

**REGULAR MEETING OF THE CITY COUNCIL
PLANTATION, FLORIDA**

April 15, 2015

The meeting was called to order by Councilmember Chris Zimmerman, President of the City Council.

1. Roll Call by City Clerk:

Councilmember:	Ron Jacobs Robert A. Levy Lynn Stoner Peter S. Tingom Chris P. Zimmerman
Mayor:	Diane Veltri Bendekovic
City Attorney:	Donald J. Lunny, Jr.

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2. The invocation was offered by Councilmember Jacobs.

The Pledge of Allegiance followed.

3. Approval of Minutes of Meetings

Minutes of the regular meetings of February 11 and 25, 2015 were approved as printed.

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ITEMS SUBMITTED BY THE MAYOR

Mayor Bendekovic congratulated the Plantation Wildcats nine year old team and the undefeated twelve year old team on a spectacular season. She introduced Cathy Ayala who is the PAL Football Commissioner. Ms. Ayala introduced the teams and provided an overview of their seasons.

Ann Ebbert of the Plantation Womans' Club presented checks to Jim Romano in the amount of \$6,360 for Deicke Auditorium, Central Park and Volunteer Park and a \$2,000 check for summer camp. She also presented a check to Chief Harrison in the amount of \$3,143.15 for the BIKE programs at Plantation Elementary and Peters Elementary.

Jim Romano announced the following:

- PAL registration for various sports on April 25, 2015 at Plantation Central Park
- Summer Camp Lottery will begin April 27, 2015
- April 24 & April 25, 2015 will be the Relay for Life at Central Park
- Tinsel Town Cabaret will be held at Volunteer Park on May 1, 2015

Mayor Bendekovic made the following announcements:

- Power over Diabetes free informational session at the Helen B. Hoffman Library on April 25, 2015
- Independence Day parade participants are wanted
- Teddy Bear picnic May 2 at Helen B. Hoffman Library
- Mayors Interfaith Prayer Breakfast on May 7, 2015
- Plantation Historical Society Plant Affair at Heritage Park on May 2 & May 3, 2015

The City Council designated Councilmember Zimmerman as the Director, Councilmember Tingom as the Alternate and Councilmember Stoner as the Second Alternate to the Broward League of Cities.

Mr. Lunny requested an Attorney Client Session at 6:30 pm on May 27, 2015.

An Attorney/Client session will be held pursuant to Fla Stat 286.011(8)(2014), between Mayor Diane Veltri Bendekovic, Council President Chris Zimmerman, Council President Pro Tem Ron Jacobs, and Councilmembers Dr. Robert A. Levy, Lynn Stoner and Peter S. Tingom, City Attorney Donald J. Lunny, Jr. and Assistant City Attorney Thomas R. Tatum to discuss settlement negotiations or strategy sessions relating to litigation expenditures for pending judicial litigation in connection with The City of Plantation, Plaintiff vs. Mark Hyatt and Katherine Hyatt, Defendants. This Attorney/Client session shall commence at, or as soon as possible, 6:30 PM on Wednesday, May 27, 2015 in the Mayor's Conference Room which is located in the Mayor's Executive Offices. 2nd Floor, Plantation City Hall, 400 NW 73rd Avenue, Plantation, Florida, 33317. This Attorney/Client session shall last an estimated 1.0 hours. The only persons authorized to attend this Attorney/Client session pursuant to the above referenced law are Mayor Diane Veltri Bendekovic, City Council President Chris Zimmerman, City Council President Pro Tem Ron Jacobs and City Councilmembers Dr. Robert A. Levy, Lynn Stoner and Peter S. Tingom, City Attorney Donald J. Lunny, Jr. and Assistant City Attorney Thomas R. Tatum, and the certified transcribing court reporter.

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CONSENT AGENDA

As a Commissioner of the CRA, Mayor Bendekovic has a voting privilege on Item No. 18.

Item No.'s 10 and 14 were pulled from the agenda and discussed separately.

Mr. Lunny read the Consent Agenda by title.

