

**FRUITA CITY COUNCIL MEETING
AUGUST 6, 2024
7:00 P.M.**

1. CALL TO ORDER AND ROLL CALL

Mayor Breman called the regular meeting of the Fruita City Council to order at 7:00 p.m. The meeting was held both in person and with virtual access provided through Zoom.

Present:

Mayor Matthew Breman
City Councilor James Williams
Mayor Pro Tem Aaron Hancey
City Councilor Jeannine Purser
City Councilor Rich Parrish
City Councilor Andrea Stolarczyk
City Councilor Amy Miller

Excused Absent:

(None)

City staff present:

City Manager Mike Bennett
Assistant City Manager Shannon Vassen
Communications and Engagement Manager Ciara Amann
City Clerk Deb Woods
Finance Director Joe Zaher
City Planner Henry Hemphill

Also present:

Members of the public (in-person and virtually)

2. MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE

Mayor Breman called for a moment of silence for people of 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 PURSER MOVED TO ADOPT THE AGENDA AS PRESENTED. COUNCILOR PARRISH SECONDED THE MOTION. THE MOTION PASSED WITH SIX YES VOTES.**

4. PROCLAMATIONS AND PRESENTATIONS

There were no proclamations or presentations on the agenda.

5. PUBLIC PARTICIPATION

There were no comments from the public.

6. CONSENT AGENDA

- A. MINUTES – A REQUEST TO APPROVE THE MINUTES OF THE JUNE 17, 2024 REGULAR CITY COUNCIL MEETING**
- B. MINUTES – A REQUEST TO APPROVE THE MINUTES OF THE JUNE 25, 2024 CITY COUNCIL WORKSHOP MEETING**
- C. MINUTES – A REQUEST TO APPROVE THE MINUTES OF THE JULY 16, 2024 REGULAR CITY COUNCIL MEETING**
- D. MINUTES – A REQUEST TO APPROVE THE MINUTES OF THE JULY 23, 2024 CITY COUNCIL WORKSHOP MEETING**
- E. RESOLUTION 2024-22 – A RESOLUTION OF THE FRUITA CITY COUNCIL SETTING A HEARING DATE FOR SEPTEMBER 17, 2024 TO DETERMINE THE ELIGIBILITY OF APPROXIMATELY 53.59 ACRES OF PROPERTY LOCATED AT 958 17 ½ ROAD TO BE ANNEXED INTO THE CITY LIMITS AND CONSIDER INITIATION OF ANNEXATION PROCEDURES (*KARP ANNEXATION*)**
- F. ORDINANCE 2024-14 – FIRST READING – AN INTRODUCTION OF AN ORDINANCE ANNEXING APPROXIMATELY 53.59 ACRES OF PROPERTY LOCATED AT 958 17 ½ ROAD AND ADJACENT 17 ½ ROAD RIGHT-OF-WAY INTO THE CITY OF FRUITA FOR PUBLICATION OF PUBLIC HEARING ON SEPTEMBER 17, 2024 (*KARP ANNEXATION*)**
- G. ORDINANCE 2024-15 – FIRST READING – AN INTRODUCTION OF AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF FRUITA BY ZONING APPROXIMATELY 53.59 ACRES OF PROPERTY LOCATED AT 958 17 ½ ROAD AND ADJACENT 17 ½ ROAD RIGHT-OF-WAY TO A SOUTH FRUITA RESIDENTIAL ZONE FOR PUBLICATION OF PUBLIC HEARING ON SEPTEMBER 17, 2024 (*KARP REZONE*)**
- H. ORDINANCE 2024-16 – FIRST READING – AN INTRODUCTION OF AN ORDINANCE AUTHORIZING A FIVE-YEAR FARM/CROP LEASE AND OPTIONAL FIVE-YEAR EXTENSION OF 40 ACRES OF PROPERTY LOCATED ON THE NORTHEAST CORNER OF 16 AND L ROADS FOR PUBLICATION OF PUBLIC HEARING ON SEPTEMBER 3, 2024**
- I. RESOLUTION 2024-24 – A REQUEST TO APPROVE A RESOLUTION APPROVING THE COLORADO OPIOID SETTLEMENT AND RECOVERY – KROGER – AND AUTHORIZING THE CITY MANAGER AND/OR MAYOR TO EXECUTE AND SUBMIT ALL REQUIRED DOCUMENTS TO FULFILL PARTICIPATION REQUIREMENTS**

Mayor Breman opened the public hearing on the Consent Agenda. Hearing no comments from the public, he referred the Consent Agenda to the City Council.

Councilor Purser asked for clarification that annexations (Consent Agenda Items E., F. and G.) come before the City Council because the property owner has requested them. City Manager Mike Bennett confirmed that to be correct.

