



**Division of Zoning and Development Review**  
City of Pittsburgh, Department of City Planning  
200 Ross Street, Third Floor  
Pittsburgh, Pennsylvania 15219

Minutes of the Special Meeting of July 15, 2015  
Beginning at 12:30 PM  
200 Ross Street  
First Floor Hearing Room  
Pittsburgh, PA 15219

In Attendance:

<b><i>Members</i></b>	<b><i>Staff</i></b>	<b><i>Others</i></b>	
Erik Harless	Sarah Quinn	Deb Walko	Mike Abney
Joe Serrao	Sharon Spooner	Josh Lavrink	Jim Noland
Ray Gastil		Keith McGraw	Jim Sheehan
Ernie Hogan		Richard Ehrnsberger	Karamagi Rujumba
Carol Peterson			
Matthew Falcone			

***Old Business***—None.

***New Business***

**Record of Decision:** Mr. Hogan explains that the meeting has been called to review a single item that was postponed at the last meeting. He states that the first order of internal business is to confirm the Record of Decision from the June meeting. He then clarifies that they are to issue the decision today. He states that he would like the decision as part of the permanent record going forward so that they can make today's decision. He confirms that everyone has had time to review the materials that have been provided. He states that for the Record of Decision for June they need to capture what happened with regards to this particular case. At that meeting there was put forward a motion to approve the hotel at 4215 Fifth Avenue, which resulted in a tie vote of two in favor, two against, and one abstention. Based on the rules, because there was not a majority vote, the decision was viewed as a decline, with the option for the applicant to come back in with a new application with modifications to enhance their proposal. He would like the Record of Decision to reflect that it was a deemed denial and a tie vote. He confirms that everyone is comfortable with this Record of Decision.

**Approval of Minutes:** In regards to the July meeting minutes only for 4215 Fifth Avenue, Ms. Peterson notes a correction, that "symbolic" should be changed to "symbiotic". Mr. Harless motions to approve the minutes as modified and Mr. Serrao seconds. Mr. Hogan asks for a vote; all are in favor and motion carries.

**Adjourn:**

Mr. Serrao motions to adjourn the meeting.

Mr. Gastil seconds.

Meeting is adjourned at 2:30.

**The discussion of the agenda item follows.**

**4215 Fifth Avenue**

**Oakland Civic Center Historic District**

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**Owner:**

Oakland Fifth Ave Hotel Assoc  
409 Broad Street Suite 203  
Sewickley, Pa 15153

Ward: 4th

Lot and Block: 27-R-110

Inspector: Mark Sanders

**Applicant:**

Oakland Fifth Ave Hotel Assoc  
409 Broad Street Suite 203  
Sewickley, Pa 15153

Council District: 8th

Application Received: 6/10/15

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**National Register Status: Listed: X Eligible:**

**Proposed Changes:** Construction of a 10-story hotel.

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**Discussion:**

1. Mr. Hogan talks about the item that is in front of them today. He states that he has reviewed the policies and procedures for the special meeting. He had asked at the last meeting that a special meeting be scheduled, which is within the rules and regulations of the Commission. Being that this is such an important case, he wanted to make sure to give it the attention it needed. He states that the Schenley Farms district refers to the Department of the Interior's standards, while the Oakland Civic Center district guidelines do have a new construction component. He states that what they are reviewing for the purposes of this meeting is the relationship of the new construction to the Oakland Civic Center district and district guidelines. He paraphrases the Oakland Civic Center new construction guidelines, which state: 1. The general aim of the guidelines for new construction is to encourage the visual compatibility of new construction with the character and quality of the nineteenth- and early twentieth-century buildings. 2. Materials should be of a similar color, texture, and scale to building materials in the district's contributing buildings. 3. Scale, massing, rhythm, and siting need to be taken into account. 4. The detailing should correspond to the kinds of detailing found on contributing buildings in the district. 5. Accessories and signage; they do not have signage in front of them today so this section is not an issue. 6. Structures on the roofs of new buildings, such as elevator or other mechanical housings or devices, vents, utilities, and skylights, should be designed so that they are inconspicuous from the public streets. These are the items that they need to deliberate on. He states that the original drawings are significantly different than the resubmitted application. The curtain walls have been eliminated, the building height has changed, the garage articulation and materials have changed, as well as the openings and venting, and the brick material of the building has changed which he thinks is an enhancement.
  2. Mr. Serrao states that he was not present for the July meeting but he did review all of the information and the meeting minutes before today's meeting. He agrees that there have been many changes, and he would say improvements, to the previous
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design. He says there may be a few things they can look at but states that he agrees that most of the changes were for the better. He mentions the setbacks and states that changes to those were a big improvement.

