



City of Pensacola

CITY COUNCIL

Meeting Minutes

April 12, 2018

5:30 P.M.

Council Chambers

Council President Wingate called the meeting to order at 5:35 P.M.

ROLL CALL

Council Members Present: Gerald Wingate, Sherri Myers, Jewel Cannada-Wynn, Larry Johnson (arrived 5:54; left 7:33), Brian Spencer (left 7:20), Andy Terhaar, P.C. Wu

Council Members Absent: None

INVOCATION

Council President Wingate

PLEDGE OF ALLEGIANCE

Council Member Jewel Cannada-Wynn

FIRST LEROY BOYD FORUM

Gloria Horning: Indicating she represents the Tanyard Neighborhood Association and made comments related to the recent ruling dismissing the lawsuit related to the development of a fish hatchery on City-owned property within the CRA known as Bruce Beach, stating that the development doesn't meet current zoning. She then addressed Council regarding infrastructure issues in her neighborhood related to on-going flooding.

Laurie Murphy: Addressed Council regarding plastic pollution, citing statistics, and urged the City to come up with an incentive plan which would encourage citizens to voluntarily seek alternatives to plastic.

Karen Kilpatrick: First thanked Council for establishing the Domestic Partnership Registry. She then made follow-up remarks concurring with Dr. Horning's (above) comments related to the fish hatchery.

FIRST LEROY BOYD FORUM (CONT'D.)

Kyle Kopytchak: Addressed Council regarding his concerns related to attrition issues at the Pensacola Police Department, which he believes is related to the closing of the police pension and assigning new hires to the Florida Retirement System. He cited other issues such as starting-pay below state average and other collective bargaining matters. (He provided copies of a hand-out to Council Members).

Lila Davidson: Addressed Council regarding local waterways and opportunities to be involved in activities to help clean-up and prevent pollution. She referred to the efforts of the Emerald Coast Keepers in her remarks.

That concluded the first segment of LeRoy Boyd Forum.

PRESENTATION1. [18-00125 THE USE OF PLASTIC BAGS](#)

Recommendation: That City Council be provided a presentation from the League of Women Voters regarding the use of plastic bags in retail establishments.

Carolyn Cobb with the League of Women Voters was introduced by Council Member Myers and provided an overhead presentation (on file with background materials).

AWARDS

None.

APPROVAL OF MINUTES2. [18-00177 APPROVAL OF MINUTES: REGULAR MEETING DATED 3/8/18](#)

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

The motion carried by the following vote:

Yes: 7	Gerald Wingate, Sherri Myers, Andy Terhaar, Brian Spencer, Jewel Cannada-Wynn, Larry Johnson, P.C. Wu
No: 0	None

APPROVAL OF AGENDA

A motion to approve the agenda was made by Council Member Terhaar and seconded by Council Member Cannada-Wynn.

Council Member Myers requested Item 5, *Patron's Dog Permit – Brew HaHa* which is on the consent agenda, be moved to the regular agenda.

There being no discussion, the vote was called.

The motion carried by the following vote:

Yes: 7 Gerald Wingate, Sherri Myers, Andy Terhaar, Brian Spencer, Jewel
 Cannada-Wynn, Larry Johnson, P.C. Wu
No: 0 None

CONSENT AGENDA

3. [18-00150 AIRPORT - APPROVAL OF TERMINAL BUILDING LEASE AGREEMENT WITH VT MOBILE AEROSPACE ENGINEERING, INC.](#)

Recommendation: That City Council authorize the Mayor to execute a Terminal Building Lease Agreement with VT Mobile Aerospace Engineering, Inc. at Pensacola International Airport. Further, that City Council authorize the Mayor to take all necessary actions to execute the Lease Agreement.

4. [18-00142 AMENDMENT TO CITY OF PENSACOLA COMMUNITY DEVELOPMENT BLOCK GRANT FY 2015-2019 FIVE YEAR CONSOLIDATED PLAN AND FY 2017-2018 ANNUAL ACTION PLAN](#)

Recommendation: That City Council approve the amendment to the City of Pensacola's Community Development Block Grant FY 2015-2019 Five Year Consolidated Plan and FY 2017-2018 Annual Action Plan and reallocate funds to a new activity, Neighborhood Improvement Projects. Further, that City Council authorize the Mayor to execute all documents relating to the program's administration.

