

City of Fort Lauderdale

*Parker Playhouse
707 NE 8th Street
Fort Lauderdale, FL 33304*



Meeting Minutes

Tuesday, February 20, 2018

6:00 PM

City Commission Chambers

City Commission Regular Meeting

FORT LAUDERDALE CITY COMMISSION

***JOHN P. "JACK" SEILER Mayor - Commissioner
BRUCE G. ROBERTS Vice Mayor - Commissioner - District I
DEAN J. TRANTALIS Commissioner - District II
ROBERT L. McKINZIE Commissioner - District III
ROMNEY ROGERS Commissioner - District IV***

***LEE R. FELDMAN, City Manager
JOHN HERBST, City Auditor
JEFFREY A. MODARELLI, City Clerk
CYNTHIA A. EVERETT, City Attorney***

MOMENT OF SILENCE

Mayor Seiler announced a moment of silence for Marjory Stoneman Douglas High School.

Invocation

Rabbi Naparstek, Chabad Lubavitch

Pledge of Allegiance

Bayview Elementary School Student Council

ROLL CALL

Present: 5 - Commissioner Robert L. McKinzie, Commissioner Romney Rogers, Vice Mayor Bruce G. Roberts, Commissioner Dean J. Trantalis and Mayor John P. "Jack" Seiler

QUORUM ESTABLISHED

Also Present: City Manager Lee R. Feldman, City Clerk Jeffrey A. Modarelli, City Attorney Cynthia A. Everett, City Auditor John Herbst, and Sergeant at Arms Margaret Dryden

No e-comments were submitted for this meeting.

ANNOUNCEMENTS

With the assistance of Mayor Seiler, members of the Bayview Elementary School Student Council announced the following changes to the Agenda:

Walk-On Items:

Motion to Approve an Event Agreement with Light up the Night, LLC for The Hub Event

Resolution - Firearms

Removed from Agenda:

CM-3 - Motion to Approve a Lease Amendment with PDKN Holdings, LLC

CM-6 - Motion to Authorize the City Manager to Commence Negotiations for a Lease Agreement with Drive Shack Inc. for the Development and Improvement of Parcel C in the Airport Industrial Park at Fort Lauderdale Executive Airport

CM-3 [18-0111](#) Motion to Approve a Lease Amendment with PDKN Holdings, LLC

REMOVED FROM AGENDA

CM-6 [18-0191](#) Motion to Authorize the City Manager to Commence Negotiations for a Lease Agreement with Drive Shack Inc. for the Development and Improvement of Parcel C in the Airport Industrial Park at Fort Lauderdale Executive Airport

REMOVED FROM AGENDA

Approval of MINUTES and Agenda

[18-0208](#) Minutes for January 23, 2018 Commission Conference Meeting, January 23, 2018 Commission Regular Meeting and February 6, 2018 Commission Conference Meeting

Vice Mayor Roberts made a motion to approve this item and was seconded by Commissioner McKinzie.

APPROVED

Aye: 5 - Commissioner McKinzie, Commissioner Rogers, Vice Mayor Roberts, Commissioner Trantalis and Mayor Seiler

PRESENTATIONS

PRES-1 [18-0211](#) Proclamation declaring February 25 - March 3, 2018 as Eating Disorders Awareness Week in the City of Fort Lauderdale

Dr. Alyssa Segal with The Alliance for Eating Disorders (Alliance) joined Vice Mayor Roberts at the podium for the presentation of the Proclamation declaring February 25, 2018 - March 3, 2018 as Eating Disorders Awareness Week in the City of Fort Lauderdale. Vice Mayor Roberts read the Proclamation in its entirety. Dr. Segal thanked Vice Mayor Roberts, Mayor Seiler and the Commission for the Proclamation. She expounded on the Alliance's efforts to address this important psychiatric health concern. Dr. Segal announced the upcoming walk benefiting the Alliance at Trade Winds Park, inviting the audience to

attend.

PRESENTED

PRES- [18-0207](#)

2

Police Officer of the Month

Police Chief Rick Maglione presented the February 2018 Police Officer of the Month Award to Officer Cody S. Campbell. Chief Maglione described a dangerous encounter Officer Campbell experienced with an armed suspect on March 10, 2017. As a result of Officer Campbell's heroic efforts, a violent felon with an extensive criminal record was arrested. Chief Maglione commended Officer Campbell for a job well done.