5. Request to approve Temporary Road Closure – Special Use of State Road for 4th of July Parade. (P&R)

6. Request to approve the first of two one-year renewal options with Allied Universal Corporation to furnish and deliver sodium hydroxide 25% (less-than-truck load quantity) at a rate of \$1.45/gallon (ITB007-14) until April 6, 2016. (Budgeted – Utilities)
7. Request to approve the first of two one-year renewal options with American Water Chemical for supply and delivery of zinc orthophosphate at a rate of \$0.52/lb – ITB No. 025-14 through 07-31-16. (Budgeted – Utilities)
8. Request to approve the purchase Memory for the City’s Cisco Unified Computing System (UCS) in the amount of \$41,688. (Budgeted – IT)
9. Request to approve the purchase of the yearly maintenance for Accela in the amount of \$52,222. (Budgeted – IT)

Ordinance No. 2525

11. Second and Final Reading of an **ORDINANCE** of the City of Plantation pertaining to the subject of Environmental Control; extending the exclusive franchise agreement between the City of Plantation and Waste Management, Inc., of Florida for (1) The collection and disposal of solid waste (excluding construction and demolition debris) within Plantation and (2) The collection and provision of services with respect to certain recovered materials generated by residential sites within Plantation as permitted by the terms of the current franchise; approving modifications to the franchise agreement; authorizing the appropriate officials to execute an amendment to franchise agreement; amending the code of ordinances to properly reference such franchise extension so as to indicate that the exclusive franchise agreement will expire on September 30, 2016; making other provisions appropriate to implement the foregoing; providing recitals; providing a savings clause; and providing an effective date therefor.

Resolution No. 12041

12. **RESOLUTION** of the City of Plantation, Florida, authorizing the acceptance of the addendum (Exhibit “G”) to the EMS County Grant Funding Agreement for the purchase of mass casualty incident (MCI) equipment/active shooter equipment, at a cost of \$73,500 and providing for an effective date.

Resolution No. 12042

13. **RESOLUTION** assessing a lien on certain property for the cost to the City of Plantation of its mowing and clearing said property – 400 East Tropical Way.

Resolution No. 12043

15. **RESOLUTION** approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period March 12, 2015 through April 8, 2015 for the Plantation Gateway Development District.

Resolution No. 12044

16. **RESOLUTION** approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period March 12, 2015 through April 8, 2015 for the Plantation Midtown Development District.

Resolution No. 12045

17. **RESOLUTION** approving the expenditures and appropriations reflected in the Weekly Expenditure Report for the period March 12, 2015 through April 8, 2015.

Resolution No. 12046

18. **RESOLUTION** approving the expenditures and appropriations reflected in the Weekly Expenditure Report the period March 12, 2015 through April 8, 2015 for the City of Plantation's Community Redevelopment Agency.

Motion by Councilmember Tingom, seconded by Councilmember Jacobs, to approve tonight's Consent Agenda as presented. Motion carried on the following roll call vote:

Ayes: Levy, Stoner, Tingom, Jacobs, Zimmerman

Nays: None

Mayor Bendekovic voted affirmatively on Item No. 18.

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10. Request to approve the purchase of playground equipment and safety surface turf for Multi-Cultural Park ITB015-15 in the amount of \$86,993.68 from Dominica Recreation Products, Inc. (CDBG funds)

A memorandum dated March 31, 2015 to Mayor and Members of City Council from James S. Romano, Director of Parks & Recreation follows:

Attached for your review are five (5) bid totals for the purchase of replacement playground equipment and safety surface turf for Multi-Cultural Park:

- | | |
|--------------------------------------|--------------|
| • ELCI Construction Group | \$182,000.00 |
| • Playmore West | \$115,000.00 |
| • DW Recreation Services | \$114,470.00 |
| • Miracle Recreation Equipment Co. | \$ 95,725.56 |
| • Dominica Recreation Products, Inc. | \$ 86,993.68 |

These bids include the purchase, delivery, discounts, installation of the equipment and the safety surface turf.

At this time, the Parks and Recreation Department is recommending that the City Council approve this purchase of playground equipment and safety surface turf from Dominica Recreation Products, Inc. for **\$86,993.68**.

If you should have any questions or concerns, please call me at 954-452-2513.

This item was pulled by Councilmember Zimmerman. He requested additional backup information on the item. The item will be brought back to a future agenda.

