

**FRUITA CITY COUNCIL
IN PERSON AND VIRTUAL MEETING
MAY 3, 2022
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 7:03 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 (virtually)
City Councilor James Williams
City Councilor Amy Miller
City Councilor Heather O'Brien

Excused Absent: City Councilor Ken Kreie

City staff present: City Manager Mike Bennett (virtually)
Assistant to the City Manager Shannon Vassen
City Clerk/Finance Director Margaret Sell
Deputy City Clerk Deb Woods
City Planner Henry Hemphill
Planning and Development Director Dan Caris
Public Works Director Kimberly Bullen

Also present: School District #51 Executive Director Angela Christensen
Members of the public (in-person and virtually)

2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

Mayor Joel Kincaid called for a moment of silence for all faiths and beliefs the opportunity to have a silent prayer. He then led in the Pledge of Allegiance.

3. AGENDA – ADOPT/AMEND

Deputy City Clerk Deb Woods noted that Parks and Recreation Director Marc Mancuso was unable to attend the meeting to accept the “Grand Valley Bike Month/Bike to Work Day” Proclamation and that Public Works Director Kimberly Bullen would be accepting it in his place.

Ms. Woods also noted that City Planner Henry Hemphill would be presenting the Legislative Hearing – Ordinance 2022-14 – 2nd Reading because that information had been omitted from the agenda.

- **COUNCILOR BREMAN MOVED TO APPROVE THE AGENDA AS PRESENTED. COUNCILOR O'BRIEN SECONDED THE MOTION. THE MOTION PASSED WITH FIVE YES VOTES.**

4. PROCLAMATIONS AND PRESENTATIONS

A. PROCLAMATION – PROCLAIMING MAY 2 – 6, 2022 AS “TEACHER APPRECIATION WEEK” IN THE CITY OF FRUITA TO BE ACCEPTED BY SCHOOL DISTRICT #51 EXECUTIVE DIRECTOR ANGELA CHRISTENSEN

Councilor O'Brien read the Proclamation, which was accepted by Angela Christensen, Executive Director of Mesa County SD#51 on behalf of all the District's teachers. She noted that also in attendance was Fruita Middle School Principal Jeremiah Johnston.

Ms. Christensen stated that the previous week, D51 Foundation hosted the 10th Annual White Iced Celebration to recognize their White Iced Award recipients and outstanding academic growth schools. These are schools that have grown over the course of the year at a significant rate.

Ms. Christensen said she wanted to highlight all the teachers and schools in Fruita who were recognized because there were so many of them that she thought it worthy of the Council's attention. Outstanding Academic Growth Awards included:

- Middle School Math: Fruita Middle School, Jeremiah Johnston, Principal
- High School PSAT: Fruita 8/9 School, Jason Plantiko, Principal
- High School SAT: Fruita Monument High School, Todd McClaskey, Principal

2022 White Iced Awards (outstanding teachers) from Fruita include:

- Candace Jay Fruita Middle School
- Elyza Willms Fruita 8/9
- Mary Thomas Rim Rock Elementary

Ms. Christensen thanked the Fruita City Council for the value that they place on public education after mentioning that they have been acknowledging Fruita schools' teachers and students at the first Council meeting of the month for several months out of the year. Principal Johnston thanked the Council as well.

B. PROCLAMATION – PROCLAIMING MAY 16 – 21, 2022 AS “NATIONAL PUBLIC WORKS WEEK” IN THE CITY OF FRUITA TO BE ACCEPTED BY PUBLIC WORKS DIRECTOR KIMBERLY BULLEN

Councilor Miller read the Proclamation, which was accepted by Kimberly Bullen, Public Works Director for the City of Fruita. She said she wanted to reiterate that the staff at the Public Works Department stands ready to serve the community and to maintain and protect the critical infrastructure that makes Fruita a great place to live and work.

C. PROCLAMATION – PROCLAIMING THE MONTH OF MAY 2022 AS “GRAND VALLEY BIKE MONTH” AND WEDNESDAY, MAY 4, 2022 AS “BIKE TO WORK DAY” IN THE CITY OF FRUITA TO BE ACCEPTED BY PARKS AND RECREATION DIRECTOR MARC MANCUSO

Councilor Williams read the Proclamation, which was also accepted by Kimberly Bullen, Public Works Director for the City of Fruita on behalf of the City’s Parks and Recreation Department Director, Marc Mancuso, who was unable to attend the Council meeting. She relayed Mr. Mancuso’s sincere appreciation for Council’s continued support in building a bicycle-friendly community that fosters the health of its citizens.

