

**FRUITA CITY COUNCIL MEETING  
NOVEMBER 5, 2024  
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 Jeannine Purser  
City Councilor Rich Parrish  
City Councilor Andrea Downs  
City Councilor Amy Miller

**Excused Absent:** City Councilor James Williams  
City Manager Mike Bennett

**City staff present:** Assistant City Manager Shannon Vassen  
Executive Assistant to the City Manager Kaydee Lucero  
Communications & Engagement Manager Ciara Amann  
City Clerk Deb Woods  
Finance Director Joe Zaher  
Public Works Director Kimberly Bullen  
Parks and Recreation Director Marc Mancuso

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

**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**

City Clerk Deb Woods noted that staff had a change to the Consent Agenda with the addition of the City Manager's (Mike Bennett's) letter of resignation for the Council's acceptance.

- **COUNCILOR HANCEY MOVED TO APPROVE THE AGENDA AS AMENDED. COUNCILOR DOWNS SECONDED THE MOTION. THE MOTION PASSED WITH FIVE YES VOTES.**

Mayor Breman pointed out that there had been the following slight changes to the format of the agenda:

1. Public Participation and Consent Agenda will now be combined into one Section.
2. Public Hearings and Action Items will now appear under one Subsection and not separated into Legislative and Quasi-Judicial Subsections in order for the Council to hear certain land

use issues in the proper order without having to make adjustments to the agenda along the way.

#### **4. PROCLAMATIONS AND PRESENTATIONS**

##### **A. PRESENTATION – FRUITA TEACHERS/STUDENTS OF THE MONTH FOR NOVEMBER 2024: SHELEDY ELEMENTARY**

Mayor Breman and City Council members announced the names of the attendees who were nominated as students and teachers of the month and presented them each with a certificate, day pass to the Fruita Community Center and an I-heart Fruita pin. Photos were taken of the teachers and students with the Fruita City Council. Principal Cami Kidd stated that the students were nominated by their teachers (one for each grade level) and staff members were nominated by their colleagues. She commended them all and thanked everyone for coming to the meeting.

##### **B. PROCLAMATION – PROCLAIMING NOVEMBER 2024 AS “LUNG CANCER AWARENESS MONTH” IN THE CITY OF FRUITA TO BE VIRTUALLY ACCEPTED BY CSUF CHAPTER PRESIDENT MOHAMMAD MOHSENI WITH THE AMERICAN LUNG CANCER SCREENING INITIATIVE (ALCSI)**

Councilor Purser read the Proclamation, which was accepted by Mohammad Mohseni with the American Lung Cancer Screening Initiative who appeared at the meeting virtually from Orange County, California. He thanked the Council for the Proclamation.

##### **C. PROCLAMATION – PROCLAIMING MONDAY, NOVEMBER 11, 2024 AS VETERANS DAY IN THE CITY OF FRUITA TO BE ACCEPTED BY AMERICAN LEGION POST 2006 COMMANDER KJ KLINE**

Councilor Downs read the Proclamation, which was accepted by Commander KJ Kline. Cmdr. Kline stated that it is imperative that the City continues to honor veterans and the sacrifices that they make to maintain Americans' freedoms. He invited everyone to place flags on approximately 400 veterans' graves at the New Elmwood Cemetery on Friday, November 8<sup>th</sup> at 9:00 a.m.

##### **D. PRESENTATION – CITY COUNCIL PRESENTATION OF THE 2024 AMERICAN PUBLIC WORKS ASSOCIATION (APWA) COLORADO CHAPTER SMALL COMMUNITY SUSTAINABILITY PROJECT AWARD TO THE CITY OF FRUITA PUBLIC WORKS DEPARTMENT FOR THE H2S MITIGATION PROJECT**

Bill Wulff with the City's Public Works Department pointed out that also in attendance at the meeting were Lynn Reynolds, Jamie Richardson, Kevin DeLong, Matt Haifley and Troy Melroy, who make up the City's Utility Crew. He said that staff has been trying to figure out the H2S problems for a long time and briefly explained the processes utilized by staff to mitigate the situation and replace manhole covers all over town.

