

**FRUITA CITY COUNCIL
WORKSHOP
JULY 25, 2023
6:30 P.M.**

CALL TO ORDER AND ROLL CALL

The workshop of the Fruita City Council was called to order at 6:30 p.m. by Mayor Joel Kincaid. City Council members present were Mayor Pro Tem Matthew Breman, and City Councilors Jeannine Purser, James Williams, Amy Miller, Ken Kreie and Aaron Hancey.

City Staff present were City Manager Mike Bennett, Assistant City Manager Shannon Vassen, Planning and Development Director Dan Caris, City Planner Henry Hemphill, Communications and Engagement Specialist Ciara DePinto and Deputy City Clerk Deb Woods.

Also in attendance were members of the Historic Preservation Board and Fruita Tourism Advisory Council (FTAC).

AGENDA ITEMS

1. HISTORIC PRESERVATION BOARD – UPDATES AND DISCUSSION (6:30 – 7:00 PM)

City Planner Henry Hemphill presented an overview of the Historic Preservation Board's (HPB's) accomplishments, projects and goals. The majority of the conversation was focused on the continuation of the plaque program in recognition of historic buildings (Fruita has a total of 28). The plaques are installed on site or from a viewing distance and are designed to mimic the Walking Tour Brochure. Existing plaques along Aspen were completed by the HPB in coordination with the Downtown Advisory Board (DAB).

The HPB has discussed doing smaller plaques for residential buildings that would feature the Fruita logo and would be attached directly to the building. Councilor Purser recalled that there were previous discussions about this but the consensus at the time was that people don't want to get close enough to residential structures to be able to read what is on the plaques and it would make for much less of an interaction if people couldn't see them from the sidewalk/street. HPB member Dorrie Handley stated that some homeowners would not want the plaques attached to the structure but would prefer them on a stake out front, so it could be a combination of both.

Mr. Hemphill noted that for the plaque program, the HPB will need financial support. They have approached the Fruita Tourism Advisory Council (FTAC) about potentially partnering on it with tourism dollars and they said they may be able to provide some assistance. Mr. Hemphill stated he could get some estimates on the cost and bring those to another Council workshop meeting for discussion. There was consensus among the Council members to provide financial support to the HPB for the plaques program.

Councilor Breman wondered what the criteria are for properties to get a plaque and Mr. Hemphill said there is a ranking mechanism (mainly it is related to age) but that the HPB should probably revisit that because it can be a little subjective. Currently, board members search for details on the Mesa County Assessor's website and then travel to the properties to assess them. He noted that previous members Steve and Denise Hight had more experience at this but are no longer on the board. He also pointed

out that for a property to be designated as a historical site on the City's register, the City Council has to formally act on it.

Mr. Hemphill stated that the HPB has worked closely in partnership with the Rotary Club, Thrift Store, Fruita Area Chamber of Commerce and other Boards and Commissions of the City. He added that a funding sponsorship for the plaques might be counterintuitive because the Fruita logo will be on them, but the Fruita Thrift Store is pledging \$3,000 for the History Fair that will be featured at Fruita Fall Festival. The HPB would also like to print more of their coloring books, but it would require asking for some financial support to do so. The City Council members were in agreement that the HPB should be provided with some financial support.

Planning and Development Director Dan Caris noted that in the City's Historic Register governed by the Fruita Land Use Code, a property must be a minimum of 50 years old, for the state's historical register, it is a minimum of 60 years. He added that the City of Fruita also contemplates cultural and geographical components.

Councilor Hancey made the comment that the displays in the Fruita Civic Center are stagnant and should be considered for updates. Mr. Hemphill explained that the Lower Valley Heritage Room is the owner of most of the displays and offered to look into it.

2. FRUITA TOURISM ADVISORY COUNCIL (FTAC) DISCUSSION (7:00 – 7:30 PM)

Assistant City Manager and Staff Liaison to the FTAC Shannon Vassen noted that this agenda had been rescheduled from the May Council workshop meeting. He handed out copies of the *Fruita-Palisade Gravel Adventure Field Guide*, which was the first project included in a work plan for both municipalities through the state and paid for with a state grant. 14,000 copies were printed and have been delivered to Salt Lake City and up and down the I-70 corridor. Mr. Vassen said he has heard that bike shops (as well as other businesses) in both Fruita and Palisade really like them.

Other updates for the FTAC were as follows:

- Participation in the "Reimagine Destinations" Program through the Colorado Tourism Office. The state will hire a photographer and videographer to help Fruita gain more assets in photos and videos that can be used for current and future marketing.
- Goals: supporting special events such as Kids Adventure Games, CO2UT and a few others.
- Johanna van Waveren with the Colorado National Monument Association is the new Chair of the FTAC.