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Resolution No. 12047

14. **RESOLUTION FOR THE APPOINTMENT OF A CHIEF ADMINISTRATIVE OFFICER FOR THE CITY OF PLANTATION'S ADMINISTRATION DEPARTMENT, FIXING THE INITIAL ANNUAL COMPENSATION TO BE PAID FOR SAID EXECUTIVE POSITION; AND THE APPOINTMENT OF AN INDIVIDUAL TO SAID EXECUTIVE POSITION. (HORACE A. MCHUGH)**

A memorandum dated April 15, 2015 to Members of City Council from Daniel Keefe and Mayor Diane Veltri Bendekovic follows:

This is to advise you that the Administration Department has given a conditional job offer to Horace A. McHugh for the position of Chief Administrative Officer (E-9). Interim CAO Daniel Keefe will be leaving the position on April 30. Funds were budgeted to allow for the overlap when filling this critical position.

If you have any questions regarding the above, please contact Dan Keefe.

Councilmember Stoner pulled this item to introduce Mr. McHugh and also for Mr. Keefe to explain to the public why the City has both a Chief Administrative Officer and a Mayor.

Mr. Keefe provided a brief explanation and Mayor Bendekovic explained the process used in the decision making process.

Councilmember Tingom thanked Mr. Keefe for his service.

Mr. Horace A. McHugh was introduced as the new Chief Administrative Officer.

Motion by Councilmember Stoner, seconded by Councilmember Levy, to approve Resolution No. 12047 as presented. Motion carried on the following roll call vote:

Ayes: Levy, Stoner, Tingom, Jacobs, Zimmerman
Nays: None

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ADMINISTRATIVE ITEMS - NONE

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LEGISLATIVE ITEMS

19. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE PERTAINING TO THE SUBJECT OF PROCUREMENT; AMENDING THE NUMERICAL DOLLAR THRESHOLDS CONCERNING THE PURCHASING PROCESS; PROVIDING DEFINITIONS; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE THEREFOR.

A memorandum dated April 15, 2015 to Members of City Council from Daniel Keefe and Mayor Diane Veltri Bendekovic follows:

HISTORY: Part II, Code of Ordinances, Chapter 2, Administration – Article IX, Contracts and Purchasing – Division 2, Competitive Procurement Requirements – Subdivision A. General – Section 2-226 (d), Procurement Requirements authorized the Mayor to approve all purchases in the amount of \$15,000.00 or less when it was adopted in 2005. Section 2-226 (e) allowed the numerical threshold to be adjusted each year by the percentage change in the Consumer Price Index – all Urban Consumers – South Urban Area. The current threshold is \$19,405.00

ANALYSIS: A recent survey asked five (5) similar, local municipalities to provide the maximum threshold for administrative approval of purchased without Council approval resulted in the following:

- City of Pompano Beach \$25,000.00
- Town of Davie \$25,000.00
- City of Sunrise \$25,000.00
- City of Deerfield Beach \$25,000.00
- City of Fort Lauderdale \$50,000.00/\$25,000.00 for sole source

RECOMMENDATION: Approve a numeric threshold of twenty-five thousand (\$25,000.00) or less for purchases that may be authorized by the Mayor. All purchased in excess of twenty-five thousand (\$25,000.00) shall be approved by City Council. This numeric threshold is not adjusted each year.

Mr. Lunny read the ordinance title into the record.

Councilmember Stoner and Councilmember Zimmerman requested some clarification on the ordinance.

Motion by Councilmember Stoner, seconded by Councilmember Jacobs, to approve on first reading an ordinance pertaining to the subject of Procurement as presented. Motion carried on the following roll call vote:

Ayes: Stoner, Tingom, Jacobs, Zimmerman
Nays: Levy

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20. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE PERTAINING TO THE SUBJECT OF CODE ENFORCEMENT; AMENDING THE PROCESS FOR APPOINTMENT AND RE-APPOINTMENT OF THE CITY'S SPECIAL MAGISTRATES; AMENDING PROVISIONS RELATED TO THE PERIOD OF SERVICE OF SPECIAL MAGISTRATES; CLARIFYING THE PROCESS THAT APPLIES WHEN SPECIAL MAGISTRATES ARE SUSPENDED, REMOVED, OR RESIGN; ADDING OTHER PROVISIONS CONCERNING SPECIAL MAGISTRATES; PROVIDING FINDINGS; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE THEREFOR.

