



**FRUITA CITY COUNCIL
JUNE 1, 2021
7:00 P.M.**

Public Link to Meeting

When: June 1, 2021 7:00 PM Mountain Time (US and Canada)

Topic: City Council Meeting – 06/01/21

The link to join the meeting electronically will be posted on 06/01/21 prior to the meeting at <https://www.fruita.org/citycouncil/page/city-council-meeting-463> 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 – The Wellspring Project presentation by Fruita Arts and Culture Board members Pavia Justinian and Nancy Patterson**
 - B. PRESENTATION – 2021 Community Survey presentation by Ryan Murray of the ETC Institute**
- 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 May 18, 2021 Regular City Council Meeting**

- B. MINI GRANT AWARD – A request to approve a recommendation from the Fruita Tourism Advisory Council for one Mini-Grant award for the Kids Adventure Games event
- C. ORDINANCE 2021-14 – First Reading – An introduction of an Ordinance annexing approximately 15.17 acres of property located at 1123 19 Road into the City of Fruita for publication of public hearing on July 6, 2021 (Patron Annexation)
- D. ORDINANCE 2021-15 – First Reading – An introduction of an Ordinance amending the Official Zoning Map of the City of Fruita by zoning approximately 15.17 acres of property located at 1123 19 Road to a Community Residential Zone for publication of public hearing on July 6, 2021 (Patron Zoning)

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** 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 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.

A. QUASI-JUDICIAL HEARINGS

- 1) RESOLUTION 2021-15 - Finding approximately 15.17 acres of property located at 1123 19 Road eligible to be annexed into the City of Fruita and initiating annexation procedures (Patron Annexation) – *City Planner Henry Hemphill*
- 2) PRELIMINARY PLAN – A request to approve the Rose Creek Subdivision Preliminary Plan – *City Planner Henry Hemphill*

- 3) NEW LIQUOR LICENSE APPLICATION – A request to approve an application for a Fermented Malt Beverage (FMB) off-premises liquor license for the Fruita Consumers Cooperative Association (Fruita Co-Op) located at 1650 Highway 6 & 50 – *Deputy City Clerk Deb Woods*
- 4) SPECIAL EVENT LIQUOR PERMIT APPLICATION – A request to approve a Special Event Liquor Permit Application for the Fruita Rotary Club to serve beer at the Partners of Mesa County Cornhole Tournament fundraiser in Civic Center Memorial Park located at 325 E. Aspen Avenue on Saturday, June 12, 2021 from 2:30 to 8:30 pm - *Deputy City Clerk Deb Woods*

8. ADMINISTRATIVE AGENDA

9. CITY MANAGER’S REPORT

10. COUNCIL REPORTS AND ACTIONS

- A. Discussion and possible action to reschedule the August 24, 2021 City Council workshop meeting to August 31, 2021 due to a conflict with the Mesa County Commissioners’ Town Hall being held in Fruita on the same date
- B. Council Reports and Actions

11. ADJOURN