PRESENTED

CONSENT AGENDA PUBLIC COMMENT

Item CM-5 was pulled from the Consent Agenda for separate discussion by Commissioner McKinzie.

CONSENT AGENDA

CONSENT MOTION

Approval of the Consent Agenda

Commissioner McKinzie made a motion to approve the Consent Agenda and was seconded by Vice Mayor Roberts.

Approve the Consent Agenda

Aye: 5 - Commissioner McKinzie, Commissioner Rogers, Vice Mayor Roberts, Commissioner Trantalis and Mayor Seiler

CM-1 [18-0118](#)

Motion to Approve Event Agreements for Hope Floats Benefiting Tomorrow's Rainbow and Clueless on Las Olas

CM-2 [18-0119](#)

Motion to Approve Event Agreements and Related Road Closings: 23rd Annual Las Olas Wine & Food Festival, 23rd Annual Bank of America Wine, Spirits and Culinary Celebration, Flagler Village Block Party Weekend, Duck Fest Derby, March for Cancer and Sistrunk 5K

APPROVED

Aye: 5 - Commissioner McKinzie, Commissioner Rogers, Vice Mayor Roberts, Commissioner Trantalis and Mayor Seiler

- CM-4** [18-0125](#) Motion to Approve an Assignment and Assumption of an Agreement between TMF2013, LLC and TMF HOLDCO, LLC

APPROVED

Aye: 5 - Commissioner McKinzie, Commissioner Rogers, Vice Mayor Roberts, Commissioner Trantalis and Mayor Seiler

- CM-5** [18-0182](#) Motion Authorizing a Revocable License with Beach Majors GMBH, LLC for the Construction of a Temporary Beach Statue

Commissioner McKinzie announced he pulled this item for further clarification.

Mayor Seiler recognized Stephanie Toothaker, Esq., on behalf of the applicant, Beach Majors GMBH, LLC. In response to Mayor Seiler, Ms. Toothaker confirmed the issue to be clarified is similar to the clarification made last year. In response to Commissioner Trantalis' question, Ms. Toothaker clarified the verbiage appearing on the statue for the volleyball tournament event. In response to Commissioner Trantalis' questions, Ms. Toothaker said the statue would go up tomorrow and would be taken down shortly after the end of the tournament. She confirmed the dates of the volleyball tournament event as February 27 - March 4, 2018 on Fort Lauderdale Beach.

Commissioner Trantalis made a motion to approve this item as amended denoting the description of the event statue's verbiage. The motion was seconded by Commissioner McKinzie.

APPROVED AS AMENDED

Aye: 5 - Commissioner McKinzie, Commissioner Rogers, Vice Mayor Roberts, Commissioner Trantalis and Mayor Seiler

CONSENT RESOLUTION

- CR-1** [18-0159](#) Resolution Authorizing Qualified Target Industry Tax Refund Incentive for Project Mulligan

ADOPTED

Aye: 5 - Commissioner McKinzie, Commissioner Rogers, Vice Mayor Roberts, Commissioner Trantalis and Mayor Seiler

- CR-2** [18-0143](#) Resolution to Dispose of City-Owned Surplus Property located at 17XX NW 7 Court

ADOPTED

Aye: 5 - Commissioner McKinzie, Commissioner Rogers, Vice Mayor Roberts, Commissioner Trantalis and Mayor Seiler

- CR-3** [18-0190](#) Resolution Declaring Notice of Intent to Lease the Property at NE 10th Street (Dania Farms) Dania Beach, Florida to Broward Maritime Institute, Inc.