6. [18-00165 APPOINTMENT - EASTSIDE REDEVELOPMENT BOARD](#)

Recommendation: That City Council appoint Fred D. Young, III, a business owner within the Eastside Redevelopment Neighborhood TIF District area to fill an unexpired term ending April 30, 2019.

CONSENT AGENDA (CONT'D.)7. 18-00168 APPOINTMENTS - WESTSIDE COMMUNITY REDEVELOPMENT BOARD

Recommendation: That City Council reappoint Douglas Baldwin, C. Marcel Davis, James Gulley, Dianne Robinson, and Anny Shepard; and appoint Tederria Puryear, all who are either redevelopment area residents, members of area neighborhood associations or owners or operators of a business located in the redevelopment area, to serve on the Westside Community Redevelopment Board for a term of three years, expiring January 31, 2021.

8. 18-00169 APPOINTMENT - PLANNING BOARD

Recommendation: That City Council appoint Victor L. Jordan, who is a resident of the city and owner of property in the city, to the Planning Board to fill the unexpired term of Kyle Owens, expiring July 14, 2019.

A motion to approve consent agenda items 3, 4, 6, 7, and 8 was made by Council Member Johnson and seconded by Council Member Cannada-Wynn.

The motion carried by the following vote:

Yes: 7 Gerald Wingate, Sherri Myers, Andy Terhaar, Brian Spencer, Jewel
 Cannada-Wynn, Larry Johnson, P.C. Wu
No: 0 None

REGULAR AGENDA5. 18-00154 PATRONS' DOG PERMIT -- BREW HAHA

Recommendation: That City Council approve the permit request for Brew HaHa, 2435 N. 12th Ave, to allow patrons' dogs at permitted food service establishments in accordance with Section 12-12-8 of the City Code.

A motion to approve was made by Council Member Johnson and seconded by Council Member Cannada-Wynn.

Council Member Myers questioned section 6 of the permit application which requires proof of barrier and asked Council Executive Kraher to follow-up on that provision because believes Council previously repealed such provision.

There being no further discussion, the vote was called.

REGULAR AGENDA (CONT'D.)**The motion to approve (Item 5) carried by the following vote:**

Yes: 7 Gerald Wingate, Sherri Myers, Andy Terhaar, Brian Spencer, Jewel
 Cannada-Wynn, Larry Johnson, P.C. Wu
No: 0 None

9. [18-00145](#) APPOINTMENT OF FIRE CHIEF

Recommendation: That City Council consent to the appointment of Ginny Cranor as Chief of the Pensacola Fire Department.

A motion to approve was made by Council Member Terhaar and seconded by Council Member Cannada-Wynn.

City Administrator Olson made comments; and Council Member Wu made follow-up remarks offering support of the appointment of Ginny Cranor as Fire Chief and commending retiring Fire Chief David Allen.

Input was also heard from Nathan Edler, president of Pensacola Professional Firefighters, IAFF Local 707 in support of Ginny Cranor's appointment as Fire Chief.

The motion carried by the following vote:

Yes: 7 Gerald Wingate, Sherri Myers, Andy Terhaar, Brian Spencer, Jewel
 Cannada-Wynn, Larry Johnson, P.C. Wu
No: 0 None

10. [18-00166](#) APPOINTMENT - PENSACOLA ESCAMBIA DEVELOPMENT COMMISSION (PEDC)

Recommendation: That City Council appoint one of its members to the Pensacola Escambia Development Commission (PEDC) to fill an unexpired term ending November 27, 2018.

Council Member Myers withdrew her name from the ballot.

Council Member Terhaar made a motion by acclamation and seconded by Council Member Johnson that City Council appoint Council Member P. C. Wu to the Pensacola-Escambia Development Commission (PEDC) to fill an unexpired term ending November 27, 2018.