##### **E. PRESENTATION – CITY COUNCIL PRESENTATION OF THE 2024 COLORADO MUNICIPAL JUDGES ASSOCIATION LINDA SCHINDEL MOORE LEADERSHIP/ADMINISTRATOR AWARD TO THE MUNICIPAL COURT CLERK MAMIE ALSUP**

Mayor Breman announced that the Colorado Municipal League (CML) Judges' Association votes every other year "Leadership/Administrator of the Year" and this year, Fruita's very own Municipal Court Clerk Mamie Alsup won the award. The Mayor recognized her for her excellence, innovation and dedication and shared an example of when, on her own initiative, Mamie researched and identified software that will result in a paperless system for the Municipal Court that is being implemented this month. He thanked Mamie for her work and service to the court and congratulated her on the award, which Mamie accepted in person at the Council meeting.

## **5. PUBLIC PARTICIPATION AND CONSENT AGENDA**

### **6. CONSENT AGENDA**

- A. MINUTES – A REQUEST TO APPROVE THE MINUTES OF THE SEPTEMBER 17, 2024 CITY COUNCIL WORKSHOP MEETING**
- B. MINUTES – A REQUEST TO APPROVE THE MINUTES OF THE SEPTEMBER 17, 2024 REGULAR CITY COUNCIL MEETING**
- C. MINUTES – A REQUEST TO APPROVE THE MINUTES OF THE SEPTEMBER 24, 2024 CITY COUNCIL WORKSHOP MEETING**
- D. MINUTES – A REQUEST TO APPROVE THE MINUTES OF THE OCTOBER 1, 2024 REGULAR CITY COUNCIL MEETING**
- E. MINUTES – A REQUEST TO APPROVE THE MINUTES OF THE OCTOBER 7, 2024 SPECIAL CITY COUNCIL MEETING**
- F. MINUTES – A REQUEST TO APPROVE THE MINUTES OF THE OCTOBER 15, 2024 CITY COUNCIL WORKSHOP MEETING**
- G. MINUTES – A REQUEST TO APPROVE THE MINUTES OF THE OCTOBER 15, 2024 REGULAR CITY COUNCIL MEETING**
- H. MINUTES – A REQUEST TO APPROVE THE MINUTES OF THE OCTOBER 22, 2024 CITY COUNCIL WORKSHOP MEETING**
- I. ORDINANCE 2024-18 – SECOND READING – APPROVING A LONG-TERM LEASE WITH CAPITAL BUSINESS SYSTEMS, INC. FOR A COPIER SYSTEM AND RELATED SERVICES AT THE PUBLIC WORKS DEPARTMENT AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT**
- J. ORDINANCE 2024-19 – SECOND READING – APPROVING A LONG-TERM LEASE WITH CAPITAL BUSINESS SYSTEMS, INC. FOR A COPIER SYSTEM AND RELATED SERVICES AT THE WASTEWATER RECLAMATION FACILITY AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT**
- K. RESOLUTION 2024-34 – A REQUEST TO APPROVE A RESOLUTION AMENDING THE 2024 BUDGET AND TRANSFERRING FUNDS FROM THE GENERAL FUND CONTINGENCY ACCOUNT FOR DOWNTOWN LAND ACQUISITION AND LEGAL FEES**

- L. RESOLUTION 2024-35 – APPROVING AN INTERIM CITY MANAGER EMPLOYMENT AGREEMENT AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT**
- M. RESOLUTION 2024-36 – SUPPORTING A CONGRESSIONAL DIRECTED SPENDING AWARD FOR THE MAPLE STREET BRIDGE REPLACEMENT AND AUTHORIZING STAFF TO EXECUTE THE INTERGOVERNMENTAL AGREEMENT**
- N. LETTER OF RESIGNATION – A REQUEST TO ACCEPT A LETTER OF RESIGNATION FROM CITY MANAGER MIKE BENNETT (ADDED TO CONSENT AGENDA AT BEGINNING OF MEETING)**

After hearing no comments from the public, Mayor Breman referred the Consent Agenda to the City Council.

