

**FRUITA CITY COUNCIL  
IN PERSON AND VIRTUAL MEETING  
APRIL 4, 2023  
7:00 P.M.**

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

Mayor Kincaid called the regular meeting of the Fruita City Council to order at 7:36 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  
City Councilor Amy Miller  
City Councilor Aaron Hancey (stepped out of the room momentarily)

**Excused Absent:** (None)

**City staff present:** City Manager Mike Bennett  
Assistant City Manager Shannon Vassen  
Deputy City Clerk Deb Woods  
Communications and Engagement Specialist Ciara DePinto  
City Clerk/Finance Director Margaret Sell  
Planning & Development Director Dan Caris  
City Attorney Mary Elizabeth Geiger

**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**

- **COUNCILOR BREMAN MOVED TO APPROVE THE AGENDA AS PRESENTED. COUNCILOR MILLER SECONDED THE MOTION. THE MOTION PASSED WITH FIVE YES VOTES (COUNCILOR HANCEY STEPPED OUT OF THE ROOM FOR A BRIEF MOMENT).**

**4. PROCLAMATIONS AND PRESENTATIONS**

- A. PROCLAMATION – PROCLAIMING THE WEEK OF SUNDAY, APRIL 16 THROUGH SUNDAY, APRIL 23, 2023 AS “DAYS OF REMEMBRANCE” IN THE CITY OF FRUITA IN MEMORY OF THE VICTIMS OF THE HOLOCAUST AND IN**

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**HONOR OF THE SURVIVORS, AS WELL AS THE RESCUERS AND LIBERATORS  
TO BE ACCEPTED BY JOHN AINSLIE**

Mayor Kincaid read the Proclamation, which was accepted by John Ainslie, retired Assessor from Michigan and whose uncle was a liberator at one of the concentration camps.

**5. PUBLIC PARTICIPATION**

Lane Good, 181 Arches Drive, spoke in opposition of the Fruita Mews housing project, which had just been previously discussed in a joint meeting of the Fruita City Council and Fruita Housing Authority. He cited crime statistics, stating that the number one indicator of crime rates is poverty. Mr. Good expressed concerns about crime and the potential of the new development (Fruita Mews) bringing and spreading crime into and throughout the City of Fruita. He also said that he plans on leaving Fruita in the next ten years because he does not like what is happening to Fruita concerning its growth.

*Councilor Aaron Hancey returned to the Council Chambers at approximately 7:48 p.m.*

**6. CONSENT AGENDA**

- A. MINUTES – A REQUEST TO APPROVE THE MINUTES OF THE MARCH 21, 2023 REGULAR CITY COUNCIL MEETING**
- B. LIQUOR LICENSE RENEWAL – A REQUEST TO APPROVE THE RENEWAL OF A HOTEL AND RESTAURANT – MALT, VINOUS & SPIRITUOUS LIQUOR LICENSE FOR KARMA KITCHEN LOCATED AT 229 E. ASPEN AVE.**
- C. LIQUOR LICENSE RENEWAL – A REQUEST TO APPROVE THE RENEWAL OF A BEER AND WINE – MALT AND VINOUS LIQUOR LICENSE FOR LEAP ENTERPRISE, LLC DBA PABLO’S PIZZA OF FRUITA LOCATED AT 456 KOKOPELLI BLVD., UNIT C**

Mayor Kincaid asked if there were any requests to remove any item(s) removed from the Consent agenda for further discussion. There were no such requests. Mayor Kincaid asked the same question of the City Council and there also were no such requests.

- COUNCILOR KREIE MOVED TO APPROVE THE CONSENT AGENDA AS PRESENTED. COUNCILOR PURSER 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 agenda items.

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

Planning and Development Director sat in for City Manager Mike Bennett and reported on the following:

- City Manager Mike Bennett had forwarded an email from the Colorado Municipal League (CML) to the Mayor and City Council members concerning SB23-213, which would take land use and zoning decisions out of the hands of local municipalities in Colorado. The email provided a link where individuals can sign their name and title in opposition of the proposed bill by no later than Wednesday, April 5, 2023. The City Council members (including the Mayor) were in agreement that they wanted to and would sign the letter in opposition to the bill.