REGULAR AGENDA (CONT'D.)**The motion on (Item 10) carried by the following vote:**

Yes: 7 Gerald Wingate, Sherri Myers, Andy Terhaar, Brian Spencer, Jewel Cannada-Wynn, Larry Johnson, P.C. Wu
 No: 0 None

11. [18-00167](#) APPOINTMENTS - ENVIRONMENTAL ADVISORY BOARD (EAB)

Recommendation: That City Council appoint two (2) individuals as at-large members and one (1) individual as a member who is employed or retired environmental professional or member of local environmental organizations or businesses, to serve on the Environmental Advisory Board for a term of two (2) years expiring March 1, 2020.

Council President Wingate referred Council Members to the ballot(s).

Council Member Myers referenced the attendance records (provided at Council's places) of the two (2) incumbents for the at-large positions and questioned their availability for attending meetings. (Neither of the incumbents were present to address concerns.)

A motion was made by Council Member Myers and seconded by Council Member Cannada-Wynn that the at-large positions be removed from consideration at this time and Council request additional nominations to be considered for (future) appointment.

Brief discussion took place, prior to the vote being called.

The motion carried by the following vote:

Yes: 6 Gerald Wingate, Sherri Myers, Andy Terhaar, Brian Spencer, Jewel Cannada-Wynn, Larry Johnson
 No: 1 P.C. Wu

Council President Wingate referred to the ballot to appoint one (1) individual as a member who is an employed or retired environmental professional or member of a local environmental organization or business. He then provided an opportunity for Council Members to speak on behalf of the nominees. Each nominee was also provided an opportunity to address Council.

Robert R. Bennett

William "Blase" Butts

A motion was made by Council Member Johnson and seconded by Council Member Cannada-Wynn that City Council appoint both Robert R. Bennett and William "Blase" Butts to the Environmental Advisory Board, as an at-large member and as a member who is an employed or retired environmental professional or member of a local environmental organization or business (respectively), for a term of two years expiring March 1, 2010. (Leaving the opportunity for one at-large position to be appointed following the receipt of additional nominations).

REGULAR AGENDA (CONT'D.)**The motion (related to Item 11) carried by the following vote:**

Yes: 7 Gerald Wingate, Sherri Myers, Andy Terhaar, Brian Spencer, Jewel
 Cannada-Wynn, Larry Johnson, P.C. Wu
No: 0 None

12. [18-00129](#) QUASI-JUDICIAL HEARING - FINAL SUBDIVISION PLAT - 'A' VILLAGE

Recommendation: That City Council conduct a quasi-judicial hearing on April 12, 2018 to consider approval of the final subdivision plat - 'A' Village.

Council President Wingate read into the record describing how a quasi-judicial proceeding differs from legislative action. He then called on City staff as to whether or not this issue is contested. **Planning Services Administrator Morris indicated she is not aware of any formal contest in opposition.** Council President Wingate indicated they may dispense of formalities and called for evidence to be entered into the record by City staff.

Planning Services Administrator Morris presented evidence into the record on behalf of the City describing the issue and referencing all background materials provided in the agenda package dated 4/12/18, as well as overhead slides of the subject plat.

There was no additional evidence presented on behalf of the applicant.

A motion to approve was made by Council Member Johnson and seconded by Council Member Cannada-Wynn.

There being no discussion, the vote was called.

The motion carried by the following vote:

Yes: 7 Gerald Wingate, Sherri Myers, Andy Terhaar, Brian Spencer, Jewel
 Cannada-Wynn, Larry Johnson, P.C. Wu
No: 0 None

REGULAR AGENDA (CONT'D.)

13. [18-00147](#) PUBLIC HEARING: PROPOSED AMENDMENT TO LAND DEVELOPMENT CODE SECTION 12-2-9 INDUSTRIAL LAND USE DISTRICT

Recommendation: That City Council conduct a public hearing on April 12, 2018 to consider the proposed amendment to Land Development Code Section 12-2-9 Industrial Land Use District.

Planning Services Administrator Morris summarized the proposed amendments of the Land Development Code before Council as outlined in the memorandum dated 4/12/18. She responded accordingly to questions of Council Members regarding the intent of the changes.

