

**FRUITA CITY COUNCIL
IN PERSON AND VIRTUAL MEETING
JULY 5, 2022
7:00 P.M.**

1. CALL TO ORDER AND ROLL CALL

Mayor Joel Kincaid called the regular meeting of the Fruita City Council to order at 7:00 p.m. The meeting was held both in person and with virtual access provided through Zoom.

Present: Mayor Joel Kincaid
Mayor Pro Tem Matthew Breman
City Councilor Jeannine Purser
City Councilor James Williams
City Councilor Ken Kreie (remotely)
City Councilor Amy Miller
City Councilor Heather O'Brien

Excused Absent: City Manager Mike Bennett

City staff present: Acting City Manager/Planning and Development Director Dan Caris
Assistant to the City Manager Shannon Vassen
Deputy City Clerk Deb Woods
Communications and Engagement Specialist Ciara DePinto
Public Works Director Kimberly Bullen
City Planner Henry Hemphill

Also present: Members of the public (in-person and virtually)

2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

Mayor Kincaid called for a moment of silence for all faiths and beliefs to have the opportunity for a silent prayer. He then led in the Pledge of Allegiance.

3. AGENDA – ADOPT/AMEND

Deputy City Clerk Deb Woods stated that there were no changes to the agenda.

- **COUNCILOR O'BRIEN MOVED TO APPROVE THE AGENDA AS PRESENTED. COUNCILOR PURSER SECONDED THE MOTION. THE MOTION PASSED WITH SIX YES VOTES.**

4. PROCLAMATIONS AND PRESENTATIONS

There were no Proclamations or Presentations on the agenda.

5. PUBLIC PARTICIPATION

Mr. Matthew Barber, 334 Crystal Court, offered his congratulations to the new City Council members and then provided a prayer for the entire Council, the meeting and the community.

There were no further comments from the public.

6. CONSENT AGENDA

- A. MINUTES – A REQUEST TO APPROVE THE MINUTES OF THE JUNE 7, 2022 REGULAR CITY COUNCIL MEETING**
- B. LIQUOR LICENSE RENEWAL – A REQUEST TO APPROVE THE RENEWAL OF A RETAIL LIQUOR STORE LICENSE – MALT, VINOUS AND SPIRITUOUS, RETAIL WAREHOUSE STORAGE PERMIT AND TASTINGS PERMIT FOR IN THE MIDDLE LIQUORS LOCATED AT 303 HIGHWAY 6 & 50**
- C. BOARDS AND COMMISSIONS APPOINTMENT – A REQUEST TO APPROVE THE APPOINTMENT OF DEREK BIDDLE TO THE PLANNING COMMISSION TO FULFILL AN UNEXPIRED TERM TO EXPIRE IN AUGUST OF 2023**
- D. BOARDS AND COMMISSIONS APPOINTMENT – A REQUEST TO APPROVE THE APPOINTMENT OF CHRISS RUSCH TO THE PLANNING COMMISSION FOR A THREE-YEAR TERM TO EXPIRE IN JULY OF 2025**
- E. RESOLUTION 2022-16 – SETTING A HEARING DATE TO DETERMINE THE ELIGIBILITY OF ANNEXATION OF APPROXIMATELY 1 ACRE OF PROPERTY LOCATED AT PARCEL #2697-213-00-078 TO BE ANNEXED INTO THE CITY OF FRUITA AND TO CONSIDER INITIATION OF ANNEXATION PROCEDURES**
- F. RESOLUTION 2022-17 – SETTING A HEARING DATE TO DETERMINE THE ELIGIBILITY OF ANNEXATION OF APPROXIMATELY 4.54 ACRES OF PROPERTY LOCATED AT PARCEL #2697-213-00-094 TO BE ANNEXED INTO THE CITY OF FRUITA AND TO CONSIDER INITIATION OF ANNEXATION PROCEDURES**
- G. CONTRACT – A REQUEST TO APPROVE A CONTRACT FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE WASTEWATER RECLAMATION FACILITY**

Mayor Kincaid opened the Consent Agenda to public comments. Hearing none, he closed the public hearing and referred the Consent Agenda to the Council.

- COUNCILOR O'BRIEN MOVED TO APPROVE THE CONSENT AGENDA AS PRESENTED. COUNCILOR MILLER SECONDED THE MOTION. THE MOTION PASSED WITH SIX YES VOTES.**

7. PUBLIC HEARINGS

A. QUASI-JUDICIAL HEARINGS

There were no quasi-judicial public hearings on the agenda.

B. LEGISLATIVE HEARINGS

There were no legislative public hearings on the agenda.

