

**FRUITA CITY COUNCIL  
VIRTUAL MEETING  
OCTOBER 5, 2021  
7:00 P.M.**

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

Mayor Joel Kincaid called the regular meeting of the Fruita City Council to order at 7:01 p.m. The meeting was held both in person and with virtual access provided through Zoom.

**Present:** Mayor Joel Kincaid  
Mayor Pro Tem Lori Buck  
City Councilor Karen Leonhart  
City Councilor Kyle Harvey  
City Councilor Ken Kreie  
City Councilor Heather O'Brien  
City Councilor Matthew Breman

**Excused Absent:** (None)

**Also present:** City Manager Mike Bennett  
Assistant to the City Manager Shannon Vassen  
City Clerk/Finance Director Margaret Sell  
Deputy City Clerk Deb Woods  
City Planner Henry Hemphill  
Planning & Development Director Dan Caris  
Chief of Police Dave Krouse  
City Attorney Mary Elizabeth Geiger  
Members of the public (remotely and in person)

**2. PLEDGE OF ALLEGIANCE**

Mayor Kincaid led in the recital of the Pledge of Allegiance.

**3. AGENDA – ADOPT/AMEND**

Mayor Kincaid asked if there were any changes to the agenda. Deputy City Clerk Deb Woods confirmed that there were no changes to the agenda.

- **COUNCILOR BREMAN MOVED TO APPROVE THE AGENDA AS PRESENTED. COUNCILOR HARVEY SECONDED THE MOTION. THE MOTION PASSED WITH SIX YES VOTES.**

**4. PROCLAMATIONS AND PRESENTATIONS**

**A. FRUITA TEACHER/STUDENT OF THE MONTH: RIM ROCK ELEMENTARY**

- **OUTSTANDING STUDENT: RENON PRYOR**
- **OUTSTANDING TEACHER: MARYE HELMS**

Mayor Kincaid read the certificates and then presented them to outstanding Rim Rock Elementary student Renon Pryor and outstanding teacher Marye Helms. There were rounds of applause from the audience, Council and staff and photos were taken in front of the dais.

## **5. PUBLIC PARTICIPATION**

Hearing no comments from the public, Mayor Kincaid closed the Public Participation section of the agenda.

## **6. CONSENT AGENDA**

- A. MINUTES – A REQUEST TO APPROVE THE MINUTES OF THE SEPTEMBER 21, 2021 REGULAR CITY COUNCIL MEETING**
- B. MINUTES – A REQUEST TO APPROVE THE MINUTES OF THE SEPTEMBER 28, 2021 CITY COUNCIL WORKSHOP MEETING**
- C. RESOLUTION 2021-25 – SETTING A HEARING DATE FOR NOVEMBER 16, 2021 TO DETERMINE THE ELIGIBILITY OF APPROXIMATELY 4.6 ACRES OF PROPERTY LOCATED AT PARCEL NO. 2697-164-00-074 TO BE ANNEXED INTO THE CITY OF FRUITA AND TO CONSIDER INITIATION OF ANNEXATION PROCEDURES (*WESTON #1 ANNEXATION*)**
- D. RESOLUTION 2021-26 – SETTING A HEARING DATE FOR NOVEMBER 16, 2021 TO DETERMINE THE ELIGIBILITY OF APPROXIMATELY 13.9 ACRES OF PROPERTY LOCATED AT PARCEL NO. 2697-164-00-050 TO BE ANNEXED INTO THE CITY OF FRUITA AND TO CONSIDER INITIATION OF ANNEXATION PROCEDURES (*WESTON #2 ANNEXATION*)**
- E. RESOLUTION 2021-27 – APPROVING THE FINAL RELEASE OF THE SUBDIVISION IMPROVEMENTS AGREEMENT FOR THE VILLAGE AT COUNTRY CREEK FILING 5 SUBDIVISION**
- F. RESOLUTION 2021-28 – APPROVING THE FINAL RELEASE OF THE DEVELOPMENTS AGREEMENT FOR THE MULBERRY ALLEY IMPROVEMENTS PROJECT**

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 KREIE MOVED TO APPROVE THE CONSENT AGENDA AS PRESENTED. COUNCILOR BUCK SECONDED THE MOTION. THE MOTION PASSED WITH SIX YES VOTES.**

**7. PUBLIC HEARINGS****A. QUASI-JUDICIAL HEARINGS**

There were no quasi-judicial hearings on the agenda.

