

**FRUITA CITY COUNCIL WORKSHOP
AUGUST 23, 2022
7:30 P.M.**

CALL TO ORDER

The workshop of the Fruita City Council was called to order at 7:30 p.m. by Mayor Kincaid. City Council members present were Matthew Brehm, Jeannine Purser, James Williams, Ken Kreie, Amy Miller and Heather O'Brien.

City staff present were City Manager Mike Bennett, Assistant to the City Manager Shannon Vassen, City Clerk/Finance Director Margaret Sell, Communications and Engagement Specialist Ciara DePinto, Deputy City Clerk Deb Woods and Planning and Development Director Dan Caris.

AGENDA ITEMS

1. DISCUSSION OF PLASTIC POLLUTION REDUCTION ACT (HB21-1162)

STAFF PRESENTATION:

City Clerk/Finance Director Margaret Sell reviewed the provisions of the "Plastic Pollution Reduction Act," which was signed into law by Governor Polis on July 6, 2021 with the passage of House Bill 21-1162. She summarized the implementation timeline of the House Bill; namely, the effective date of January 1, 2023 when recycled paper carryout bag or single-use plastic carryout bag fees of \$0.10 per bag will be enacted in stores with municipalities receiving 60% of that fee and stores retaining 40%. Mrs. Sell also noted that local governments may enforce and assess civil penalties for those stores who are not complying with the new law.

Mrs. Sell requested input from the Mayor and Council members concerning:

1. Whether or not to consider adopting a Resolution or Ordinance to raise the fee from \$0.10 per carryout bag that stores must charge
2. What potential enforcement penalties the Council would like to consider since the City of Fruita will be responsible for enforcement of House Bill 21-1162

DISCUSSION:

The Council and staff discussed the definition of a "store" and how public education and outreach will be crucial, including how the new law was put into place by the State of Colorado and not the City of Fruita. Mrs. Sell stated that she would look into the issue of how much of public education will be the responsibility of the state, stores and potentially, the City, or if it will be a combination of any or all of them.

The Council did not express any interest in increasing the carryout bag fee beyond \$0.10. They did agree that the penalty assessment for violations should be imposed at the lowest class of municipal offense, such as a nuisance-type violation.

2. BUILDING DEPARTMENT SERVICES

STAFF PRESENTATION:

Planning and Development Director Dan Caris stated that the City of Fruita plans to move building department/inspection services in-house beginning the first of next year (2023). He said he's been contacted by many in the development community regarding whether Fruita will be increasing permit fees but has made it clear that it is only the Council who decides that when they approve the fee schedule every year as part of the budget process. The City of Fruita does not anticipate any changes to fees next year and will be adopting the Codes every other cycle similar to the County.

The goal is that by July of 2023, the City will have fully transitioned out of the contract with Mesa County for building department services. The plan is to hire one Chief Building Officer and one or two additional inspectors as well. In the meantime, the City of Fruita will be rewriting a one-year contract for building department services with Mesa County, which City Manager Mike Bennett said will likely be brought before the City Council at the September 20, 2022 regular Council meeting.

It is likely that the position of Code Compliance Officer (currently vacant) will be incorporated into Fruita's building permitting processes.

3. OTHER ITEMS

City Manager Mike Bennett reminded the Council that the Boards and Commissions Appreciation Night would be held on Thursday, August 25, 2022 at Imondi Wake Zone.

There was discussion about having a "Movie Night" in downtown Fruita this fall. Mr. Bennett said October 7th was a potential date for scheduling it, but that because there are approximately 16 events already scheduled in downtown in October, it likely won't happen until next year. It was mentioned that the City of Grand Junction offered the use of their equipment to Fruita for a movie night and that getting a popcorn machine for it would be a good idea.

Mr. Bennett stated that staff would be speaking with the Museums of Western Colorado (MWC) on a potential amendment to their lease agreement for a portion of the Dinosaur Journey property as a future location for a dog park.

Mr. Bennett also noted that he would be meeting with Executive Director of the Grand Junction Economic Partnership (GJEP) Curtis Englehart to discuss the scope of the partnership between GJEP and the City of Fruita.

There was also mention of the property at 130 N. Apple Street, which has been a cause of concern for neighboring residents. Planning and Development Director Dan Caris noted that utilities are still hooked up and that he was not convinced that the home is unsafe. Mr. Caris also stated that citizens living at the 600 block of East Aspen are getting some resources they need through the Mesa County Department of Human Services.

ADJOURN

With no further business before the Council, the Mayor adjourned the meeting at 8:41 p.m.

Respectfully submitted,

Debra Woods
Deputy City Clerk