

**FRUITA CITY COUNCIL  
NOVEMBER 3, 2015  
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. Swearing in of Officer Tony Gianinetti to the Fruita Police Department
- B. Proclamation – Proclaiming November 17, 2015 as **Colorado Prematurity Awareness Day** in the City of Fruita to be accepted by Western Colorado March of Dimes Executive Director Terri Jones or Board Member Kristi Pollard

**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 20, 2015 City Council meeting
- B. LIQUOR LICENSE RENEWAL – A request to approve the renewal of an Optional Premises – Malt, Vinous and Spirituous – Liquor License for Adobe Creek National Golf Course located at 876 18 ½ Road
- C. LIQUOR LICENSE RENEWAL – A request to approve the renewal of a Hotel and Restaurant – Malt, Vinous and Spirituous – Liquor License for Dragon Treasure Chinese Restaurant located at 576 Kokopelli Blvd.
- D. ORDINANCE 2015-16 – First Reading – An introduction of an Ordinance repealing and reenacting Section 9.01.034 of the Fruita Municipal Code concerning Peddling and Solicitation and repealing Section 9.01.037 of the Fruita Municipal Code concerning Loitering for publication of public hearing on December 1, 2015

- E. ORDINANCE 2015-17 – First Reading – An introduction of an Ordinance repealing Section 2.19.030 of the Fruita Municipal Code concerning Candidate Nomination Procedures for Mail Ballot Elections for publication of public hearing on December 1, 2015
- F. RESOLUTION 2015-25 – A request to approve a Resolution to approve a Supplementary Subdivision Improvements Agreement and a First Release of the Subdivision Improvements Agreement for Phase 2a of the Brandon Estates Filing 1 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.

## 8. ADMINISTRATIVE AGENDA

### A. City Clerk/Finance Director Margaret Sell

- 1) 2016 Budget Presentation – General Fund Overview

## 9. COUNCIL REPORTS AND ACTIONS

## 10. CITY MANAGER'S REPORT

## 11. ADJOURN