3. The Commission reviews the original and updated drawings.
  4. Mr. Hogan states that when looking at the city's history and future, it is important to understand where the city is today. The Commission has heard testimony from some of the passionate residents of Schenley Farms with regard to the history of Oakland and what was thought to be its future; however, in some cases plans have not materialized and fabric has been lost, such as the Syria Mosque. He states that the Commission is charged with preserving and protecting the district, while at the same time allowing for the city to grow responsibly and appropriately. He states that the district guidelines are very clear in how they should be evaluating new construction and the addition of this structure to the district and what its impact long-term will be for the district. The Commission has also heard a lot of testimony about the economic impact on the PAA; he does not believe, and according to their rules since they are not hearing a hardship case, that it should be a point of decision at all for them. He states that the standards of yesterday and the standards of today are very different; the density of cities and the way things are looked at and the way things interrelate need to be considered. He personally believes that the work that has been done by the developer, the Commission, and the residents of Schenley Farms and the city as a whole has helped the project get to a much improved submission for consideration. He asks if there is a motion.
  5. Mr. Gastil asks if procedurally they can still discuss after a motion is made.
  6. Mr. Hogan says yes, this is not a closed matter, they can move it to a motion and have a discussion and dialogue. They will not be taking any more public testimony, as they closed all testimony, comments, and materials at the last meeting.
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**Motion:**

1. Mr. Serrao motions to approve the construction of a 10-story hotel at 4215 Fifth Avenue as submitted in the July 1, 2015 documents.
  2. Mr. Harless seconds.
  3. Mr. Hogan asks for a discussion.
  4. Mr. Serrao states that he does understand the community's reasoning, but what always strikes him is the idea of how cities evolve. He states that if the Cathedral of Learning was proposed today, it would not be approved—a 40-foot skyscraper in the middle of a City Beautiful area would be a tough sell. He states that things don't have to be complementary, but they can be evolutionary—buildings don't have to look like others in the neighborhood and can be of their time. He states that it is important to get a quality building and a building that is good for the neighborhood. He feels the same way about new construction in any district.
  5. Mr. Harless states that a lot of the testimony seemed to center around the massing, the siting, and the scale of the structure. In reviewing the ordinance and the criteria for evaluation, it seems to him that the issue of the siting and massing is coming in to play with the consideration of the guidelines for the district. He thought that what was very compelling were some of the images that were presented at the last hearing showing the scale of the proposed building with some of the other contributing buildings in the district, and not just with its immediate neighbor, the PAA.
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6. Mr. Gastil states that whether they are looking at the scientific eclecticism moving towards Beaux-Arts style of Hornbostel, the gothic style of the Cathedral, or any of the other styles in the area, this building actually does fit in, with its base, middle, and top reflecting an abstracted idea of classicism and its color range fitting in with other buildings in the district. He states that he has learned a great deal through this process, due to the testimony of the residents of Schenley Farms, Oakland, and other citywide entities, as well as his fellow commissioners. He has heard throughout the process what a remarkable place the Schenley Farms neighborhood is and he appreciates the passion of the residents. He does want to mention something that is not strictly in the Commission's purview, but does have impact on the design—it is a hotel, and one of the most important buildings in the district was the Schenley Hotel, which was the connector between the park and the rest of the area. The building, because of its function, also now has more of a relationship to the street rather than following the "tomb" model. In the overall picture of this district as an important district in the city, he personally welcomes this type of more engaged building.
  7. Mr. Hogan states that it has been difficult to determine where architecture would go over the last several decades. He thinks that the activation of the street, the changing of the composition of the building, and the changes in detailing are all improvements to the project. His concern is really the restriction of the site itself, with its proximity and relationship to the PAA. He does feel that the proposed building is independent enough that the PAA is still the prominent building from Fifth Avenue, and it does echo the articulation of the PAA and does not detract from it. He understands that density for this district is always going to be a challenge, and as they move forward they need to be careful in looking at future projects. He feels that with this project there has been a good attempt to fix the articulation within the site, the setting, and the district. He states that the changes to the street level, the setbacks, and the garage articulation have been positive, and he is also excited about the changes to the internal operations such as the top floor lobby, which will show off the beauty of the city.
  8. Mr. Gastil states that this is a mid-block site, it faces the Soldiers and Sailors monument, lawn, and garage, as well as the more recent buildings beyond. He emphasizes that a mid-block site is different from a corner site, and if a corner site were to come before them at a future time, they would consider a different set of relationships and look at them very closely.
  9. Mr. Falcone says that, visually speaking, this building is at the fringes of the district. It is one thing to consider looking at it from Fifth Avenue, and another thing to consider looking at it from Schenley Farms and into the district itself. Standing outside the district and looking in gives a much wider perspective of all the buildings that are part of the district. He states that some of the points that the other commissioners have made still cause him concern. The guidelines talk about the immediate context of the buildings surrounding the site, and that the ratio of wall surface to openings and proportion and direction of door and window openings should be consistent with those of the contributing buildings. He doesn't see that here, and in context with with the size and scale of the building, these issues are exacerbated. When he looks at the contributing buildings in the district, especially the ones that immediately surround this site, he doesn't see any that have window openings as large as what is seen on the proposed building. He states that to him this is a problem, as he doesn't see how it encourages the visual
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compatibility with the character and quality of late 19<sup>th</sup> and early 20<sup>th</sup> century buildings. He does agree that what they have before them is significantly improved from previous submissions.