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

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

- A. QUASI-JUDICIAL PUBLIC HEARING: CHANGE OF LOCATION OF A RETAIL LIQUOR STORE LIQUOR LICENSE – A REQUEST TO APPROVE A CHANGE OF LOCATION ON A RETAIL LIQUOR STORE LIQUOR LICENSE FOR BEST BOYS, LLC DBA FRUITA LIQUOR MART CURRENTLY LOCATED AT 423 HIGHWAY 6 & 50**

City Clerk Deb Woods provided staff's presentation on the application for a Change of Location on a Retail Liquor Store License for Fruita Liquor Mart. The application's proposal was to move the liquor store from 423 Highway 6 & 50 to a mostly vacant lot at 733 Highway 6 & 50. She also provided the dates and methods of noticing the public hearing both in the Daily Sentinel and at the current site of the liquor store.

Ms. Woods reviewed regulations contained within the Colorado Liquor Code that apply to a Change of Location for a Retail Liquor Store liquor license. One of these provisions is that an applicant must state the reason for the Change of Location, which, for Fruita Liquor Mart, is so that they can expand the retail space and in order to incorporate a drive-through.

Ms. Woods also provided some history concerning the one violation that Fruita Liquor Mart has had in its 14 years of holding a liquor license. The owners of the liquor store began conducting biweekly compliance checks to verify that their staff are requesting identification and petitioned the Liquor Enforcement Division to have them find Fruita Liquor Mart to be a Responsible Alcohol Beverage Vendor, which was granted.

The owners of Fruita Liquor Mart contracted with Brian Turner, owner of Alcohol Petitioning Services to conduct a survey of Fruita residents and businesses to be utilized as evidence of the "Needs and Desires of the Neighborhood," which must be considered by the local licensing authority pursuant to the Colorado Liquor Code. The final analysis concluded that between 97.1% and 100% of the people who signed the survey are in favor of approving the Change of Location. One person

opposed the Change of Location and when asked to provide their reason for the opposition, stated that it was because they don't drink alcohol.

Ms. Woods provided staff's recommendation of approval of the Change of Location for Fruita Liquor Mart to the City Council. She noted that Alex Vat, owner of Fruita Liquor Mart, was present in the audience as the applicant's representative, as was Brian Turner, the owner of a business that conducts regular Responsible Vendor Training for Fruita Liquor Mart and another business that circulated the Neighborhood Survey for Fruita Liquor Mart. Neither Alex nor Brian had anything they wanted to add to staff's presentation.

Mayor Breman opened the public hearing on the Change of Location application. Hearing no comments from the public, he referred the agenda item to the City Council for their questions, comments and concerns.

- **COUNCILOR PURSER MOVED TO APPROVE THE CHANGE OF LOCATION ON A RETAIL LIQUOR STORE LIQUOR LICENSE FOR THE BEST BOYS, LLC DBA FRUITA LIQUOR MART CURRENTLY LOCATED AT 423 HIGHWAY 6 & 50 TO 733 HIGHWAY 6 & 50. COUNCILOR DOWNS SECONDED THE MOTION. THE MOTION PASSED WITH FIVE YES VOTES.**

## **8. ADMINISTRATIVE AGENDA**

### **A. 2025 BUDGET PRESENTATIONS – QUALITY OF PLACE AND COMMUNITY WELLNESS AND PERSONNEL AND EMPLOYEE RETENTION PRESENTATION - ASSISTANT CITY MANAGER SHANNON VASSEN**

Mr. Vassen provided a presentation that focused on Quality of Place and Personnel as part of the Annual 2025 Budget and a strategic outcome that is included in Fruita's Strategic Plan. The Budget presentation covered the following (with the corresponding Page numbers in the Budget document listed below):

