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**FRUITA CITY COUNCIL MEETING  
NOVEMBER 18, 2025  
7:00 P.M.**

**1. CALL TO ORDER AND ROLL CALL**

Mayor Breman 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 Matthew Breman  
Mayor Pro Tem Aaron Hancey  
City Councilor James Williams  
City Councilor Jeannine Purser  
City Councilor Rick Parrish  
City Councilor Amanda Quigley  
City Councilor Amy Miller

**Excused Absent:** (None)

**City Staff Present:** City Manager Shannon Vassen  
Assistant City Manager Dan Caris  
Management Analyst Kaydee Lucero  
Interim City Clerk Deb Woods  
Planning Director Henry Hemphill  
Special Projects Coordinator Steve Martinez  
Planner Joey Morris  
Finance Director Christa Yamashita  
Chief of Police Dave Krouse  
City Attorney Mary Elizabeth (virtual)

**Also Present:** Members of the public (in person and virtual)

**2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE**

Mayor Breman called for a moment of silence for reflection. He then led in the Pledge of Allegiance.

**3. AGENDA - ADOPT/AMEND**

- **COUNCILOR WILLIAMS MOVED TO APPROVE THE AGENDA AS PRESENTED. COUNCILOR HANCEY SECONDED THE MOTION. THE MOTION PASSED WITH SIX YES VOTES.**

**4. PROCLAMATIONS AND PRESENTATIONS**

- A. PROCLAMATION – PROCLAIMING NOVEMBER 19 – 25, 2025 AS THE 8<sup>TH</sup> ANNUAL INTERFAITH AWARENESS WEEK IN THE CITY OF FRUITA TO BE ACCEPTED BY CARLENE GOLDTHWAITE, VICE PRESIDENT OF THE GRAND VALLEY**

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**INTERFAITH NETWORK (GVIN) AND KELLENE MORTENSEN, SECRETARY OF THE GVIN**

Councilor Hancey read the Proclamation, which was accepted by Vice President of the Grand Valley Interfaith Network (GVIN) Carlene Goldthwaite and Secretary of the GVIN Kellene Mortensen. Ms. Goldthwaite invited everyone to the ThanksGVIN Service to be held on Tuesday, November 25<sup>th</sup> at American Lutheran Church. She noted more information could be found at the GVIN website.

Ms. Goldthwaite handed out Interfaith bookmarks to Council members and staff that indicate how different religious ideologies phrase concepts in a similar way, e.g., being dedicated to being better versions of themselves to create a better world.

Ms. Goldthwaite said she was excited to learn that the Interfaith Awareness Proclamation is included on the City's list of Proclamations that don't need Council approval every year because it has been pre-approved by the City Council.

**5. PUBLIC PARTICIPATION AND CONSENT AGENDA**

- A. MINUTES – A REQUEST TO APPROVE THE MINUTES OF THE OCTOBER 21, 2025 REGULAR CITY COUNCIL MEETING**
- B. RESOLUTION 2025-42 – TRANSFERRING BUDGETED AND APPROPRIATED FUNDS FROM THE GENERAL FUND CONTINGENCY ACCOUNT FOR LEGAL FEES AND CONTRIBUTIONS**
- C. ORDINANCE 2025-22 – SECOND READING – APPROVING A LEASE OF THE BILLBOARD LOCATED ADJACENT TO I-70 TO THE LOWER VALLEY HOSPITAL ASSOCIATION FOR A TWO-YEAR TERM**
- D. FINANCIAL REPORTS – A REQUEST TO APPROVE THE SEPTEMBER 2025 FINANCIAL REPORTS**

**PUBLIC PARTICIPATION:**

Tessa Binam, 255 N. Ash Street stated that she came to the meeting with questions and wishes for transparency. She thanked the Council for making sure the residents of Fruita have everything that they need and for also ensuring that the Food Bank of the Rockies has what they need.

Binam referred to Resolution 2025-42 (on the Consent Agenda), noting that it requests \$75,000 in additional funds to cover legal fees. She stated that while the Resolution meets the minimum requirements for transparency to amend the Budget, it is “bare bones” and lacks a lot of transparency.

Binam continued that while she understands and respects that some details are privileged, the public can be informed in general terms of which categories of legal fees necessitate an additional \$75,000. She added that the importance of increasing transparency and ensuring clarity (especially when the legal Budget hasn't changed since 2023) is impactful and in her opinion, worth considering.

Binam asked the City Council to recall that the core values define who we are. She recited the official acronym for Fruita (**F**un, **R**espectful, **U**nited, **I**nnovative, **T**ransparent and **A**uthentic).

### **CONSENT AGENDA:**

Councilor Purser provided feedback on Consent Agenda Item C: ORDINANCE 2025-22 – Second Reading of an Ordinance approving a lease of the billboard located adjacent to I-70 to the Lower Valley Hospital for a two-year term. She stated that in the coversheet, it refers to digital messaging on the lower portion of the billboard that the City could potentially utilize for marketing and promotion of Fruita and that the Fruita Tourism Advisory Council (FTAC) might be working with staff on that.

Councilor Purser pointed out that the billboard is very public and is in a prime spot for marketing and asked for clarification on whether the Council would have any input before approval and subsequent installation of any City marketing on the billboard.

City Manager Shannon Vassen explained that whether it's concerning the billboard or the banners on the Co-Op silos, the FTAC is a recommending body to the City Council and if there are items the City Council has interest in, the FTAC would make a recommendation knowing that Council has final approval.

Mayor Breman stated that it was nice to see City sales tax revenues making a comeback in the Financial Reports.