**B. LEGISLATIVE HEARINGS**

There were no legislative hearings on the agenda.

**8. ADMINISTRATIVE AGENDA****A. BUDGET PRESENTATIONS:****1) MARKETING STRATEGY FOR 2022 – *SHANNON VASSEN, ASSISTANT TO THE CITY MANAGER***

Mr. Vassen provided a PowerPoint presentation on the Marketing and Promotion Fund Budget for 2022 that included many accomplishments in 2021. Other highlights included:

- Lodging tax revenues have rebounded significantly in 2021 after the 2020 pandemic.
- Projected 2022 revenues for the Marketing and Promotion Fund are at \$137,000 (7% increase).
- Projected 2022 expenses for the Marketing and Promotion Fund are at \$137,000 (7% decrease).
- At the end of this year, due to higher than projected revenues and decreased expenses, staff is estimating adding \$41,000 to the Marketing and Promotion Fund Balance (Fund Balance of \$203,049 at the end of 2021 and beginning of 2022).
- Advertising and promotion efforts in 2022 total \$80,000 and include:
  - ❖ \$65,000 – Marketing Plan
  - ❖ \$10,000 – GoFruita Website Update
  - ❖ \$5,000 – Miscellaneous Marketing
- Mini-Grants of \$4,000 are budgeted for 2022.
- In 2022, there will be decrease in revenues and expenses due to closing out the Colorado Tourism Office grant award.
- The FTAC received eight applications for 2022 Special Event funding and recommended funding all eight (for a total of \$25,000) including:
  - ❖ \$1,750 – Fat Tire Festival
  - ❖ \$3,000 – Riverfront Concert Series
  - ❖ \$3,250 – CO2UT and Remy events
  - ❖ \$1,000 – Rim Rock Rodeo
  - ❖ \$3,000 – Fruita Fall Festival
  - ❖ \$5,000 – Fruita Farmers Market
  - ❖ \$4,000 – Mike the Headless Chicken
  - ❖ \$4,000 – Thursday Night Concert Series
- 2022 Marketing and Promotion Fund Goals include:

- ❖ Complete and begin implementing the Strategic Marketing Plan for the “Bookends of the Valley” partnership with the Town of Palisade
- ❖ Revamp and redesign the GoFruita website to allow for better functionality, more real-time information and to be more accessible on mobile devices
- ❖ Continue to evaluate different marketing tools for conversions, identify what tools or providers will work best for upcoming marketing campaigns
- ❖ Continue to grow and develop the photo and video library for future advertisement assets

Councilor Leonhart suggested that the recipients of the mini-grants come to the City Council to give a presentation on how their event went.

## **2) PLANNING DEPARTMENT PRESENTATION – *DAN CARIS, PLANNING & DEVELOPMENT DIRECTOR***

Planning and Development Director Dan Caris provided a PowerPoint presentation on the Planning Department’s Budget for 2022 that included 2021 highlights as follows:

- 41 Land Development Applications have been reviewed so far in 2021 (compared to 21 total in 2020).
- 470 Planning Clearances have been issued.
- 64 New Residential Planning Clearances have been issued so far in 2021.
- New Residential projects in 2021 include:
  - ❖ Dwell Preliminary PUD Plan (37 lots)
  - ❖ Red Cliffs III Preliminary PUD Plan (8 lots)
  - ❖ Rose Creek Preliminary PUD Plan (36 lots)
  - ❖ Orchard Ridge Phase 3 Final Plat (31 lots)
  - ❖ Grand Valley Estates Filing 3 Final Plat (18 lots)
  - ❖ Village at Country Creek Final Plat (12 lots)
  - ❖ Sycamore Estates Preliminary Plan (9 lots)
  - ❖ Cider Mills Preliminary Plan (37 lots)