5. PUBLIC PARTICIPATION

There were no comments from the public.

6. CONSENT AGENDA

A. MINUTES – A REQUEST TO APPROVE THE MINUTES OF THE MARCH 1, 2022 SPECIAL CITY COUNCIL WORKSHOP MEETING

Mayor Kincaid opened the Consent Agenda to public comments. Hearing none, he closed the public hearing and referred the Consent Agenda to the Council.

- **COUNCILOR O’BRIEN MOVED TO APPROVE THE CONSENT AGENDA AS PRESENTED. COUNCILOR BREMAN SECONDED THE MOTION. THE MOTION PASSED WITH FIVE YES VOTES.**

7. PUBLIC HEARINGS

A. QUASI-JUDICIAL HEARINGS

- 1) **SPECIAL EVENT LIQUOR PERMIT APPLICATION – A REQUEST TO APPROVE A SPECIAL EVENT LIQUOR PERMIT APPLICATION FOR THE COLORADO PLATEAU MOUNTAIN BIKE TRAIL ASSOCIATION (COPMOBA) TO SELL BEER AT THE FRUITA FAT TIRE FESTIVAL AT THE 100 SOUTH AND 100 NORTH BLOCKS OF MULBERRY STREET ON FRIDAY, MAY 6, 2022 FROM 4:00 TO 10:00 PM AND SATURDAY, MAY 7, 2022 FROM 2:00 TO 10:00 PM – DEPUTY CITY CLERK DEB WOODS**

Deputy City Clerk Deb Woods gave staff’s presentation. She briefly reviewed the documents submitted that were included in the Council packet, as well as a few details about the event and the licensed premises. Ms. Woods stated that Fruita Chief of Police Krause had reviewed the application and had no concerns that would prohibit the issuance of the license. She provided staff’s recommendation of approval subject to the following conditions:

1. The entrance and exit shall be monitored closely and continuously by event staff in order to prevent alcoholic beverages from going into or out of the licensed premises.
2. The licensee needs to be aware that they are solely responsible for control of the licensed premises in regard to alcohol possession, consumption and adherence of state and municipal laws.
3. All other procedures presented by COPMOBA will be followed.

Ms. Woods noted that John Howe with COPMOBA was present in the audience as the applicant's representative and asked him to provide any additional comments he may have.

Mr. Howe explained that this will be the 25th Fat Tire event held in the City of Fruita and that COPMOBA has been a beer concessionaire for the previous two Fat Tire festivals.

Mayor Kincaid opened the public hearing on the Special Event Liquor Permit application. Hearing no comments, he referred the matter to the Council.

- **COUNCILOR BREMAN MOVED TO APPROVE THE APPLICATION FOR A SPECIAL EVENT LIQUOR PERMIT FOR THE COLORADO PLATEAU MOUNTAIN BIKE TRAIL ASSOCIATION (COPMOBA) TO SELL BEER AT THE FRUITA FAT TIRE FESTIVAL AT THE 100 SOUTH AND 100 NORTH BLOCKS OF MULBERRY STREET ON THE TWO DATES REQUESTED SUBJECT TO THE LISTED CONDITIONS. COUNCILOR O'BRIEN SECONDED THE MOTION. THE MOTION PASSED WITH FIVE YES VOTES.**

Mr. Howe stated that in all likelihood, the funds that COPMOBA raises at the Fat Tire Festival will be going toward the North Fruita Desert trail construction that is underway or the Kokopelli expansion project, as well as a portion of the surveys that go along with the Bureau of Land Management (BLM) approvals.

- 2) **SPECIAL EVENT LIQUOR PERMIT APPLICATION – A REQUEST TO APPROVE A SPECIAL EVENT LIQUOR PERMIT APPLICATION FROM THE FRUITA ROTARY CLUB TO SERVE BEER AT THE PARTNERS OF MESA COUNTY CORNHOLE TOURNAMENT FUNDRAISER IN CIVIC CENTER MEMORIAL PARK LOCATED AT 325 E. ASPEN AVENUE ON SATURDAY, MAY 14, 2022 FROM 11:00 AM TO 8:00 PM – *DEPUTY CITY CLERK DEB WOODS***

