CITY COUNCIL REGULAR MEETING-

Fruita Civic Center
Tuesday, August 06, 2024 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.

This agenda is for informational purposes only and items may be added or deleted at the discretion of the City Council. An executive session may be requested for any item appearing on the agenda.

1. CALL TO ORDER AND ROLL CALL

2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

3. AGENDA - ADOPT/AMEND

4. PROCLAMATIONS AND PRESENTATIONS

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 Consent Agenda.

A. MINUTES - A request to approve the minutes of the June 17, 2024 Regular City Council meeting

B. MINUTES - A request to approve the minutes of the June 25, 2024 City Council Workshop meeting

C. MINUTES - A request to approve the minutes of the July 16, 2024 Regular City Council meeting

D. MINUTES - A request to approve the minutes of the July 23, 2024 City Council Workshop meeting

E. RESOLUTION 2024-22, A Resolution of the Fruita City Council setting a hearing date for September 17, 2024, to determine the eligibility of annexation of approximately 53.59 acres of property located at 958 17 ½ Road to be annexed into the city limits and consider initiation of annexation procedures ***(Karp Annexation)***

F. ORDINANCE 2024-14, FIRST READING, An introduction of an Ordinance annexing approximately 53.59 acres of property located at 958 17 ½ Road and adjacent 17 ½ Road right-of-way into the City of Fruita for publication of public hearing on September 17, 2024 ***(Karp Annexation)***

G. ORDINANCE 2024-15, FIRST READING, An introduction of an Ordinance amending the Official Zoning Map of the City of Fruita by zoning approximately 53.59 acres of property located 958 17 ½ Road and adjacent 17 ½ Road right-of-way to a South Fruita Residential zone for publication of public hearing on September 17, 2024 ***(Karp Rezone)***

H. ORDINANCE 2024-16 – FIRST READING – An introduction of an Ordinance authorizing a Five-Year Farm/Crop Lease and optional five-year extension of 40 acres of property located on the northeast corner of 16 and L Roads for publication of public hearing on September 3, 2024

I. RESOLUTION 2024-24 – A request to approve a Resolution approving the Colorado Opioid Settlement and Recovery – Kroger - and authorizing the City Manager and/or Mayor to execute and submit all required documents to fulfill participation requirements

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

B. LEGISLATIVE HEARINGS

1) RESOLUTION 2024-23 - Public Hearing – Amending the 2024 Budget with Supplemental Appropriations of Funds for Personnel Services, Capital Equipment, Capital Projects, and Special Projects - *Assistant City Manager Shannon Vassen*

2) ORDINANCE 2024-13 – Second Reading – An Ordinance amending Chapter 5.20 of the Fruita Municipal Code to allow administrative approvals for certain liquor-related applications - *City Clerk Deb Woods*

8. ADMINISTRATIVE AGENDA

9. CITY MANAGER'S REPORT

10. COUNCIL REPORTS AND ACTIONS

A. Council Reports and Actions

B. EXECUTIVE SESSION – Discussion and possible action to consider a motion to convene in Executive Session for the City Manager's informal review, a personnel matter, pursuant to C.R.S. Section 24-6-402(4)(f)(I)

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.