City Manager Shannon Vassen explained that the \$75,000 in legal fees is needed to cover the remainder of the year. Despite budgeting for a "normal" year, unexpected legal issues have arisen annually. Not all budgeted legal funds have been spent yet, but significant costs stemmed from unique projects like the 19 Road land acquisitions and The Oaks project (negotiating restricted covenants for long-term affordability). Additionally, a high volume of Open Records Requests required extensive City Attorney involvement. Vassen expressed hope that 2026 will see reduced legal expenses.

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

## **6. PUBLIC HEARINGS AND ACTION ITEMS**

*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 three minutes per person. People speaking should step up to the microphone and state their name and address. 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.*

*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. The City Council must limit its*

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*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 Comment - (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. Staff and/or applicant(s) respond to public comment.
5. Council will ask questions of staff and applicant.
6. The public hearing is closed to public comments.
7. Make a motion. A member of the City Council will make a motion on the issue.
8. Following a second to the motion, the City Council may discuss the motion.
9. Vote. The City Council will then vote on the motion.

*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.*

*ACTION ITEMS – Action items are items that require Council action and have public comment.*

**A. ORDINANCE 2025-19 – SECOND READING – ANNEXING APPROXIMATELY 27.46 ACRES OF PROPERTY LOCATED AT 1615 L ROAD INTO THE CITY OF FRUITA (1615 L ROAD SERIAL 1 ANNEXATION) – PLANNING DIRECTOR HENRY HEMPHILL**

Planning Director Henry Hemphill combined the above annexations into one PowerPoint presentation although they will be annexed in two phases and each of the Ordinances will be voted on separately. He provided an overview of the following:

- Legal Notice dates and methods
- Future Land Use Map depicting the subject properties' location
  - Subject properties are included in the City's Comprehensive Plan as located within the City's Urban Growth Boundary, so the City has planned on having the properties annexed into the City limits and zoned with the appropriate zoning designation for quite some time.
- PHROST Master Plan Map that supports the properties being incorporated into the City with a zoning designation of Community Services and Recreation (which includes open space and parks)
- The statutory requirement of 1/6 contiguity with existing City limits was met with the 27.46 acres described in Resolution 2025-39.
- The statutory requirement of 1/6 contiguity with existing City limits was met with the 13.70 acres described in Resolution 2025-40.
- C.R.S. Section 31-12-104(1)(a), which states that: "*Contiguity may be established by the annexation of one or more parcels in a series, which annexations may be completed simultaneously and considered together for the purpose of the public hearing.*"
- The nine (9) review criteria in Section 17.17.050(A) of the Fruita Land Use to consider when approving annexations

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- Requirements have been met
  - Review comments and public comments
    - No reviewer expressed concerns with the applications.
    - No written public comments have been received by staff, but public input was provided at the Planning Commission meeting mainly concerning expectations for potential future development.
  - Fruita Planning Commission recommended approval of the Ordinances by a vote of 6 to 0 at their October 14, 2025 public hearing.
  - Staff recommends approval of both Ordinances and suggested motions were provided to Council.
  - The City of Fruita is the applicant and joint owner of the two parcels at 1615 L Road with Mesa County School District #51.

Mayor Breman opened Ordinance 2025-19 for public comment.

**Justin Garska, 1183 16 Road**, stated that he has several concerns about the City being able to provide services to the properties because he's very familiar with them and has rarely seen any Fruita Police Officers at that location. He said the traffic on 16 Road is atrocious; the speed limit is 45 mph, but nobody polices it and annexing the parcels wouldn't change that. He also asked why the City wants to take away farmland and requested that it be left that way.

Garska continued that he was told the push for the annexations is because the School District can't park school buses at the Loco anymore and asked why the City doesn't just annex in the smaller parcel and leave the bigger one alone to continue being farmland. He said he doesn't see how the annexations are going to benefit the City and asked if the properties would "just become dirt" until the City and School District decide what to do with them after annexing.

**Mike Etchart, 1276 16 Road**, stated that his family previously owned the parcels but sold them to the City of Fruita. He expressed concerns about urban growth and speeding vehicles in the area. Etchart asked what was going to happen to the smaller parcel since Ordinance 2025-19 only annexes 27.46 acres; wasn't the School District bus area going to be annexed as well? He said the bus area is the parcel that should be annexed and not the other, bigger parcel.

Etchart continued that his family is currently leasing the property from the City of Fruita and asked if the annexation(s) would change the property taxes. He wondered if the property taxes would become so high that farming wouldn't even be an option anymore.

Etchart stated that the idea of having a park and/or keeping the parcels as open space sounds really great but he wanted to know if there would be restrooms built on the properties and how they would be maintained. He asked if the City planned on running sewer lines to the area and whether there might be trouble with vagrants like the City of Grand Junction has.

**David Hutton, 1628 L Road**, agreed with the two previous audience members who provided comments that nobody does 45 mph or lower on L Road. He estimated that they are traveling at 60 to 70 mph and wondered if a traffic impact study had been completed. Hutton stated that the lights at the school bus parking area are outrageous, people go in and out of there, buses are honking in the morning and he just

can't see why the City would want to annex and rezone that parcel now after owning it for 17 years and not having have a plan.

**Marilee Ost, 1730 Ptarmigan Ridge Circle**, concurred with all of the previous speakers, especially about the speeding where there's a blind hill at the corner of 16 and L Roads. She said if you don't stop, you will be hit and maybe killed. She added that maybe she understood the map incorrectly, to Mr. Etchart's point. Ost asked if the serialization of the two parcels was backwards so that the smaller parcel should be annexed first because it has the contiguity.

There were no further comments from the public.