Ms. Woods gave staff's presentation. The diagram in the Council packet illustrated the licensed premises at Civic Center Memorial Park, which will be fenced in. Rotarians will monitor the licensed area including the entrances to ensure that no alcohol enters or leaves the area. Patrons will be ID'd, issued a wrist band and monitored for signs of becoming overly intoxicated. Fruita Chief of Police Dave Krouse reviewed the Rotary's application and issued his statement that there was nothing that would prohibit the issuance of the Special Event Liquor Permit. Ms. Woods stated that therefore, it was staff's recommendation that the Council approve the application for a Special Events Liquor Permit subject to the following conditions:

1. The entrance and exit shall be monitored closely and continuously by event staff in order to prevent alcoholic beverages from going into or out of the licensed premises.
2. The licensee needs to be aware that they are solely responsible for control of the licensed premises in regard to alcohol possession, consumption and adherence of state and municipal laws.
3. All other procedures presented by the Fruita Rotary Club will be followed.

Ms. Woods noted that Lou Mudd with the Fruita Rotary Club was present in the audience as the applicant's representative and could answer any questions that the Council may have.

Mr. Mudd noted that in fifteen years, he has never had someone else come to the public hearing either in support of or in opposition to the Rotary's applications for Special Event Liquor Permits. He added that last year was the first time for this event and that any funds raised go right back to Partners of Mesa County.

Mayor Kincaid opened the public hearing. Hearing no comments from the public, he closed the public hearing and referred the matter to the Council.

- **COUNCILOR O'BRIEN MOVED TO APPROVE THE APPLICATION FOR A SPECIAL EVENT LIQUOR PERMIT FOR THE FRUITA ROTARY CLUB TO SERVE BEER AT THE PARTNERS OF MESA COUNTY CORNHOLE TOURNAMENT FUNDRAISER IN CIVIC CENTER MEMORIAL PARK ON MAY 14, 2022 SUBJECT TO THE CONDITIONS LISTED IN THE PACKET. COUNCILOR WILLIAMS SECONDED THE MOTION. THE MOTION PASSED WITH FIVE YES VOTES.**

- 3) **SPECIAL EVENT LIQUOR PERMIT APPLICATION – A REQUEST TO APPROVE A SPECIAL EVENT LIQUOR PERMIT APPLICATION FROM THE FRUITA ROTARY CLUB TO SERVE BEER AT THE MIKE THE HEADLESS CHICKEN FESTIVAL IN CIVIC CENTER MEMORIAL PARK LOCATED AT 325 E. ASPEN AVENUE ON FRIDAY, JUNE 3, 2022 FROM 3:00 TO 10:00 PM AND SATURDAY, JUNE 4, 2022 FROM 10:00 AM TO 10:00 PM – DEPUTY CITY CLERK DEB WOODS**

Deputy City Clerk Deb Woods again gave staff's presentation on the Fruita Rotary Club's request for a Special Event Liquor Permit to provide a beer garden at the Mike the Headless Chicken Festival. She briefly reviewed the application documents that were included in the Council packet and the Rotary's narrative of the event.

Fruita Chief of Police Dave Krouse had no concerns with the Rotary's application after reviewing it. Therefore, Ms. Woods stated that staff's recommendation was for the Council to approve the application for a Special Event Liquor Permit under the following conditions:

1. The entrance and exit shall be monitored closely and continuously by event staff in order to prevent alcoholic beverages from going into or out of the licensed premises.
2. The licensee needs to be aware that they are solely responsible for control of the licensed premises in regard to alcohol possession, consumption and adherence of state and municipal laws.
3. All other procedures presented by the Fruita Rotary Club will be followed.

Mr. Lou Mudd pointed out that the Rotary Club has been serving beer since Mike the Headless Chicken Days started up again and that when he came on board, they were serving the beer out of five-gallon pony kegs that were donated by Breckenridge Brewing and Ska Brewing and a few others. They had a beer garden that was about half the size of the Council Chambers room, but over the years, the beer garden has expanded a bit and Mr. Mudd said that because the Rotary has done such a fine job keeping everything under control, the beer garden now encompasses the entire festival grounds (which are fenced in). Mr. Mudd noted that the Rotary would be serving beer brewed by Suds Brothers, Cider from Talbott's and one red wine and one white wine on tap. He added that the Mike the Headless Chicken Festival is one of the Rotary's biggest fundraisers of the year and that 90% of the money raised goes for good projects both in town and worldwide.

Mayor Kincaid opened the public hearing. Hearing no comments from the public, he closed the public hearing and referred the matter to the Council.