10. Ms. Peterson agrees that there has been an improvement. She still has concerns about criteria 3 and 4 in the guidelines for new construction, which are scale, massing, rhythm, and siting, and detailing. Looking at the drawings, she can see ways that it fits in and ways that it doesn't.
  11. Mr. Hogan asks if there are any particular changes that she would like to see.
  12. Ms. Peterson says that she doesn't know if the applicant is going to make any more changes. She asks about Mr. Gastil's comments on the classical elements of the building.
  13. Mr. Gastil states that the building has a base, middle, and top. He points out the strong base, the architrave, the middle section that gets taller as some of the other buildings such as the Schenley hotel and even the PAA do, and the top, which has a strong cornice line and an "attic story" that they created.
  14. Mr. Falcone states that part of what makes him uncomfortable is that there are those levels, and then there are parts of the design that break through those levels, which is very much a modern architectural design. He would feel more comfortable with it if it adhered more closely to traditional, late 19<sup>th</sup> and early 20<sup>th</sup> century design.
  15. Mr. Hogan asks Ms. Peterson if it would be more acceptable to her if the upper windows were more in tune with the base of the building. He states that it looks like they are all suites, and that they could be changed.
  16. Ms. Peterson proposes that the top section of windows continue across, without the corner section breaking through.
  17. Mr. Serrao states that he thinks it would reinforce the classical language of the building.
  18. Ms. Peterson states that she thinks it would make the building more acceptable. She guesses that there is not really anything that can be done about the scale issue, as it seems like the applicant has been stating that a smaller building would not be economically feasible. She references the point that one of her fellow commissioners made that buildings are of a different scale now, and parking has to be considered.
  19. Mr. Gastil states that it is worth exploring. He states that they might find that it is not a satisfactory resolution. He states that this project strikes him as an improvement over earlier projects in this area. He states that he may appreciate the asymmetry of the façade architecturally, but in terms of the criteria and what the Commission is trying to achieve he thinks the option is well worth looking at.
  20. Mr. Hogan states that from a process standpoint, they can move an approval with modification and ask them to come back to staff, as long as they are very clear about what they are asking.
  21. Ms. Quinn reminds them that if something is tabled, unless they call another special meeting, the next time it can be heard is September.
  22. Mr. Gastil states that they can't call another special meeting, because it would fall
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outside of the timeframe.

