

have. She does not want to be a part of adding one more thing to it that was not done correctly. They just want it done correctly and have fun.

Councilmember Rizzi asked what would happen if Mo did not want to apply for a conditional use permit at this time.

City Attorney Joel Stern stated basically he could continue to apply for special events. That could be a test period. Councilmember Serdy mentioned that also.

Councilmember Wilson commented he would still have to do a change to the parking lot to have the events there.

City Attorney Joel Stern stated that is correct. He would also have to amend the development agreement.

Councilmember Rizzi commented it sounds like a viable option.

Vice Mayor Barker commented the memo from development services probably says it best. She quoted from their memo "Development services staff is generally in support of Mo's vision for his property and believes that it would be a positive for him as well as the community in tourism. However, it needs to be done carefully and professionally in accordance with the city code safety considerations, sanitation" etc. and all those pesky details. "We would expect no less from any other commercial developer." She thinks that is really important to understand. The council would expect no less from anyone else. This sounds like a great plan. She would love to see him iron out the kinks and knots that are there. She added she was ready to make a motion.

Mayor Insalaco called for any other comments. There being none he called for a motion.

Vice Mayor Barker MOVED THAT  
THE APPLICATION FOR A PERMANENT EXTENSION OF PREMISES FOR

HITCHING POST LLC BE CONTINUED TO SEPTEMBER 19, WHICH IS A WORK SESSION SO THAT WE CAN REALLY POUND ON THIS, AND THEN POSSIBLY SEPTEMBER 20.

City Clerk Kathleen Connelly commented this is a public hearing. She asked if it could be done at a work session or if it would have to be done in this venue.

City Attorney Joel Stern stated it probably should be done at a public hearing.

Vice Mayor Barker commented but they can work on it in a work session.

City Attorney Joel Stern stated they can but they must keep in mind they may want to have public input based on what the discussion is about.

Vice Mayor Barker commented they would on September 20. The September 20 meeting is a public hearing. In other words, by the time they are finished with the work session then the council would understand exactly where he wants this and exactly what this is going to be. They do not have that information here.

City Clerk Kathleen Connelly stated she understands but ordinarily at a work session they do not hear from the applicant. The applicant gets to present their information as part of the recorded public hearing.

Vice Mayor Barker commented she understands that. She asked if there were development services people who can work with the applicant between now and then and can come back to the council with this information.

City Clerk Kathleen Connelly stated they could.

Vice Mayor Barker commented otherwise they have the same thing they have tonight where they do not have all the information in front of them and they cannot make a knowledgeable decision.

City Clerk Kathleen Connelly stated in addition to the development agreement and the conditional use permit, they need a better map to show where the boundaries of this are.

Vice Mayor Barker commented she had not finished her motion.

Councilmember Wilson asked if it is possible to include the applicant in a work session on this.

City Clerk Kathleen Connelly stated it has to be at a public hearing. The opportunity for the applicant and the public to speak is during the recorded and formal public hearing.

Vice Mayor Barker commented there would be both opportunities. The opportunity with development services and the opportunity for the applicant on the following day.

City Attorney Joel Stern stated that is correct. He recommended continuing it to September 20 for the public hearing. If they do not want to make a vote that night they can go another two weeks and make the vote that night.

Vice Mayor Barker commented if this is going to September 20 and not the work session they better have a lot more detail to look at. There is no way to make a knowledgeable vote.

City Manager Bryant Powell stated they definitely work on development agreements all the time with people trying to move forward in their efforts. He thinks they can get staff working and have a presentation on September 19 and have a discussion like any other. They could have the September 20 public hearing but be more prepared.

Vice Mayor Barker commented that is what she was trying to say. She MOVED FOR THE SEPTEMBER 19 WORK SESSION AND SEPTEMBER 20 REGULAR SESSION AND THAT THE

APPLICANT AND DEVELOPMENT SERVICES STAFF GET TOGETHER, GET THIS THING WORKED OUT SO THAT THE COUNCIL CAN MAKE A DECISION WITH SOME KIND OF INFORMATION.

City Attorney Joel Stern asked if that includes a development agreement.

Vice Mayor Barker MOVED IT INCLUDES WHATEVER IT IS GOING TO TAKE TO MAKE A DECISION ON THIS AND IT SOUNDS LIKE, FROM MR. WALDRON'S COMMENTS, THAT A DEVELOPMENT AGREEMENT MIGHT WELL BE WHAT IT IS GOING TO TAKE.

City Attorney Joel Stern asked if it will not include a conditional use permit as planning and zoning hears those.

Vice Mayor Barker commented absolutely.

Councilmember Rizzi SECONDED THE MOTION.

VOTE: Unanimous.

The motion carried.

ORDINANCE NO. 1432, CASE PZ-8-16,  
CITY-INITIATED CORRECTIVE REZONING  
FOR A 0.5 ACRE PROPERTY AT 2428 W.  
BROADWAY FROM MEDIUM DENSITY  
SINGLE-FAMILY DETACHED RESIDENTIAL,  
CONVENTIONAL AND MANUFACTURED HOMES  
PERMITTED TO GENERAL COMMERCIAL  
ZONE \_\_\_\_\_ )

) Assistant Planner Stephanie Bubenheim briefed the council on the item.

Vice Mayor Barker commented it needs to be commercial.

Councilmember Wilson asked if it was saying they cannot have a commercial business there but they can live on it.