ADOPTED

Aye: 5 - Commissioner McKinzie, Commissioner Rogers, Vice Mayor Roberts, Commissioner Trantalis and Mayor Seiler

- CR-4** [18-0127](#) Resolution Approving the Submittal of a Matching Grant Application to the Florida Inland Navigation District (FIND), Waterway Assistance Program for the Coontie Hatchee Lagoon Constriction Phase II of up to \$214,203

ADOPTED

Aye: 5 - Commissioner McKinzie, Commissioner Rogers, Vice Mayor Roberts, Commissioner Trantalis and Mayor Seiler

- CR-5** [18-0047](#) Resolution to Amend the Adopted Fiscal Year 2018 Nuisance Abatement Roll

ADOPTED

Aye: 5 - Commissioner McKinzie, Commissioner Rogers, Vice Mayor Roberts, Commissioner Trantalis and Mayor Seiler

PURCHASING AGENDA

- PUR-1** [18-0016](#) Motion to Approve Negotiated Fee Schedule and Contract for Landscape Architecture for DC Alexander Park Improvement Project - Keith and Associates, Inc. - \$121,955

APPROVED

Aye: 5 - Commissioner McKinzie, Commissioner Rogers, Vice Mayor Roberts, Commissioner Trantalis and Mayor Seiler

MOTIONS

- M-1** [18-0123](#) Motion to Approve an Event Agreement with Fort Lauderdale Woman's Club, Inc. for Fort Lauderdale Woman's Club House 100 Year Birthday Party

Commissioner Rogers made a motion to approve this item and was seconded by Commissioner McKinzie.

APPROVED

Aye: 5 - Commissioner McKinzie, Commissioner Rogers, Vice Mayor Roberts, Commissioner Trantalis and Mayor Seiler

- M-2** [18-0122](#) Motion to Approve an Event Agreement with Broward Center for the Performing Arts, Inc. for Broward Center for the Performing Arts Benefit

Commissioner Rogers made a motion to approve this item and was seconded by Vice Mayor Roberts.

APPROVED

Aye: 5 - Commissioner McKinzie, Commissioner Rogers, Vice Mayor Roberts, Commissioner Trantalis and Mayor Seiler

- M-3** [18-0120](#) Motion to Approve an Event Agreement with FLL Fashion Week, LLC for FLL Fashion Week 2018

Commissioner Rogers made a motion to approve this item and was seconded by Vice Mayor Roberts.

APPROVED

Aye: 5 - Commissioner McKinzie, Commissioner Rogers, Vice Mayor Roberts, Commissioner Trantalis and Mayor Seiler

- M-4** [18-0135](#) Motion to Approve Assignment of Contract for Corrosion Inhibitor to Chemrite, Inc.

Commissioner Rogers made a motion to approve this item and was seconded by Vice Mayor Roberts.

APPROVED

Aye: 5 - Commissioner McKinzie, Commissioner Rogers, Vice Mayor Roberts, Commissioner Trantalis and Mayor Seiler

- M-5** [18-0175](#) Motion Relating to a City Commission Request for Review - Aloft Hotel - Case Number R16011

Mayor Seiler recognized Sidney Calloway, Esq., Shutts & Bowen, on behalf of the applicant, FEDEQ DV003, LLC. Mr. Calloway explained the applicant's plans moving forward. Commissioner Trantalis said he made the request for this De Novo Hearing review. He referred to the October 20, 2016 Water and Wastewater Capacity Availability Letter (Letter) from Staff regarding capacity at the George T. Lohmeyer Wastewater Treatment Plant (Plant). Commissioner Trantalis said that this project and item M-6's proposed project will maximize the Plant's capacity. He also noted the impact of Hurricane Irma on the Plant's capacity. Commissioner Trantalis commented on other factors impacting capacity Plant operations, including system breakdowns and shut downs that may cause reduced capacity levels. Due to these issues, Commissioner Trantalis voiced his concern over approving additional development until new facilities are built to accommodate

increasing demand. He also discussed capacity issues regarding the Peele Dixie and Fiveash Water Treatment Plants, pump stations and issues raised in the Reiss Report.

Mayor Seiler recognized Alan Dodd, Deputy Director of Public Works. Mr. Dodd confirmed that Pump Station 813 will have the capacity of 1,000,000 gallons per day. It is under construction and will be completed in October 2018. Commissioner Trantalis responded by reiterating concerns regarding the capacity levels for wastewater, water treatment (fresh water) and the pump stations in addition to infrastructure system conduits.

Commissioner Trantalis requested that the Commission set a date for a De Novo Hearing regarding the feasibility of items M-5 and M-6. He stated that a De Novo Hearing will allow for a full assessment of the facts regarding the impact of downtown building development and the ability of infrastructure to accommodate anticipated new construction related to the allocation of additional dwelling units.

In response to Mayor Seiler, Commissioner Trantalis confirmed he had no questions for the applicant.

