

**FRUITA CITY COUNCIL  
REGULAR MEETING  
DECEMBER 15, 2009  
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.** Presentation from Todd Hollenbeck of the Grand Valley Regional Transportation Planning Office

**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 of December 1, 2009 City Council meeting – A request for approval of the minutes
- B.** RESOLUTION 2009-51 – A Resolution permitting the appointments of non-voting student members to certain City of Fruita’s Boards and Commissions
- C.** RESOLUTION 2009-54 - A Resolution adopting a change to the personnel manual for holiday pay
- D.** ORDINANCE 2010-01 - First Reading – A request to approve an Ordinance amending Ordinance 2009-26 that authorized the approval and execution of a loan with the Colorado Water Resources and Power Development Authority to finance a new Wastewater Treatment Facility by extending the time frame allowed for execution
- E.** ORDINANCE 2010-02 - First Reading – A request to approve an Ordinance creating an additional tax on the sale of medical marijuana in the City of Fruita
- F.** ORDINANCE 2009-27 – Second Reading – An Ordinance authorizing the lease of property located at 324 N. Coulson to the Mesa County Public Library District

- G. RESOLUTION 2009-52 - Final Release of the Subdivision Improvements Agreement (SIA) for the Vintner's Farm PUD Subdivision
- H. LATIGO SUBDIVISION – A request for an extension of time to June 2, 2010 to submit the Final Plat
- I. GOSS SUBDIVISION – A request for an extension of time to June 2, 2010 to record the Final Plat for the Goss Administrative Subdivision
- J. RESOLUTION 2009-55 – A request to approve a Resolution setting a hearing date of February 2, 2010 to determine the eligibility of approximately 186 acres of property located west of Big Salt Wash, north of Hwy 6 & 50 and south of L Road to be annexed to the City of Fruita and to consider initiation of annexation procedures for Peregrine Village
- K. 2010 City of Fruita Annual Budget
  - 1) RESOLUTION 2009-57 – A request to approve a Resolution establishing the schedule for fees and charges for the 2010 Budget year
  - 2) RESOLUTION 2009-58 – A request to continue the public hearing from December 1, 2009 and adopt the 2010 City of Fruita Annual Budget
  - 3) RESOLUTION 2009-59 – A request to approve a Resolution appropriating funds for the 2010 Budget year
  - 4) RESOLUTION 2009-60 – A request to approve a Resolution establish the property tax mill levy for the 2010 Budget
- L. RESOLUTION 2009-61 – A request to approve a Resolution amending the 2009 budget and transferring funds from the Sewer Fund Contingency Account to the Capital Project Account for the developer reimbursements

## 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. RESOLUTION 2009-56 – A request to adopt a Resolution for a Parks, Open Space and Trails (POST) Master Plan

**8. ADMINISTRATIVE AGENDA**

- A. November 2009 Financial Reports

**9. COUNCIL REPORTS AND ACTIONS**

**10. ADJOURN**