A memorandum dated March 26, 2015 to Mayor and Members of Council from Donald J. Lunny, City Attorney follows:

This ordinance is sponsored by Administration.

Currently, the Code provides that the Mayor recommends Special Magistrates, whose appointment required a City Resolution. Magistrates are to serve a one-year term. Re-appointments also require a City Resolution; however, no standard time during the year has been established when recommended re-appointments are to be considered by the City Council.

This ordinance is designed to allow the City Council to review re-appointments of Special Magistrates at the time it otherwise considers re-appointments of Members to Boards and Committees. In order to implement this suggestion, language has been added to the Code that a Magistrate's term will coincide with whatever the Council actually appoints or replaced him or her.

In the interest of clarity, provisions have been added indicating how Magistrates may be suspended or removed without relying on the prior language referring generally to the Charter and Code.

This Ordinance is now ready for consideration at First Hearing.

Mr. Lunny read the Ordinance title into the record.

Motion by Councilmember Stoner, seconded by Councilmember Jacobs, to approve on first reading an ordinance pertaining to the subject of Code Enforcement as presented. Motion carried on the following roll call vote:

Ayes: Levy, Stoner, Tingom, Jacobs, Zimmerman

Nays: None

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21. PUBLIC HEARING AND FIRST READING OF AN ORDINANCE OF THE CITY OF PLANTATION, FLORIDA PERTAINING TO THE SUBJECT OF STORM WATER MANAGEMENT; EXPANDING THE LIST OF GOVERNMENTAL ENTITIES THAT ARE EXEMPT FROM PAYING THE CITY'S STORM WATER MANAGEMENT NON-AD VALOREM ASSESSMENT SO AS TO INCLUDE MUNICIPAL CORPORATIONS OTHER THAN PLANTATION; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE THEREFOR.

A memorandum dated April 9, 2015 to Mayor and Members of Council from Donald J. Lunny, Jr., City Attorney follows:

This ordinance is sponsored by Administration.

As the elected officials may recall, real property owned by certain government authorities is exempt from paying the City's Storm Water Utility Non-ad Valorem Assessment.

Recently, the Engineering Department was approached by the City of Fort Lauderdale requesting exemption status for its wellhead parcels located within the Fort Lauderdale County Club. Upon reviewing the list of exempted governmental entities, Staff discovered that the City of Fort Lauderdale was not on the list.

The attached Ordinance is considered "housekeeping" in nature and makes sure that nay other municipal corporation is on the exemption list. The Ordinance will be effective October 1, 2015 which is the upcoming fiscal year commencement date.

This housekeeping Ordinance is now ready for consideration at First Hearing.

Mr. Lunny read the ordinance title into the record.

Motion by Councilmember Stoner, seconded by Councilmember Jacobs, to approve on first reading an ordinance pertaining to the subject of Storm Water Management as presented. Motion carried on the following roll call vote:

Ayes: Levy, Stoner, Tingom, Jacobs, Zimmerman
Nays: None

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QUASI-JUDICIAL CONSENT AGENDA - None.

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Councilmember Zimmerman referred to the guidelines for those addressing the Council as witnesses having been sworn in.

All witnesses intending to testify on quasi-judicial items during tonight's meeting were sworn in by Susan Slattery, City Clerk.

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QUASI -JUDICIAL ITEMS

Mr. Lunny read Item No. 22

22. REQUEST TO APPROVE SIGN SPECIAL EXCEPTION FOR ALDI FOOD MARKET LOCATED AT 12170 WEST SUNRISE BOULEVARD AND ZONED B-2L. (LIMITED COMMUNITY BUSINESS DISTRICT).

The City Staff Report dated April 15, 2015 follows:

ALDI Food Market plans to occupy approximately 2/3 of the floor area formerly occupied by Tiger Direct at the Plantation Crossings Shopping Center located west of the Volunteer Park on the south side of Sunrise Blvd. ALDI has 99' of frontage, which allows a 60 sq. ft. channel letter sign. ALDI can allocate up to 10% of the allowable sign area (in this case six square feet) for the sign logo. In addition, Plantation Crossings has adopted a uniform sign criteria pursuant to Code Section 22-20 (b); limiting sign color to red with bronze returns.