Planning Director Hemphill addressed the public comments with the following rebuttals:

1. Hemphill said he understands there are some traffic concerns, but traffic impacts are not considered in an annexation; they are considered when a land use is proposed through a traffic study and other certain elements that give staff a better idea of the land use that's being proposed and the impacts that creates.
2. The contiguity required by the state is 1/6 of the entire property abutting existing City limits and the contiguity was short by 10 feet, so state statute allows a municipality to annex properties in phases to establish that contiguity. Hemphill said the south 27.46-acre parcel borders the City limits on the east side, which results in the 1/6 contiguity for the north 13.70-acre parcel. A portion of the total 40 acres is within the 16 and L Roads rights-of-way and Hemphill said for purposes of transparency, the two annexations are put forth before City Council together at the same meeting.
3. Hemphill stated that because the property will continue to be jointly owned by both School District #51 and the City of Fruita, it should not affect the property taxes at all. He added that if the property does get zoned Community Services and Recreation and is used as a park, there would not be any tax implications.
4. Hemphill noted that the property was sold to the City of Fruita by the Etcharts and an agreement was put in place stipulating that the future development of the property maintain some of the family heritage that the Etcharts are proud of today.

Councilor Williams asked if the City's plan was to continue leasing the property to the Etchart family. Hemphill confirmed that to be correct, noting that the agreement was renewed about one year ago and has a five-year term.

Hemphill stated that in looking at aerial photographs, the smaller parcel closest to L Road does not appear to have good soil to farm on, but the south parcel definitely does.

Councilor Miller pointed out that the City does not have any immediate plans to turn the larger parcel into a park.

Hearing no further comments from the public, Mayor Breman referred the agenda item to City Council.

Councilor Purser sought confirmation that annexing the properties would increase speed limit enforcement and patrolling. Mr. Hemphill clarified that while the parcels would join the City, the adjacent rights-of-way would remain outside it. Enforcement would continue via the existing partnership between the Fruita Police Department and Mesa County Sheriff's Office. Fruita PD could assist in emergencies if Mesa County responds slowly, but primary policing responsibility for the area remains with Mesa County.

Councilor Miller asked how residents could request increased patrolling in the area. Mr. Hemphill replied that staff could relay public concerns to the Mesa County Sheriff's Office. City Attorney Mary Elizabeth Geiger reminded the Council that the current discussion was limited to whether the annexation ordinance meets legal criteria, and that decisions about additional patrols could be addressed after annexation.

Councilor Williams noted that annexations typically occur for development purposes and asked for confirmation that the current use of part of the property for parking school buses would continue. Mr. Hemphill confirmed his understanding that it would. Councilor Williams then inquired about the benefits of the annexation. City Attorney Geiger explained that annexations proceed upon a valid petition from property owners with no requirement for specific reasons beyond meeting legal criteria. She added that when 100% of owners consent, their motivations are not considered.

Councilor Purser sought clarification on whether the City Council must ensure a proposed land use aligns with the City's Comprehensive Plan. Attorney Geiger explained that this consideration arises post-annexation, when the owner applies for development. She noted that owners may apply for annexation and development sequentially or concurrently, potentially leading to a Development Agreement, but emphasized that no such development application or agreement is involved in the current annexation petition.

Mayor Breman questioned whether the City would have any flexibility as part-owner of the property. Assistant City Manager Dan Caris said it was important to note that when property owners sign to petition for annexation, the City is required to zone the property within 90 days. Essentially, that would be the City (as part-owner of the property) signaling that it wants to exercise its land use control over the property, which means that any decisions that are made are done so from a regulatory standpoint with the City Council rather than with the Fruita Planning Commission.

Mr. Caris explained that the broad uses allowed in the AFT Zone District align with the staff-recommended Community Services Recreation (CSR) Zone District, which matches the spirit of the property's conveyance. He noted that the northern portion beyond the drainage would undergo the City's full land use review process for any proposed permanent use, allowing evaluation of compatibility concerns. Caris emphasized that annexation and zoning are treated separately to defer detailed scrutiny to future processes.

- **COUNCILOR QUIGLEY MOVED TO ADOPT ORDINANCE 2025-19 – SECOND READING – ANNEXING APPROXIMATELY 27.46 ACRES OF PROPERTY LOCATED AT 1615 L ROAD KNOWN AS THE 1615 L ROAD SERIAL 1 ANNEXATION INTO THE CITY OF FRUITA. COUNCILOR PARRISH SECONDED THE MOTION. THE MOTION PASSED WITH SIX YES VOTES.**

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**B. ORDINANCE 2025-20 – SECOND READING – ANNEXING APPROXIMATELY 13.70 ACRES OF PROPERTY LOCATED AT 1615 L ROAD INTO THE CITY OF FRUITA (1615 L ROAD SERIAL 2 ANNEXATION) – PLANNING DIRECTOR HENRY HEMPHILL**

Planning Director Henry Hemphill stated that the presentation of this Ordinance would be identical to the previous presentation for Ordinance 2025-19 aside from the amount of acreage. He referred to staff's recommendation of approval and offered to answer any questions the Council still may have.

Mayor Breman opened Ordinance 2025-20 (1615 L Road Serial 2 Annexation) for public comment.

**Joe Etchart, 1274 16 Road**, noted that it was his brother Mike Etchart who had spoken earlier. He said he just wanted to let the Council know about the bus parking lot so that the City is aware that the School District installed extremely bright lights on the lot. He said the lighting is so obnoxious and offensive that they literally shine into his windows ½ mile up the road and it is so bad, he can do hand puppets on the wall.