- **COUNCILOR STOLARCZYK MOVED TO APPROVE THE CONSENT AGENDA AS PRESENTED. COUNCILOR MILLER 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

A. RESOLUTION 2024-23 – PUBLIC HEARING – AMENDING THE 2024 BUDGET WITH SUPPLEMENTAL APPROPRIATIONS OF FUNDS FOR PERSONNEL SERVICES, CAPITAL EQUIPMENT, CAPITAL PROJECTS AND SPECIAL PROJECTS – ASSISTANT CITY MANAGER SHANNON VASSEN

Assistant City Manager Shannon Vassen reviewed the supplemental appropriations as follows:

Description	Summary
Public Safety – Personnel Services	This budget amendment appropriates \$27,275 in funds restricted for Public Safety expenses to hire a new Police Officer. This budget amendment assumes a start date of September 1, 2024, and the employee receiving full benefits. Earlier this year, the City Council encouraged staff to bring a budget amendment if the Police Department could find an additional officer, and this resolution formally approves the ability for the department to make that hire.
Public Safety – Mobile Equipment	This budget amendment appropriates \$18,050 in Public Safety funds and \$42,250 in Insurance Payments to replace a Police Interceptor that was totaled earlier this year, for a total amount of \$60,300. One of the dealers that the City of Fruita normally orders from has an Interceptor in stock, and this vehicle will be received later this year.
Parks and Recreation – Scholarship Programs	The City of Fruita sponsored the Hot 90 Days of Summer program that provided child/youth passes for kids in Fruita and purchased 275 helmets for a Bike Helmet program in partnership with Family Health West. This budget amendment appropriates \$10,000 in scholarship funds to cover these two programs.
16 Road Rail Crossing – Capital Projects	This budget amendment appropriates an additional \$150,000 to complete the 16 Road Rail Crossing project. After going through a competitive bid process, the bid for construction came back over budget, and this amendment

	approves funds to complete the improvements this year. Funds are available in the General Fund to offset the overage.
Sewer Line Extension - 19 Road.	Finally, this budget amendment appropriates \$710,000 in funds restricted for Sewer to expand the sewer line along 19 Road. This is part of the larger 19 Road Improvements projects (narrative and budget included in the Capital Projects Fund of the 2024 Budget), and these funds will be repaid by the development through a recapture agreement. The overall total of the 19 Road Improvements project has not changed, but staff has identified the portion that needs to be designated for sewer, prompting this budget amendment. Although it is not anticipated that there will be any Sewer Funds spent this year (outside of materials for the project), the funds will now be designated for this use. The General Fund contribution will be reduced for the 19 Road project by \$710,000, or a similar amount.

Mayor Breman opened the public hearing for comments from the public.

Tessa Binam, 255 N. Ash Street, asked if the \$710,000 in funds to expand the sewer line along 19 Road has been accounted for. City Manager Mike Bennett responded that the City has the full project budgeted, but there is a portion of that project that includes sewer expenses, so those funds must come out of the Sewer Fund. This increases the Sewer Fund going into the project and the same amount decreases in the General Fund.

Mr. Bennett added that the City Attorney is drafting an amendment to the current Recapture Agreement for the sewer that was brought to where the Iron Wheel Subdivision is located. That subdivision participated financially and each of the houses in the subdivision on the east side of 19 Road is paying not only the normal tap fee to connect to sewer, but also an additional Recapture Fee for the sewer that was brought there. The Recapture Agreement will be amended to include the new section of sewer once it has been constructed for the two future subdivisions and they will pay a Recapture Fee as well. Mr. Bennett pointed out that all Recapture Fees go back into the Sewer Fund.

There were no further comments from the public.

Councilor Hancey asked how the Police Interceptor got totaled. Mr. Vassen recalled that there were two accidents with police vehicles; one of them occurred in Grand Junction when a Fruita police car was hit by another driver who ran a stoplight, resulting in a pretty bad accident. Mr. Vassen said the other accident involved a detective's car where he was at fault and it wasn't as bad of an accident, even though it still totaled the vehicle, which will be replaced with a smaller SUV. He also explained that the City received an insurance award for both accidents after paying the deductible and the insurance covers the Interceptor that's being replaced, but it is the outfitting of it that costs the additional \$18,000.

Councilor Hancey asked if the Hot 90 Days of Summer Program (which provided child/youth passes and 275 helmets for a youth bike helmet program) was not included in the Budget. He added that he

was confused because it seems like the City Council is considering Budget Amendments quite often, which makes him wonder why things aren't already included in the Budget. Mr. Vassen explained that there are funds raised through the Youth Golf Tournament and other donations for scholarships that will replace the funds being allocated to the Hot 90 Days of Summer Program and child/youth passes.