The applicant has requested the following sign special exceptions:

- 1) From: Section 22-20(b), which requires shopping centers to have uniform sign attributes including materials, font, size, and color for wall signs;
To: To deviate from the uniform sign agreement for color and material; specifically, to allow white channel letters with silver returns. Plantation Crossing's Uniform Sign Criteria allows only red signs with bronze returns.

Staff recommends amending the agreement to allow "white" as a second color as long as the sign returns are bronze or red, not silver as requested by the applicant.

- 2) From: Section 22-20(g), which limits logos on wall signs to no more than 10% of the allowable sign area;
To: Increase the size of the logo on the wall sign from 6 square feet in area (10% of the allowable sign area) to 32.8 square feet in area (55% of the allowable sign area) and allow the logo wall sign to be a box sign.

By increasing the logo to 55% of the allowable sign area, the logo becomes the primary component of the sign and the words "FOOD STORE" become secondary. Staff policy is to oppose box wall signs, including within this shopping center (The City Council rejected a 34.8 sq. ft. wall box sign for Tiger Direct in 2012).

- 3) From: Section 22-20(g), which limits logos on monument signs to no more than 10% of the allowable sign area;
To: Increase the size of the logo on the monument sign from 1.1 square feet in area (10% of the allowable sign area) to 1.7 square feet in area (15% of the allowable sign area).

Staff has no objection to the minimal 5% increase in logo size and recommends approval.

- From: Section 22-50 (a) (7) prohibiting attention getting devices.
To: Attaching the ALDI wall sign to a 30' x 8.7' silver composite aluminum panel.

Staff does not support granting this special exception based on the following:

- a) The uniform sign criteria does not allow the silver aluminum composite panel.*
- b) The aluminum panel has reflective properties and is considered by staff to be an attention-getting device prohibited by the sign code.*
- c) ALDI has indicated that the composite aluminum panel is part of their branding and is necessary to cover up damage to the masonry from prior sign installations. In addition, not all ALDI wall signs include the aluminum panel (See photos on next page).*
- d) The panel exceeds four times the area of the maximum permitted wall sign at this location.*
- e) ALDI does not occupy the entire Tiger Direct/Comp USA space. ALDI's store frontage is about 99 feet long, leaving about 40 feet for an additional tenant who will also be entitled to a channel letter wall sign.*

EXHIBITS TO BE INCLUDED: Planning and Zoning Division staff report; subject site map; Development Review application; and sign details.

ANALYSIS:

The applicant is requesting a deviation from the code for the color, size, and material of the wall sign. All tenants within the center currently have red channel letters with red or bronze trim caps and returns with two exceptions, Pier One and SoccerMax. The applicant is requesting "Food Market" in white channel letters with silver trim caps and returns.

The applicant is also requesting approval for a 32.8 square foot "ALDI" box cabinet sign in dark blue, light blue, orange, yellow and white. Logos, limited to no more than 10% of the allowable sign area, may be a box cabinet. In addition, the sign code prohibits logos as the primary message. The applicant is requesting a special exception to increase logo size from the 10% (maximum allowed by the sign code) to 55%.

The wall sign and box sign will be mounted on top of a 30.1' by 8.7' bright silver aluminum composite panel. The applicant has indicated the panel is needed to cover damage on the existing masonry caused by previous sign installations. The applicant has also indicated that the brick behind the box sign will be removed and the box recessed through the composite panel onto the structural wall. This will reduce the depth of the box protruding from the wall from 5" to approximately 1" from the surface of the composite panel. With the exception of Pier One, which was constructed prior to adoption of the current sign code in 2005, there are no other composite panels in the plaza.

STAFF COMMENTS:

PLANNING AND ZONING:

Wall signs:

- 1. Staff recommends allowing "white" as a second color for the shopping center channel letters as long as the sign returns are bronze consistent with uniform criteria.*
- 2. Staff does not support the use of the 30.1' by 8.7' silver aluminum composite panel proposed as a backdrop to the sign. While site inspections reveal some damage to the brick façade, staff recommends repair of the façade in lieu of covering it with the aluminum composite panel. In addition, the size and reflective nature of the panel is considered an attention-getting device that is prohibited by code.*



Example of ALDI sign with aluminum composite panel



Example of ALDI sign without aluminum composite panel

3. *Staff has no objection to the increase in logo size provided the logo box sign is constructed of extruded channel components consistent with the shopping center sign criteria.*
4. Monument sign panel:
No objection.