Etchart stated that the fencing around the parking lot makes it look like a lot for a prison and is an eyesore. He said the bus drivers honk their horns consistently starting before 6:00 a.m. on their way out of the lot and that it is a sensitive matter because the School District just put the buses there without any public notice or anything. He also said the driveways for the parking lot are not in compliance. He plead with the City Council to do something about the lights.

Hearing no further public comment, Mayor Breman closed public comment and referred the matter back to City Council with a reminder of what Attorney Geiger had advised regarding the scope of discussion.

- **COUNCILOR MILLER MOVED TO ADOPT ORDINANCE 2025-20 – SECOND READING – ANNEXING APPROXIMATELY 13.70 ACRES OF PROPERTY LOCATED AT 1615 L ROAD INTO THE CITY OF FRUITA (1615 L ROAD SERIAL 2 ANNEXATION). COUNCILOR PURSER SECONDED THE MOTION. THE MOTION PASSED WITH SIX YES VOTES.**

**C. ORDINANCE 2025-21 – SECOND READING – AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF FRUITA BY ZONING APPROXIMATELY 40 ACRES OF PROPERTY LOCATED AT 1615 L ROAD TO A COMMUNITY SERVICES AND RECREATION ZONE (1615 L ROAD ZONING) – PLANNING DIRECTOR HENRY HEMPHILL**

Planning Director Henry Hemphill provided staff's presentation, which consisted of:

- Legal Notice dates and methods
- Future Land Use Map
- Purpose of and allowed uses in the Community Services and Recreation (CSR) Zone District
  - Public and private recreational land and facilities
  - Schools
  - Fire Stations
  - Libraries

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- Fairgrounds
  - Other public and quasi-public lands and buildings
  - Open space areas
  - Parks
  - Environmental areas
  - Trails
  - Review criteria pursuant to Fruita Municipal Code Section 17.09.070
    - Zoning compatibility with surrounding land uses
    - Consistent with the Master Plan
    - Is incidental to an annexation application
  - No reviewer expressed concerns with the zone request.
  - No written public comments have been received by staff at this time.
  - Public testimony was received at the Planning Commission meeting (the same testimony provided during the public hearings for the annexations at this meeting).
  - Planning Commission recommended approval by a vote of 6 to 0 at their October 14, 2025 public hearing
  - Suggested motion of approval of the Ordinance

Hemphill pointed out that a large portion of the 40-acre parcel is in a floodplain, which is another reason why the CSR is the appropriate zone designation. He added that many years ago, the City of Fruita and School District #51 jointly purchased the property in anticipation of building a school and/or a large community park.

Mayor Breman opened Ordinance 2025-21 for public comment.

**Justin Garska, 1183 16 Road**, asked what zoning the property to CSR would do for the bus barn because it wouldn't benefit the public and is causing light pollution.

**Marilee Ost, 1730 Ptarmigan Ridge Circle**, said she was going to ask the exact same question as the speaker before her. She also asked how soon the bus barn would be leaving because it isn't compatible with the CSR zone right now.

Hearing no further comments, Mayor Breman closed public comment and referred the matter back to Planning Director Henry Hemphill.

Hemphill stated that the CSR Zone type does support quasi-public and public uses, so the bus parking is allowed. He pointed out that once an Ordinance is adopted, it doesn't take effect for 30 days, at which point staff could take a look at what is currently happening at the property with regards to the City's nuisance Ordinances. Assistant City Manager Dan Caris pointed out that there are also provisions in the Municipal Code concerning hours of operation.

City Attorney Mary Elizabeth Geiger again cautioned the City Council that the matter before them was a rezone request and not a question of what is going to happen next or what enforcement might be taken against any uses. She added that once the property is rezoned into a City zone district (CSR), then that is when complaints can be considered and determinations made by the City as to whether the use of the property is in compliance with hours of operation or light pollution (for example).

Councilor Williams asked if that wasn't the kind of information that the Council would want to know when deciding if the property is being zoned correctly. There was some discussion concerning whether a different zone district should be considered, but Hemphill explained that the CSR Zone is the zone that most closely resembles the county's previous zone designation of AFT and is the lowest impact zone district in Fruita's entire Land Use Code when it comes to development.

City Attorney Mary Elizabeth Geiger pointed out that the parcels are jointly owned by the City and the School District (governmental entities) and therefore, the land uses are subject only to "Location and Extent," meaning that as a general rule, governments don't have to go through a full land use process when developing a parcel. Location and Extent only takes into consideration whether there are services available for a particular land use and whether development complies with Building Codes.

There was some discussion about the City having no land use control/Code Enforcement over the parcels prior to them getting annexed, but now that they have been, the public's concerns can be addressed and City rules and regulations can be enforced.

Councilor Williams expressed concern that the term "agricultural" is not included in the CSR zone district because he wants to protect the Etchart family's right to farm there. He asked for clarification on whether that might become an issue. Hemphill explained that in the Land Use Code, there is a table that covers all the different zone districts and different types of land uses that tells staff which uses are allowed, not allowed or conditionally allowed. He pointed out that the City recently approved an extension of a five-year lease agreement with the Etchart family so that they can continue their agricultural land use.

Mayor Breman asked for confirmation that an agricultural use could continue even after the Etchart's lease expires and Hemphill assured him that it could and added that there is nothing that would force the parcels to become a park in five years.

Councilor Williams added that he wanted to make it very clear that farming is a priority in Fruita and that the Council is fighting for people's right to be able to do so.

Attorney Geiger said she just looked at the table of uses allowed in the CSR zone district and an "agricultural pasture" is allowed. Commercial feedlots would not be allowed, however.

