

**FRUITA CITY COUNCIL
NOVEMBER 1, 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

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 Hotel and Restaurant – Malt, Vinous and Spirituous Liquor License for Dragon Treasure Chinese Restaurant located at 576 Kokopelli Blvd. located at 576 Kokopelli Blvd.**
- B. BOARDS AND COMMISSIONS APPOINTMENT – A request to approve the appointment of Bev Carnett to the Arts and Culture Board for a three year term to expire in November of 2019**
- C. BOARDS AND COMMISSIONS APPOINTMENT – A request to approve the appointment of Ed Vigil to the Police Commission to fulfill an unexpired term plus an additional three year term to expire in October of 2020**
- D. ORDINANCE 2016-11 – Second Reading – A request to approve an Ordinance accepting approximately 32.76 acres of real property located at 1081 16 Road for public trail and other public recreational purposes**
- E. ORDINANCE 2016-17 – First Reading – An introduction of an Ordinance annexing property located at 965 18 Road containing 7.33 acres to the City of Fruita (Adobe View North Annexation) for publication of public hearing on December 6, 2016**
- F. ORDINANCE 2016-18 – First Reading – An introduction of an Ordinance amending the Official Zoning Map of the City of Fruita and zoning newly annexed property located at 965 18 Road to South Fruita Residential (Adobe View North Annexation) for publication of public hearing on December 6, 2016**

- G. RESOLUTION 2016-35 – A request to approve a Resolution supporting a an application for a Local Parks and Outdoor Recreation grant from Great Outdoors Colorado (GOCO) to expand Little Salt Wash Park
- H. RESOLUTION 2016-36 – A request to approve a Resolution for a supplemental budget and appropriation for flood plain map revisions, economic development and Fruita Community Center operations
- I. RESOLUTION 2016-37 – A request to approve a Resolution supporting a planning grant application to Great Outdoors Colorado (GOCO) for the North Fruita Desert
- J. LAND DEDICATION FEES DISBURSEMENT – A request to approve the disbursement of school land dedication fees collected by the City of Fruita to Mesa County School District #51

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. Ordinance 2016-14 – Second Reading - (continued from October 18, 2016) - An Ordinance authorizing the issuance, sale and delivery of tax exempt and taxable healthcare revenue bonds for the Colorado Canyons Hospital Project, Series 2016, in an amount not to exceed \$46 million

8. ADMINISTRATIVE AGENDA

A. 2017 Budget Presentation

- 1) Community Center Fund – Ture Nycum, Parks and Recreation Director

9. COUNCIL REPORTS AND ACTIONS

- A. EXECUTIVE SESSION – Discussion and possible action to consider a motion to convene in Executive Session to determine a position relative to a matter that may be subject to negotiation under C.R.S. Section 24-6-402 (4) (E)

10. CITY MANAGER'S REPORT

11. ADJOURN