Based on discussion, additional language will be added to Section 12-2-9 (B)(1)(b) Outside Storage and Work to make the regulation subject to Chapter 12-6 Tree and Landscape Regulations (for consideration on second reading on May 10th).

A motion to approve was made by Council Member Spencer and seconded by Council Member Cannada-Wynn.

The motion carried by the following vote:

Yes: 7 Gerald Wingate, Sherri Myers, Andy Terhaar, Brian Spencer, Jewel Cannada-Wynn, Larry Johnson, P.C. Wu
No: 0 None

14. [09-18](#) PROPOSED ORDINANCE NO. 09-18 - AMENDING LAND DEVELOPMENT CODE SECTION 12-2-9 INDUSTRIAL LAND USE DISTRICT

Recommendation: That City Council approve Proposed Ordinance No. 09-18 on first reading.

AN ORDINANCE AMENDING SECTION 12-2-9 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; AMENDING THE INDUSTRIAL LAND USE DISTRICT; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

A motion to approve on first reading was made by Council Member Cannada-Wynn and seconded by Gerald Wingate.

The motion carried by the following vote:

Yes: 7 Gerald Wingate, Sherri Myers, Andy Terhaar, Brian Spencer, Jewel Cannada-Wynn, Larry Johnson, P.C. Wu
No: 0 None

REGULAR AGENDA (CONT'D.)

15. [18-00157 REFERRAL TO PLANNING BOARD - LAND DEVELOPMENT CODE AMENDMENT TO SECTION 12-2-6 - RESIDENTIAL / NEIGHBORHOOD COMMERCIAL LAND USE DISTRICT AND SECTION 12-2-8 - COMMERCIAL LAND USE DISTRICT C-2A.](#)

Recommendation: That City Council refer to the Planning Board, for review and recommendation an Amendment to Section 12-2-6 of the Land Development Code stating; "Permitted uses requesting a drive through component shall be subject to Code Section 12-2-78 - Conditional Use Permits. This is a cumulative requirement. Also amending Section 12-2-8 C-2A, striking the language, "and Conditional Uses".

A motion to approve was made by Council Member Cannada-Wynn and seconded by Council Member Johnson.

Discussion took place among Council. Then the vote was called.

The motion carried by the following vote:

Yes: 7	Gerald Wingate, Sherri Myers, Andy Terhaar, Brian Spencer, Jewel Cannada-Wynn, Larry Johnson, P.C. Wu
No: 0	None

16. 04-18 PROPOSED ORDINANCE NO. 04-18 UPDATING FIRE CODE - CHAPTER 2 OF TITLE XIV

Recommendation: That City Council approve Proposed Ordinance No. 04-18 on first reading, updating the City Code references to the Florida Fire Prevention Code and related regulations.

AN ORDINANCE AMENDING CHAPTER 2 OF TITLE XIV OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; PROVIDING THE CITY OF PENSACOLA FIRE CODE; AMENDING AND UPDATING REFERENCES TO APPLICABLE FIRE PREVENTION CODE; REGULATING FIREWORKS; REPEALING LIFE SAFETY CODE AND BUREAU OF FIRE PREVENTION PROVISIONS; CREATING PROVISIONS PROHIBITING OUTDOOR FIRES; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

A motion to approve on first reading was made by Council Member Terhaar and seconded by Council Member Wingate.

Council Member Cannada-Wynn referred to her comments at (Monday's) agenda conference expressing her concerns that the language in the ordinance doesn't address issues such as enforcement.

Public input was heard from Karen Kilpatrick.

REGULAR AGENDA (CONT'D.)

Discussion continued among Council (regarding P.O. No. 04-18) with some Council Members agreeing with Council Member Cannada-Wynn's concerns that the language needs to be more specific.

Council Member Myers indicated she would like to bring forth amended language on 2nd reading at the May (10th) meeting.

Upon conclusion of discussion, the vote was called.

