

**BOARD OF MAYOR AND COMMISSIONERS
WORK SESSION
MAY 26TH, 2021
IMMEDIATELY FOLLOWING REGULAR MEETING
VIA ZOOM**

MINUTES

Members Present: Jonathan Elmore, Mayor
Brian Fisher, Mayor Pro Tem
Lisa Shortell, Commissioner
Lionel Laratte, Commissioner
Dee Merriam, Commissioner

Staff Present: Patrick Bryant, City Manager
Paul Hanebuth, Asst. City Manager
Shannon Powell, Asst. City Manager
Ken Morris, Permit Coordinator
Gina Hill, City Clerk
Stephen Quinn, City Attorney

Item #1 Meeting Called to Order

Item #2 Adoption of Agenda
Mayor Pro Tem Fisher moved to adopt. Commissioner Merriam seconded. All ayes.

Item #3 **Review of the Zoning Code Rewrite**
The Planning and Zoning Board has voted to recommend the draft zoning code for approval. The BOMC will discuss next steps.

City Manager Bryant said the Planning & Zoning Board (PZB) has approved the current draft after making several recommended changes. Assistant City Manager Powell thanked their work on this draft. She described a bonus system in the draft for builders who will include the street grid as part of their development. She also explained the system to encourage sustainable development and the arts. The public hearing process is now described more pointedly, too. Ms. Powell asked consultant Rebecca Keefer to walk through each item and Ms. Keefer gave a presentation that showed individual changes and fielded questions from the BOMC. Commissioner Shortell had some concerns about parts of the street grid becoming paths instead. Mayor Pro Tem Fisher asked for some clarification about the proposed rules surrounding requirements to build the street grid. Commissioner Merriam also had questions about what's required if a developer is building a path. City Attorney Quinn weighed in from a legal perspective about requiring developers to build these

paths in various parts of the city. There was discussion about requiring a shoulder on the paths. Ms. Merriam did not want very small units in the downtown but Ms. Powell believed that should be market driven. There was discussion about parking garages, smoking lounges, and more. Ms. Keefer went over more changes. Mr. Bryant asked for more questions and stated the goal was to have the code adopted in the month of June. Mr. Fisher was happy with the draft and listed the changes he particularly liked. Ms. Shortell asked about oversight of any art and Mr. Quinn offered some options. Ms. Shortell then thanked everyone involved bringing the draft code to this point, including residents. There was more discussion about incentives for public art. Ms. Merriam still had concerns about there not being enough public input in larger scale projects. She also spoke against PUDs and felt the street grid may need to be more protected. Mr. Quinn spoke about setting a precedent where PUDs were concerned and how the strict definition of precedent doesn't apply. Mr. Bryant clarified that any changes Ms. Merriam would like to see needs to be supported by a majority of the BOMC. He also told Mr. Laratte that the same would apply if he wanted incentives increased for public art. A consensus could be achieved via email. If substantial changes are agreed upon, the timeline could be adjusted to allow for that. After surveying the BOMC, Mr. Laratte did not feel art incentives were worth pursuing. Mr. Quinn offered guidance for what text could be added to the code for oversight to avoid any obscene or dangerous art.

Item #4

Patio Sales Application for Flippin Pizza

This restaurant will open in The Willis building at 2700 East College Avenue.

City Manager Bryant said this application was straightforward. He added that they are close to opening. Commissioner Merriam remarked that the space was made to have patio sales. Mayor Pro Tem Fisher shared that he would like to expedite the patio sales permitting process. Mr. Bryant responded that these applications could go directly to regular meetings for a vote in the future if the BOMC is comfortable with that. Mayor Elmore agreed. City Attorney Quinn offered that the BOMC did not have to approve patio sales applications. He added that the alcohol ordinance would need to be amended. It was agreed to discuss this at the next work session.

Item #5

Open Container Entertainment District

The BOMC will discuss changes to the ordinance to allow for open alcohol containers in specified areas.

City Manager Bryant explained what would be involved in setting up an entertainment district. He also described all such a district would work once established as well as remaining details that still needed to be worked out. Mr. Bryant outlined the boundaries of the proposed district and believed this venture could help businesses. Members of the BOMC asked questions of Mr. Bryant but were generally supportive of the change. Mr. Bryant listed the steps that needed to be taken before the BOMC could vote on this measure.

Item #6

Public Comment

Jan Hover asked if meetings in the future would be in person and, if so, would there be a virtual option. City Manager Bryant said there were no current plans to zoom the meetings starting June 9th and they would all be in person. Ms. Hover also had a question about "community impact" being listed in the draft zoning code. Mr. Bryant explained the absence of that language in the draft.

Item #7

Executive Session – Real Estate

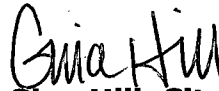
- Commissioner Shortell moved to enter executive session at 7:15pm. Commissioner Laratte seconded. All ayes.
- Commissioner Laratte motioned to exit executive session at 7:17pm. Commissioner Merriam seconded. All ayes.

Item #8

Adjournment

- Commissioner Shortell moved to adjourn. Mayor Pro Tem Fisher seconded. All ayes.

APPROVED JUNE 23, 2021



Gina Hill, City Clerk