Councilor Hancey also asked how much the original budget was for the 16 Road Rail Crossing project. Mr. Vassen said he thought it was \$350,000. The originally funded amount has been rolled forward each year while staff has been waiting since 2021 for the UPRR to complete their part of the project, which they finally did earlier this year. The City received a Mesa County Federal Mineral Lease (MCFML) grant for the project and then went out to bid for expanding the road to match the railroad crossing at the intersection, but came in over budget.

Mr. Vassen said there are Transportation Impact Fee (TIF) dollars along with grant funds to help fund the project. Councilor Hancey reiterated his frustration with how hard the City works on the Budget but still has projects that go over budget. Mr. Bennett added that the UPRR situation is unique because the City has been waiting three years for them to complete their part of the project while in the meantime, costs have continued to increase due to inflation. Mayor Breman estimated that there has likely been approximately 20.3% inflation over that period of time.

Councilor Hancey commented that so far, the 19 Road project has been going well budget-wise and hopefully, staff can keep it that way. Mr. Vassen noted that the City does have some savings from other projects (such as overlays, which came in \$80,000 under budget) that will help offset the 16 Road Rail Crossing project. In addition, chip sealing came in way over budget, so staff decided not to do that this year, especially with how busy contractors and City staff are right now. Mr. Vassen estimated that the savings in overlays combined with not doing chip sealing equate to about \$300,000 that the City won't be spending this year on streets.

- **COUNCILOR STOLARCZYK MOVED TO APPROVE RESOLUTION 2024-23 – AMENDING THE 2024 BUDGET WITH SUPPLEMENTAL APPROPRIATIONS OF FUNDS FOR PERSONNEL SERVICES, CAPITAL EQUIPMENT, CAPITAL PROJECTS AND SPECIAL PROJECTS. COUNCILOR PURSER SECONDED THE MOTION. THE MOTION PASSED WITH SIX YES VOTES.**

B. ORDINANCE 2024-13 – SECOND READING – AMENDING CHAPTER 5.20 OF THE FRUITA MUNICIPAL CODE TO ALLOW ADMINISTRATIVE APPROVALS FOR CERTAIN LIQUOR-RELATED APPLICATIONS – CITY CLERK DEB WOODS

City Clerk Deb Woods gave staff's presentation on the Second Reading of Ordinance 2024-13, the purpose of which is to allow for administrative approvals of certain liquor license applications. She pointed out that these types of applications were listed in the Ordinance text and explained that they include all liquor-related applications except those for new liquor licenses, which will still go before City Council for approval.

Ms. Woods stated that the Ordinance contains a provision that if there are any derogatory information regarding a licensee, if there have been any violations of the Colorado Liquor or Beer Codes or if Fruita Police Chief Dave Krouse has any concerns about a Special Event Liquor Permit application,

those applications will not be administratively approved and will instead be placed on a Council meeting agenda for the Council to consider.

Ms. Woods also explained that in her role as the Licensing Officer, the initial process for applications will not change; she would still contact the Fruita Police Department and any other applicable law enforcement agencies to request Criminal History Records of applicants or inquire as to whether a Fruita licensee has had any violations of the Liquor or Beer Codes. The latter will be done on an annual basis for all liquor licensees when it is time to renew their liquor licenses.

Ms. Woods stated that she would also continue to send all Special Event Liquor Permit applications to Chief Krouse requesting that he review them and provide his memorandum regarding whether or not he has any concerns. Additionally, when a licensee is cited for a Liquor or Beer Code violation by the Colorado Liquor Enforcement Division, the Division emails Ms. Woods a copy of the proposed Stipulation Agreement and Order that is sent to the licensee. Ms. Woods assured the Council that if she receives one of those for a Fruita licensee or if there is any question at all as to whether an application should or should not be administratively approved, that application will be brought before Council at the next regular meeting for consideration. She then provided staff's recommendation that the Council adopt Ordinance 2024-13.

Mayor Breman opened the public hearing. Hearing no comments from the public, he closed the public hearing and referred the matter to the City Council, who also had no questions.

- **COUNCILOR HANCEY MOVED TO APPROVE ORDINANCE 2024-13 – AMENDING CHAPTER 5.20 OF THE FRUITA MUNICIPAL CODE TO ALLOW ADMINISTRATIVE APPROVALS FOR CERTAIN LIQUOR-RELATED APPLICATIONS. COUNCILOR WILLIAMS SECONDED THE MOTION. THE MOTION PASSED WITH SIX YES VOTES.**

8. ADMINISTRATIVE AGENDA

There were no Administrative items on the agenda.

