

**FRUITA CITY COUNCIL
REGULAR MEETING
AUGUST 17, 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

A. PROCLAMATION – A Proclamation declaring August 17, 2010 as “Fruita Major Girls All-Star” Day in the City of Fruita

B. PRESENTATION – A presentation by Christy Whitney, CEO of Hospice & Palliative Care of Western Colorado

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 August 3, 2010 City Council meeting

B. IN THE MIDDLE LIQUORS:

1) A request for approval of a Report of Changes for a Retail Liquor Store License located at 303 US Highway 6 & 50 to add Sabrina DeVeydt as a corporate officer owning 10% of the corporation

2) A request for approval of a Modification of Premises for a Retail Liquor Store License located at 303 US Highway 6 & 50 to expand the store to include the section of the building previously known as Nathy’s Mexican Restaurant

- C. ORDINANCE 2010-12 – Second Reading – A request to approve an Ordinance amending Section 12.20.070 of the Fruita Municipal Code to rename a street from Purple Plum Street to Purple Plum Court in the Manley Subdivision
- D. RESOLUTION 2010-32 - A request to approve a Resolution transferring funds between departments in the General Fund to support the Craft Show sponsored by the Arts and Culture Board
- E. RESOLUTION 2010-33 – Final Release of the Subdivision Improvements Agreement for the Legacy PUD Subdivision, Filing 1
- F. RESOLUTION 2010-34 – A request to approve a Resolution supporting a Great Outdoors Colorado grant application for improvements at Heritage Park
- G. ADOBE VIEW NORTH PUD SUBDIVISION – A request for an extension of time to January 31, 2011 to submit the Final Plat (fifth request)
- H. HART ADMINISTRATIVE SUBDIVISION – A request for an extension of time to January 31, 2011 to record the Final Plat

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. City Engineer Ken Haley

- 1) Update on proposed changes to the Colorado Department of Transportation State Highway 6 Access Control Plan

B. Parks and Recreation Director Ture Nycum

- 1) Update on Little Salt Wash Park Capital Improvement Projects

C. City Clerk/Finance Director Margaret Steelman

1) July 2010 Financial Reports

9. COUNCIL REPORTS AND ACTIONS

10. ADJOURN