, vice president of Geci & Associates were provided an opportunity to respond to Ms. Hostetter's comments and questions.

Discussion ensued among Council. Planning Services Director Morris, City Administrator Wilkins, Interim Public Works & Facilities Director Forte, and Mr. Heckler responded accordingly to comments and questions throughout discussion. **Reference was made during the discussion to the possibility of scheduling a workshop for Council to discuss in-depth policies and practices related to use of right-of-way.**

Additional public input was heard from Kelly Moore.

Upon conclusion of discussion, the vote was called.

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

Yes: 6            Jared Moore, Ann Hill, Jennifer Brahier, Teniade Broughton, Casey Jones, Delarian Wiggins  
No: 1            Sherri Myers

15. [21-00741](#) FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY COMMUNITY PLANNING TECHNICAL ASSISTANCE GRANT PROGRAM - JACKSON STREET TRANSPORTATION MASTER PLAN

**Recommendation:** That the City Council approve and authorize the CRA Chairperson to execute the acceptance of the Florida Department of Economic Opportunity Community Planning Assistance Grant in the amount of \$40,000 for development the Jackson Street Transportation Master Plan. Finally, City Council adopt a Supplemental Budget Resolution to appropriate the grant funds.

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

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

**The motion (to approve Item 21-00741) carried by the following vote:**

Yes: 7        Jared Moore, Ann Hill, Jennifer Brahier, Teniade Broughton, Casey Jones, Sherri Myers, Delarian Wiggins  
No: 0        None

16. [2021-64](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 2021-64 - APPROPRIATING FUNDING IN RELATION TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY COMMUNITY PLANNING TECHNICAL ASSISTANCE GRANT PROGRAM - JACKSON STREET TRANSPORTATION MASTER PLAN

**Recommendation:** That City Council adopt Supplemental Budget Resolution No. 2021-64:

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2021; PROVIDING FOR AN EFFECTIVE DATE.

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

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

Yes: 7        Jared Moore, Ann Hill, Jennifer Brahier, Teniade Broughton, Casey Jones, Sherri Myers, Delarian Wiggins  
No: 0        None

17. [21-00753](#) MARKET PLACE STORMWATER POND

**Recommendation:** That City Council create a line item in the budget titled "Market Place Greenway". That \$30,000.00 from Sherri Myers' tree trust funds be transferred to the line item. Further, that \$50,000.00 from the tree trust fund, which is a portion of the funds allocated to District 2 for tornado tree canopy remediation, be transferred to the fund. Further, that the City Council determine the amount of funds paid into the tree trust fund from the Ascension Sacred Heart developments on Grande Street and the intersection of Summit and 12th Avenue and these funds be placed into the fund. Further, that any funds placed in the tree trust fund from the developers of the Grande Street developments be placed in the fund. Said total not to exceed \$100,000.00, but not inclusive of \$30,000.00 donated by Councilwoman Myers. Lastly, that \$100,000.00 from any unallocated funds from the general fund be allocated to the project for sidewalks, benches, irrigation and other vegetative improvements not covered by the tree trust fund. Total allocation \$230,000.00. Further that City Council approve a supplemental budget resolution.

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

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

Council Member Myers (sponsor of **Item 17, 21-00753**) explained the intent of this item.

Public input was heard from Laurie Murphy (via phone held up to a mic).

**The motion (to approve) carried by the following vote:**

Yes: 7        Jared Moore, Ann Hill, Jennifer Brahier, Teniade Broughton, Casey Jones, Sherri Myers, Delarian Wiggins

No: 0        None

18. [2021-77 SUPPLEMENTAL BUDGET RESOLUTION 2021-77 - MARKET PLACE STORMWATER POND](#)

**Recommendation:** That City Council adopt Supplemental Budget Resolution No. 2021-77:

[A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2021; PROVIDING FOR AN EFFECTIVE DATE.](#)

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

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

Yes: 7        Jared Moore, Ann Hill, Jennifer Brahier, Teniade Broughton, Casey Jones, Sherri Myers, Delarian Wiggins

No: 0        None

19. [21-00754 CITY OF PENSACOLA ACTIVE TRANSPORTATION PLAN](#)

**Recommendation:** That City Council provide funding of \$166,000 for the creation of an Active Transportation Plan. Further that City Council approve a supplemental budget resolution.