- **COUNCILOR PURSER MOVED TO ADOPT ORDINANCE 2025-21 – SECOND READING – AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF FRUITA BY ZONING APPROXIMATELY 40 ACRES OF PROPERTY LOCATED AT 1615 L ROAD TO A COMMUNITY SERVICES AND RECREATION ZONE (1615 L ROAD ZONING). COUNCILOR PARRISH SECONDED THE MOTION. THE MOTION PASSED WITH SIX YES VOTES.**

#### **D. 2026 ANNUAL BUDGET – PUBLIC HEARING AND PRESENTATIONS – CITY MANAGER SHANNON VASSEN**

City Manager Shannon Vassen noted that this would be the fourth and final presentation of the proposed 2026 Budget and that it would cover economic health and development, Community Development Department and some of the City's smaller funds such as the Fruita Housing Authority Fund and Marketing and Promotion Fund. Staff would then conclude with a summary of all funds/Budget overview.

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Vassen also pointed out that there would be one more Budget discussion at the November 25, 2025 Council Workshop meeting and barring any different feedback from Council, the 2026 Budget would be slated for adoption at the December 2, 2025 Regular Council meeting.

Planning Director Henry Hemphill provided staff's presentation on the Community Development Department. He said there weren't many changes over last year.

Hemphill stated that the Community Development Department/Building Department issued almost 1,600 Building Permits over the course of 2025 which is a significant increase over last year and likely the two previous years combined. This figure includes 1,125 new Roofing/Re-roofing Permits and some roofs have new solar on them as well. Hemphill commended staff in the Building Department and Community Development Department and pointed out that CloudPermit software was purchased to help streamline the permitting process, which had a major impact in staying on top of the workload.

Hemphill reviewed other highlights and accomplishments as follows:

- Negotiation of the vacant property north of the Hot Tomato to be used for downtown parking
- The Oaks Redevelopment Project to be utilized for future affordable housing including demolition of existing structures
- Housing Needs Assessment to go before Council for adoption in the next few months
- 1,594 Building Permits issued
- 75 new homes
- 114 Short-Term Rental Permits issued including 65 in the downtown core (triangle area)
- 31 Accessory Dwelling Units (ADUs) includes sheds and garages and 3 – 5 attached and detached ADUs
- Many of the ADUs are transitioning from short-term to long-term rentals potentially due to seasonality
- Hemphill participated in the American Planning Association (APA) Western Slope Conference and volunteered to provide 20 conference participants with a mobile tour of affordable/workforce housing within the City of Fruita including:
  - The Fruita Mews (conference participants were allowed inside a unit and to speak with the property management company)
  - The Oaks
- Strategic partnerships were created between the City of Fruita and others who are invested in the community and are fundamental in making projects such as The Mews and The Oaks actually happen.

Hemphill introduced the Community Development Department's newest staff member and Planner, Joey Morris. Budget highlights continued as follows:

- Over 7,000 inspections were completed by the Fruita Building Department.
- Each roofing project consists of three (3) visits by Fruita's Building Inspectors.
- \$432,000 in revenues collected

Councilor Williams wondered if staff had an idea of how many permits were issued and how much in revenues were collected when the process went through Mesa County versus the City of Fruita. Hemphill responded that bringing the Building Permit process in-house was very successful and really allowed City staff to attend to and provide those core services. Councilor Miller added that the amount of everyone's time that has been saved is also significant.

Hemphill continued his proposed 2026 Budget presentation on the Community Development Department. Highlights include:

- Overall expenses are set to increase approximately 7%
- Received ADU Incentive Grant award of \$100,000 (includes a 75%/25% match with the grant award being 75% and 25% from the City)
- \$15,000 budgeted for a planning consultant to complete a Housing Needs Assessment and Housing Action Plan that will create impacts to the Fruita Land Use Code (as required by SB24-174). Consultant may be utilized to assist with The Launch Project.
- Community Development Department is fully staffed.
- \$56,925 for a Building Inspections vehicle (mobile equipment)

Hemphill presented highlights for the Economic Development Fund as follows:

- Decrease of 3% in revenues includes \$12,000 to lease I-70 billboard to Family Health West
- Decrease of 6% in expenses
- Cost of Co-Op grain tower banners will be split with the Marketing and Promotions Fund
- Continued contributions to the Grand Junction Economic Partnership (GJEP) and the Fruita Housing Authority
- \$200,000 appropriated for the second payment for The Oaks Redevelopment Project
- \$35,000 for downtown electronic kiosk from the Public Places Fund

Hemphill provided highlights of the Fruita Housing Authority Fund that include:

- Overall decrease of 87% due to the purchase of the Fruita Commons property
- \$200,000 for The Oaks at time of Certificate of Occupancy (CO) (at the end of 2026)
- General costs for legal services and publishing
- No other changes

City Manager Shannon Vassen Fruita announced that Tourism Advisory Council (FTAC) Staff Liaison Ciara Amann has returned to work from maternity leave, so Vassen has served as the Interim FTAC Liaison (along with Ammon Pierce) while she was out for three months.

