

**FRUITA CITY COUNCIL  
JUNE 7, 2016  
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. PROCLAMATION** – Proclaiming the month of June 2016 as “Bike Month” and Wednesday, June 22, 2016 as “Bike to Work Day” in the City of Fruita to be accepted by Fruita Parks and Recreation Department staff

**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. LIQUOR LICENSE RENEWAL** – A request to approve the renewal of a Retail Liquor Store License – Malt, Vinous and Spirituous for Fruita Liquor Mart located at 423 E. Highway 6 & 50
- B. ORDINANCE 2016-05** – Second Reading – A request to approve an Ordinance amending Section 6.04.010 of the Fruita Municipal Code concerning Animal Control Definitions
- C. ORDINANCE 2016-06** – Second Reading – A request to approve an Ordinance amending Section 17.07.070(H) of the Fruita Land Use Code of the Fruita Municipal Code concerning Fences
- D. ORDINANCE 2016-07** – First Reading – An introduction of an Ordinance granting a franchise to Bresnan Communications, LLC to construct, operate and maintain a cable television system in the City of Fruita, Colorado for publication of public hearing on July 5, 2016

- E. ORDINANCE 2016-08 – First Reading – An introduction of an Ordinance amending Chapter 2.28 of the Fruita Municipal Code concerning Municipal Court for publication of public hearing on July 5, 2016
- F. CONTRACT FOR SEWER SERVICE – A request to approve a contract for sewer services at 1024 18 Road (Percivals)
- G. FRUITA LIQUOR MART CONDITIONAL USE PERMIT AND SITE DESIGN REVIEW – A request to approve the Fruita Liquor Mart Conditional Use Permit and Site Design Review with the condition that all review comments and issues identified in the Staff Report must be adequately resolved before a Planning Clearance for a building permit is issued

## 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. Community Development Director Dahna Raugh

- 1) ORDINANCE 2016-01 – Second Reading – A request to approve an Ordinance amending Chapter 17.41 of the Fruita Land Use Code, Sign Code (*continued from the February 2, March 1 and May 3, 2016 Council meetings*)

## 8. ADMINISTRATIVE AGENDA

### A. Public Works Director Ken Haley

- 1) RESOLUTION 2016-19 – A request to approve a Resolution to enter into an Intergovernmental Agreement (IGA) between the City of Fruita and the 5-2-1 Drainage Authority for Provision of Colorado Discharge Permit System (CDPS) Municipal Separate Storm Sewer (MS4) Stormwater Phase II Permit Services and authorize the Mayor to execute the IGA
- 2) Update on Public Works

## 9. COUNCIL REPORTS AND ACTIONS

**10. CITY MANAGER'S REPORT**

**11. ADJOURN**