City Manager Mike Bennett and Mr. Vassen added the following updates for the Parks and Recreation Department and additional tourism matters:

- Special Events will now be handled by Matt Carson, the City's Neighborhood Services Coordinator in the Community Development Department.
- Youth events such as the Easter Egg Hunt will now be handled by the Community Center's Youth Coordinator, Miranda Carrithers.
- Athletics will now be handled by the Recreation Coordinator who does the Programming for the Parks and Recreation Department.
- Big events will be under the purview of Parks and Recreation Director Marc Mancuso.

- The Parks and Recreation Department will replace Recreation Coordinator McKenzie Kimball and that person will report to Communications and Engagement Specialist Ciara DePinto. Staff sees that position as evolving into assisting with some of the City's tourism functions like social media posts and day-to-day postings on the City's website.
- With a local person available to capture photos and create links, the City could reduce its marketing contract.
- Marketing reserves are still pretty healthy, but some will be used to assist with the City's Trail Program.
- Lodging tax revenues are a little flat.
- An intern named Katie (who is a Senior at Colorado Mesa University and the Editor of the CMU newspaper) will be working for three months to help with general communications of the City and updates on the tourism website.

There was a discussion about how it is normal for municipalities to have both a municipal and a tourism website because marketing is separated from the core services of the City. Councilor Hancey wanted to know what marketing efforts the City has beyond mountain biking and Mayor Kincaid reminded everyone that Fruita has world-class trails. The Mayor also recalled when Fruita tried to gear marketing towards family-friendly activities, but the City/FTAC saw way fewer online clicks, so he thinks they should keep doing what has worked in the past.

Councilor Breman mentioned guerilla marketing. He added that an effective strategy could be to get people to the tourism website with mountain biking and then they can be shown other things Fruita has to offer.

Mr. Vassen reported that the FTAC is working with Town of Palisade on community calendars for both places. He added that there is a work plan in place in partnership with Palisade for the next three to four years to include short-term and long-term goals.

Councilor Hancey still wanted to know what the FTAC is doing to change the focus from mountain biking or if it is even doing that. Mr. Bennett explained that it's been difficult over the last five or more years. He recalled how the FTAC tried to do an "Adventure Campaign" but that was right during the pandemic. He said that staff and FTAC don't want to do away with mountain biking marketing efforts because that is one of Fruita's strengths, but that it could be expanded to activities a whole family can enjoy. The FTAC also tried promoting the Colorado National Monument, but it didn't really turn into having people stay in Fruita.

Mr. Bennett continued that Fruita is unique due to Horseshoe Canyon, so rafting has also been promoted by the FTAC. He concluded that Fruita is recreation based, so staff and the FTAC will continue to package the variety of recreation options the City has to offer.

Fruita Area Chamber of Commerce Liaison to the Board Kayla Brown noted that the board has been contemplating a shift of focus on who Fruita's core audience is. They have been looking at photos to perhaps capture more women and a more singular audience.

Mr. Vassen said that he feels the FTAC knows what Fruita's strengths are and is trying to be genuine. He noted that an online influencer from Denver came to the Mike the Headless Chicken Festival, ran the 5K, visited Dinosaur Journey and then created a bunch of reels. He proposed the idea of bringing a runner to Fruita to document their experience.

Mr. Bennett added that trail running in Fruita often brings in many people from several other states and a few other countries.

There was continued discussion concerning:

- The benefits of recreation guides for weekend trips and having a mix of community events.
- How many people come to Fruita from bigger cities and are amazed at how much live music the City has.
- The FTAC has had some thought about combining events such as Fruita Fall Festival and Fat Tire Festival and how the promoters of those events are seeking more funding to bring in more people.
- The promoters of the Fat Tire Festival want to do more but they need to know if they have a commitment from the City/FTAC.
- The FTAC should explore agencies and groups they know they want to partner with without them having to go through the hoops of applying for City sponsorships and grants.
- Mr. Bennett said he would forward the link to the *Gravel Adventure Field Guide* Anchorman satirical video to the Mayor and City Council.