Mayor Seiler recognized Count Rosenthal, 1237 NW 4th Avenue. Mr. Rosenthal commented, giving his viewpoint that experts in the field of infrastructure are best equipped to address questions raised by the Commission. He concurred with having a De Novo hearing that will allow sufficient time for Staff to report their conclusions. Mr. Rosenthal also commented on development in the City's central core, including The Wave project.

Mayor Seiler recognized Mr. Calloway. Mr. Calloway said this issue is set forth in the Unified Land Development Regulations (ULDR), citing its language, noting its requirement for additional review. He confirmed Staff has considered infrastructure capacity as part of the Development Review Committee (DRC) process. This project will not exceed or be detrimental to Staff's recommendation regarding infrastructure and a review has already taken place. Mr. Calloway respectfully requested Commissioner Trantalis' motion for a De Novo hearing be denied and that the development be based on the ULDR criteria.

Mayor Seiler recognized Alan Dodd, Deputy Director of Public Works. Mr. Dodd discussed confirmation by Staff about the projects noted in item M-5 and M-6 project. Commissioner Trantalis commented on the wastewater capacity letter, discussing the details with reaching levels close to capacity. Mr. Dodd confirmed review of the letters referenced by

Commissioner Trantalis, stating there is still sufficient capacity. Additionally, there are projects under construction that will increase capacity, expounding on this point. Further discussions ensued about correspondence addressing infrastructure capacity concerns, permitted capacity, issues raised in the Reiss Report and the impact of rainfall on the infrastructure system.

Mr. Dodd acknowledged that the City is at the upper limit for its permitted capacity. Vice Mayor Roberts discussed the timing of ongoing projects which will address capacity. Mr. Dodd said Staff will illustrate for the Commission the timeline for current capacity, projected flows over the next 35 years and the timing of infrastructure improvement availability.

Commissioner Trantalis commented on the Traffic Study approval letter regarding the increased traffic levels generated by items M-5 and M-6.

City Manager Feldman commented on timelines for current infrastructure projects. He also noted that based on current Code, the Commission cannot to be arbitrary about approving development projects based current capacity. Further comments and discussions ensued on additional capacity, improvements being made as part of the infrastructure rehabilitation project and timelines.

In response to Commissioner Rogers' question regarding the October 20, 2016 Letter, Mr. Dodd explained the procedure for revalidating the information contained in the Letter as part of the Development Review Committee Project Approval Process (DRC Approval Process). Further discussions continued on this issue.

Mayor Seiler recognized Matthew Scott, Esq., Dunay Miskel Backman. Mr. Backman discussed a Declaration of Easement (Easement) recorded against the hotel property in M-5. The owner of the hotel property must provide 52 parking spaces to the Nola Lofts property. The agreement between these parties has not been completed and was not resolved during the DRC Process. Mr. Scott said it made sense for the Commission to have a De Novo hearing as there is an easement issue that impacts neighbors. In response to Mayor Seiler's question, Mr. Scott confirmed the Easement has been in place for over 10 years, explaining the history involved. Further discussions ensued on the Easement.

Mayor Seiler recognized Mr. Calloway. Mr. Calloway said the Easement is something to be negotiated between the parties, commenting that it is not something which should be considered in his client's DRC application. Parking is provided by virtue of the Easement. Mr. Calloway commented on the next steps involved between the parties to address

the Easement, confirming Nola Lofts will have the 52 parking spaces. Regarding infrastructure concerns, he stated that there was adequate infrastructure capacity at the time Staff approved the application. Mr. Calloway urged the Commission to deny the De Novo Hearing.

Commissioner Trantalis made a motion to set a date for a De Novo Hearing for item M-5.

Vice Mayor Roberts commented on his concern about the Easement. Discussions ensued on a resolution to the Easement.

Mayor Seiler recognized Anthony Fajardo, Director of the Department of Sustainable Development. Mr. Fajardo confirmed Staff raised the issue of the Easement. The City Attorney's Office advised that as long as the applicant showed the Easement on the plans, the rest of the agreement was a private matter between the two parties. The application was moved forward based on this recommendation. Mr. Fajardo confirmed the Easement is recorded on the approved plans. Any change to the Easement's provision for the 52 parking spaces would be a violation of the approved plans and would need to go through another DRC Approval Process. Further discussions ensued on this issue being a private matter to be worked out between the parties. Updated infrastructure timelines for evaluating new development was also discussed.