8. ADMINISTRATIVE AGENDA

There were no administrative items on the agenda.

9. CITY MANAGER'S REPORT

Acting City Manager/Planning and Development Director Dan Caris had nothing to report.

10. COUNCIL REPORTS AND ACTIONS**COUNCILOR KEN KREIE**

Ken reported that the Grand Valley Regional Transportation Committee (GVRTC) met and discussed the TransDev contract, which is renewed annually. TransDev asked the GVRTC for a mid-term pay increase for their drivers because they are having a hard time filling those positions. Ken stated that the six-month pay increase that was approved should not affect Fruita's current contribution for bus service because the GVRTC has the funds to cover it at this time. He added that it will impact costs for the City of Fruita in the future, although not by much. GVRTC has concerns about TransDev asking for changes to their contract mid-term instead of negotiating correctly when the term of the contract is up, so there will be a big push by GVRTC for TransDev to do better in the future.

Ken added that Greyhound Bus Lines pays GVRTC for a customer service location and hub and Greyhound now wants to convert it to an E-stop so that Greyhound would still stop there, but people would purchase their tickets online instead of relying on GVRTC staff to handle ticket sales and customer service. The recommendation from the GVRTC was to reject that proposal.

COUNCILOR HEATHER O'BRIEN

Heather reported that she missed the Arts and Culture Board meeting because she was sick, but later she had coffee with Nancy Patterson, who caught her up on what the board discussed.

Heather also announced that the Parks and Recreation Advisory Board meeting was rescheduled from Monday, July 4th to Monday, July 11th.

COUNCILOR MATTHEW BREMAN

Matthew reported that the Grand Junction Economic Partnership (GJEP) made an offer to someone for the position of Executive Director, which was accepted. The new Director's start date is August 3rd.

COUNCILOR JAMES WILLIAMS

James reported that at the Museums of Western Colorado (MWC) meeting, they discussed how they are trying to get funding to fix Riggs Hill. 1,000 linear feet of fencing is needed overall, along with tables, signage and general improvements to the entrance area. James said the MWC is struggling financially and that it is unfortunate that when the mill levy was voted on and passed in the 1970's, language stating "up to" was included that limits the amount of funding they can receive. He added that he would be looking into it to see if there could be ways to convince the County Commissioners to help with the situation. James added that the MWC changed their by-laws so that the board has to vote on who gets appointed. The change was made after the MWC experienced some animosity with the City of Grand Junction in years past.

James also reported that he and the Mayor had just interviewed two applicants for appointment to the Fruita Tourism Advisory Council (FTAC) and agreed that one of them is a very good fit. He added that at the last FTAC meeting, the board discussed not pushing for digs in the summer.

MAYOR JOEL KINCAID

Joel referred to an email the Council received from a resident concerning fireworks in Fruita. He said the Council needed to be able to respond with information about what can or cannot be done.

The Council discussed how they have experienced issues themselves with their neighbors in addition to hearing complaints from residents. Acting City Manager Dan Caris suggested that staff gather some information for a future Council workshop discussion such as what the penalties currently are for violations.

Councilor Amy Miller stated that the City of Greeley, CO recently tripled their fines for shooting off fireworks in response to some very concerned citizens and added that she would like to see how that works out for them.

Heather agreed with putting a fireworks discussion on a workshop agenda and suggested that staff at the Fruita Police Department be invited. She wondered if increasing fees for violations would be helpful and proposed putting out information to the public in advance of New Year's Eve to see if it would have any effect.

Amy proposed having staff create another video or a series of videos informing the public about fireworks violations and the potential associated fees.

Matthew liked the idea of having Fruita Police Department staff come to a workshop meeting with their recommendation(s), which would also help in answering the email that was received by the Council from a concerned resident.

The decision was made to add a fireworks discussion to a future workshop agenda.

COUNCILOR JEANNINE PURSER

Jeannine asked about the outcome of the public hearing on the marijuana Ordinance at the Mesa County Commissioner's meeting. Joel responded that the Commissioners approved their Ordinance to allow the cultivation, manufacturing, testing and production of marijuana in the City of Fruita's Urban Growth Boundary. Dan Caris noted that there was one caveat in that there will be a 1,000-foot distance buffer requirement for all schools teaching 6th grade and up. He added that City of Fruita staff does receive notice about Mesa County land development applications if it involves property located west of the buffer, so staff and/or the City Council could certainly submit comments if there is an application for cultivation, testing or production of marijuana

11. ADJOURN

With no further business before the Council, Mayor Kincaid adjourned the meeting at 7:23 p.m.

Respectfully submitted,

Debra Woods
Deputy City Clerk
City of Fruita