3. FRUITA CITY CHARTER – REVIEW AND DISCUSSION OF THE FRUITA CITY CHARTER FOR POTENTIAL AMENDMENTS TO BE PRESENTED TO THE VOTERS IN APRIL 2024 (7:30 – 9:00 PM)

City Manager Mike Bennett explained that every six years, Fruita's City Charter requires a review by the City Council, which could lead to changes that would have to go on a ballot for a vote of the people. Staff has maintained a list of bullet points that were noted as things that the Council might want to take a look at. He also explained that the Council should be careful to consider what is really a priority, as Fruita will already have a TABOR "de-brucing" measure on the ballot. Mr. Bennett pointed out that it has been proven that if there are too many questions on a ballot, people tend to just vote no on all of them and that for one change to the City Charter, the language on the ballot could be very extensive. Mayor Kincaid said it may not make sense to put changes to the Charter on the ballot this time; that perhaps it should be put off until later.

City Clerk/Finance Director Margaret Sell noted that the City Attorney stated that there are grammatical errors that should be corrected at some point. She reviewed each of the other Charter sections that have been identified for review, either by staff over the years or the City Council for the next review cycle.

Discussions were held about the following:

- Definition of a quorum: Charter says it shall mean at least four members. Staff feels the priority on this is medium/high (but not dire) because recently when a City Councilor resigned, if one of the remaining Council members was absent, there wouldn't be a quorum according to the Charter. Councilor Williams said he preferred to leave it at four, unless there were only three or four Council members, and then it could change to a majority. Councilor Breman felt it should be a "majority," not four.
- Powers and duties of the Mayor: To consider whether or not the Mayor fills a quorum. Mayor Kincaid noted that he only votes if there is a tie and that when referring to Council, it is really only the six members; the Mayor is separate. He said his preference would be to not include

the Mayor's seat when filling a quorum and to instead change the definition of what constitutes a quorum.

- Powers and duties of the City Manager concerning hiring and firing of heads of all City departments with the approval of the Council: Councilor Breman said didn't want the "approval of the Council" removed because he feels there should be checks and balances in the case the City ever ends up with a City Manager that doesn't have the best interests of the City at heart. Mr. Bennett said he hasn't had an issue with hiring; that he's comfortable in making an offer to potential Department Heads. He added that it is usually more about "fit" and that there are nuances to be considered. He also noted that there are laws and restrictions concerning the Council not having authority in hiring/firing directors.
- Powers and duties of the Election Commission: Ms. Sell noted that the Charter includes language concerning "precincts," which Fruita doesn't have (no feedback from the Council was received). In the event of a tie vote, the Election Commission shall determine by lot the person or persons who shall be elected. Ms. Sell said wasn't sure that Fruita needs an Election Commission to accomplish that. Councilor Hancey said he thought it might be best to leave it alone for now because people might think the City was getting rid of guiderails. He also suggested having the Election Commission look at all the laws and bring it back to the City Council.
- Timing of election: Whether Fruita wants to change it to November instead of April for potential cost savings because there is a \$15K difference to have Mesa County run Fruita's ballots and do signature verification. Ms. Sell stated that she plans to ask if Mesa County will do signature verification for the City of Fruita's 2024 Election because they have automated equipment to handle it instead of the manual process Fruita now uses. One issue is that it could conflict with Primary Elections. Councilor Breman worried about Fruita's elections getting convoluted with Mesa County's politics. Audience member Michael Handley joined the conversation and stated that one option would be for Fruita to move its elections to an odd year because then they wouldn't collide with other even-year elections.
- Ms. Sell pointed out that for the last couple of elections, Fruita has helped the Town of Palisade's Elections by providing tabulation equipment and election judges.
- Article 8 concerning conveying property: Ms. Sell asked if the Council wants to create a new section to say that the Council has authority to convey property. It wouldn't change the process; it just adds clarity.
- Article 10: Ms. Sell explained that this section specifies dates for an initiative, referendum, and recall. Because the Municipal Election Code has been revised, these timeframes really don't work.
- There was consensus among the Council to do the clean up of the Charter when the City of Fruita does not have a TABOR question on the ballot. City Manager Mike Bennett stated that staff wants to start working on draft language for at least the gender issue (to make it neutral) and the definition of a quorum.
- Ms. Sell noted that in December, the Council will be looking at the Second Reading of an Ordinance setting the ballot title for the City's 2024 Municipal Election.

COLORADO MUNICIPAL LEAGUE (CML) HIGHLIGHTS

City Manager Mike Bennett said he attended two keynote speaker sessions. The first was concerning keeping a positive attitude and the group was amazed at how the speaker seemed like a therapist. The second session he attended was about “Healing our Politics.”

Councilor Purser said she learned about dealing with negativity and emotions. She said it was very emotional, dramatic and super impactful.

Mr. Bennett talked about dealing with people’s emotions, treating others like you would treat your younger self and being tough on issues, but easy on people.

Mr. Bennett asked the Council to consider other ways of rearranging the Council room such as with round tables.