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

Public input was heard from the following individuals:

Frankie Pesce, III  
Zac Lane

Kristen Pesce

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

**The motion (to approve Item 19, 21-00754) carried by the following vote:**

Yes: 7        Jared Moore, Ann Hill, Jennifer Brahier, Teniade Broughton, Casey Jones, Sherri Myers, Delarian Wiggins  
No: 0        None

20. [2021-76 SUPPLEMENTAL BUDGET RESOLUTION NO. 2021-76 - CITY OF PENSACOLA ACTIVE TRANSPORTATION PLAN](#)

**Recommendation:** That City Council adopt Supplemental Budget Resolution No. 2021-76:

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2021; PROVIDING FOR AN EFFECTIVE DATE.

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

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

Yes: 7        Jared Moore, Ann Hill, Jennifer Brahier, Teniade Broughton, Casey Jones, Sherri Myers, Delarian Wiggins  
No: 0        None

21. [28-21 PROPOSED ORDINANCE NO. 28-21 AMENDMENT TO CITY CODE SECTION 4-3-97 - SANITATION COLLECTION FEE AND EQUIPMENT SURCHARGE](#)

**Recommendation:** That City Council adopt Proposed Ordinance No. 28-21 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 A PREMIUM SERVICE FEE; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE AND PROVIDING AN EFFECTIVE DATE. ([Ordinance No. 16-21](#))

**A motion to adopt was made by Council Member Jones and seconded by Council Member Wiggins.**

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

**The motion (to adopt P.O. No. 28-21) carried by the following vote:**

Yes: 7        Jared Moore, Ann Hill, Jennifer Brahier, Teniade Broughton, Casey Jones, Sherri Myers, Delarian Wiggins  
No: 0        None

22. [29-21 PROPOSED ORDINANCE NO. 29-21 - REQUEST FOR ZONING MAP AMENDMENT - 1301 PALAFOX STREET](#)

**Recommendation:** That City Council adopt revised Proposed Ordinance No. 29-21 on second reading:

AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY PURSUANT TO AND CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY OF PENSACOLA; AMENDING THE ZONING MAP OF THE CITY OF PENSACOLA; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE. ([Ordinance No. 17-21](#))

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

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

Yes: 7        Jared Moore, Ann Hill, Jennifer Brahier, Teniade Broughton, Casey Jones, Sherri Myers, Delarian Wiggins  
No: 0        None

23. [33-21 PROPOSED ORDINANCE NO. 33-21 - AMENDING SECTION 6-2-3 - DUTIES \[PARKS AND RECREATION BOARD\] OF THE CITY CODE](#)

**Recommendation:** That City Council adopt Proposed Ordinance No. 33-21 on second reading:

AN ORDINANCE AMENDING SECTION 6-2-3 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, PARKS AND RECREATION BOARD -- DUTIES; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE. ([Ordinance No. 18-21](#))

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

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

**The motion (to adopt P.O. No. 33-21) carried by the following vote:**

Yes: 7        Jared Moore, Ann Hill, Jennifer Brahier, Teniade Broughton, Casey Jones, Sherri Myers, Delarian Wiggins  
No: 0        None

24. [34-21 PROPOSED ORDINANCE NO. 34-21 - ELIMINATING PERMIT REQUIREMENTS FOR ADULT ENTERTAINMENT ESTABLISHMENT EMPLOYEES.](#)

**Recommendation:** That City Council adopt Proposed Ordinance No. 34-21 on second reading.

AN ORDINANCE AMENDING SECTIONS 7-3-23 AND 7-3-119 AND REPEALING SECTION 7-3-45 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; ELIMINATING PERMIT REQUIREMENTS FOR ADULT ENTERTAINMENT EMPLOYEES; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE. ([Ordinance No. 19-21](#))

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

Public input was heard from Larry Downs, Jr.

