FRUITA CITY COUNCIL
AUGUST 18, 2020
7:00 P.M.

Public Link to Meeting
When: August 18, 2020 7:00 PM Mountain Time (US and Canada)
Topic: City Council Meeting – 8/18/2020

The link to join the join the meeting electronically will be posted on 8/18/20 prior to the meeting at www.fruita.org/covid19 under City Council meetings. You may also contact the City of Fruita at (970) 858-3663 for information to connect to the meeting.

1. CALL TO ORDER AND ROLL CALL

2. PLEDGE OF ALLEGIANCE

3. AGENDA - ADOPT/AMEND

4. PROCLAMATIONS AND PRESENTATIONS

A. PRESENTATION – Family Health West President and CEO Dr. Korrey Klein, MD, will present an update

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 three-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. These items will be approved by a single motion of the Council. Members of the Council may 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 to approve the minutes of the August 4, 2020 Regular City Council Meeting (Virtual)

B. BOARDS AND COMMISSIONS APPOINTMENTS -

1) PLANNING COMMISSION APPOINTMENTS:

a) A request to appoint JP Nisley as a regular member from that of an alternate member to the Planning Commission to fulfill an unexpired term plus an additional three-year term to expire in April of 2024

b) A request to appoint Laura Simcik as an Alternate Member of the Planning Commission to fulfill an unexpired term plus an additional three-year term to expire in June of 2025

c) A request to appoint Chelsee Uriguen to the Planning Commission for a three-year term to expire in August of 2023

2) POLICE COMMISSION APPOINTMENT:

a) A request to appoint James Jackson to the Police Commission to fulfill an unexpired term plus an additional three-year term to expire in December of 2023

3) DOWNTOWN ADVISORY BOARD APPOINTMENT:

a) A request to appoint Ashley Rogers to the Downtown Advisory Board to fulfill an unexpired term plus an additional three-year term to expire in February of 2024

4) HISTORIC PRESERVATION BOARD APPOINTMENTS:

a) A request to appoint Brian Lochlaer to the Historic Preservation Board for a three-year term to expire in August of 2023

b) A request to appoint Andrea Withrow to the Historic Preservation Board to fulfill an unexpired term plus an additional three-year term to expire in September of 2024

5) ARTS AND CULTURE BOARD APPOINTMENT:

a) A request to appoint Giselle Genova to the Arts and Culture Board to fulfill an unexpired term plus an additional three-year term to expire in November of 2024

C. FINANCIAL REPORT – A request to approve the July 2020 Financial Report

7. PUBLIC HEARINGS

Public hearings are held to obtain input from the public on various items. Public hearings are either Legislative in nature or Quasi-Judicial in nature. **Public Input** is limited to 3 minutes per person. 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. Each is described as follows:

- **LEGISLATIVE** – Legislative public hearings are held when the City Council is considering an item that establishes legislation such as an ordinance amending or establishing laws of the city. Interactions by members of the public with the City Council or individual members is permissible on items of a legislative nature.

- **ORDINANCES -** After introduction of an Ordinance (First Reading), a public hearing date is set and notice of the hearing is published in the newspaper. Staff presents the ordinance on Second Reading and the hearing is opened to the public for public input. After comments from the public, the Mayor will close the hearing and bring the Ordinance back to the City Council for discussion and potential action. The Council will make a motion to approve the Ordinance or take no action. In the event the ordinance is approved, it will become effective 30 days after adoption.

- **QUASI-JUDICIAL** – Quasi-judicial public hearings are held when the City Council is acting in a judicial or judge like manner and a person with a legitimate interest is entitled to an impartial decision made on the basis of information presented and laws in effect. Quasi-judicial hearings are commonly held for land use hearings and liquor license hearings. Since the City Council is acting in a fair and impartial manner, it is NOT permissible for City Council members to have any ex-parte communication (contact between the applicant, members of the public, or among other members of the City Council) outside of the Public Hearings and meetings on the subject application. The City Council must limit its consideration to matters which are placed into evidence and are part of the public record. Quasi-judicial hearings are held in the following manner:

  1) **Staff presentation** (15 minutes max) Staff will present the comments and reports received from review agencies and offer a recommendation.
  2) **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.
  3) **Public Input** (limit of 3 minutes per person) Speakers must 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) **The public hearing is closed to public comments.**
  5) **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.
  6) **Make a motion.** A member of the City Council will make a motion on the issue.
  7) **Discussion on the motion.** The City Council may discuss the motion.
  8) **Vote.** The City Council will then vote on the motion.

8. ADMINISTRATIVE AGENDA

A. 1) Gallagher Amendment Stabilization Ballot Question Discussion –*Paul Wisor, City Attorney*

9. CITY MANAGER'S REPORT

10. COUNCIL REPORTS AND ACTIONS

A. Council Reports and Actions

B. EXECUTIVE SESSION – Discussion and possible action to consider a motion to convene in Executive Session regarding personnel issues under C.R.S. Section 24-6-402(4)(f) for the City Attorney formal review

11. ADJOURN