

**FRUITA CITY COUNCIL
DECEMBER 6, 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. MINUTES – A request to approve the minutes from the October 4, 2016 City Council meeting

B. MINUTES – A request to approve the minutes from the October 18, 2016 City Council meeting

C. LIQUOR LICENSE RENEWAL – A request to approve the renewal of a 3.2% Beer liquor license for Loco Travel Stop located at 555 W. Raptor Rd.

D. ASPEN VILLAGE ANNEXATION:

1) **ORDINANCE 2016-15** – Second Reading – A request to withdraw an Ordinance annexing property located at 1062 18 Road containing 6.73 acres to the City of Fruita

2) **ORDINANCE 2016-16** – Second Reading – A request to withdraw an Ordinance zoning newly annexed property located at 1062 18 Road to a Community Residential zone

E. ADOBE VIEW NORTH ANNEXATION:

1) **ORDINANCE 2016-17** – Second Reading – A request to approve an Ordinance annexing property located at 965 18 Road containing 7.33 acres to the City of Fruita

- 2) ORDINANCE 2016-18 – Second Reading – A request to continue the approval of an Ordinance zoning newly annexed property located at 965 18 Road to South Fruita Residential zone
 - 3) RESOLUTION 2016-46 – Approving the Subdivision Improvements Agreement (SIA) for Adobe View North Subdivision
 - 4) FINAL PLAT APPLICATION - A request to approve the Final Plat
- F.** CONDITIONAL USE PERMIT REQUEST – A request to approve a Conditional Use Permit Application for a Vacation Rental by Owner (VRBO) for the Mineral House Vacation Rental located at 626 Mineral Court
- G.** RESOLUTION 2016-41 - Accepting Easement – A request to approve Resolution for a Deed of Easement Agreement between OldCastle SW Group, Inc. and the City of Fruita and authorizing the City Manager to execute the agreement
- H.** RESOLUTION 2016-47 – A request to approve a Resolution establishing regulations for public use of Enoch’s Lake property
- I.** OCTOBER 2016 FINANCIAL REPORTS – A request to approve the October 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.

A. Finance Director/City Clerk Margaret Sell – Adoption of the 2017 Annual Budget for the City of Fruita

- 1) RESOLUTION 2016-42 - A request to approve a Resolution establishing Fees and Charges for the 2017 Budget Year
- 2) RESOLUTION 2016-43 – A request to approve a Resolution adopting the 2017 Budget
- 3) RESOLUTION 2016-44 – A request to approve a Resolution appropriating funds for the 2017 Budget

- 4) RESOLUTION 2016-45 – A request to approve a Resolution establishing the Mill levy for the 2017 Budget

8. ADMINISTRATIVE AGENDA

A. City Engineer Sam Atkins

- 1) Gateway Enhancement Concepts Presentation

9. COUNCIL REPORTS AND ACTIONS

10. CITY MANAGER'S REPORT

11. ADJOURN