City Manager Feldman expounded on the project's water and wastewater capacity availability letters, noting they are reservations used to calculate infrastructure capacity and all projects do not move forward. Until a building permit is issued, these reservations are not allocated.

Mayor Seiler recognized Jordana Jarjura, Esq., on behalf of Nola Lofts. Ms. Jarjura commented on the delay in the Easement negotiations. The Easement is for permanent parking and parking during construction. Ms. Jarjura confirmed the request for more time to complete Easement negotiations.

In response to Commissioner McKinzie's question, Mr. Calloway confirmed his request that the motion for a De Novo Hearing be denied, stating the matter between the private parties will be resolved. He reaffirmed Nola Lofts will always have parking. Discussions ensued on the allotted parking spaces in the plans and as stated in the Easement. In response to Mayor Seiler, Mr. Calloway stipulated that the Easement provides for 52 parking spaces, one for each unit owner at Nola Lofts.

In response to Mayor Seiler's question about plans for parking relocation during construction, Mr. Calloway responded that his client will work

closely with Nola Lofts Condominium to ensure that 52 parking spaces are available during construction.

Mayor Seiler requested the Easement listing the 52 parking spaces be made part of the record.

A copy of this document is attached to these minutes.

MOTION DIED FOR LACK OF A SECOND

M-6 [18-0179](#)

Motion Relating to a City Commission Request for Review - Next Las Olas - Case Number R17044

Commissioner Trantalis reiterated his remarks made on item M-5 concerning infrastructure capacity that also relates to M-6. He referenced the December 12, 2017 Water and Wastewater Capacity Availability Letter (Letter) relating to capacity at the water treatment plants. As discussed with item M-5, Commissioner Trantalis noted his concerns about reaching capacity at the water treatment plants and the possible negative impact on the community, citing portions of the Reiss Report and commenting on having a Consent Order.

Mayor Seiler recognized Paul Chettle, 200 S. Birch Road. Mr. Chettle commented about several sources who have analyzed capacity concerns indicating that adequate capacity does not exist. He also discussed ongoing concerns, work and timelines to upgrade existing infrastructure and the need for additional disclosure. Mr. Chettle discussed the need for increased capacity at the George T. Lohmeyer Water Treatment Plant (Plant) once the 90 percent threshold has been reached. He asked where the City is in the process, recommending that the City have additional information prior to making decisions about additional development.

In response to Commissioner Roberts' question, Mr. Chettle discussed information available to Staff. He cited the approval process for Affordable Housing in the Downtown Regional Activity Center (RAC) and the level of disclosure based on capacity and the timing of construction. Mr. Chettle recommended this be part of the approval process for all new development. There should be more disclosure to allow for a more informed decision about the need and funding for capacity expansion at the Plant.

Mayor Seiler recognized Count Rosenthal, 1237 NW 4th Avenue. Mr. Rosenthal commented on the capability of Alan Dodd, Director of Public Works, City Manager Feldman and those representing this project, citing their qualifications.

Mayor Seiler recognized Robert Lochrie, Esq., Lochrie and Chakas, and on behalf of the applicant. Mr. Lochrie gave an overview and history of the approval process for this project. He acknowledged the importance of infrastructure discussions, commenting on the work and conclusions of Staff relating to infrastructure capacity for this project. Mr. Lochrie confirmed that as part of the approval process, the applicant agreed to replace an 8-inch clay infrastructure pipe with a 12 inch PVC infrastructure pipe. This will increase capacity for the project and surrounding buildings within the two-block area. It will also decrease the amount of effluent in the wastewater going to the Plant. Mr. Lochrie commented on the criteria by which the Commission could deny a motion to approve. Due to Code requirements in the Downtown RAC, the Commission would have to determine that Staff had made an error in applying Code in the Comprehensive Plan.

Commissioner Rogers made comments on the downtown core and the history of this project. He recommended this project move forward.

Commissioner Trantalis concurred with the goal of building a viable, workable downtown, urban center. He expounded on the project's plans. He discussed the importance of making an analysis of this area's existing infrastructure and the impact of additional development on the Plant.