There was some discussion about when City Councilors can take a position on an issue as a City Councilor versus as an individual. Mayor Kincaid reminded everyone that in order to sign their name and title to something as a City Councilor, they must have the approval of the entire Council. Otherwise, they can only sign as an individual.

Councilor Breman pointed out that the same would be true of the Housing Authority Commissioners. Mayor Kincaid suggested that the Housing Authority agree to that policy, as did the City Council in the past.

Councilor Breman disclosed that he had made a donation to a candidate, that the donation was made from himself as an individual, and that his title of "Fruita City Councilor" was in no way associated with the donation, although the Daily Sentinel still reported it as such.

Communications and Engagement Specialist Ciara DePinto gave the Council an update on the next "State of the City" video project she is working on and asked if they had 30 minutes to meet before either one of the two next upcoming Council meetings on April 18<sup>th</sup> or April 25<sup>th</sup>. The Council came to a consensus to meet in the Council Chambers at the Fruita Civic Center on April 25, 2023 at 6:00 p.m. (before the Council workshop meeting, which starts at 6:30 p.m.). Ciara said she would email the Mayor and Council members a meeting invitation so they would have it on their calendars.

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

### **COUNCILOR AMY MILLER**

Amy reported that she attended a "Lunch-and-Learn" hosted by one of the local lenders with speaker Andrea Haitz the previous week for an in-depth look at school closures and reconfigurations. She asked if the City of Fruita would be hosting another "Bike to School or Work" event. Ciara explained that Fruita's Parks and Recreation Department usually collaborates with Mobile Mesa County on it and that

she would look into it to provide the Council with an update. Amy said it was Mesa County who had posted an event flyer, but that she hadn't seen anything yet in Fruita.

James noted that there would be an Open House concerning school closures and reconfigurations and asked if the City could help get the word out about it. He said that nobody knew about the last meeting that Amy was referring to. Amy said she only received a week's notice on that last one and that there are two Town Hall meetings coming up. James urged Ciara to include the information for the upcoming dates in staff's updates.

#### MAYOR PRO TEM MATTHEW BREMAN

Matthew asked if everyone was planning to attend the Fruita Area Chamber of Commerce's Annual Banquet on April 15<sup>th</sup> at 5:00 p.m. All Council members and the Mayor said they would be attending plus one.

Matthew also asked if any of the other Council members were going to the VIP After Party at Timberline Bank following the Grand Junction Economic Partnership (GJEP) Western Colorado Economic Summit (at which he will be speaking) scheduled for Thursday, April 27, 2023. Councilors Williams and Hancey said they would like to attend and Mayor Kincaid said he may attend as well, but he wasn't sure yet.

Matthew also reported that he is still having issues with getting his Housing Authority email to work on correctly through Apple Mail and requested help from staff.

Aaron stated that he talked to Shannon and they both wanted Housing Authority emails to go through Apple Mail.

#### COUNCILOR AARON HANCEY

Aaron reported that the Parks and Recreation Advisory Board is excited for the opportunity to present an update to the City Council and meet with them concerning the board's purpose and current and future goals at a workshop meeting. He noted that the board received an estimate of \$0.25 million dollars for lighting at one of the baseball fields at the Little Salt Wash Park.

#### MAYOR JOEL KINCAID

Joel announced that he would be attending the ribbon-cutting ceremony for Bark Park, the City's new dog park on Monday, April 17, 2023 at 4:00 p.m. James will be attending the event as well and will be cutting the ribbon.

### **11. ADJOURN**

With no further business before the Council, Mayor Kincaid adjourned the meeting at 7:59 p.m.

Respectfully submitted,

Debra Woods  
Deputy City Clerk  
City of Fruita

DRAFT