- Quality of Place and Community Wellness
  - Parks and Recreation Department – Pages 191 – 222
  - Fruita Community Center Fund – Pages 258 – 309
  - Public Safety General Fund – Pages 138 - 161
- Personnel and Employee Retention
  - All Funds Summary – Pages 21-31
  - Transmittal Letter – Page 4 – 9
  - All Funds with Personnel

Mr. Vassen also provided a list of notable budget changes in the 2025 Budget. Budget presentations give the Mayor and City Council the opportunity to ask questions, provide feedback and potentially request changes to the draft budget. The Council had no directions for any desired changes, but Councilor Hancey wanted to know when the Council might see a Statement of Financial Position for the Budget. Mr. Vassen responded that he added the "All Funds Summary" in the last presentation and staff will have the Fund Balance updated in the next draft of the Budget, so usually that's a part of it. He added that the only Fund that staff is pulling from is the General Fund and he estimated that it will be \$800,000 at the end of it.

Mayor Breman asked why the Information Technology (IT) Budget keeps increasing. Mr. Vassen responded that the more users the City has, the more the IT costs go up, but staff is also using more software than ever before, so that accounts for a lot of the increases. He used the Communications Department and Project Manager software as good examples of this. Mr. Vassen added that the City has also launched Xpress Bill Pay for its utility billing and approximately 400 people have already signed up for paperless billing through it. He added that the benefits to staff of all the new software have been huge for streamlining processes and reducing some future costs in other ways (such as for paper).

Mayor Breman noted that he has been seeing increases of closer to 16% in the marketplace for health insurance, and the City's increase in 2025 is well below that at 9.5%.

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

Assistant City Manager Shannon Vassen had only the following to report:

- The City is hosting a going-away get together for current City Manager Mike Bennett on Friday, November 8<sup>th</sup> at 169 S. Mulberry from 4:00 to 6:00 p.m.

## **10. COUNCIL REPORTS AND ACTIONS**

### COUNCILOR AMY WILLIAMS

Amy reported that at the Historic Preservation Board meeting the previous day, they got their plaques in to replace the outdated ones in downtown and will be adding two or three additional ones.

Amy also reported that she and Mayor Breman attended the Grand Junction Regional Economic Partnership (GJEP) 40<sup>th</sup> Anniversary Celebration that was very well attended. She said it was really cool to hear from the founders of GJEP, each of whom spoke about their vision and how they came about. The founders stated that GJEP is running better than it ever has under Curtis' leadership. Matthew added that it was nice how the founders shared frankly with everyone about how they started off, where they had successes and where they had failures. Amy called it a great networking opportunity as well.

Amy asked for an update on the flooding issues with the Little Salt Wash. Shannon said that Family Health West cleared some of the debris, so the water is flowing much better than it was. City staff has been communicating with the property owners and Family Health West on what the future needs are for the area and City Attorney Mary Elizabeth Geiger will be weighing in on it (her specialty is water law) when she returns from being out of the country. Shannon said as soon as the water gets drained, staff will be taking another look at the Wash to evaluate what the need is and will report back to Council. All communication is currently flowing through one of the City's Engineering Project Managers, Steve Martinez.

Amy reported that a resident reached out to her about the pickleball net at Reed Park and Parks and Recreation Director Marc Mancuso was really fantastic about responding very quickly to her about it. She said there is a lock on it and asked Marc if maybe some signage could be installed concerning how to access the net. Marc said he would work with Communications and Engagement Manager Ciara Amann on getting some signage at the park. Staff didn't want to put the code to the lock anywhere around it, but Marc said potential signage could instruct park users to contact the Fruita

Community Center for the code to unlock it. Previously, the code was there but someone stole the lock the very first day it was there.

