



City of Pensacola

CITY COUNCIL

Regular Meeting Minutes

February 11, 2021

5:30 P.M.

Council Chambers

Council President Moore called the meeting to order at 5:34 P.M.

ROLL CALL

Council Members Present: Jared Moore, Ann Hill, Jennifer Brahier, Teniade Broughton, Casey Jones, Sherri Myers, and Delarian Wiggins

Council Members Absent: None

Also Present: Mayor Grover C. Robinson, IV

Members of the public may NOT attend the meeting in person, as City Hall is closed to the public until further notice.

Members of the public may attend and participate via live stream and/or phone.

To watch the meeting live visit: [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

The following individuals addressed Council regarding Items 2 and 3, Public Hearing (21-00110) and Proposed Ordinance No. 01-21 *Proposed Amendments to the Land Development Code – Chapter 12-6 Tree/Landscape Regulations and Chapter 12-13 Definitions Enumerated:*

Gloria Lemmey

Lauren Hamilton

Michael DeMaria

Persephone Zephyr: Addressed Council urging the City to provide funding to address resolutions for issues of homelessness within the community.

Michael Kimberl: Indicated he tried to assist several individuals who tried to complete the online speaker request form to address Council but found, due to the requirement of the form to provide an email address, were unable to do so.

AWARDS

Mayoral Proclamation recognizing (what would have been) 101st Birthday of General Daniel “Chappie” James, Jr.

APPROVAL OF MINUTES

1. [21-00166](#) APPROVAL OF MINUTES: REGULAR MEETING DATED JANUARY 21, 2021

A motion to approve was made was made by Council Member Wiggins 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

APPROVAL OF AGENDA

Council President Moore referenced hardcopies of an **add-on item**:

07-21 PROPOSED ORDINANCE NO. 07-21 CREATING SECTION 14-2-140 OF THE CITY CODE PROVIDING FOR UNSAFE STRUCTURE AND BUILDING ABATEMENT

A motion to add-on the item 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

Council President Moore referenced hardcopies of another **add-on item**:

08-21 PROPOSED ORDINANCE NO. 08-21 – AN ORDINANCE DECLARING A MORATORIUM ON THE EVICTION, DISPLACEMENT OR RELOCATION OF HOMELESS INDIVIDUALS

A motion to add-on the item was made by Council Member Myers and seconded by Council Member Jones.

Discussion took place with Council Member Myers (sponsor) fielding comments and questions regarding the intent of the proposed ordinance versus the resolution on the agenda which she is sponsoring (Item 10, Resolution No. 2021-09). City Attorney Woolf responded accordingly to questions of a legal nature. Mayor Robinson also provided input.

Based on discussion, Council Member Myers withdrew the item for consideration as an add-on item.

A motion was made to approve the agenda as amended 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

None.

REGULAR AGENDA**2. [21-00110 PUBLIC HEARING - PROPOSED AMENDMENTS TO THE LAND DEVELOPMENT CODE - CHAPTER 12-6 TREE/LANDSCAPE REGULATIONS AND CHAPTER 12-13 DEFINITIONS ENUMERATED.](#)**

Recommendation: That City Council conduct a public hearing on February 11, 2021, to consider proposed amendments to the Land Development Code, Chapter 12-6 Tree/Landscape Regulations and Chapter 12-13 Definitions Enumerated.

Mayor Robinson (sponsor) as well as Council Members Brahier and Myers (co-sponsors) made introductory remarks regarding the language and intent of the proposed amendments.

Council Member Myers raised her concerns regarding the process of this item going to the Planning Board which Council first voted to refer the amendments over a year ago. Mayor Robinson and Council Member Brahier responded to Council Member Myers' comments.

Public input was heard via cellphone held up to a mic from the following individuals:

Joseph Mikos	Jessica Southern
Katie Dineen	Kat Miller
Mary Hagen	Tim Miller
Carl Franklin	Amanda Fiske-Chanslor
Duane Tant	Kelly Hagen
Nathan Kozakiewicz	Brynne Heatley
Anthony Franklin	Dixie Wilkinson
Jan Southern	Paige Plier
Jordan Wells	Brook Hardy

Council Member Myers made follow-up remarks.

A motion to approve 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

Mayor Robinson thanked City staff for their work on this issue.

REGULAR AGENDA (CONT'D.)

3. [01-21 PROPOSED ORDINANCE NO. 01-21 - PROPOSED AMENDMENT TO THE LAND DEVELOPMENT CODE - SECTION 12-6 TREE/LANDSCAPE REGULATIONS AND CHAPTER 12-13 DEFINITIONS ENUMERATED](#)

Recommendation: That City Council approve Proposed Ordinance No. 01-21 on first reading.

AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE, TITLE 12, OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, STREAMLINING REVIEW AND ENFORCEMENT OF TREE/LANDSCAPE REGULATIONS IN CHAPTER 12-6 INTO ONE DEPARTMENT AND PROCESS, UPDATING AFFECTED DEFINITION IN CHAPTER 12-13, ENSURING COMPLIANCE WITH FLORIDA STATUTES, FUNDING OVERSIGHT AND ENFORCEMENT, AND PROTECTING HERITAGE TREES; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

A motion to approve on first reading 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

4. [21-00130 DEVELOPMENT OF COMMUNITY MARITIME PARK PARCELS \(LOTS 3 THROUGH 9\)](#)

Recommendation: That City Council award a contract to Kuhn Realty, LLC, with Andrew Rothfeder as the agent, for the real property services related to the development of the remaining seven (7) private development parcels at Community Maritime Park. Further, that City Council authorize the Mayor to execute the contract.

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

REGULAR AGENDA (CONT'D.)

Discussion ensued among Council (regarding Item 4, 21-00130). Council Member Brahier, as she indicated during Monday's agenda conference, expressed concerns regarding the appearance of a conflict of interest of Mr. Rothfeder, based on his former employment by Mr. Quint Studer (former lessee of the parcels) and his current business interests with Mr. Studer. Council Member Broughton also expressed concerns and inquired of Section 6 within the contract related to the deletion of that section pertaining to performance schedule. City Attorney Woolf responded accordingly based on the formatting of the contract document and common practices of contract writing for ease of drafting. Other Council Members asked for clarification and made comments regarding the City's acquisition of parcels and the structure of the contract with City Attorney Woolf responding accordingly. Mayor Robinson also responded to comments and questions of Council Member Brahier.

Public input was heard (via cellphone held up to a mic) from Daniel Flanders.

Mr. Rothfeder was provided an opportunity to address Council. He then responded accordingly to direct questions from Council Members.

Discussion continued with Mayor Robinson responding to comments and questions of Council Members. Based on discussion, **Council Member Wiggins suggested this item be pulled and brought back for consideration at the next Council meeting.** Further discussion took place regarding the impacts on waiting another two (2) weeks to consider this issue.

A substitute motion to postpone this item until the next Council meeting on February 25, 2021 was made by Council Member Myers and seconded by Council Member Brahier.

Council Member Hill and Mayor Robinson made follow-up remarks.

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

The substitute motion carried by the following vote:

Yes: 5	Ann Hill, Jennifer Brahier, Teniade Broughton Sherri Myers, Delarian Wiggins,
No: 2	Casey Jones, Jared Moore

REGULAR AGENDA (CONT'D.)

5. [21-00100](#) REQUEST FOR THE NAMING OF NORTH CITY HALL PLAZA AFTER JOHN SUNDAY, II

Recommendation: That City Council approve the request to name the North end of City Hall Plaza after John Sunday, II. Further that a granite base and bronze plaque honoring Mr. Sunday be placed in the plaza.

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

Council Member Broughton informed that she will be abstaining from voting on this issue as she has a conflict of interest.

Council Member Hill, Mayor Robinson, and Council President Moore made remarks.

There being no further discussion, the vote was called.

The motion carried by the following vote:

Yes: 6	Jared Moore, Ann Hill, Jennifer Brahier, Casey Jones, Sherri Myers, Delarian Wiggins
No: 0	None
Abstained:1	Teniade Broughton

6. [21-00155](#) PROPERTY ACQUISITION - 2300 WEST JACKSON STREET, A

Recommendation: That the City Council approve the request of the Community Redevelopment Agency (CRA) to acquire the property located at 2300 West Jackson Street, A; No. 00-0S-00-9060-020-172 from S & D, LLC, in the amount of \$13,230.87.

A motion to approve 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

REGULAR AGENDA (CONT'D.)

7. [2021-07 SUPPLEMENTAL BUDGET RESOLUTION NO. 2021-07 - VETERANS MEMORIAL PARK FOUNDATION OF PENSACOLA DONATION](#)

Recommendation: That City Council adopt Supplemental Budget Resolution No. 2021-07.

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 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

8. [03-21 REVISED PROPOSED ORDINANCE NO. 03-21 - REMOTE VEHICLE SALES](#)

Recommendation: That City Council adopt the revised Proposed Ordinance No. 03-21 on second reading:

AN ORDINANCE CREATING ARTICLE IV OF CHAPTER 7-6, SECTION 7-6-56 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; PROHIBITING REMOTE MOTOR VEHICLE SALES; PROVIDING DEFINITIONS; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

A motion to adopted was made by Council Member Brahier and seconded by Council Member Wiggins.

Council Member Myers began the discussion indicating she is not in support of the proposed ordinance and referred to a webpage she provided (via email which Council Executive Kraher distributed) regarding *Florida Automobile Dealers Association Board of Directors* <https://www.flada.org/about-fada/board-of-directors/> (on file with background materials).

