

October 7, 2025

ITEM: Scheduled Public Hearings – Consideration of Proposed Street Vacation

BACKGROUND: As a part of the platting process for the 12th Avenue South Highway District Expansion project, the city needs to consider vacating some of the right-of-way on 9th Street South to access the designated pond area.

HEARING PROCEDURE: Public hearings are conducted at council meetings and shall include an opportunity for the public and interested parties to hear and see all information and to ask questions, provide additional information, express support or opposition, and/or suggest modifications to the proposal. The mayor will conduct the public hearing and explain the procedure to be followed before the hearing begins. The public will be allowed to participate and must follow the rules of conduct. Hearings are formal proceedings and will be conducted as such. While everyone will be given an opportunity to participate, comments should be germane to the topic at hand and concise. If many people share the same viewpoint, the council encourages the appointment of a spokesperson to avoid repetitive testimony.

The public hearing will be conducted in the following manner:

1. Staff Presentation- City staff, or consultants employed by the City, will identify the issue of the hearing, explain any pertinent laws or regulations associated with the issue; and the steps being taken by the City.
2. Applicant's Presentation - In this portion of the hearing, the applicant (if applicable) has the opportunity to present his or her case. However, no statement either for or against the proposal should be accepted at this point.
3. Public Comment - Once staff and the applicant have completed their background information, the public will be allowed to speak.

All speakers in the public comment portion of the hearing will be limited to five (5) minutes. The mayor may allow extended time at his/her discretion. All speakers will be encouraged to present factual evidence for public consideration and to refrain from broad statements without any basis of fact. Speakers may provide written materials to the Council. The Council will listen to testimony and will not express opinions during the public hearing. The council may ask pertinent questions of the speaker or staff and must refrain from debating or engaging in discussion with the public during the public hearing.

After all evidence and testimony has been received and everyone has been given an opportunity to be heard, the public hearing will be closed by the mayor. Action on the hearing issue may or may not be scheduled for later in the meeting. If action is to be taken, the City Council will discuss the issue in open session. During the Council discussion portion of the meeting, citizens will no longer be allowed to participate.

STAFF RECOMMENDATION: No action required.