CITY COUNCIL REGULAR MEETING

Fruita Civic Center
Tuesday, June 07, 2022 at 7:00 PM

AGENDA

The link to join the join the meeting electronically will be posted prior to the meeting at https://www.fruita.org/citycouncil/page/council-meeting-information. 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. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

3. AGENDA - ADOPT/AMEND

4. PROCLAMATIONS AND PRESENTATIONS

A. PROCLAMATION - Proclaiming Sunday, June 19, 2022 as "Juneteenth Day" in the City of Fruita to be accepted by David Combs, President of Black Citizens and Friends

B. PROCLAMATION - Proclaiming June, 2022 as "Pride Month" in the City of Fruita to be accepted by Jared Prochnow

C. TMDL UPDATE - Public Works Director Kimberly Bullen will introduce Carrie Gudorf, Mesa County Regulatory Programs Manager, who will provide an update on the Total Maximum Daily Loads (TMDL) process

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 April 5, 2022 Regular City Council meeting

B. MINUTES - A request to approve the minutes of the April 19, 2022 regular City Council meeting

C. LIQUOR LICENSE RENEWAL - A request to approve the renewal of an Optional Premises - Malt, Vinous and Spirituous Liquor License for Imondi Wake Zone, LLC located at 1583 Cipolla Rd.

D. LIQUOR LICENSE RENEWAL - A request to approve the renewal of a Fermented Malt Beverage (FMB) liquor license for the Fruita Consumers Cooperative Association (Fruita Co-Op) located at 1650 Highway 6 & 50

E. BOARDS AND COMMISSIONS APPOINTMENT – A request to approve the appointment of Connie Overton to the Livability Commission to fulfill an unexpired term that will expire in March of 2024

F. ONE RIVERFRONT APPOINTMENTS – A request to approve the appointments of Lou Patterson, George Manning, Stefanie Harville and Nicole Grider to the One Riverfront Commission for three-year terms to expire on July 31, 2025, the appointment of Kate Ramsay for a two-year term to expire on July 31, 2024 and the appointment of Eric Flukey as an "alternate" member in the event of a mid-year vacancy

G. RESOLUTION 2022-12, A Resolution of the Fruita City Council approving the Final Release of the Subdivision Improvements Agreement and Development Improvements Agreement for the Grand Valley Estates Filing 2 Subdivision

H. MINI GRANT AWARD - A request to approve a recommendation from the Fruita Tourism Advisory Council for a Mini Grant Award to the Fruita Area Chamber Of Commerce

I. RESOULTION 2022-13 - Setting a hearing date for July 19, 2022 to determine the eligibility of annexation of approximately 4.99 acres of property located at 1834 J Road to be annexed into the City of Fruita and to consider initiation of annexation procedures

J. RESOULTION 2022-14 - Setting a hearing date for July 19, 2022 to determine the eligibility of annexation of approximately 15.05 acres of property located at 1024 19 Road to be annexed into the City of Fruita and to consider initiation of annexation procedures

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 - 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.
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) SPECIAL EVENT LIQUOR PERMIT APPLICATION - A request to approve a Special Event Liquor Permit application for the Colorado Riverfront Foundation, Inc. to sell alcohol beverages at the James M. Robb - Colorado River State Park 2022 Summer Concert Series on Friday, August 12, 2022 from 5:00 to 10:00 p.m. and on Friday, September 9, 2022 from 5:00 to 10:00 p.m. - *Deputy City Clerk Deb Woods*

B. LEGISLATIVE HEARINGS

8. ADMINISTRATIVE AGENDA

A. Presentation on 2022 Capital Projects and pending grant applications - *Assistant to the City Manager Shannon Vassen*

B. Overview of the Wastewater Reclamation Facility and Collections System - *Public Works Director Kimberly Bullen*

9. CITY MANAGER'S REPORT

10. COUNCIL REPORTS AND ACTIONS

11. ADJOURN

In accordance with the Americans with Disabilities Act, persons who need accommodation in order to attend or participate in this meeting should contact the City Clerk's Office at 970-858-3663 within 48 hours prior to the meeting in order to request such assistance.