23. Mr. Hogan also states that if they are to have any influence on the project, it has to happen today. He states that there is a motion on the table, and he could call a vote, or someone can propose an amendment to the motion.
  24. Mr. Serrao states that he will amend his motion once they reach a consensus on the amendment.
  25. Mr. Hogan asks if the developers would be amenable to the modification.
  26. A representative from the applicant steps to the podium and states that if it is not a change to the envelope itself, they are willing to make the discussed changes and bring them back for review at the staff level. They would like it to be a staff-level review as they would like to present a final design for the Planning Commission to decide on later in the month. As he understands, what the Commission is looking at is the level of detailing on the suites.
  27. Mr. Hogan asks if there is an amendment.
  28. Mr. Serrao amends his motion to state that the all glass corners should be eliminated, and the rhythm of the fenestration that exists in the body of the façade should be maintained on all four corners of the building as well as the continuation of the upper floor loggia along the Bigelow facade.
  29. Mr. Falcone states that he would like to discuss the size of the windows and how they are not set back. He would like to see the windows be set back so it will break up the façade a bit more. He thinks there is just a lot of glass.
  30. Mr. Gastil states that one issue, that Ms. Peterson was focused on, was the loggia and making sure it is symmetrical and more in keeping with its loose classical language. The other, more general issue was about the size of the corner windows. He feels that these are two separate issues. He states that he struggles with the corner windows. These windows did exist within the dates of the buildings in the district going into the 1920s, and in the '20s there were Art Deco buildings that looked like this, but there are none in this historic district. He feels that a case for them could possibly be made within a larger historical context, although he repeats that they are not found in the district. He feels that they do add some vitality to this side as an architectural composition. He felt that it was important to deal with the attic story issue, but is open to looking at the window issue if other commissioners want to.
  31. Mr. Harless states that he is concerned with redesign of this scale at the table. He asks if the corner windows were discussed at the June meeting.
  32. Mr. Hogan says that they were, and they are much more muted now than they were in the original submission.
  33. Mr. Falcone clarifies they were changed from the original submission in March, but have not changed since they discussed them in June. He states that he did voice his concerns with the fenestration at the June meeting.
  34. Mr. Hogan states that the Commission has a history of doing conditional approvals based on recommended design changes, and they have empowered and entrusted staff to review them. He thinks the other façade of this building is much more articulated and feels better to him, and he has the most concern about the Bigelow tower that is on the upper floors at rear of the building. He thinks if they can get
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that section to mirror the sides, it will be a big improvement. He doesn't want to get into window recessions and things like that. He does not want to replicate what is there, but wants to respect what is in the district. He wants new architecture to complement what is in the district, but not replicate it. He states that the Secretary of the Interior's standards are very clear that new architecture should have its own articulation.

35. Mr. Falcone states that the district guidelines state that the ratio of wall surface to openings and proportion and direction of door and window openings should be consistent with those of the contributing buildings, and he doesn't see any contributing buildings that have anything close to the size and scale of these window openings.
  36. Mr. Hogan says that the lower windows of the PAA are quite substantial.
  37. Mr. Falcone states that they are substantial, but they are recessed to a point where they don't have the same kind of visual impact. He states that that is why he brought up the issue of recessing the windows, so that if they have that same ratio, there is some compromise so that the windows won't stick out and the building will be more visually compatible with the district.
  38. Mr. Serrao states that they are getting to a point that they have to ask if they are changing the building too much. He can see changing one or two things.
  39. Mr. Falcone speaks to Mr. Gastil's point that there are two separate issues at hand—the way he sees it, if they are looking at the windows within the towers, they are looking at fenestration, so it is really the same issue.
  40. Mr. Serrao states that from a procedural issue, any changes they make will affect the entire façade, and they are just guessing as to what that would look like.
  41. Mr. Falcone states that at the June meeting, the applicant stated that the corners are glass to detract from the massing of the building and to make it seem lighter and to appear to have less mass. He appreciates the intent of the architect, but he goes back to the relationship to the contributing buildings and the guidelines for fenestration.
  42. A representative from the applicant steps to the podium to clarify that they are willing to explore options, but to try and redesign the building on the fly would be problematic.
  43. Mr. Gastil states that the issue is that they are trying to bring the building closer to the guidelines, and they could make the condition that the applicant has to look at these other options. He thinks that these types of changes could be reviewed by staff. He states that they should be specific about ideas they have on how to resolve the issues, but they should be clear that the applicant needs to resolve the issues as designers. He states that their ideas were to complete the loggia on the Bigelow elevation and to reconsider the corner windows; it is their job to implement the ideas because they cannot design at the table. He also states that the project will be going to Planning Commission in two weeks, so there will be more eyes on it.
  44. Ms. Quinn just asks that they be specific about whatever they are asking for.
  45. Mr. Hogan restates that the motion is to approve the project, with the applicant to look at a continuation of the loggia across the Bigelow side, and to reevaluate the fenestration on the corner towers to be more in keeping with the district
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guidelines.

