

**FRUITA CITY COUNCIL
MAY 17, 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 May 15 – 21, 2016 as “Police Week” and May 15, 2016 as “Peace Officers Memorial Day” in the City of Fruita
- B. PRESENTATION – Wyatt Popp, Civil Engineer at Olsson Associates and Parks and Fruita Parks and Recreation Advisory Board member will present the City of Fruita with the Engineering Excellence National Recognition Award for the aerial survey of the Kokopelli Trail
- C. PRESENTATION – A presentation from Ron Pollard, President of Funshares, Inc. concerning ATVs/OHVs in City limits

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. SPECIAL EVENT LIQUOR PERMIT APPLICATION – A request to approve the Special Event Liquor Permit Application from the Fruita Rotary Club to sell beer at the Mike the Headless Chicken Festival on June 3, 2016 from 3:00 pm to 10:00 pm and June 4, 2016 from 11:00 am to 10:00 pm at Civic Center Park including the parking lot and one block of Aspen Avenue between N. Peach Street and N. Elm Street
- B. TRANSFER OF A LIQUOR LICENSE APPLICATION – A request to approve the Transfer of a Hotel and Restaurant Liquor License – Malt, Vinous and Spirituous from the Feedlot Restaurant and Bar to Rosco’s Inc. dba Kannah Creek Brewing Company West located at 456 Kokopelli Blvd., Unit J

- C. NEW LIQUOR LICENSE APPLICATION – A request to approve a Tavern Liquor License – Malt, Vinous and Spirituous for Gears Frozen Yogurt and Smoothies located at 211 A East Aspen Avenue
- D. NEW LIQUOR LICENSE APPLICATION – A request to approve a Beer and Wine Liquor License for DTF? Wine Bar and Tapas, LLC located at 138 S. Park Square, Ste. #102
- E. BOARDS AND COMMISSIONS APPOINTMENT – A request to approve the appointment of Annie Payne to the Parks and Recreation Advisory Board for a three year term to expire in May of 2019
- F. RESOLUTION 2016-18 – A request to approve a Resolution appropriating additional funds in various funds for the purposes specified
- G. INTERGOVERNMENTAL AGREEMENT (IGA) – A request to approve an Intergovernmental Agreement (IGA) between the City of Fruita and Mesa County concerning the Colorado Riverfront Trail and authorize the Mayor to execute the IGA
- H. APRIL 2016 FINANCIAL REPORTS – A request to approve the April 2016 Financial Reports

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.

8. ADMINISTRATIVE AGENDA

- A. Public Works Director Ken Haley
 - 1) Discussion on drainage needs and fees
- B. Parks and Recreation Director Ture Nycum
 - 1) Parks and Recreation Update
- C. City Manager Mike Bennett

- 1) Annual Evaluation of City Manager – Establishing the schedule for the annual evaluation of the City Manager and approval of the evaluation form

9. COUNCIL REPORTS AND ACTIONS

10. CITY MANAGER'S REPORT

11. ADJOURN