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

Yes: 6 Gerald Wingate, Sherri Myers, Andy Terhaar, Jewel Cannada-Wynn, Larry Johnson, P.C. Wu
No: 0 None

17. [06-18 PROPOSED ORDINANCE NO. 06-18 - AMENDING LAND DEVELOPMENT CODE SECTION 12-2-82 DESIGN STANDARDS AND GUIDELINES AND SECTION 12-14-1 DEFINITIONS](#)

Recommendation: That City Council adopt Proposed Ordinance No. 06-18 on second reading.

AN ORDINANCE AMENDING SECTIONS 12-2-82(C)(8) AND 12-14-1 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; AMENDING THE CHAPTER RELATED TO DESIGN STANDARDS AND GUIDELINES; AMENDING THE CHAPTER RELATED TO DEFINITIONS; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE. (**Ordinance No. 06-18**)

A motion to adopt was made by Council Member Cannada-Wynn and seconded by Council Member Terhaar.

Council Member Terhaar made comments.

The motion carried by the following vote (with Council Members Johnson and Spencer no longer in attendance):

Yes: 5 Gerald Wingate, Sherri Myers, Andy Terhaar, Jewel Cannada-Wynn, P.C. Wu
No: 0 None

REGULAR AGENDA (CONT'D.)

18. [07-18 PROPOSED ORDINANCE NO. 07-18 - VACATION OF RIGHT-OF-WAY 1000 BLOCK OF EAST LARUA STREET](#)

Recommendation: That City Council adopt Proposed Ordinance No. 07-18 on second reading.

AN ORDINANCE CLOSING, ABANDONING AND VACATING A PORTION OF THE NORTH 11TH AVENUE RIGHT OF WAY; IN PENSACOLA, ESCAMBIA COUNTY, STATE OF FLORIDA; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE. (Ordinance No. 07-18)

A motion to adopt was made by Council Member Cannada-Wynn and seconded by Council Member Wingate.

The motion carried by the following vote (with Council Members Johnson and Spencer no longer in attendance):

Yes: 5 Gerald Wingate, Sherri Myers, Andy Terhaar, Jewel Cannada-Wynn, P.C.
 Wu
No: 0 None

19. [18-14 RESOLUTION NO. 18-14 - ESTABLISHING A SISTER CITY RELATIONSHIP BETWEEN THE CITY BOROBIA, SPAIN AND THE CITY OF PENSACOLA.](#)

Recommendation: That City Council adopt Resolution No. 18-14:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PENSACOLA STATING ITS DESIRE AND INTENTION TO ESTABLISH A SISTER CITY RELATIONSHIP BETWEEN THE CITY OF BOROBIA, SPAIN AND THE CITY OF PENSACOLA, FLORIDA.

A motion to adopt was made by Council Member Terhaar and seconded by Council Member Cannada-Wynn.

The motion carried by the following vote (with Council Members Johnson and Spencer no longer in attendance):

Yes: 5 Gerald Wingate, Sherri Myers, Andy Terhaar, Jewel Cannada-Wynn, P.C.
 Wu
No: 0 None

DISCUSSION**20. [18-00123 RENTAL PROPERTY RESIDENTIAL INSPECTION PROGRAM](#)**

Discussion ensued with Council Member Cannada-Wynn (sponsor) explaining it is her intent to bring forward more information for Council to consider regarding the creation of such a program which there are many examples throughout cities across the country.

Council Member Myers referenced Escambia County's ordinance providing for regulation of housing and indicated it is quite detailed (she provided copies at Council's places - - on file with background materials). City Attorney Bowling made follow-up remarks indicating she will review the language.

Council Member Myers offered a motion that Council direct the City Attorney to look at Escambia County's standards and enforcement mechanisms for improving housing.

Council Member Cannada-Wynn stated she has been working with City Attorney Bowling and plans to bring an action item for consideration at the May (10th) meeting, but wanted to gather some input from Council Members at this time.

Council Member Myers withdrew her motion.

Council Member Myers made follow-up remarks. Council Member Cannada-Wynn referenced a copy of a letter from Dianne Robinson provided to Council regarding this initiative.

Public input was heard from Clifford Stokes.