- **COUNCILOR MILLER MOVED TO APPROVE THE SPECIAL EVENT LIQUOR PERMIT APPLICATION FROM THE FRUITA ROTARY CLUB TO SERVE BEER (AND THE OTHER PRODUCTS THAT WERE LISTED BY THE APPLICANT) AT THE MIKE THE HEADLESS CHICKEN FESTIVAL IN CIVIC CENTER MEMORIAL PARK SUBJECT TO THE LIST OF CONDITIONS PROVIDED BY STAFF. COUNCILOR PURSER SECONDED THE MOTION. THE MOTION PASSED WITH FIVE YES VOTES.**

B. LEGISLATIVE HEARINGS

1) ORDINANCE 2022-14 – 2ND READING – AN ORDINANCE OF THE CITY OF FRUITA, COLORADO, VACATING CERTAIN STREET RIGHT-OF-WAY ALONG WEST PABOR WAY

City Planner Henry Hemphill gave staff's PowerPoint presentation consisting of a project description, aerial map, diagrams, future Land Use Map, legal notice methods with their corresponding dates and four approval criteria located in Section 17.09.090 of the Land Use Code for vacating a right-of-way. These criteria include:

Section 17.09.090 Vacation of Public Right-of-Way may be approved upon finding that the vacation will not:

- Create any landlocked parcels;
- Negatively impact adjacent properties;
- Reduce the quality of public services to any parcel of land; and
- Be inconsistent with any transportation plan adopted by the City.

The area of the right-of-way to be vacated is 38 feet by 450 feet along the south side of West Pabor Way (just south of the Fruita Community Center). Currently, there is 52 feet of right-of-way already improved which contains curb, gutter and sidewalk and asphalt. Mr. Hemphill stated that in looking at the Circulation Plan, it does not recommend anything greater or wider than 52 feet, which is obviously already improved, so the vacation can be considered through the public hearing process.

Mr. Hemphill added that a condition of approval of the right-of-way vacation is the retention of a 14-foot multi-purpose easement, which is typically required of all new roadways that are platted in a major subdivision to accommodate dry utilities like gas and electrical and then other utilities such as cable television. He also noted that there are a few mobile homes in the area that actually do encroach into the platted, dedicated right-of-way.

Mr. Hemphill explained how the project meets all the criteria in the Land Use Code and does not violate the City's Master (Comprehensive) Plan. He said it was the Fruita Planning Commissions' and staff's recommendation to approve the right-of-way vacation with the condition that the City retain a 14-foot multi-purpose easement, which has already essentially been accomplished. Mr. Hemphill also noted that the applicant's representative surveyed the area and verified that no utilities are located in the easement.

The applicant's representative, Ted Ciavonne, was present in the audience, but had nothing to add to staff's presentation.

Mayor Kincaid opened the public hearing. After hearing no comments, he closed the public hearing and brought the issue back to the Council for their questions, comments or a motion.

- **COUNCILOR PURSER MOVED TO APPROVE ORDINANCE 2022-14 – 2ND READING – AN ORDINANCE OF THE CITY OF FRUITA, COLORADO VACATING CERTAIN STREET RIGHT-OF-WAY ALONG W. PABOR WAY LOCATED WITHIN THE CITY OF FRUITA WITH THE CONDITION OF RESERVING A 14-FOOT MULTI-PURPOSE EASEMENT ADJACENT TO THE VACATED PORTION OF THE RIGHT-OF-WAY. COUNCILOR BREMAN SECONDED THE MOTION. THE MOTION PASSED WITH FIVE YES VOTES.**

8. ADMINISTRATIVE AGENDA

A. FRUITA GROWTH AND MASTER PLANS UPDATE – CITY MANAGER MIKE BENNETT AND PLANNING AND DEVELOPMENT DIRECTOR DAN CARIS

Planning and Development Director Dan Caris provided the Council with a review of the history of current and projected growth and development in Fruita. He included highlights from the *Fruita in Motion* Comprehensive Plan and updated Land Use Code.

He noted that at upcoming Council meetings, the Council would also see staff presentations on the Parks, Health, Recreation, Open Space and Trails (PHROST) Master Plan and Traffic Circulation Plan.

Councilor Purser wondered if the Council may be able to take a driving tour of the current and future development projects around town. Councilor Williams asked that the Council be provided with an idea of the potential price points of each of the developments as well. Mr. Caris responded that most developers are reluctant to share that information because they probably do not know how much construction costs will end up being, but that staff could state whether the City is achieving the goals of a variety of housing and what the alternatives might be for young families. He added that staff would probably have to mainly look at past projects for that information, but that over time, the City will be able to either prove the concept of gaining a variety of housing or not.