Vassen presented highlights of the Marketing and Promotion Fund as follows:

- Marketing and Promotion efforts are funded through a 3% tax on all short-term lodging (anything less than 30 days).
- Decrease of a couple of percentage points in revenue for the Marketing and Promotion Fund, partially due to the transition from some short-term lodging to long-term lodging and a decrease in visitation as a whole

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- 20% increase in expenses to spend down a healthy Fund Balance
  - One-time expenses include:
    - Replacing covers on the I-70 billboard
    - Redirecting \$5,000 - \$7,000 for new software called Placer AI, a unique data software that provides location intelligence, foot traffic data, analysis and statistics (as requested by the Fruita Area Chamber of Commerce)
  - Increasing funding for tourism efforts with private consultant Barnhart Communications, who will be presenting to City Council in January
  - Lodging tax is projected to decrease 3% compared to 2025.
  - Expenses of \$256,000 are budgeted to exceed revenues.
  - Special Projects will see a decrease.
  - \$12,000 in revenues for the I-70 billboard lease
  - Continued funding of \$38,000 for a variety of Special Events including:
    - Fruita Fall Festival
    - Fat Tire Festival
    - Fruita Farmers Market
    - Kids Adventure Games
    - The Adventure Fest Running Race
    - Military Graduation Appreciation Day

Vassen presented the All Funds Summary as follows:

- Revenues and Expenses are relatively flat in 2026.
- Many of the City's large projects such as 19 Road, Reed Park and South Mesa Street that have been budgeted for over many years are either wrapped up or in progress, resulting in decreases sprinkled throughout the Budget intentionally.
- \$27.8 million in expenses
- \$26.8 million in revenues
- Decreases are from one-time expenses such as Capital Projects.
- Projecting to spend \$1.1 million in Reserves, which are assigned to specific uses.
- Breakdown of revenues in pie chart (excluding Transfers to other Funds) including:
  - Taxes (City, County, Property, Use tax on building materials, etc.)
  - Charges for Services (sewer, trash, irrigation water fees, FCC fees) projected at a 4% increase mainly due to inflationary adjustments, a 2% increase in sewer charges and about a 5% increase in trash charges that is a passthrough from the City's trash collection provider
    - ❖ Going from \$19.85 to \$20.80 per month in trash charges
    - ❖ Going from \$53.60 to \$54.60 per month in sewer charges
  - Intergovernmental (grants, fines, assessments, miscellaneous, etc.)
    - ❖ Includes a handful of Development Impact Fees used for the 19 Road project
    - ❖ Includes interest earnings on deposits is estimated to have a slight decrease
- Bar graph depicting overview of the last three years of revenues
- \$14.4 million estimated for tax revenues in 2026
- Assessed valuation (used to calculate property tax) went up significantly because the legislature quietly did away with a \$50,000 deduction off assessed valuations.

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- 2026 Expenses include:
    - Operating Expenses (personnel, benefit expenses, purchased professional service, purchased property services, supplies, etc.)
    - Capital Expenses (big Capital Project such as overlays, South Mesa Street or equipment that has a value over a certain amount and lasts a certain amount of time)
      - ❖ Projects next year will focus on planning for future and getting them grant-ready
    - Debt
      - ❖ One loan for construction of the Wastewater Reclamation Facility
      - ❖ One Refunding and Improvement Bonds issued for the FCC
  - \$1.1 million in the use of Funds
    - General Fund - \$555,000
    - Capital - \$785,000
    - Transfers - \$600,000
    - Economic Development (The Oaks Project – will be transferred to the Fruita Housing Authority and two large sewer projects)

Vassen stated that staff will be working to get a Final Draft of the Budget to City Council because the one they have been working on is from last month and changes have been made since then. Staff will also provide Council with a summary of the changes. The changes include:

- Added \$40,000 for the 150/250 Celebration (\$30,000 includes a drone show, an additional concert on Thursday night and \$10,000 for tee-shirts, banners and signs)
- Added \$12,000 for two interns throughout the year in a revolving internship in the City Manager's Office because the City has seen so much success with internships
- Changing Workman's Compensation provider which will result in a \$60,000 decrease
- Liability, property and casualty insurance increased by about \$40,000 to \$50,000

Vassen explained that the Budget is adopted in four steps:

- Approval of fees and charges
- Appropriation of the Budget
- Setting the mill levy (no changes requested)
- Adopt the Budget

Vassen also explained that after public comment, staff would request that the 2026 Annual Budget be continued to be adopted at the December 2, 2025 Regular City Council meeting.

Mayor Breman opened the agenda item for public comment.

**Tessa Binam, 255 N. Ash St., Fruita, CO** provided the following public comment:

- Binam asked if the \$300,000 for chip sealing will be enough to actually get it done this year.
- She asked if a better or different paint will be used than the paint that was used at the intersection of Aspen Ave. and Peach St. the next time the City does it again and requested to know what staff learned from the first experience.

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- She noted that the Sidewalk Replacement Budget was doubled in 2026 and said it was super-exciting. She asked if more residents will be able to participate in the 80%/20% program or if staff had another plan.
  - She noted that the lease between the City and the Museums of Western Colorado (MWC) states that the MWC is responsible for maintaining the property at Dinosaur Journey. She added that she doesn't think that the MWC should qualify for the Sidewalk Replacement Program City since the City owns the property.
  - Regarding 2026 Election costs, she asked what exactly costs \$3,000 more than the 2024 Election.
  - Binam stated that the Marketing and Promotion Fund is over Budget by 24% and that she would like to understand why.
  - The 2026 Budget says that the tile at the pool at the FCC will be replaced, but Parks and Recreation Director Marc Mancuso said at the last meeting that it was going to be "re-surfaced," and she would like an explanation for it.
  - Binam asked why the Sewer Fund insurance deductible is up \$5,000 in 2026.