2021 Commercial projects in 2021 include:

- ❖ Mesa Street Multi-Family (18 residential units)
- ❖ Mulberry Street Multi-Family (19 residential units)
- ❖ Mike Famous Chicken (Remodel of the former Copper Club)
- ❖ Copper Club Relocation (Remodel of the former Head Start preschool)
- ❖ Skips Market (Remodel on Aspen Ave.)
- ❖ Monument Powder Coating (completed)

Planning & Development and Code Enforcement budget highlights for 2022 are as follows:

- Code Enforcement Officer transition from part-time to full-time
- Development Review Software budget allocation - \$75,000
  - ❖ Current Project Review (including civil review)

- ❖ Short-term Rental Licensing
- ❖ Integration of GIS

- Design of Mulberry Street Outdoor Spaces (Capital Improvements Plan Budget)

Goals for 2022 are as follows:

- Continue to make connections with existing Homeowners Associations and hold bi-annual workshops
- Implement the Short-term Rental permitting process incorporating annual inspections and licensing
- Implement new Code Enforcement software (as part of the Development Review Software)
- Continue to implement the 2019 *Fruita in Motion: Plan Like a Local Comprehensive Plan*
- The Community Development Department is committed to continuing to work toward seamless implementation of the new Land Use Code (late 2021)
- Affordable/Attainable Housing Strategies

### **3) POLICE DEPARTMENT PRESENTATION – DAVE KROUSE, CHIEF OF POLICE**

Fruita Police Chief Dave Krouse provided a PowerPoint presentation on the Public Safety Budget for 2022 that included numerous highlights of both the 2020 and 2021 Budgets. Some of these included:

- Grand Junction Regional Communication Center (GJRCC) (911 Dispatch) fees increased 6% in 2020 with public safety tax dollars going towards those fees.
- In 2021, GJRCC fees have been estimated to decrease approximately 7% with public safety tax dollars still going towards those fees.
- “Additional” public safety tax dollars were earmarked for future personnel needs and the department requested and received an additional sworn officer in 2021, resulting in the department being fully staffed (and has thankfully remained so).
- For 2021, \$20,000 was budgeted for body-worn camera hardware and another \$20,000 for the digital evidence management software. The City contracted with Axon and as of now, the department has implemented the program by approximately 90%. A body-worn camera program must be in place by year 2023 pursuant to legislation.

Chief Krouse provided an update on the feral cat issue; saying that it was a project that is still in progress. Animal Control Officer Stacey Nehm has made some great strides with the help of Councilor Leonhart to engage with some citizen groups that are interested in helping to tackle the problem. Chief Krouse said they have some good plans in place and he expects that when the time comes, the Council could be hearing from those community groups asking for support of potentially available grants.

Chief Krouse also provided an updated on the School Resource Officers who are continuing to make sure all officers are familiar with all Fruita school campuses in the event that there is an emergency or any kind of need for officers to respond.

Chief Krouse pointed out that the one thing the Traffic and Patrol Division did not quite accomplish was the goal of having officers taking Lexipol’s training at least once per month because the

implementation of the policy is lengthy and time-consuming. Each of the policies have to be gone through and edited to set forth what the Fruita community wants.

Looking forward to 2022, Chief Krouse stated that there are not a lot of “big-ticket” items for the Police Department’s Budget. Some of the highlights in the 2022 Budget document are:

- Dispatch costs are increasing by about 7% - 8% for 2022.
- No vehicle replacements or additional vehicles are being requested for 2022.
- There is a slight decrease in service contracts with Axon and Lexipol because implementation fees were paid in 2021 and are not required in 2022.
- A slight increase in Supplies and Safety Equipment is requested to purchase less lethal equipment and ballistic shields, which is equipment that was identified during the Administrative Reviews of the 2020 officer-involved shootings.
- Requesting an increase in hours of the part-time Evidence Technician to 28 hours per week to do a comprehensive inventory/audit of the property and evidence currently in storage and for an increase of data management for body camera video footage that has to be distributed for court purposes and records requests.
- A potential reclassification of sorts for Records Technicians is being requested to add more duties to Records Technicians that should help officers spend more time on the street and not at the front counter for administrative-type duties (such as VIN # inspections).

