

**FRUITA CITY COUNCIL  
SEPTEMBER 6, 2011  
7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

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

**3. AGENDA - ADOPT/AMEND**

**4. PROCLAMATIONS AND PRESENTATIONS**

A. Introduction of Mesa County Administrator Chantal Unfug

A. Presentation from Rob Blieberg, Executive Director of Mesa Land Trust

**5. 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.**

**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 16, 2011 City Council meeting

B. SPECIAL EVENTS LIQUOR LICENSE APPLICATION – A request to approve an application from the Fruita Rotary Club for a Special Event Liquor Permit to sell beer at the **Fruita Fall Festival** on Friday, September 23, 2011 from 3:00 pm to 10:00 pm, Saturday, September 24, 2011 from 10:00 am to 10:00 pm, and Sunday, September 25, 2011 from 10:00 am to 4:00 pm at Circle Park in Fruita

C. SPECIAL EVENTS LIQUOR LICENSE APPLICATION – A request to approve an application from the Fruita Rotary Club for a Special Event Liquor Permit to sell beer at the **Bikes, Bands and Brews** event on Friday, October 14, 2011 from 3:00 pm to 10:00 pm and on Saturday, October 15, 2011 from 10:00 am to 10:00 pm at Civic Center Park in Fruita

- D. ORDINANCE 2011-17 – First Reading – An introduction of an Ordinance amending Chapter 5.20 of the Fruita Municipal Code concerning Alcoholic Beverage Licenses to authorize tastings of alcoholic beverages in liquor-licensed retail liquor stores or liquor-licensed drugstores pursuant to amendments to state law, and setting forth detail in relation thereto for publication of public hearing on October 4, 2011
- E. BOARDS AND COMMISSIONS APPOINTMENT – A request to approve the appointment of Denise Hight to the Historic Preservation Board to fill an unexpired term plus an additional three-year term to expire in July of 2015
- F. BOARDS AND COMMISSIONS APPOINTMENT – A request to approve the appointment of David Jergensen to the Tourism Advisory Council to fill an unexpired term to expire in February of 2013
- G. CITIZEN TABOR REVIEW COMMITTEE – A request to approve the appointments of Bill Byers, Yvonne Peterson, Ruth Farley, and Jim Morris to the Citizen TABOR Review Committee until the scope of work outlined by the City Council is complete or April 2012, whichever comes first
- H. TUXEDO PARK II PUD SUBDIVISION – A request for an extension of time to submit the Final PUD Plant/Plat to March 1, 2012 for Tuxedo Park II PUD Subdivision (with conditions)
- I. MESA GRAND INDUSTRIAL PARK SUBDIVISION - A request for an extension of time to submit the Final Plat to March 1, 2012 for Mesa Grand Industrial Park Subdivision (with conditions)
- J. KOKOPELLI SENIOR LODGE – A request for an extension of time to submit the Final Plat to March 1, 2012 for Kokopelli Senior Lodge
- K. RED ROCKS INTERNET – A request to approve a Conditional Use Permit for Red Rocks Internet

## 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. Chief of Police Mark Angelo**

- 1) RESOLUTION 2011-39 – A request to approve a Resolution adopting the Emergency Operations Plan for the City of Fruita, Colorado

**9. COUNCIL REPORTS AND ACTIONS**

**10. ADJOURN**