City Manager Shannon Vassen addressed Binam's questions and concerns. He stated that:

- He really hopes \$300,000 is enough for chip seal. This is an item for which staff has had to come back before City Council this year with requests for Supplemental Funds. He added that the City did a double chip seal on South 19 Road which was a little bit more expensive, but even during the year before, the City was drastically under Budget. Vassen explained that a lot of it is dependent upon contractor availability but also the cost of materials, so staff included an additional \$100,000 in the hopes that \$300,000 will be sufficient. If not, staff will have to present a formal Supplemental Budget appropriation to City Council. He added that it is a "re-surfacing," so staff updated that language in the next draft of the 2026 Budget document.
- Regarding the Sidewalk Replacement Program, hopefully more people will be able to participate. Staff has discussed potentially doing a 90%/10% program instead of 80%/20% and will be making a recommendation to Council. Vassen pointed out that the City collects a little on the 80%/20% currently, but the administrative process of collecting is probably not the best as far as cost recovery goes. He said it is a great program and maybe if the margins are moved, the City will receive more participation.
- Regarding the MWC/Dinosaur Journey, the MWC is responsible for repairs; not the City. The MWC does receive credit towards their lease because they are required to put in a specific amount of building improvements to offset rents.
- Regarding the Marketing Budget, Vassen explained that those are all one-time expenses such as the banners on the Co-Op silos, funding for a Care for Colorado campaign and an increase from \$4,000 to \$8,000 in mini-grants in the hopes the City will receive more applicants. Vassen added that funds in the Marketing and Promotion Fund need to be spent down because the Fund's revenues exceed expenses and they keep accumulating.

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- Regarding the 2026 Election costs, Vassen explained that staff do not yet know what the cost of the Election will be and was assuming an increase in the equipment rental and that the City will also have to send out a notice to all households in Fruita about the TABOR question that will be on the ballot. In addition, staff also want to create a little bit more of a buffer just in case.
  - Regarding the insurance deductible in the Sewer Fund, Vassen explained that it is always \$5,000, but the City doesn't always pay for it. Staff did budget for it just in case something comes up.

The City Council commended staff for a job well done on the proposed 2026 Budget.

Mayor Breman commented that he is steadily hearing about how strict the Community Development Department is but also consistent and fair.

There were no further comments from the public, so Mayor Breman closed public comment and referred the agenda item to the City Council.

- **COUNCILOR PURSER MOVED TO CONTINUE THE PUBLIC HEARING ON THE 2026 ANNUAL BUDGET UNTIL THE DECEMBER 2, 2025 CITY COUNCIL MEETING. COUNCILOR PARRISH SECONDED THE MOTION. THE MOTION PASSED WITH SIX YES VOTES.**

*Mayor Breman called for a ten-minute recess at 9:19 p.m. The meeting reconvened at 9:29 p.m.*

## **7. ADMINISTRATIVE AGENDA**

There were no Administrative Agenda items.

## **8. CITY MANAGER'S REPORT**

City Manager Shannon Vassen provided the following updates and reminders:

- The previous day (Monday, November 17, 2025), the City launched the new online CloudPermit platform for digital business licenses. It will be a great addition to the City's offerings; people will be able to watch a tutorial to complete an application which will streamline the process for both the business owners and the City. He suggested that business owners either come to the City's Administration Office to work from a kiosk there or they can find the link on the City's website at [www.fruita.org](http://www.fruita.org). Mayor Breman offered to speak with the Fruita Area Chamber of Commerce about it at their meeting the following morning.
- At the City Council Workshop meeting the following week, there will be two items on the agenda: 1) economic development proposals (which Shannon emailed to the Council the previous week) and 2) final 2026 Budget wrap-up. Shannon stated that if the Council had any further changes, staff would make sure to get a new draft emailed to them prior to the Workshop meeting.

- The Council Workshop meeting in December falls on the 23<sup>rd</sup> and Shannon asked if Council was okay with canceling it as it is so close to the Christmas holiday. He pointed out that there may not be a lot of staff working that week. The Council gave staff direction to cancel the December 23, 2025 Council Workshop meeting and Shannon said staff would place the cancellation on the next Council agenda of December 2, 2025.
- Mayor Breman requested that Council members come prepared to the November 25<sup>th</sup> Workshop meeting with their top two picks from the economic development proposals to help facilitate the conversation.

## **9. COUNCIL REPORTS AND ACTIONS**

### **COUNCILOR JAMES WILLIAMS**

James asked what is going on at the entrance to the dog park with the cement trailer and construction materials that have been there for a few weeks. Shannon said staff would look into it and get back to the Council. He recalled that there are some sidewalk replacements going in at that location.

### **COUNCILOR JEANNINE PURSER**

Jeannine announced that there is going to be a Community Panel consisting of someone from The Joseph Center, Mesa County United Way and Mesa County Health Department that will be held on Sunday, November 30, 2025 from 6:00 to 7:30 p.m. on at the Fruita Community Center to discuss the scope and growth of area homelessness. The group asked if anyone on the City Council would be attending and Amy said she already had it on her calendar.

Jeannine reported that for the last Fruita Youth Action Council meeting, she received a written confirmation of the meeting and got there right on time, but the group had already been there for an hour. Apparently, they changed the time of the meeting on the day of the event. The board members were making tie blankets to give out to people in need and Jeannine said they are just a great group of young humans that are doing good things in the Fruita community all the time.

Jeannine also reported that the Arts and Culture Board's recent meeting (last Wednesday) went very well, with her leading it in the absence of a Chair. The board is still considering who will step into the Chair role.

This was the first meeting since public discussions about the sculpture decision, so much of the time was spent debriefing that issue, along with other topics. No final decisions have been made yet on developing the HeArt of Fruita criteria, but productive conversations began and members left with good takeaways.

The board has never had a Vice-Chair and Jeannine said she spoke with Parks and Recreation Director Marc Mancuso and recommended creating both Chair and Vice-Chair positions to avoid future gaps. She also suggested that all City Boards and Commissions adopt more structure, such as formal agendas.

Jeannine noted that all current members have served for only a year or less, with no remaining historical knowledge on the board, and asked for continued support from staff and City Council.