Administration Division Goals and Performance Measures for 2002 include:

- Increase social media presence and post crime prevention education information at least monthly (as identified in the last Community Survey)

The Investigations Division Goals and Performance Measures for 2022 are:

- Detectives will develop and present crime information and prevention seminars at least twice per year concerning issues like cybercrimes and identity fraud.

For the Traffic and Patrol Division, 2022 Goals and Performance Measures include:

- Evaluate how officers spend their time to see if there are opportunities for them to use their undedicated time for more informal interactions and more proactive patrol (spending more time in Fruita neighborhoods, which was also identified in the Community Survey).

Chief Krouse shared some citizen comments that the Police Department received throughout the year. He said that very rarely is there a week or even a day that goes by that visitors don’t bring in cards of appreciation, posters, cookies or other snacks.

- Someone called in to thank Stacey Nehm for working on a barking dog problem and expressed how much better she made the neighborhood.
- A mother of a 19-year old who was involved in a motor vehicle accident thanked the officers for the impression that they left on her son.
- Someone thanked Detective Lisa Dicamillo for her hard work on a difficult and significant home invasion robbery case and how she made the victim feel important and respected.

- From the local emergency room staff, there was an appreciative shout out for three Fruita officers who went to help with an aggressive patient who had assaulted some of the emergency room staff. They also followed up to make sure things were going okay that night.

Chief Krouse concluded by saying that he hears from his officers every day how grateful and lucky they are to be working in Fruita as opposed to other places in the nation that are currently experiencing challenging times.

Councilor Breman made a suggestion by saying that people appreciate thank you notes when they bring in items of appreciation.

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

City Manager Mike Bennett did not have any updates for the Council.

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

### **A. RESOLUTION 2021-29 – SUPPORTING AND ADVOCATING FOR THE PASSING OF SCHOOL DISTRICT 51 BOND MEASURE 4B TO REBUILD GRAND JUNCTION HIGH SCHOOL**

Mayor Kincaid asked if the Council had any questions or comments regarding the Resolution of support. There were none.

- **COUNCILOR KREIE MOVED TO ADOPT RESOLUTION 2021-29 – SUPPORTING AND ADVOCATING FOR THE PASSING OF SCHOOL DISTRICT 51 BOND MEASURE 4B TO REBUILD GRAND JUNCTION HIGH SCHOOL. COUNCILOR BUCK SECONDED THE MOTION. THE MOTION PASSED WITH SIX YES VOTES.**
- B. HOUSING STRATEGIES TECHNICAL ADVISORY WORKING GROUP – A REQUEST TO APPROVE THE APPOINTMENT OF JAMES PULSIPHER, JP NISLEY, JESSE MEASE, LORI CHESNICK, REBEKAH SCARROW, ROBERT JONE, II, ROB ABELOE, SILAS COLMAN, MARTY CHAZEN AND KAREN TROESTER TO A HOUSING TECHNICAL ADVISORY WORKING GROUP**

City Manager Mike Bennett noticed that Kevin Bray needed to be added to the list as he is also part of the group as well.

- **COUNCILOR BUCK MOVED TO APPOINT THE INDIVIDUALS LISTED ABOVE WITH THE ADDITION OF KEVIN BRAY TO THE HOUSING TECHNICAL ADVISORY BOARD. COUNCILOR LEONHART SECONDED THE MOTION. THERE WERE SIX YES VOTES.**

Deputy City Clerk Deb Woods noted that she neglected to include a section on the agenda for Council Reports and Actions that should have appeared before the Executive Session.