21. [18-00155 SECURITY AT ALL MEETINGS AND UPDATE ON ACTIVE SHOOTER TRAINING](#)

Council Member Myers (sponsor) began the discussion asking for an update as to how/when security training for Council Members will take place. Council Executive Kraher explained they are working through the legal issues to schedule such training in order to be in compliance with Sunshine Laws.

City Attorney Bowling advised they cannot schedule a "shade" meeting for active shooter type training, as at this time state law only provides for building security plans to be exempted. Therefore, individual training will need to be scheduled with each Council Member.

City Administrator Olson advised the Police Department is prepared to provide training (individually) to Council Members.

Council Member Wu made follow-up remarks.

DISCUSSION (CONT'D.)**22. [18-00156 SANDERS BEACH / HITZMAN PARK MAINTENANCE ISSUE UPDATE](#)**

Council Member Myers (sponsor) began the discussion expressing concerns that the area is not being well maintained and asked the City Administrator for an update.

City Administrator Olson responded accordingly indicating that while the area may look somewhat unsightly, it is not unsafe. He indicated this is a broader issue in that how much recreational equipment is supposed to be available in all of the City's over ninety (90) parks, all of which has to be maintained and has limited life cycle, therefore is a budgetary issue.

Some Council Members made follow-up remarks.

23. [18-00158 LOST IV PROJECT UPDATE](#)

Council Member Myers (sponsor) indicated she will pull this item at this time to discuss in more detail during (upcoming) budget workshops.

Council President Wingate inquired of the proposed West Cervantes Street Corridor project for \$1.5 million. City Administrator Olson indicated he hadn't received a request on any specific project (since the agenda conference), so he does not have specific information. He indicated that at this time staff is in discussions with Florida Department of Transportation regarding the funding of a feasibility study **and will forward more information on this project to Council.**

24. [18-00159 PARK OFFICER\(S\)](#)

Discussion began with Council Member Cannada-Wynn (sponsor) indicating she hears from citizens regarding various activities which take place in our parks and the possibility of having park rangers to monitor such activities. **She is in the process of researching examples throughout cities across the country and how they have established community policing within parks to bring forward for (future) consideration.**

25. [18-00163 REMOVAL OF 10 TREES AT THE CORNER OF GARDEN & PALAFOX FOR THE FEDERAL COURTHOUSE RENOVATION](#)

Council Member Myers (sponsor) made comments regarding the removal of crepe myrtles and encouraged they be replaced with the same or drake elms, rather than live oaks which drop acorns.

COUNCIL EXECUTIVE'S REPORT

None.

MAYOR'S COMMUNICATION

City Administrator Olson encouraged Council Members to call Airport Director Flynn for a tour of the new MRO Hanger Facility. He also explained Technology Resources was unable to address the problems experienced during tonight’s meeting with the legislative management system (Granicus) during the live meeting, but will be working with the vendor tomorrow to address the issues.

COUNCIL COMMUNICATIONS

Council Member Cannada-Wynn advised she has been working with City Attorney Bowling to bring forth an amendment to Council’s Rule and Procedures in order for Council to exercise their authority under the City Charter to conduct inquiries and investigations. **She provided copies at Council’s place of draft language and asked Council Members to review and provide comments and input to Council Executive Kraher.**

Council Member Cannada-Wynn also made several announcements of upcoming meetings and/or happenings within the community.

Council Member Myers reported she observes obstruction of sidewalks throughout the City and would like to address enforcement of such issues.

CIVIC ANNOUNCEMENTS

Council Member Myers announced an upcoming town hall meeting she will be hosting.

Council President Wingate reminded Council the upcoming meeting of the Auditor Selection Review Committee is scheduled for Monday, April 23rd (time to be determined) and materials from each vendor have been distributed for review and ranking.

SECOND LEROY BOYD FORUM

Ellen Roston (no longer in attendance).

ADJOURNMENT

WHEREUPON the meeting was adjourned at 8:38 P.M.

Adopted: _____

Attest:

Ericka L. Burnett, City Clerk

Approved: _____
Gerald C. Wingate, President of City Council