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Jeannine expressed concerns about the bright lights at the school bus parking lot that was recently annexed into the City and zoned Community Services and Recreation (CSR). She said it seemed to be something that could be addressed and all the other Council members agreed; noting that they want the City to be good neighbors.

### **COUNCILOR AMY MILLER**

Amy reported that new appointees to the boards she liaises with (Livability Commission and Historic Preservation Board) feel there is no formal onboarding process, and she agrees it's a gap. She suggested providing them with the past six months' meeting minutes and documents outlining the boards' goals and other key information.

City Manager Shannon Vassen noted that he previously handled onboarding for the Tourism Advisory Council and Livability Commission as Staff Liaison by meeting new members informally (e.g., over coffee or breakfast) to discuss the board's function, role, members' responsibilities, and future priorities. He always ended by providing a list of applicable rules, such as open records and open meetings laws.

Shannon committed to ensuring staff continues this practice with new board members. He also announced that staff will provide training at the next Boards and Commissions Mixer and agreed that the overall onboarding process can be improved. He stated that staff can begin working on that.

Amy reported that Fruita was mentioned in the World Atlas as one of the top sixth safest places to settle in Colorado. She said the writeup is so great and features some pictures that are not typically used and mentioned businesses that aren't typically mentioned. She called it a fun little surprise that just popped up on her Google.

### **COUNCILOR AMANDA QUIGLEY**

Amanda reported that she has an upcoming meeting with the Museums of Western Colorado (MWC) the following day and had nothing else to report.

### **MAYOR MATTHEW BREMAN**

Matthew reported that he received a notification from the Colorado Municipal League (CML) that they are looking for submissions for CML Conference session proposals. Jeannine suggested that the Council submit the creative one that they did previously. Shannon said staff were planning on doing just that.

Matthew reported that the Fruita Area Chamber of Commerce had their Governmental Affairs Committee meeting the previous evening and he met with Senator Rich and Cody Davis at the meeting to discuss with the committee what is going on at the state, county and local levels. He noted that there is a lot of budget uncertainty and the board is trying to figure out how to negotiate the probability of 500+ new bills being introduced, how to communicate that to the community and then, get feedback in a timely manner.

Matthew also reported that he re-sent the form for the Colorado Governor's Fellowship Program and a request for information about the program. Matthew was awarded a partial sponsorship for it (and is paying for some of it himself) and asked the Council members and City Attorney whether the City might be able to reimburse him for \$2,000 out of the \$4,500 tuition fee while he would cover all expenses. City

Attorney Mary Elizabeth suggested that he discuss the matter with Shannon at a later time, but thought it would be similar to how the City supports Council's participation at the Colorado Municipal League's (CML's) Annual Conference, which falls under "Professional Development" expenses for the City.

Jeannine recalled that the Holiday Lighting event was scheduled for the coming Friday and that it would be a little different this year. There is an Anthony Peebles concert starting at 5:30 p.m. at the Mulberry Plaza, Rhema Music & Clothing Company (and potentially a few other businesses) would be providing hot cocoa and the lighting event would begin at 7:00 p.m. in the Circle. There will also be free carriage rides the whole time. Shannon noted that on that same night, the Business Incubator Center (BIC) would be hosting their Holiday Expo from 4:00 to 7:00 p.m. at the BIC. James pointed out that Small Business Saturday would be held on November 29<sup>th</sup> and a big reason for moving the tree lighting event to a week before was to give people another reason to go downtown and shop. He added that the Public Works crews had to get the lights up one week early and did a great job that is surely appreciated.

**10. EXECUTIVE SESSION – TO CONVENE IN EXECUTIVE SESSION TO RECEIVE LEGAL ADVICE FROM THE CITY ATTORNEY PURSUANT TO C.R.S. SECTION 24-6-402(4)(B) REGARDING POTENTIAL BALLOT QUESTIONS FOR THE APRIL 7, 2026 MUNICIPAL ELECTION**

Mayor Breman invited the following individuals to attend the Executive Session:

1. City Manager Shannon Vassen
2. Assistant City Manager Dan Caris
3. City Attorney Mary Elizabeth Geiger
4. Lower Valley Fire Protection District Chief Matthew Smith
5. Fruita Police Chief Dave Krouse

Councilor Purser disclosed that her husband is the Chair of the Lower Valley Fire Protection District Board of Directors, which could be perceived as a conflict of interest. City Attorney Mary Elizabeth Geiger pointed out that this fact was publicly discussed when the Fire Chief previously provided a presentation to the Council at a Regular City Council meeting. Attorney Geiger suggested a revised motion to include receiving advice on the potential conflict of interest.

- **COUNCILOR HANCEY MOVE TO MEET IN EXECUTIVE SESSION TO RECEIVE LEGAL ADVICE FROM THE CITY ATTORNEY PURSUANT TO C.R.S. SECTION 24-6-402(4)(B) REGARDING POTENTIAL BALLOT QUESTIONS FOR THE APRIL 7, 2026 MUNICIPAL ELECTION AND TO RECEIVE LEGAL ADVICE ON A POTENTIAL CONFLICT OF INTEREST. COUNCILOR PARRISH SECONDED THE MOTION. THE MOTION PASSED WITH SIX YES VOTES.**

*The City Council convened in Executive Session at 9:59 p.m. Councilor Purser left the Council Chambers at 10:08 because the optics of participating in the discussion could be a challenge. The Regular Meeting of the City Council was reconvened at 11:13 p.m.*

**11. ADJOURN**

With no further business before the Council, Mayor Breman adjourned the meeting at 11:13 p.m.

Respectfully submitted,

Deb Woods  
Interim City Clerk  
City of Fruita

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