

**FRUITA CITY COUNCIL  
REGULAR MEETING  
JULY 20, 2010  
7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

**2. CALL TO ORDER AND ROLL CALL**

**3. AGENDA - ADOPT/AMEND**

**4. PUBLIC PARTICIPATION**

This section is set aside for the City Council to LISTEN to comments by the public regarding items that do not otherwise appear on this agenda. Generally, the City Council will not discuss the issue and will not take an official action under this section of the agenda. **Please limit comments to a five-minute period.**

**5. PROCLAMATIONS AND PRESENTATIONS**

**6. CONSENT AGENDA**

These are items where all conditions or requirements have been agreed to or met prior to the time they come before the Council for final action. A Single **Public Hearing** will be opened for all items on the Consent Agenda. These items will be approved by a single motion of the Council. The Mayor will ask if there is anyone present who has objection to such procedure as to certain items. Members of the Council may also ask that an item be removed from the consent section and fully discussed. All items not removed from the consent section will then be approved. A member of the Council may vote no on specific items without asking that they be removed from the consent section for full discussion. Any item that is removed from the consent agenda will be placed at the end of the regular agenda.

- A. MINUTES** - A request for approval of the minutes from the July 6, 2010 City Council meeting
- B. LIQUOR LICENSE RENEWAL** – A request to approve the renewal of a 3.2 Percent Beer Off-Premises Retail Liquor License for City Market located at 135 S. Plum
- C. ASPEN VILLAGE TOWNHOMES** – Request for approval of the third extension of time to February 3, 2011 to submit the Final Plat which was originally approved on February 3, 2009.
- D. ORDINANCE 2010-12 – First Reading** – A request to publish a summary of an ordinance amending section 12.20.070 of the Fruita Municipal Code renaming Purple Plum Street to Purple Plum Court for public hearing on August 17, 2010
- E. RESOLUTION 2010-28** – A request to approve a resolution identifying the Kokopelli Business District pursuant to Chapter 17.41 (Sign Code) of the Fruita Municipal Code and approval of a sign for the newly identified Business District

## 7. PUBLIC HEARINGS

Public Hearings are the formal opportunity for the city council to LISTEN to the public regarding the issue at hand. For land use hearings and liquor license hearings; the Council is required to act in a quasi-judicial capacity. When acting as a quasi-judicial body, the Council is acting in much the same capacity as a judge would act in a court of law. Under these circumstances, the judicial or quasi-judicial body must limit its consideration to matters which are placed into evidence and are part of the public record. The council must base their decision on the law and evidence presented at the hearing.

- 1) **Applicant Presentation** (15 minutes max) The petitioner is asked to present the proposal. Presentations should be brief and to the point and cover all of the main points of the project.
- 2) **Staff presentation** (15 minutes max) Staff will present the comments and reports received from review agencies, and offer a recommendation.
- 3) **Public Input** (limit of 5 minutes per person. If two people in the audience are willing to cede their time to the speaker, that speaker may receive a total of 10 minutes, referred to as banking time). People speaking should step up to the microphone and state their name and address. Speakers should be to the point and try not to repeat the points others have made.
- 4) **Applicant Rebuttal (limited to 5 minutes)** The mayor will ask for the applicant's rebuttal. During this brief time, the applicant should answer the questions raised by the public.
- 5) **The hearing is then closed to public comments**
- 6) **Questions from the Council.** After a council member is recognized by the mayor, they may ask questions of the staff, the applicant, or the public.
- 7) **Make a motion.** A member of the city council will make a motion on the issue
- 8) **Discussion on the motion.** The city council may discuss the motion.
- 9) **Vote.** The City Council will then vote on the motion.

## 8. ADMINISTRATIVE AGENDA

- A. URBAN RESIDENTIAL RESERVE (URR) – A presentation from Mesa County regarding the URR zone
- B. City Clerk/Finance Director Margaret Steelman
  - 1) 2009 Financial Statements – Presentation and request for approval of 2009 Financial Statements and reports of the City's auditors, Dalby, Wendland and Co., PC.
  - 2) June 2010 Financial Reports – A request for approval of the June 2010 Financial Reports
- C. City Engineer Ken Haley
  - 1) Resolution 2010-29 – A request for approval of a resolution directing staff to finalize negotiations and authorize the Mayor to sign an Intergovernmental Agreement between the City of Fruita, City of Grand Junction, Mesa County and the Colorado Department of Transportation approving the State Highway 6 Access Control Plan

## 9. COUNCIL REPORTS AND ACTIONS

- A. Executive Session – Discussion and possible action to consider a motion to convene in Executive Session to discuss personnel issues

## 10. ADJOURN