Existing on-site ground sign

DESIGN, LANDSCAPE AND CONSTRUCTION MANAGEMENT:

Staff has no objection to the requested sign exception.

1. *At time of permitting please submit landscape plans as per Chapter 22-106 for free-standing and/or monument signs.*

EXHIBIT A

Sec. 22-11 Sign special exceptions

- (a) A special exception from the terms of this Chapter shall not be granted by the City governing Body unless and until a written request for a sign special exception has been submitted demonstrating:
- (1) That special conditions and circumstances exist such as, but not limited to, building orientation, vehicular circulation or vision obstructions (not to include landscaping) that are peculiar to the land, structure, or building that create a site specific justification for the exception;

APPLICANT RESPONSE:

As depicted on the attached aerial photograph, the building is significantly recessed from Sunrise Blvd. Although the landscaping cannot be considered for this purpose, as a practical matter the landscaping does obscure the building from drivers on Sunrise Blvd. The monument sign on the south side of Sunrise Blvd. is relatively small and provides the applicant with a single panel that is only slightly more than 6' wide and slightly under 2' high. As a result, the logo is quite small even when it comprises 18% of the sign. The logo is necessary for identification of ALDI by its regular customers. The logo has been increased in size only so that is the same size as the "ALDI" letters immediately to the right of the logo. This means that the logo will not overwhelm the sign and does not look disproportionate to the other part of the sign or the other panels on the overall monument sign. A photograph of the monument sign as it currently exists is attached hereto as Exhibit "A".

The wall sign on the building façade over the entrance to the store is at a great distance from Sunrise Blvd. and faces due north with little visibility from east and west directions. Again, the colorful ALDI logo is the only means of identifying the store and an oversized logo should not be considered unreasonable under the circumstances. It is the overall building orientation as facing north and being set back a great distance from Sunrise Blvd. that requires the larger logo on the two signs. Attached as exhibit "B" hereto is a photo of the Comp USA sign that existed at the same site as seen from the entrance to the shopping center.

- (2) That a literal interpretation of the provisions of this Chapter would deprive the applicant of rights commonly enjoyed by other property of lands, structures or buildings of similar character with identical special circumstances (nonconforming signs shall not be grounds for issuing sign special exceptions), or alternatively, that a special exception from the provisions of this Chapter is warranted and justified to protect, preserve, or enhance the City's tax base or to prevent or eradicate conditions of economic blight;

APPLICANT RESPONSE:

The purpose of signage in business is to generate attention and visibility for a commercial establishment in order to be financially successful and not to become a vacant building or a blighted site. In fact, the space is currently vacant and numerous tenants have opened in this location without long term success. A literal interpretation of the code would render the ALDI logos to be so small as to not be readable from the distance required for customers to identify the location. The proposed enlarged logos are not so large as to be garish or obtrusive.

- (3) That the special conditions and circumstances do not result from the action of the applicant;

APPLICANT RESPONSE:

The special conditions and circumstances justifying these sign special exceptions to increase the size of the logo on both signs is not a result of the Applicant. Rather, numerous businesses have tried and failed in this same location due in part to lack of visibility from Sunrise Blvd. The trademarked ALDI logo is the single most recognizable aspect of the store for customers, and an enlarged logo will greatly aid the visibility of the store location.

- (4) That the sign special exception to be granted is the minimum measure needed to address the special conditions and circumstances that justify the special exception;

APPLICANT RESPONSE:

The sign special exception requested is the minimum measure needed to address the special conditions and the circumstances in that the enlargement of the logo on the monument size is a minimal request. This would increase the size of the logo from only comprising 10% of the sign to 18% of the sign. The overall size of the sign is not being increased.

With regard to the wall sign, again the sign itself is not oversized, but merely the portion occupied by the logo has been changed so that virtually all of the sign is the logo itself as opposed to seeking additional signage elsewhere or an oversized sign, the Applicant and ALDI seek only to increase the size of the logo, which is the single item most closely identified with the ALDI Brand.

