



**FRUITA CITY COUNCIL
MARCH 16, 2021
7:00 P.M.**

Public Link to Meeting

When: March 16, 2021 7:00 PM Mountain Time (US and Canada)

Topic: City Council Meeting – 03/16/21

The link to join the meeting electronically will be posted on 03/16/21 prior to the meeting at <https://www.fruita.org/citycouncil/page/city-council-meeting-virtual-18> or at “Council Meeting Information” under the “City Hall” tab. 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**

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:

- 1) A request to approve the minutes of the March 2, 2021 Regular (Virtual) City Council Meeting
- 2) A request to approve the minutes of the March 9, 2021 Joint Workshop Meeting with Planning Commission

- B. LIQUOR LICENSE RENEWAL – A request to approve the renewal of a Beer and Wine Liquor License for Camilla’s Kaffe located at 206 E. Aspen Ave.
- C. FINANCIAL REPORTS – A request to approve the February 2021 Financial Reports

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** (15 minutes max) 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 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) **MODIFICATION OF LIQUOR LICENSED PREMISES** – A request to approve a modification of licensed premises for an Optional Premises liquor license – malt, vinous and spirituous for Imondi Wake Zone, LLC located at 1583 Cipolla Road – *Deputy City Clerk Deb Woods*
- 2) **NEW LIQUOR LICENSE APPLICATION** – A request to approve a new Tavern Liquor License – Malt, Vinous and Spiritous for Koko’s, LLC dba Koko’s located at 152 S. Mesa Street - *Deputy City Clerk Deb Woods*
- 3) **NEW LIQUOR LICENSE APPLICATION** – A request to approve a new Hotel and Restaurant Liquor License – Malt, Vinous and Spiritous and Sidewalk Restaurant Permit application for Colorado Summit, LLC dba Aspen Street Coffee Company located at 136 E. Aspen Ave. - *Deputy City Clerk Deb Woods*

B. LEGISLATIVE HEARINGS

- 1) ORDINANCE 2021-05 – Second Reading – Authorizing the City Manager to enter into a two-year lease Agreement with Family Health West for I-70 billboard – *Asst to the City Manager – Shannon Vassen*
- 2) ORDINANCE 2021-12 – Second Reading – Delegating Authority to the City Clerk for the Issuance of Temporary Permits pending action on a Transfer of Ownership Application by the Local Licensing Authority and setting forth when a Public Hearing is required on a Transfer of Ownership application – *City Clerk/Finance Director Margaret Sell*
- 3) ORDINANCE 2021-13 – Second Reading – Approving a long-term lease with All Copy Products, Inc. for a copier system and related services at the Fruita Community Center – *Parks and Recreation Director Ture Nycum*
- 4) LAND USE CODE AMENDMENTS:
 - a) ORDINANCE 2021-06 – Second Reading – An introduction of an Ordinance amending Section 17.07 of Title 17, Land Use Code, of the Fruita Municipal Code to align district uses and descriptions within the City of Fruita’s Comprehensive Plan – *City Manager Mike Bennett, Planning and Development Director Dan Caris and Design Workshop Planner Jessica Garrow*
 - b) ORDINANCE 2021-07 – Second Reading – An introduction of an Ordinance amending the Official Zoning Map of the City of Fruita to match the changes to Chapter 7 of Title 17, Land Use Code, of the Fruita Municipal Code - *City Manager Mike Bennett, Planning and Development Director Dan Caris and Design Workshop Planner Jessica Garrow*
 - c) ORDINANCE 2021-09 – Second Reading – An introduction of an Ordinance amending Section 17.11 of Title 17, Land Use Code, of the Fruita Municipal Code to amend the Design Standards for the various zone districts and uses - *City Manager Mike Bennett, Planning and Development Director Dan Caris and Design Workshop Planner Jessica Garrow*
 - d) ORDINANCE 2021-10 – Second Reading – An introduction of an Ordinance amending Section 17.39 of Title 17, Land Use Code, of the Fruita Municipal Code to update parking standards in the revised zone districts - *City Manager Mike Bennett, Planning and Development Director Dan Caris and Design Workshop Planner Jessica Garrow*
 - e) ORDINANCE 2021-08 – Second Reading – An introduction of an Ordinance amending Section 17.08 of Title 17, Land Use Code, of the Fruita Municipal Code to change Density Bonuses to correspond with the changes in the zoning uses - *City Manager Mike Bennett, Planning and Development Director Dan Caris and Design Workshop Planner Jessica Garrow*

- f) ORDINANCE 2021-11 – Second Reading – An introduction of an Ordinance amending Section 17.13 of Title 17, Land Use Code, of the Fruita Municipal Code to add a new section defining and regulating short-term rentals - *City Manager Mike Bennett, Planning and Development Director Dan Caris and Design Workshop Planner Jessica Garrow*

- 8. ADMINISTRATIVE AGENDA**
- 9. CITY MANAGER’S REPORT**
- 10. COUNCIL REPORTS AND ACTIONS**
- 11. ADJOURN**