46. Mr. Serrao says that they talked about changing the fenestration in general.
  47. Mr. Gastil states that changing the ratio of the fenestration would be difficult, especially with the hotel program.
  48. Mr. Hogan states that he doesn't think they could do that. He personally doesn't find the window ratio to be inappropriate for architecture of today.
  49. Mr. Falcone just doesn't think it is appropriate for this district, according to the guidelines.
  50. Mr. Harless asks for clarification on what is being proposed.
  51. Mr. Hogan states that the cornice should continue to wrap around as shown.
  52. Mr. Falcone states that he is also comfortable with having the applicant present the changes to staff for review.
  53. Mr. Hogan states that the changes to the loggia are appropriate and within reason for them to prescribe, and he doesn't think it is major redesign for them to accomplish. He states that he doesn't have an issue with the windows on the front/Fifth Avenue facade.
  54. Mr. Serrao agrees that he doesn't have an issue with the windows.
  55. Mr. Harless states that he can understand if they are going to be specific and say that some element of the cornice line should be reflected. However, he doesn't want to force symmetry on the building that the designers didn't intend. He feels that the current language of the amended motion, that the loggia should be continued and that the fenestration should be reconsidered, is too broad.
  56. Mr. Gastil says that they could state that it should be like the other elevation.
  57. Mr. Falcone says that they are being very prescriptive about the roofline and cornice while being very general about the fenestration. He states that they need to be specific for staff on what elements they are looking for to be in line with the district and the guidelines.
  58. Mr. Hogan states that he agrees with Ms. Peterson that continuing the loggia around the whole building, especially on the Bigelow tower, with soften the whole building and make everything else feel right. He can live with the fenestration and does not want to get into charging staff with determining what is the appropriate window size for the district.
  59. Mr. Serrao agrees about the fenestration; he states that would be asking for a complete redesign and is too open-ended. He also states that he does not have an issue with the windows. He states that prescribing recessed windows would make a huge difference in shadowing depending on how deep the recessions are.
  60. Mr. Gastil states that they could have a proposal that just focuses on the loggia, although that will not satisfy the concerns of Mr. Falcone and perhaps Ms. Peterson. He states that they could make the language about the fenestration general enough to indicate they just want the applicant to look at solutions, and he doesn't think that would put staff in an untenable position in terms of the level of design review. He asks the other commissioners if that would be so general as not to be useful.
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61. Mr. Harless states that it sounds like he is proposing that the applicant consider redesign, but not as a condition of approval.
  62. Mr. Gastil states that it would be a condition, but one that refers to consideration. He doesn't know if consideration is appropriate for a motion and if the Commission has used language like that before.
  63. Mr. Hogan says that they have used language like that before.
  64. Mr. Serrao asks if they have gone before CDAP yet and done design review with City Planning yet.
  65. Ms. Quinn and Mr. Gastil clarify that when historic review is required, it takes the place of CDAP.
  66. Mr. Hogan restates the motion that is on the table, which is approval with the modification that the loggia should be more in line with the Lytton side and that the fenestration should be reconsidered. He asks if they want to modify the motion to suggest that the fenestration be looked at, understanding that there is a limit to comfort level in how far they should go.
  67. Mr. Gastil thinks they should stay with the motion as is. He doesn't think they can go further with the fenestration recommendation without being more precise about what they want. He supports how it was articulated, without that addition.
  68. Mr. Harless asks if the motion is to match the loggia exactly, or to reflect elements of it.
  69. Mr. Gastil states that the motion language was for it to be "more in line with" it. He thinks that this is something staff can evaluate.
  70. Mr. Harless states that he doesn't want to force a symmetrical design on the building by forcing it to match exactly. He states that they can present some design elements to staff to incorporate such as the cornice and some element of the loggia.
  71. Mr. Hogan says they can just ask them to carry the cornice around.
  72. Mr. Gastil states that he appreciates the "more in line with" language because it means that there are solutions that don't have to be an exact replica of the rest of the loggia, but could be some sort of setback strategy. He feels that they have resolved the loggia issue and have explained it to the applicant, so they can move on to fenestration.
  73. The other commission members agree.
  74. Mr. Hogan restates that they agree that the loggia should continue in line with the other roofline. He asks for more discussion about fenestration.
  75. Mr. Gastil states that he thinks that the building, even in this district, can have larger windows. He states that it should not have the same windows as the PAA, for example. He states that out of the nearby buildings, the Cathedral probably has the most windows, which makes sense with its program. He states that the Schenley Hotel/William Pitt Union and the old hotel/dorm buildings around it also have large amounts of windows. He states that they need to decide if they want to put fenestration in the motion as a consideration. He would be comfortable with a consideration and not so much a condition.
  76. Ms. Quinn states that from a process point of view, if changes to the windows were
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to be made, the project would have to come back before the Commission.