Councilor Miller said she loved the unification of how all municipalities came together. She liked the session dealing with homelessness and said some communities are coming up with innovative solutions. Some of her best takeaways from the conference were the conversations she had with others and everyone’s time together.

Mr. Bennett reminded the Council for next year that the rooms go super-fast, so it is best to have staff make reservations ASAP. He added that the reservations can always be cancelled.

Mr. Bennett stated that Fruita has a lot to be grateful for when looking at how well our Council members work together.

Councilor Breman loved the session about Bob’s Rules of Order. He said CML will be sending all City Clerks a “cheat sheet”-type of publication in a few weeks. He said most people he talked to feel that Fruita is Rockstar and it made him have an appreciation for Fruita’s City Council because there is respect among all members, even though they may have disagreements. He attributed that to Mayor Kincaid.

Councilor Purser said she was also very grateful. She wondered if staff should look into getting an American Sign Language (ASL) interpreter. Mr. Bennett said staff is looking at what things are available right now.

Mr. Bennett noted that one idea that kept coming up at the conference was community involvement such as mentorships for homeless people. He added that perhaps the City could look into utilizing regional services better and connecting people to resources more efficiently.

Councilor Purser called homelessness an opportunity, not a problem, and asked if the Council could get an overview from the Fruita Police Department.

Councilor Williams said he liked meeting new people and seeing where they are at with things. He experienced an overall positive attitude that gave him a lot more hope about the state as a whole. He said he found himself in some really cool conversations and added that he’d like to see Fruita do more things in conjunction with other cities like Palisade (for example).

Councilor Kreie noted that about 1/3 of the courses were related to housing and that the Council shouldn't shy away from ideas that are "out of the box."

Councilor Williams asked how Fruita can strengthen ties with other municipalities and Mr. Bennett noted that staff has been talking about having the Council take a tour of Montrose (including dinner) and having Montrose come to Fruita for the same.

Councilor Breman recalled how at the conference, he heard everywhere that Fruita is ahead of the curve.

Councilor Purser suggested that everyone look the story up of the very contentious election in Colorado Springs because it was a beautiful example of how a Mayor should be.

OTHER

City Clerk/Finance Director Margaret Sell spoke about a property the City owns in Grand Valley Estates at J 2/10 and 18 ½ Roads and said there is a man who is interested in buying it. She said his urgency level is picking up and he asked if the Council is interested in selling. She noted that staff could get an appraisal and initiate a City Ordinance. She received direction from the Council to move forward and City Manager Mike Bennett said staff will have Laurie Chesney put the property on the market after getting the appraisal.

It was noted that the Council did not have the Downtown Advisory Board (DAB) Bylaws discussion at the July 18th Council meeting. Councilor Purser noted she had pulled it off the Consent Agenda because she thought the plan was to address the bylaws of all the City's boards (not individually) after seeing all of their presentations. Communications and Engagement Specialist and staff liaison to the DAB Ciara DePinto had noted that the Chair of the board is pressuring her to get it back on an agenda, perhaps under Council Reports and Actions. Councilor Williams James added that former board member Todd Kumro said that there is no focal point for the board without any funding. Staff was directed to put it on an upcoming Council agenda and tell the DAB to move forward with the 81521 Project.

Mr. Bennett stated that he emailed the Council a summary of the terms for which the City is negotiating with Waste Management and asked for their feedback. There was discussion about the City's process for receiving bids and who the other trash collection providers are in Mesa County. In addition, staff and the Council discussed requesting additional pick ups of leaves in the fall and trash at Christmastime and the possibility of getting a dumpster for residents to use during those busy times. Mr. Bennett noted that Mesa County will be considering an Ordinance that all trash must go to the Mesa County landfill.

There was also discussion about the Enoch's Lake and 2-acre parcel properties. Staff is working with the County to get a map showing boundaries, trails and the road because of the many comments received from the public at the July 18, 2023 Council meeting expressing concern that the public will lose access to Enoch's Lake. City Attorney Mary Elizabeth Geiger has received calls from three people who are also considering making the City an offer for the Enoch's Lake property. Staff posted on the City's website information about an upcoming Glade Park Community meeting concerning the issue. The public hearings on the Ordinances for each of the two properties were continued to a Special Meeting of the City Council to be held on August 29, 2023 at 7:00 p.m.

Councilor Hancey noted that his business, the Sno Shack, will be closing after next Tuesday with the start of school coming up. He said he had some free snow cone cards if any of the Council members wanted one.

With no further business before the Council, the meeting adjourned at 10:20 p.m.

Respectfully submitted,

Deb Woods
Deputy City Clerk