REGULAR AGENDA (CONT'D.)

Council Member Broughton referred to hardcopies at Council's places of additional language (Revised – version 2 - - on file with background materials). City Attorney Woolf clarified the additional language as provided in Revised – version 2 of P.O. No. 03-21.

Discussion took place among Council. Mayor Robinson also provided input.

A motion to amend P.O. No. 03-21 was made by Council Member Broughton and seconded by Council Member Jones to provide for additional language as provided for in Revised – version 2.

Discussion took place regarding the amendment. Mayor Robinson also provided input.

Public input was heard (via cellphone held up to a mic) from Allen Turner.

There being no further discussion, **the vote was called on the motion to amend P.O. No. 03-21.**

The motion to amend P.O. No. 03-21 carried by the following vote:

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

Council President called for the vote **on the main motion as amended.**

The main motion as amended carried by the following vote:

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

REGULAR AGENDA (CONT'D.)

9. [05-21 PROPOSED ORDINANCE NO. 05-21 - AMENDING SECTION 4-2-7 AND 4-2-42 OF CITY CODE PROVIDING EXCEPTIONS AND ADDITIONS FOR LIVESTOCK AND HOUSEHOLD PETS. KEEPING OF MINIATURE GOATS ADDED.](#)

Recommendation: That City Council adopt Proposed Ordinance No. 05-21 on second reading:

AN ORDINANCE AMENDING SECTION 4-2-7 AND SECTION 4-2-42 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; PROVIDING EXCEPTIONS AND ADDITIONS FOR LIVESTOCK AND HOUSEHOLD PETS; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

A motion to adopt was made by Council Member Myers 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

10. [2021-09 RESOLUTION NO. 2021-09 - PROVIDING FOR A MORATORIUM ON THE EVICTION, DISPLACEMENT OR RELOCATION OF HOMELESS INDIVIDUALS WITHIN THE CITY OF PENSACOLA](#)

Recommendation: That City Council adopt Resolution No. 2021-09:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PENSACOLA DECLARING A MORATORIUM ON THE EVICTION, DISPLACEMENT OR RELOCATION OF HOMELESS INDIVIDUALS WITHIN THE CITY OF PENSACOLA; PROVIDING FOR AN EFFECTIVE DATE.

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

Council Member Myers (sponsor) explained the intent of the resolution. Brief discussion took place. Mayor Robinson explained challenges faced by the City to address homelessness and work with local entities to provide solutions.

REGULAR AGENDA (CONT'D.)

Public input was heard via cellphone held up to a mic from the following individuals (regarding Item 10, Resolution No. 2021-09):

Michael Kimberl
Liz Watkins
Daniel Flanders

Walter Arrington
Nathan Monk
Sarah Brummet

Mayor Robinson made follow-up remarks.

Council President inquired of clarifying language within the title of the resolution related to usage of the word “relocation” in relation to prohibition of such which may be counter to the intent of the resolution and also the word “displacement”. Also clarifying homeless individuals’ encampment located only under the I-110 overpass within the Hollice T. Williams Park and not throughout the City. Council President Moore offered this clarification of the resolution language as a friendly amendment which Council Member Myers accepted. City Attorney Woolf provided clarification of the word “eviction” as it relates to this moratorium.

(Revised Resolution No. 2021-09 title and language consistent with the resolution title throughout the remainder of the document on file with background materials.)

There being no further discussion, the vote was called.

The motion to adopt with revised language (provided as a friendly amendment) carried by the following vote:

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

ADD-ON 07-21 PROPOSED ORDINANCE NO. 07-21 CREATING SECTION 14-2-140 OF THE CITY CODE PROVIDING FOR UNSAFE STRUCTURE AND BUILDING ABATEMENT

Recommendation: That City Council adopt Proposed Ordinance No. 07-21 on second reading.

AN ORDINANCE CREATING SECTION 14-2-140 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; PROVIDING FOR UNSAFE STRUCTURE AND BUILDING ABATEMENT; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

REGULAR AGENDA (CONT'D.)

The motion to approve on first reading (P.O. No. 07-21) carried by the following vote:

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

COUNCIL EXECUTIVE'S REPORT

None

MAYOR'S COMMUNICATION

None

COUNCIL COMMUNICATIONS

Council Member Brahier remarked on the current death rate due to the COVID-19 pandemic.

Council Member Myers made comments commending Council Members for tonight's fully engaged debate of the items.

CIVIC ANNOUNCEMENTS

None

SECOND LEROY BOYD FORUM

None

ADJOURNMENT

WHEREUPON the meeting was adjourned at 10:18 P.M.

Adopted: _____

Approved: _____
Jared Moore, President of City Council

Attest:

Ericka L. Burnett, City Clerk