

**FRUITA CITY COUNCIL  
DECEMBER 7, 2010  
7:00 P.M.**

**1. INVOCATION AND PLEDGE OF ALLEGIANCE**

- A. Pastor Tim Collins of the Fruita Christian Church to give the Invocation

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

**3. AGENDA - ADOPT/AMEND**

**4. PROCLAMATIONS AND PRESENTATIONS**

- A. Presentation by Ryan Hudson, Agriculture Education Instructor and Future Farmers of America (FFA) Advisor for Fruita Monument High School regarding the Fruita Chapter of the FFA (invited by Mayor Henry)
- B. The Fruita City Council thanks Harold Elam and Gayle Lyman of Elam Construction for their participation in the Snooks Bottom reclamation project (invited by Mayor Henry)
- C. Certificate of Appreciation presented to Mark Martin-Williams for his contributions to the Fruita community

**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 November 16, 2010 City Council meeting
- B. LIQUOR LICENSE RENEWAL – A request for the approval of a renewal of a Beer and Wine Liquor License for Pablo's Pizza of Fruita located at 456 Kokopelli Blvd.

- C. BOARDS AND COMMISSIONS REAPPOINTMENT – A request to approve the reappointment of Vera Mulder to the Arts and Culture Board for a three-year term to expire in December of 2013
- D. ORDINANCE 2011-01 – First Reading – An introduction of an ordinance Repealing and Reenacting Chapter 8.08 of the Fruita Municipal Code concerning solid waste regulations
- E. RESOLUTION 2010-54 – A request for approval of an amendment to the 2010 Annual Budget appropriating additional grant funds for the purchase of mobile data computers and software
- F. LATIGO SUBDIVISION – A request to approve a request for an extension of time to May 28, 2011 to submit the Final Plat
- G. RIVER RIM LAKES SUBDIVISION
  - 1) RESOLUTION 2010-53 - A request for approval of a resolution revoking Resolution 2008-72, which approved the Subdivision Improvements Agreement (SIA) for the River Rim Lakes Estates Subdivision
  - 2) A request for an extension of time to May 15, 2011 to record the Final Plat for River Rim Lakes Subdivision
- H. ORDINANCE 2010-15 – Second Reading – A request for approval of an Ordinance amending the Planned Unit Development (PUD) Guide for the Legacy PUD Subdivision

## 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.
- A. 2011 Budget presentation by City Clerk Margaret Steelman (continued from the November 16, 2010 public hearing)

- 1) RESOLUTION 2010-49 – A request for approval of a resolution establishing fees and charges for the City of Fruita for the 2011 Budget Year
- 2) RESOLUTION 2010-50 – A request for approval of a resolution summarizing expenditures and revenues for each fund and adopting a budget for the City of Fruita, Colorado, for the calendar year beginning on the first day of January, 2011, and ending on the last day of December, 2011
- 3) RESOLUTION 2010-51 – A request for approval of a resolution appropriating sums of money to the various funds in the amount and for the purpose as set forth in the resolution for the City of Fruita, Colorado for the 2011 Budget year
- 4) RESOLUTION 2010-52 – A request for approval of a resolution establishing the property tax mill levy for the 2011 Budget

**8. ADMINISTRATIVE AGENDA**

**A.** City Manager Clint Kinney

- 1) Discussion regarding the allocation of the proposed Economic Development Line item

**9. COUNCIL REPORTS AND ACTIONS**

**10. ADJOURN**