#### COUNCILOR ANDREA DOWNS

Andrea reported that the Museums of Western Colorado (MWC) are working on their AAM Accreditation, which is a very big deal that has required a lot of work and effort to fulfill the mission of the MWC. They hosted "Heritage Days" at the Heritage Farms location and 651 patrons attended.

Andrea also reported that the Fruita Arts and Culture Board discussed Trick or Treat Street and ways to interact with the community. The board did give out many of the Fruita historical coloring books, which Andrea said always goes over really well.

#### COUNCILOR RICH PARRISH

Rich reported that the Fruita Tourism Advisory Council (FTAC) chose a marketing and promotions firm and has directed staff to negotiate a contract with them. Assistant City Manager Shannon Vassen explained that the contract has been submitted to the firm and staff anticipates it will probably be before the Council for approval on November 19<sup>th</sup> or December 3<sup>rd</sup> at the latest. Shannon added that he thinks they are going to be great in their role and that they are very excited to begin working with the City. They will provide the Council with a presentation once the contract has been approved. Rich said that as a non-voting member of the FTAC, it was interesting to hear the discussion about the difficult decision the board had to make in choosing one firm over another that was also a finalist. The FTAC now has a vacancy on the board and Rich noted that he and the Mayor are scheduled to interview a few applicants in the first part of December.

Rich also reported that he was unable to attend the Grand Valley Regional Transportation Committee (GVRTC) meeting, but he was told that Public Works Director Kimberly Bullen substituted very well for him. Rich said the board was working on a Safety Plan, but he wasn't sure what else may have been decided upon at the meeting.

#### COUNCILOR JEANNINE PURSER

Jeannine reported that she will be attending her first Fruita Youth Action Council meeting the following week and would report on that later.

Jeannine asked a question about the City's Xpress Bill Pay option for utility payments. She wanted to know whether someone who was already set up for auto-pay would have to do anything. Shannon explained that people will have to login to Xpress Bill Pay to arrange for paperless billing, but that ACH auto-pay customers are not required to make any changes. Jeannine said she didn't think the instructions on the City's website are quite accurate and Shannon said he would look into it and get back to the Council in the morning.

#### MAYOR MATTHEW BREMAN

Matthew thanked all those who helped make Trick or Treat Street happen. He said there were a lot of people in attendance and everyone seemed to be having fun. He also said he loved staff's theme this year: cowboys.

Matthew congratulated Shannon on becoming Interim City Manager and thanked him for all his hard work. Shannon thanked the Mayor and Council and said it is an absolute honor to work for the Fruita community.

Matthew noted that the recruiter for the City Manager position (Drew Gorgey) posted on LinkedIn that Fruita “is the gold standard to go by.” Matthew added that in the comments for that post, there were a lot of compliments for City staff and the entire organization that is Fruita. Amy requested that Matthew forward the post to her.

Matthew said he did get a call at the end of the previous week from someone who wanted to know if Fruita still has Jim Crow laws on its books because they were at a doctor appointment and somebody else who said they were an educator who gives talks at schools was talking about how the laws are still in effect. Matthew said he would like to find out who that person is so that the Council can sit down with that person to have a conversation about the matter, although he did assure the caller that there are no “Jim Crow” laws after he went through and read the entire Municipal Code. He added that he thinks there may be something about it in Steve and Denise Hight’s historical book about Fruita and maybe that’s where some of it was coming from. Matthew asked the other Council members and staff to let him know if anybody hears any more about the source of the confusion. Amy said the issue seems to randomly pop up about once per year.

## **11. EXECUTIVE SESSIONS – IF REQUESTED**

Mayor Breman pointed out that “Executive Sessions – If Requested” is a new Section of the agenda and if staff and the Council have Executive Sessions planned ahead of time, that is where they will be listed. He said it’s also a reminder that if anything comes up, the Council can always move into Executive Session.

## **12. ADJOURN**

With no further business before the Council, Mayor Breman adjourned the meeting at 8:24 p.m.

Respectfully submitted,

Deb Woods  
City Clerk  
City of Fruita