## **C. COUNCIL REPORTS AND ACTIONS**

### **COUNCILOR MATTHEW BREMAN**

Matthew reported that he and others on the Council attended the Grand Junction Economic Partnership's (GJEP's) Western Colorado Economic Summit and he thought it went very well. He commended Planning and Development Director Dan Caris for doing a great job at the event. Matthew also noted that GJEP will be conducting interviews of the two finalists for GJEP's Executive Director position somewhere between the 11<sup>th</sup> and 13<sup>th</sup> of October.

### **COUNCILOR KYLE HARVEY**

Kyle reported that the History Fair went really well; there were between 150 – 200 people who attended when it was held during Fruita Fall Festival at the Cavalcade. He said there was a lot of oral history from the community that was shared with members of the Historic Preservation Board and that there is a lot of interest from the community in being an active member of the board.

Kyle also reported that the Historic Preservation Board discussed the matter and took a vote in favor of increasing the potential number of board members from five to seven to five to nine (5-7 to 5-9) because of that interest that was shown at the History Fair. There was also discussion about having the Council Liaison not counted as one of the potential nine voting members and that the Council Liaison would only vote in the case of a tie.

City Manager Mike Bennett noted that some Boards and Commissions are guided by the Fruita Charter and some are guided by the Municipal Code, but staff would have to check to see which for the Historic Preservation Board.

Matthew asked if the oral presentations at the History Fair were recorded and Kyle said that was something the board has discussed, but they were not.

### **COUNCILOR KAREN LEONHART**

Karen reported that there was some police presence in her neighborhood over the weekend after some cars had been broken into. She said the City just has to keep reminding people to lock their vehicles because it is such a big problem in Fruita. Karen added that the police were very responsive.

### **MAYOR PRO TEM LORI BUCK**

Lori reported that she was at the Kokopelli Loops the previous Monday and there were six or seven skydivers that were landing on Rustlers Loop. She said she saw two vehicles parked up on top and that she didn't know that skydiving was allowed, so she wondered if it was worth looking into.

### **MAYOR JOEL KINCAID**

Joel reported that he was asked to participate on a panel on Thursday, October 7<sup>th</sup> for the "What's Happening in Our Community" with the other two Mayors in the valley. Dave Karisny put the event together and it is kind of like a higher education event.



Joel also reported that there were four interviews for different marketing firms, but the Fruita Tourism Advisory Council (FTAC) had narrowed it down to two. The board is still debating on which one to choose because a few FTAC members were missing from the board's last meeting and their insight is desired before deciding on which firm to select. Slate Marketing is one of the firms and the other is Colvita Creative. The FTAC will hold a special meeting in another week to decide which firm is best to bring to City Council and for the City.

**D. EXECUTIVE SESSION – DISCUSSION AND POSSIBLE ACTION TO CONSIDER A MOTION TO CONVENE IN EXECUTIVE SESSION TO RECEIVE LEGAL ADVICE FROM THE CITY ATTORNEY PURSUANT TO C.R.S. SECTION 24-6-402(4)(B) REGARDING A REAL ESTATE TRANSFER FEE AND AFFORDABLE HOUSING PROGRAM**

- **COUNCILOR BUCK MOVED TO MEET IN EXECUTIVE SESSION TO RECEIVE LEGAL ADVICE FROM THE CITY ATTORNEY UNDER C.R.S. SECTION 24-6-402(4)(B) REGARDING A REAL ESTATE TRANSFER FEE AND AFFORDABLE HOUSING PROGRAM. COUNCILOR KREIE SECONDED THE MOTION. THE MOTION PASSED WITH SIX YES VOTES.**

*The City Council convened into Executive Session at 8:03 p.m. The regular meeting of the City Council reconvened at 8:46 p.m.*

With no further business before the Council, Mayor Kincaid adjourned the meeting at 8:46 p.m.

Respectfully submitted,

Debra Woods  
Deputy City Clerk  
City of Fruita