

**FRUITA CITY COUNCIL
REGULAR MEETING
MARCH 16, 2010
7:00 P.M.**

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CALL TO ORDER AND ROLL CALL

3. AGENDA - ADOPT/AMEND

4. 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.**

5. PROCLAMATIONS AND PRESENTATIONS

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 of March 2, 2010 City Council meeting – A request for approval of the minutes

B. BOARDS & COMMISSIONS REAPPOINTMENTS:

1) A request for approval of the reappointment of Nancy Potter to the Historic Preservation Board for a three-year term to expire in July of 2012

2) A request for approval of the reappointment of Yvonne Peterson to the Senior Task Force for a three-year term to expire in January 2013

3) A request for approval of the reappointment of Roni Welsh to the Tourism Advisory Council for a three-year term to expire in February 2013

C. ORDINANCE 2010-03 – Second Reading – A request to approve an Ordinance repealing & reenacting Chapter 10.04 of the Fruita Municipal Code which provides for the regulation of traffic; adopting by reference the 2009 edition of the Model Traffic Code and providing penalties for violation thereof

- D. ORDINANCE 2010-05 – Second Reading – A request to approve an Ordinance amending Chapter 1.20, Criminal Proceedings, and Chapter 1.28, General Penalties of the Fruita Municipal Code (*will be continued to April 6, 2010*)
- E. ORDINANCE 2010-09 – Second Reading – A request to approve an Ordinance amending Chapter 9, Public Peace, Morals and Welfare, of the Fruita Municipal Code (*will be continued to April 6, 2010*)
- F. Red Rocks Subdivision – A request to approve the Final Subdivision Improvements Agreement (SIA) Release for Red Rocks Subdivision

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 2010-10 – Second Reading – A request to approve an Ordinance amending the Land Use Code to implement the Parks, Open Space and Trails (POST) Master Plan

8. ADMINISTRATIVE AGENDA

- A. City Clerk/Finance Director Margaret Steelman
 - 1) February 2010 Financial Reports
- B. City Manager Clint Kinney
 - 1) City Council Orientation

9. COUNCIL REPORTS AND ACTIONS

10. ADJOURN