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

Yes: 7        Jared Moore, Ann Hill, Jennifer Brahier, Teniade Broughton, Casey Jones, Sherri Myers, Delarian Wiggins  
No: 0        None

25. [21-00771 ENFORCEMENT OF CITY CODE SECTIONS 11-2-24 AND 12-3-65 - PARKING FOR CERTAIN USES PROHIBITED.](#)

**Recommendation:** That City Council request a moratorium on the enforcement of City Code Sections 11-2-24 and 12-3-65 - Parking for Certain Uses Prohibited as applied to food trucks for 90 days - until such a time that City Council finds a resolution regarding food trucks.

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

At the request of Council President Moore, Planning Services Director Morris explained the City Code Sections referenced in relation to this issue and responded accordingly to his questions.

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

Also, at the request of Council President Moore (regarding **Item 25, 2100771**), Assistant City Attorney Moore explained the application of enforcement of the (subject) City Code Sections, applicable Florida Statutes, and that a moratorium on this issue is not within Council's authority. **Further, referencing add-on item P.O. No. 38-21 amending Section 11-2-24, she indicated Council may consider on first reading, but advised Section 12-3-65 of the Land Development Code would still be in conflict, since add-on item 21-00780 if approved would move to the Planning Board process to consider its repeal before coming back to Council, therefore P.O. No. 38-21 cannot be considered for adoption while Section 12-3-65 remains with its current language.** She responded accordingly to questions and comments from Council Members.

Public input was heard from the following individuals:

Scott Mitchell  
Gabriel Hernandez  
Alden Garcia  
Aaron Fitch  
Tom Kihlstadius  
Margaret Hostetter  
Charles McClain  
Duel Christian  
Larry Downs, Jr.

Randy Russell  
Eric Pommerening  
Buck Mitchell  
Chris Powell  
Tommy @ Jordan Valley  
Jessica Wildman  
John Herron (via phone)  
Derrick Cook

Discussion took place throughout public input with Assistant City Attorney Moore and City Administrator Wilkins fielding comments and questions.

Following public input, **Council Member Myers (sponsor) withdrew this item from consideration.**

21-00780 ADD-ON - REFERRAL TO PLANNING BOARD - REPEAL OF SECTION 12-3-65 - PARKING FOR CERTAIN USES PROHIBITED - OF THE CODE OF THE CITY OF PENSACOLA

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

Council Member Jones (sponsor) explained the intent of this item. Council President Moore inquired of Planning Services Director Morris how soon this issue may go before the Planning Board, and she responded she will try to get it added-on the upcoming agenda for the meeting on 9/14.

There being no further discussion, the vote was called.



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

**The motion (to approve Item 21-00780) carried by the following vote:**

Yes: 7            Jared Moore, Ann Hill, Jennifer Brahier, Teniade Broughton, Casey Jones, Sherri Myers, Delarian Wiggins  
No: 0            None

**38-21 PROPOSED ORDINANCE NO. 38-21 - AMENDING SECTION 11-2-24 - PARKING FOR CERTAIN USES PROHIBITED OF THE CODE OF THE CITY OF PENSACOLA**

Council Member Jones (sponsor) explained the intent of this item and referenced a handout he provided (at Council's places - - on file with background materials) regarding *Food Truck Governance – What does it look like in other cities?*

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

Upon conclusion of discussion, the vote was called.

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

Yes: 7            Jared Moore, Ann Hill, Jennifer Brahier, Teniade Broughton, Casey Jones, Sherri Myers, Delarian Wiggins  
No: 0            None

**COUNCIL EXECUTIVE'S REPORT**

Council Executive Kraher advised Council Members of the following: 1) Next meeting of the Districting Commission is scheduled on 9/22 and starting its work in earnest related to their task; 2) Now that the Charter Review Commission appointments have been confirmed he will work to schedule an upcoming organizational meeting; and 3) Thanked legal staff for their hard work this week especially while being understaffed.

**MAYOR'S COMMUNICATION**

None

**COUNCIL COMMUNICATIONS**

Council Member Wiggins announced Booker T. Washington High School Wildcats as winners of this year's Mayor Bowl.

**CIVIC ANNOUNCEMENTS**

None

**SECOND LEROY BOYD FORUM**

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

**ADJOURNMENT**

WHEREUPON the meeting was adjourned at 9:28 P.M.

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Adopted: September 23, 2021

Approved: Jared Moore  
Jared Moore, President of City Council

Attest:

Ericka L. Burnett  
Ericka L. Burnett, City Clerk