



City of Pensacola

CITY COUNCIL

Special Meeting Minutes

June 23, 2021

5:00 P.M.

Council Chambers

Council President Moore called the special meeting to order at 5:15 P.M.

ROLL CALL

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

Council Members Absent: Sherri Myers

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:

- Citizens may submit an online form here <https://www.cityofpensacola.com/ccinput> **beginning at 3:00 P.M. until that agenda item has been heard** 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 heard will not be considered.**

ACTION ITEM

1. [21-00527](#) QUASI-JUDICIAL HEARING: REVIEW OF PLANNING BOARD DECISION OF MAY 11, 2021; AESTHETIC REVIEW 401 E. CHASE STREET

Recommendation: That City Council conduct a quasi-judicial hearing to review a decision of the Planning Board.

Council President Moore read into the record describing how a quasi-judicial proceeding differs from legislative action. Further, he indicated **this issue is contested**. As required, he asked Council Members to disclose an ex parte communication, which no Member indicated they had any. He then called on City staff to present the necessary evidence for the record.

Planning Services Assistant Director Cannon presented evidence into the record on behalf of the City describing the issue providing background materials as contained in the agenda package dated 6/23/21, as well as overhead slides of the subject property and a copy of the original application made to the Planning Board (on file for the record).

Assistant City Attorney Lindsay swore-in the applicant, Mr. Tim Prime who identified himself as representative/managing partner with Kings Roofing, LLC.

Mr. Prime addressed Council providing testimony on behalf of his company and photos (on file for the record) of the subject building's roofing condition prior to and after installing a new metal roofing system. He indicated the property management company decided to go with a different color for the metal roofing than what was originally approved by the Planning Board, due to difficulty in obtaining materials.

Both Mr. Prime and Planning Services Assistant Director Cannon responded accordingly to questions from Council Members.

Assistant City Attorney Lindsay swore-in the chairperson of the Planning Board, Mr. Paul Ritz who responded to questions accordingly.

Council President Moore provided Mr. Prime an opportunity for rebuttal. Mr. Prime indicated he had no rebuttal but made closing remarks.

Planning Services Assistant Director Cannon continued to answer questions and Assistant City Attorney Lindsay provided legal guidance as to (within the Code of the City) how to properly decide this appeal which was a split vote 2 – 2 of the Planning Board.

Deliberations took place among Council. **A motion was made by Council Member Brahier, seconded by Council Vice President Hill, that City Council approve this (color change for roof materials) in that the aesthetic review occurred based on going from clay (tile) to metal roofing, which was fulfilled, and the color change was a product of this very difficult pandemic/hurricane year.**

Some follow-up discussion took place.

Upon conclusion of discussion, the vote was called.

The motion carried by the following vote:

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

DISCUSSION ITEMS

None

ADJOURNMENT

This being a special Council meeting and there being no other business on the agenda, the meeting was adjourned.

WHEREUPON the meeting was adjourned at 6:05 P.M.

Adopted: _____

Approved: _____
Jared Moore, President of City Council

Attest:

Ericka L. Burnett, City Clerk