Mr. Caris stated that City staff has been planning on doing a *City Link* that has articles related to growth to provide a little context with some of the planning practices that have been put into place. He added that the front page of that issue of the *City Link* would include the municipal election results and some of the ways people can connect on social media and other platforms that staff is working to implement.

There was a discussion about the new Council members getting their headshots done for the bottom banner of the front page of the *City Link*. Councilor Williams stated that Deputy City Clerk Deb Woods had already begun the process of getting those done.

Mr. Caris said that the reason staff wanted to put this in front of the Council was to get some initial reactions and make sure that staff was touching on some of the things the community may be asking about.

Councilor O'Brien said she has heard community members ask what the City is doing about "all the growth" and asked Mr. Caris if the *City Link* article will explain the City's boundaries and how the Council and staff want to fill areas within them with development. Mayor Kincaid pointed out that the population growth was more significant from 1998 to 2007 than it is now because at that time, the City doubled in size.

Mr. Caris said he thought staff did a good job of explaining it in the article and hopefully most will be able to understand some of the complexities with planning principles coupled with information about City limits and the Urban Growth Boundary and how they haven't changed much over time; that there is still a lot of filling-in to do.

Councilor Williams asked about whether the City of Fruita could utilize "Opportunity Zones" like Grand Junction has and Mr. Caris noted that they were based off of Census Tracts but Fruita was not included. He added that he didn't know if Fruita would be competitive for Opportunity Zones or not but that staff could certainly talk about it with the City Manager. He also said that there are other financial models that the City could present on as well.

City Manager Mike Bennett added that staff has tried many times for Opportunity Zones, but the Federal Government created all the tracts and then sent a map of those tracts to the states. The states then had to break those into half and Fruita was never even on the 1st round from the Federal Government. He said the Opportunity Zones are typically based on levels of income and pricing of housing and that Senator Gardner actually appeared surprised that Fruita wasn't included because he felt that Fruita was exactly the kind of place for which the tracts were being planned. Mr. Bennett stated that Senators, GJEP and others have been contacted in attempt to get it changed, but there has not been any progress on it in any way because it is not an ongoing process; there was only a one-time designation. Mr. Caris added that the City of Fruita has even struggled to keep its USDA Rural Development loan classification and a lot of it has to do with income levels and possibly because Fruita has mainly been only putting out single-family detached homes with higher price points.

Councilor Breman asked that the Council receive a preview link before the *City Link* goes out so they can review it so they could be prepared. Councilor Williams asked that staff designate the City-owned property so the Council could see what could be done with certain spots.

9. CITY MANAGER'S REPORT

City Manager Mike Bennett stated that he had nothing to report.

10. COUNCIL REPORTS AND ACTIONS

A. MESA COUNTY COMMISSIONERS' REQUEST TO MEET – DISCUSSION AND POSSIBLE ACTION TO CONSIDER A REQUEST FROM THE MESA COUNTY COMMISSIONERS TO MEET IN FRUITA

Mayor Kincaid noted that last year, Mesa County held a Town Hall event in Fruita where people asked questions of the Commissioners. The request from the Commissioners this year is to attend the regular meeting of the City Council on August 16th. Mayor Kincaid asked staff to place them under the "Presentations and Proclamations" section of the agenda, which is at the beginning of the meeting.

There was consensus among the Council members to add it to the Council regular meeting agenda of August 16, 2022.

B. COUNCIL REPORTS AND ACTIONS

COUNCILOR MATTHEW BREMAN

Matthew explained that he has not yet been to his first Fruita Area Chamber of Commerce Board of Directors meeting.

Matthew reported that the Grand Junction Economic Partnership (GJEP) put forth an offer to a gentleman for the position of Executive Director, but he turned it down. GJEP will now go out for round 3 of recruiting for the position.

COUNCILOR JEANNINE PURSER

Jeannine reported that she got to meet with the Livability Commission and thought they were a great group of people and that they want to give the City Council a brief presentation in the near future about a project they are getting ready to launch: “Adopt a Street.”

Jeannine also reported that the Downtown Advisory Board had their first “Fruita Fourth Friday” and it was raining, but everything was moved into the Cavalcade and it still went really well. There was still music outside under a tent while the artists sold things inside to the well-attended event.

