

Official

MINUTES OF THE ESCAMBIA COUNTY CHARTER COMMISSION MEETING  
HELD MARCH 18, 2003 - 5:30 p.m.  
CITY HALL - SECOND FLOOR CONFERENCE ROOM  
(5:30 p.m. – 8:30 p.m.)  
(Ninth Meeting)

Members

Present:	M. J. Menge, Chairman	Denis McKinnon, Jr.
	Rita A. Riffel, Vice Chairman	Francis A. "Frank" Montenes
	Charles F. Beall, Jr.	E. P. "Ted" Nickinson, Jr.
	Johnny W. Blackmon	Phyllis D. Sims
	Barbara Forehand "Bobbie" Brown	Lamar Smith
	Laurel Dick	Garrett W. Walton
	Elbert Jones, Jr.	

Members            LeRoy Boyd (Meeting Conflict)  
Absent:            Lucy Rentz

Others            Mayor John Fogg  
Present:           City Manager Tom Bonfield

AGENDA NUMBER

1. Call to order - Chairman Menge
2. Approval of the agenda.

**Motion made by Mr. Dick and seconded by Mr. Blackmon, and carried 12-0, with Mr. McKinnon arriving late, Mr. Boyd, and Mrs. Rentz absent approving the agenda with a delaying the approval of the March 13, 2003 minutes until March 27, 2003.**

3. Presentation by Mayor John Fogg and City Manger Tom Bonfield  
Mayor Fogg spoke first and addressed the questions in the letter from Chairman Menge in order.
  - 1A) It is court mandated that 3 of the 7 seats are to be at large, he cannot speak directly as how the citizens feel.
  - 1B) Ten members do not delay any deliberation, this allows more people with a variety of backgrounds to have input in the discussions.
  - 1C) Ten members allows for more quality of outcome.

## **MINUTES OF THE CHARTER COMMISSION MEETING – Continued**

### **AGENDA NUMBER**

1D) Question is misunderstood, anyone who violates the Sunshine Law is ill-advised to do so.

1E) Six members very clearly make it difficult to have cliques, six members have to vote to pass an action.

1F) Yes, the at-large members make decisions that are for the majority (51%) of the population, whereas the district representatives concentrate on the people in their district.

City Manager Tom Bonfield provided his answers in writing to all members of the Charter Commission. Mr. Bonfield covered the following topics in his presentation, City of Pensacola Charter, Mayor and city council salaries, City Manager responsibilities, Contacts with Council members, Support provided to mayor and Council members, Power of the city Manager, Elected officials are in control, City of Pensacola/Charter and Council/Manager Form, and he also provided copies of the Charter and Related Special Acts.

Both Mr. Bonfield and Mayor Fogg entertained questions at the end of their presentations.

Charter members wanted to know if the council allowed add-ons. Yes, they are allowed and nothing prohibits and add-on. The typical practice of the council is to refer the issue back to the committee process. City does follow the normal process of notification and Robert's rules of order.

Is a super majority ever required on certain issues? Yes, adopting an ordinance on an emergency basis or to change an ordinance requires 7 votes. All other issues require 6 votes no matter if 8 or 10 members are present. Majority of the time there is 80% attendance of council. How is the committee structure set or altered? Committees are defined by the council, as are the rules and procedures. This is done in consultation with the City Administrator. Only council members are members of the committee and the mayor appoints the chair. The mayor appoints based on inputs by the council members, leadership qualities, and longevity. This structure does help streamline the meetings and decisions do not have to be made right away. When does the city establish new fees without voter input, i.e. storm water fees? Council establishes all fees. The storm water fees took two years to establish. Government by referendum is not the way to run a government. Under today's rules, who can change the charter? It is changed by referendum, starting with a petition by citizens, the legislature, and council members. The charter document needs to have clarification within it on how to changes o how amendments will occur in the future. The county has a comprehensive plan, does the city have one? Yes, there are strategic processes, but it is not a plan. Given the history of the city are the at-large spots working well? Yes, we are in favor of the at-large people. Can you comment on civil service and its impact on the budget? The City's Civil Service structure is antiquated and is still

## MINUTES OF THE CHARTER COMMISSION MEETING – Continued

### AGENDA NUMBER

managed out of Tallahassee. Any amendments have to go through the state legislature. The City Manager would like more flexibility with merit pay and promotions. The budget is \$300,000/yr. What percent of council members have full time employment outside their council positions? About 80% and there is typically a retired person on the council. Would you state the pros and cons of the (2) year term limits? The staggering of the terms is definitely a pro and term limit is a con. Local government should also be non-partisan. What about your revenue raising endeavors, specifically the Energy Services of Pensacola? This is a department of the city and does provide natural gas to the city, and county except for Century. The \$6 user fee is charged whether you use it or not. It costs the same to bring the gas to one home or two homes no matter what they use. It covers the person to read the meter every month and it stabilizes the rate structure. How many boards assist the city? There are numerous boards that assist the city at no cost and the city relies heavily on these. How many pages is the charter? It is 20-30 pages long and is available on the website. A comment was made that government by referendum is not good, can you elaborate on this? The voter turnout is 18% - 20%, there are situations where the story is not complete, and the low turnout of voters is a big problem. What taxation capability does a municipality have that a non-chartered county has? The city manager goes by what the state allows him. The city does not have more latitude than the county. What is the current city millage? It is 5.47. Dr. Teasley will elaborate on the millage at the April 1, 2003 meeting. Anything that the city and county can work on together? We already have a good working relationship. Question from the public, Ellen Roston of the League of Women voters asked if the storm water utility fee was levied under the ability to collect a uniform assessment method general law? Yes.

City concluded their presentation at 8:05 p.m.

**CHAIRMAN MENGE RECESSED THE MEETING FROM 8:05 P.M. TO 8:15 P.M.**

Mr. Nickinson and Mr. Beall left the meeting.

4) Approval of the minutes for March 13, 2003.

Tabled for the March 27, 2003 meeting.

5) Communications.

1. Letter from Dr. Teasley to Mr. Menge regarding the cost of verbatim minutes.
2. Copy of Chris Jones thank you letter and Deputy Handbook.
3. Copies of paper titled "The Board of County Commissioners" prepared by M.J. Menge for distribution to the public.

## MINUTES OF THE CHARTER COMMISSION MEETING – Continued

### AGENDA NUMBER

4. Copies of a paper titled "Structure of Form of Government" prepared by M.J. Menge for distribution to the public.

- 6) Web-site update.

Update on website form Tamela Ramos. Website is still a work in progress. Ms. Ramos did state that an e-mail can be set up for all commission members.

- 7) Unfinished business.

Chairman Menge handed out his grammatically correct versions of his articles. Parameters need to be set for the public to speak at the input meetings, it was agreed that 3 minutes might not be enough. The public will be encouraged to speak about the subject at hand. Chairman Menge will attempt to monitor the topics and agrees with the need to treat the public with respect and courtesy.

- 8) Items added to the agenda.

None

- 9) Next meeting March 27, 2003 5:30 at BCC.

**Mr. McKinnon motioned to invite past county administer Barry Evans and pay for his travel expenses. Mr. Montenes seconded the motion.**

- 10) Public forum.

None

- 11) Any commission response.

None

- 12) Meeting adjourned at 8:30 p.m.

### Action Items:

none

**MINUTES OF THE CHARTER COMMISSION MEETING – Continued**

APPROVED BY:

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THE CHARTER COMMISSION

PREPARED BY:

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UNIVERSITY OF WEST FLORIDA WHITMAN CENTER FOR PUBLIC SERVICE