



# FRUITA COLORADO

## CITY COUNCIL REGULAR MEETING

Fruita Civic Center

Tuesday, November 02, 2021 at 7:00 PM

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### 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. PLEDGE OF ALLEGIANCE**

**3. AGENDA - ADOPT/AMEND**

**4. PROCLAMATIONS AND PRESENTATIONS**

A. PROCLAMATION - City of Fruita Veterans Day Proclamation to be accepted by American Legion Post 2006 Commander KJ Kline

B. FRUITA TEACHERS/STUDENTS OF THE MONTH FOR NOVEMBER 2021 – Shelledy Elementary School:

1. Kindergarten - Codi Taggart

2. 1st Grade - Stevie Sharman

3. 2nd Grade - Paige Thompson

4. 3rd Grade - Quinn Wells

5. 4th Grade - Chloe Dawson

6. 5th Grade - Karlie Temple

7. Behavior Paraprofessional Interventionist – Janielle Westermire

8. Paraprofessional Interventionist – Holly Murch

9. Speech/Language Specialist – Sarah Dorr

**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. **BOARDS AND COMMISSIONS APPOINTMENT** – A request to approve the appointment of Justin Weaver to the Downtown Advisory Board to fulfill an unexpired term to expire in February of 2024
- B. **ORDINANCE 2022-01 – First Reading** – An introduction of an Ordinance amending the Official Zoning Map of the City of Fruita by rezoning approximately 9.2 acres of property located at 1877 J.2 Road from a Rural Estate (RE) Zone to a Community Residential (CR) Zone for public hearing on January 4, 2022
- C. **ORDINANCE 2022-02 – First Reading** – An introduction of an Ordinance annexing approximately 4.6 acres of property located at Parcel #2697-164-00-074 into the City of Fruita (***Weston Estates 1 Annexation***) for public hearing on January 4, 2022
- D. **ORDINANCE 2022-03 – First Reading** – An introduction of an Ordinance amending the Official Zoning Map of the City of Fruita by zoning approximately 4.6 acres of property located at Parcel #2697-164-00-074 to a Community Residential (CR) Zone (***Weston Estates 1 Zoning***) for public hearing on January 4, 2022
- E. **ORDINANCE 2022-04 – First Reading** – An introduction of an Ordinance annexing approximately 13.9 acres of property located at Parcel #2697-164-00-050 into the City of Fruita (***Weston Estates 2 Annexation***) for public hearing on January 4, 2022
- F. **ORDINANCE 2022-05 – First Reading** – An introduction of an Ordinance amending the Official Zoning Map of the City of Fruita by zoning approximately 13.9 acres of property located at Parcel #2697-164-00-050 to a Community Residential (CR) Zone (***Weston Estates 2 Zoning***)
- G. **FESTIVAL SPONSORSHIP AGREEMENT** – A request to approve a three-year Agreement between the City of Fruita and the Credit Union of Colorado for a Mike the Headless Chicken Festival Sponsorship

## **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 EVENTS LIQUOR PERMIT APPLICATION – A request to approve a Special Events Liquor Permit Application from the Greater Grand Junction Sports Commission (GGSC) for the Rim Rock Marathon to be held on Saturday, November 6, 2021 from 10:00 am to 6:00 pm at the Fruita Community Center located at 324 N. Coulson St. – *Deputy City Clerk Deb Woods*

## **B. LEGISLATIVE HEARINGS**

- 1) RESOLUTION 2021- 31 - A request to approve a Resolution amending the 2021 Annual Budget with a Supplemental Appropriation from the Sewer Fund for emergency replacement of the SH 6 sewer line from Mesa Street to Grand Avenue - *City Clerk and Finance Director Margaret Sell*

## **8. ADMINISTRATIVE AGENDA**

### **A. 2022 BUDGET PRESENTATIONS:**

1. Personnel Issues Presentation (Pay Plan, Health Care, Staffing Levels) – *Odette Brach, Human Resources Director*
2. Parks and Recreation Presentation – *Shannon Vassen, Assistant to the City Manager*

3. Community Center Fund and General Fund Recreation Programs Presentations – *Tom Casal, Recreation Superintendent*

- B. RESOLUTION 2021-32 – A request to approve a Resolution amending the 2021 Budget and transferring funds from the General Fund Contingency account for a Housing Needs Assessment and Regulatory Fee Study

**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.*