77. Mr. Serrao agrees with Mr. Gastil, but it comes down to finding where the point is that it would be considered a redesign.
  78. Mr. Hogan states that if they fix the corner as previously stated, it would help the building a lot.
  79. Mr. Serrao adds that it is also a quantifiable change.
  80. Mr. Hogan asks if everyone is comfortable with the motion.
  81. Mr. Serrao restates that the motion is to approve the construction of a 10-story hotel at 4215 Fifth Avenue, with the condition that the owner and developer make changes to the Bigelow Boulevard loggia to be more in line with the Lytton avenue upper floor loggia.
  82. Mr. Gastil clarifies that the revised plans should be submitted to staff.
  83. Mr. Falcone asks if this is the entirety of the amendment or if they will make a separate amendment addressing fenestration.
  84. Mr. Hogan states that he is uncomfortable with adding any changes to the windows.
  85. Mr. Gastil states that another motion can't be made, but an amendment can be made and they can vote on the amendment.
  86. Mr. Serrao states that the changes to the windows are so significant that it would count as a redesign and would have to come back. He has eliminated any changes to the windows from his motion.
  87. Mr. Hogan asks for the second again on the amended motion.
  88. Mr. Harless reaffirms his second.
  89. Mr. Hogan says from a procedural standpoint, to have further discussion, he needs an additional amendment to be stated, and the original motioner to accept it and the seconder to reaffirm. If the amendment is not accepted, the motion stands and they will vote.
  90. Mr. Falcone proposes an additional amendment about fenestration, and that it is to be reviewed by staff.
  91. Mr. Gastil states that the reality is, without a precise proposal describing specifics like "add recesses" and "do not have corner windows", changes to the windows will be beyond what staff can approve.
  92. Mr. Falcone states that he would like the amendment to be that the applicant should remove corner windows and that the remaining windows that are in place should be symmetrical. He points out that the windows are divided asymmetrically.
  93. Mr. Gastil asks if this will apply to the Bigelow and Lytton elevations.
  94. Mr. Falcone says yes.
  95. Mr. Gastil asks Ms. Quinn if that could be reviewed at staff level.
  96. Ms. Quinn states that it is unclear; with the size of the project, they have to be
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specific about what they want to see.

97. Mr. Gastil states that it comes back to what level of change would be considered redesign. He asks what the next step is procedurally.
  98. Mr. Hogan states that they need to ask the motioner if he accepts the amendment.
  99. Mr. Serrao asks for clarification about the proposed window symmetry.
  100. Mr. Hogan asks if he means the asymmetrical mullions.
  101. Mr. Falcone says yes, as they are trying to make the building more symmetrical and in line with the district and the PAA, and he thinks that would be a step in the right direction.
  102. Mr. Harless states that the amendment also proposed removing the corner windows.
  103. Mr. Hogan and Mr. Serrao state that the corner windows would be too much of a change. Mr. Serrao states that the change to the mullions would be acceptable and would not make a big impact on the elevation, but he would like to see a change in the corner windows come back before them before approving it. He is unwilling to accept the amendment.
  104. Mr. Hogan asks if Mr. Falcone would like to modify the amendment to the motion, he declines to do so. He restates the motion and asks for a vote. Mr. Hogan, Mr. Serrao, Mr. Gastil, Mr. Harless, and Ms. Peterson are in favor and Mr. Falcone is opposed. Motion carries.
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