COUNCILOR JAMES WILLIAMS

James reported that the Fruita Tourism Advisory Council (FTAC) met and Denise Hight presented a plan that she has to reprint the brochures for the Historic Walking Tour. The FTAC approved the funds for her to proceed. Denise also has completed a larger project of designing ten placards to be installed around town like the others and it seemed like pretty much everyone was on board with it.

James also reported that he attended the Museums of Western Colorado’s (MWC’s) Board meeting and they are looking for split-rail cedar fence for Riggs Hill. The Board asked James to ask the other Council members and staff whether someone might have some lying around. James continued that the MWC is apparently not funded very well and that is why there were asking about the fencing. He stated that when he asked, he was told that the MWC mill levy was worded with the phrase “up to \$1.3 million,” meaning that the Mesa County Commissioners can decide how the MWC gets. The Commissioners used to give the MWC all of it, but they stopped doing that with the auspices that they would go back to giving them the full amount, but currently, the MWC is only receiving around \$200,000. James noted that the MWC has three locations and again stressed that they are hurting for funding and are frustrated with it. James said he got to go backstage at Dinosaur Journey and it was very cool.

COUNCILOR AMY MILLER

Amy reported that she met with the Historic Preservation Board and they discussed the placards James mentioned. She said their budget is only \$500 per year, so it is great that the board has the proposed partnership with the FTAC to help fund more projects. Amy said Denise’s proposal for the ten additional placards had pictures and was amazing. A few of the locations for these include Fruita Middle School, Reed Park and Circle Park. The Fruita Area Chamber of Commerce Director, Kayla Brown, was also in attendance to offer help find sponsors for the Historic Coloring Book.

Amy also reported that she will miss her first Planning Commission meeting as she would be attending her kid’s graduation.

COUNCILOR HEATHER O’BRIEN

Heather reported that the Parks and Recreation Advisory Board met the previous evening and Parks and Recreation Director Marc Mancuso has been working hard on grant applications to get more matching grants for Reed Park and a few other things.

The board had a draft proposal of their fee structure, which is being re-worked. These fees are for when someone needs to use the City’s facilities for an event. The board had a lot of advice and will generate

another draft proposal to take before the Parks and Recreation Advisory Board. After that input is received, the board will compose its Final Draft to present to the City Council at one of the Council meetings in June.

Heather added that the Fruita Community Center's (FCC's) numbers are coming back strongly; they are at 92% of revenues compared to 2019.

Heather also announced she will have her first Arts and Culture Board meeting on May 11th, but she has a virtual conference scheduled for the same date and time. She asked if Councilor Jeannine Purser or someone else had previously said they could attend the Arts and Culture Board meeting in her place. Councilor Amy Miller said she could do it.

MAYOR JOEL KINCAID

Joel reported that he attended the Police Commission meeting the day after he was appointed to it. He said it was a pretty quick meeting; the Commission talked about their staffing shortages, so they are looking to hire another entry-level Police Officer.

Joel stated that he also attended the Rim Rock Elementary School tree planting event for Arbor Day. There is a poster contest and the winning student receives a tree planted at their school. Normally kids get to dump dirt into the hole, but it was so windy that they had to abandon that idea.

C. EXECUTIVE SESSION – DISCUSSION AND POSSIBLE ACTION TO CONSIDER A MOTION TO CONVENE IN EXECUTIVE SESSION REGARDING PERSONNEL ISSUES UNDER C.R.S. SECTION 24-6-402(4)(F) (MUNICIPAL COURT JUDGE INFORMAL REVIEW)

- **COUNCILOR BREMAN MOVED TO MEET IN EXECUTIVE SESSION FOR THE INFORMATIONAL REVIEW OF THE MUNICIPAL COURT JUDGE, WHICH IS A DISCUSSION OF A PERSONNEL MATTER UNDER C.R.S. SECTION 24-6-402(4)(F). COUNCILOR O'BRIEN SECONDED THE MOTION. THE MOTION PASSED WITH FIVE YES VOTES.**

As requested by Councilor Breman, the Mayor called for a five-minute break at approximately 8:47 p.m. At approximately 8:51, the City Council convened in Executive Session. The Regular Meeting of the City Council was reconvened at 9:42 p.m.

11. ADJOURN

With no further business before the Council, Mayor Kincaid adjourned the meeting at 9:42 p.m.

Respectfully submitted,

Debra Woods
Deputy City Clerk

City of Fruita