Commissioner Trantalis requested that the Commission set a date for a De Novo Hearing regarding the feasibility of this item. He discussed the need to be smart regarding capacity, expounding on the need to pause, review all timelines and plans, and working at an unhurried pace.

Vice Mayor Roberts disagreed with Commissioner Trantalis' statement that the infrastructure system is close to capacity, commenting that the issue of capacity is currently being addressed with ongoing infrastructure work with associated timelines to remedy current concerns.

Further comments ensued.

MOTION DIED FOR LACK OF A SECOND

[18-0217](#)

WALK ON - Motion to Approve an Event Agreement with Light up the Night, LLC for The Hub Events

Mayor Seiler commented on this event's request for amplified music until midnight. City Manager Feldman commented that the initial request was for amplified music until 2:00 a.m. The applicant later agreed to midnight.

Mayor Seiler recognized, Eli Goldshtein, applicant and owner of the event entitled Light Up the Night. In response to Commissioner Rogers' question, Mr. Goldshtein confirmed the music speakers would be facing west. There is no housing in the area.

Commissioner McKinzie made a motion to approve this item with amplified music until midnight and was seconded by Commissioner Trantalis.

APPROVED

Aye: 5 - Commissioner McKinzie, Commissioner Rogers, Vice Mayor Roberts, Commissioner Trantalis and Mayor Seiler

RESOLUTIONS

R-1 [18-0185](#) Appointment of Board and Committee Members

Commissioner Rogers said that Andy Mitchell indicated he would be unable to serve on the Beach Redevelopment Board. He requested Clerk Modarelli amend the Resolution accordingly. City Clerk Jeffrey Modarelli read the amended Resolution appointing Board and Committee Members into the record.

A copy of the Board and Committee appointments as amended is attached to these minutes.

Commissioner Trantalis introduced this Resolution as amended which was read by title only.

ADOPTED AS AMENDED

Aye: 5 - Commissioner McKinzie, Commissioner Rogers, Vice Mayor Roberts, Commissioner Trantalis and Mayor Seiler

ORDINANCE FIRST READING

OFR-1 [18-0200](#) Ordinance Amending Schedule I of the Pay Plan by Creating a Deputy City Attorney Class

Mayor Seiler recognized Count Rosenthal, 1237 NW 4th Avenue. Mr. Rosenthal discussed the need to adequately pay Staff in order to maintain quality employees. In response to Commissioner Trantalis, City Attorney Everett confirmed that this item provides for a new position and salary range. Discussions ensued on the salary range being an increase and dependent upon who is assigned to the position. It is an existing pay range within the system. Discussions ensued on this item creating a

Schedule I - New Job Classification.

Vice Mayor Roberts commented that no other department has a Deputy position at this pay range. City Attorney Everett confirmed.

Discussions ensued on the Police Chief and Fire Chief's maximum pay range. City Manager Feldman commented on departments with deputy positions and those with assistant positions. He explained the difference relates to the ability to recruit. City Attorney Everett said this is an exempt position in an executive office within the Office of City Attorney, not a department level position. Further discussions ensued.

Commissioner Rogers said that he is not comfortable with this item. He noted this request must come to the Commission and has not been done in the past nine years. City Attorney Everett confirmed. Commissioner Rogers commented on the lack of a job description associated with this item and the Commission Agenda Memo (CAM) states that there is no financial impact on the City. City Attorney Everett responded to Commissioner Rogers concerns. Commissioner Rogers commented on the Commission determining who would fill this position and the need for further explanation and clarification.

Mayor Seiler raised the issue of what procedures would be followed should the City Attorney depart with respect to this proposed Deputy position. City Attorney Everett expounded on this point. Further discussions ensued on this topic.

Mayor Seiler discussed the options to adopt this Ordinance on the First Reading to be followed by further discussions with City Attorney Everett prior to the Second Reading.

Commissioner Trantalis introduced this Ordinance on the First Reading.

DEFEATED

Aye: 2 - Commissioner Trantalis and Mayor Seiler

Nay: 3 - Commissioner McKinzie, Commissioner Rogers and Vice Mayor Roberts

OFR-2 [18-0113](#)

Quasi-Judicial - Ordinance - Rezoning from Community Facility to General Industrial - Bridge Development Partners, LLC- 3033 and 3233 SW 12th Avenue - Case ZR 18001

Anyone wishing to speak must be sworn in. Commission will announce any site visits, communications or expert opinions received and make them part of the record.