- (5) That the sign special exception will be in harmony with the general purpose and intent of this Chapter and will not be injurious to the neighborhood, or surrounding property, and will not otherwise detrimental to safe and convenient use of nearby rights-of-way;

APPLICANT RESPONSE:

The sign special exceptions will be in harmony with the general purpose and intent of the chapter in that it is not extra signage being requested, and is in fact smaller signage than already exists for other tenants in the shopping center. Further, the overall size of the signage is less than previous tenants such as Comp USA have utilized in this same space. Further, the applicant has taken significant steps to cover its box sign with architectural features, so that the sign loses the appearance of a box sign and is in harmony with the other signs throughout the City. There is nothing to suggest that the granting of this sign special exception would be detrimental to the safe and convenient use of nearby rights-of-way.

- (6) That all other signage on the property is in substantial compliance with this Chapter, as applied.

APPLICANT RESPONSE:

It is the Applicant's belief that all other signage on the property is in substantial compliance with this chapter in that much of it was approved and installed prior to the existence of this chapter. It is believed that the Pier One sign and Denny's sign were both approved under a different criteria, and as a result are still considered to be in substantial compliance with the City sign code.

Larry Leeds, Planning, Zoning and Economic Development Director stated he was sworn in and understands the rules governing the hearing.

Mr. Leeds explained the process. He gave a brief overview of the sign special exceptions. Staff cannot support the aluminum panel on the sign.

John Voigt, Attorney for the applicant stated that he was sworn in and understands the rules governing the hearing.

He spoke about the branding issue with the Aldi sign. Their branding is their logo. The gray paneling is important to their branding. He went over what the sign will look like which is not meant to be attention getting.

Adam Castle, Director of Real Estate for Aldi in the State of Florida stated that he was sworn in and understands the rules governing the hearing. He spoke to the colors of the sign. They agreed to reduce or repaint the sign at time of Certificate of Occupancy if the reflectivity is an issue.

Discussion ensued as to the sign size and color.

Motion by Councilmember Stoner, seconded by Councilmember Jacobs, to approve PP15-0008, Sign Special Exception of Aldi Food Stores, #1 Applicant has accepted bronze return, #2 allow a box sign, #3 no objections by staff, #4 size of the sign will line up with an extension of the sides of the door frames. Motion carried on the following roll call vote:

Ayes: Levy, Stoner, Tingom, Jacobs, Zimmerman
Nays: None

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COUNCILMEMBERS' COMMENTS

Councilmember Stoner commented that the Woman's Club luncheon on Saturday was very nice as always.

Councilmember Tingom asked residents who wish to serve on an Advisory Board or Committee to contact him or fill out the application on line and send to the City Clerk's Office.

Councilmember Levy commended the Fire Department on the response to a fire in his neighborhood. He also recognized the Lorenzi family for their assistance to the victim of the fire. He also requested Chief Harrison to give an update on what the City is doing in response to some incidents in other areas of the United States. Chief Harrison gave the Council an update on some of the initiatives happening in the City. He also replied that the City is taking a "wait and see" attitude on police body cameras.

Councilmember Levy thanked Chief Harrison for not being so quick to implement the red light cameras within the City.

Mayor Bendekovic reminded the Council to respond concerning the Broward League of Cities Installation Dinner. She thanked the Chamber of Commerce for the wonderful event showcasing the elected officials that was held at the Plantation Preserve.

Councilmember Zimmerman commented that this week is National Architecture Week. On June 5, 2015 at Westfield Broward Mall an event called Canstruction will be held.

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PUBLIC REQUESTS OF THE COUNCIL CONCERNING MUNICIPAL AFFAIRS

Assad Mirza commented on the enrollment at Plantation public schools.

Mr. Morganstern mentioned the City of Plantation wheelchair tennis and a free tennis camp for children of members of the Armed Forces which is held at Frank Veltri Tennis Center.

Dennis Conklin inquired when the latest CAFR will be released. He also discussed medical marijuana.

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SEALED COMPETITIVE SOLICITATIONS - None

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WORKSHOPS – None

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Meeting adjourned at 9:50 p.m.

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Councilmember Chris Zimmerman President
City Council

ATTEST:

Susan Slattery
City Clerk
RECORD ENTRY:

I HEREBY CERTIFY that the Original of the foregoing signed Minutes was received by the Office of the City Clerk and entered into the Public Record this _____ day of _____, 2015.

Susan Slattery, City Clerk