Each City Commission member disclosed their verbal and written communications, site visits and expert opinions received.

Mayor Seiler opened the public hearing.

There being no one wishing to speak on this item, Commissioner Trantalis made a motion to close the public hearing, which was seconded by Vice Mayor Roberts. Roll call showed: AYES: Vice Mayor Roberts, Commissioner Trantalis, Commissioner McKinzie, Commissioner Rogers and Mayor Seiler. NAYS: None.

Commissioner Trantalis introduced this Ordinance for the First Reading which was read by title only.

PASSED FIRST READING

Aye: 5 - Commissioner McKinzie, Commissioner Rogers, Vice Mayor Roberts, Commissioner Trantalis and Mayor Seiler

OFR-3 [18-0212](#)

Ordinance Amending Unified Land Development Regulations (ULDR) for Sign Requirements to Address Content Neutrality - Case T17006

Commissioner Trantalis introduced the Ordinance for the First Reading as amended which was read by title only.

PASSED FIRST READING AS AMENDED

Aye: 5 - Commissioner McKinzie, Commissioner Rogers, Vice Mayor Roberts, Commissioner Trantalis and Mayor Seiler

[18-0234](#)

WALK-ON - Resolution - Reduce Gun Violence

Mayor Seiler recognized Charles King, 105 N. Victoria Park Road. Mr. King commented about the Commission's position on The Gun Show, his position on gun control and previous incidents of gun violence in the nation's schools.

Mayor Seiler recognized Count Rosenthal, 1237 NW 4th Avenue. Mr. Rosenthal commented on efforts to bring arts-centered events to the War Memorial Auditorium and the contractual obligations with The Gun Show. He emphasized the need for continued pressure to encourage gun safety legislation.

The Commission discussed the applicability and accuracy of the Whereas Clauses in this item's proposed Resolution to reduce gun violence. Commissioner Trantalis commented on his revisions. City Attorney Everett asked for a consensus to allow rephrasing the Resolution. Discussions ensued on the wording for gun types used for hunting that can be purchased at the age of 18. Comments and

discussions ensued on other types of guns, semi-automatic, automatic, assault weapons and high-capacity gun magazines to be restricted to the age of 21 for purchase.

Senior Assistant City Attorney Paul Bangel clarified the wording for restricting types of guns that can be purchased at the age of 18. Mayor Seiler noted the need for AR-15's to be restricted to 21 years of age for purchase. Further discussions and comments ensued on the appropriate wording to clarify the Resolution.

Commissioner McKinzie commented on his position regarding the ability of 18 year olds to purchase guns, stating that the minimum age to purchase guns should be 21. Commissioner Trantalis concurred, noting the need for unanimity among the Commission about a position on this Resolution.

Police Chief Rick Maglione expounded and clarified aspects of automatic and semi-automatic guns. Discussions ensued on restricting the age of purchase for the following types of guns to the age of 21: automatic and semi-automatic guns, assault weapons and high-capacity gun magazines. Police Chief Maglione confirmed that special permits and vetting are required for the purchasing a gun silencer or a machine gun. Further discussions ensued on amending the Resolution to include these types of gun items.

City Auditor Herbst commented on the Resolution's wording regarding ammunition. Police Chief Maglione clarified the operations of different types of guns. He also commented on limiting the capacity of magazines and reloading devices to six rounds. Chief Maglione recommended recreating an ammunition registry, similar to the opioid registry. Senior Assistant City Attorney Bangel confirmed he would modify the language in the Resolution to reflect these recommendations.

Vice Mayor Roberts introduced this Resolution as amended which was read by title only.

ADOPTED AS AMENDED

Aye: 4 - Commissioner Rogers, Vice Mayor Roberts, Commissioner Trantalis and Mayor Seiler

Nay: 1 - Commissioner McKinzie

ADJOURNMENT

Mayor Seiler adjourned the Commission Regular Meeting of Tuesday, February 20, 2018 at 8:47 p.m.

Dean J. Trantalis
Mayor

ATTEST:

Jeffrey A. Modarelli
City Clerk