9. CITY MANAGER'S REPORT

- Mike reminded the Mayor and Council members that an invitation had been extended to them to tour the VanWinkle Ranch and learn about the Agri-West Program that J.D. VanWinkle is working on in conjunction with the Business Incubator Center. The tour is scheduled for August 20th from 11:00 a.m. to 1:00 p.m. and Mr. Bennett noted that staff had sent the Council a meeting invite and that the tour had been posted to the meeting calendar.
- Mike also noted that construction would be commencing the following day to install an ADA accessible ramp on the north side of the Fruita Civic Center to upgrade the building to current ADA standards. During that time, there will be a one-way drive-through and the parking spaces will not be accessible except for the two electric charging stations. Aaron asked if the utility payment drop box would stay over by the ballot box permanently. Mike said he thought the drop box would be put back to its original location on the north side of the building.
- Mike outlined the agenda items for the August Council Workshop meeting. On the agenda, there will be two main items: 1) a discussion about a few Municipal Code changes with the

Municipal Court Judge and Chief of Police and 2), the Capital Improvements Plan Overview, which will take the majority of the time that night. A minor item will also be added for the Arts and Culture Board's presentation of the murals for the Mulberry Plaza. A Request for Proposals was sent out and now the board will be going through a selection process in the near future. Mike recalled that the City Council directed the Arts and Culture Board to proceed with the project after it was included in the 2024 Budget.

- Mike's final report was that the Fruita Tourism Advisory Council (FTAC) made a decision to go out to bid for the City's marketing and promotion contracted services. The board will be making a recommendation to the City Council for a new contract.

Jeannine asked how late Council members could RSVP for the VanWinkle Ranch tour and Mike said he didn't believe there was a deadline.

Jeannine said that she thought the Council would be discussing the Localism Board at the August Workshop meeting. Mike said that staff was awaiting Council's direction concerning when to schedule that discussion.

10. COUNCIL REPORTS AND ACTIONS

A. COUNCIL REPORTS AND ACTIONS

COUNCILOR AMY MILLER

Amy introduced Chris Endreson from the Historic Preservation Board. Chris provided the Council with hard copies of residential and commercial structure/landmark plaque mock-ups and an update on the plaques. He said that the City has four commercial properties on the local Historic Register that are going to be recognized by plaques including:

- Fruita Civic Center, 325 E. Aspen Avenue
- Fruita Area Chamber of Commerce, 432 E. Aspen Avenue
- The Old Fruita Bridge on 17 ½ Road and Colorado River
- Circle Park, 101 North Park Square

Chris explained that the Historic Preservation Board is going to replace all the current historic plaques with brand new plaques that give a little more information than the current ones do. They are made of materials that are meant to withstand the outdoor elements for many years to come.

Chris stated that the Historic Preservation Board has mailed out letters to all the property owners to obtain their consent for having a plaque installed and four of them have come back to date. The board plans to do some kind of press release with the ultimate goal of having the four plaques of City-owned properties installed in time for Fruita Fall Festival.

Aaron asked how many homes in Fruita have plaques and Chris explained that none have them yet; it requires a little more coordination for installation because the board members want to be very cognizant of homeowners' feelings about people approaching their house to read the plaques. Those will likely have to be installed a little differently than the ones downtown where the plaques can go right on the facades of the businesses. There are residences that are on the local Historic Register, however, and the Historic Preservation Board does want them to have the plaques if possible.

Chris said the initial run of the plaques will total 20, two of which are residences. The Historic Preservation Board recently placed an advertisement using Michelle Cools' house a couple of years ago during COVID, but the board never got to do anything about it.

Amy also reported that she had quick but very pleasant and engaging meetups with a few citizens who reached out to her and she is glad to see that the City is experiencing more engagement with its residents because they had some really awesome conversations. Two of them were concerning growth and one was more focused on getting involved with the City. Amy noted that during the conversations concerning growth, there were some facts that the citizens didn't realize and now they want clarification about things such as the annexation process.

COUNCILOR ANDREA STOLARCZYK

Andrea reported that she attended the "Dinos on the Rocks" fundraiser, which was in support of Museums of Western Colorado (MWC). She called it a success; there were 98 attendees at the event held at Dinosaur Journey and the net profit was \$5,671. The MWC also received a verbal commitment from a man who wants to donate funds for the replacement of the Dilophosaurus. Andrea said everybody had a really good time.

Andrea also reported that she received a call from a citizen who expressed concern about the toilet seats in the new downtown self-cleaning restrooms. His worry is that certain people who are smaller would be at risk of falling in, so Andrea told the citizen that she would bring it up at the next Council meeting to see if anything could be done about it. Jeannine said she heard the same thing from someone who was visiting Fruita.

Andrea said she also received an email from a citizen who expressed concern about Xcel Energy power lines and asked Mike if the citizen had reached out to him, too. Mike explained that this was something that has been going on for many months. There were a number of Xcel-held neighborhood meetings in the Kingsview Estates Subdivision concerning high-voltage power lines (not the typical residential neighborhood power lines) going through Colorado and into Utah and Xcel Energy has proposed multiple locations for the lines and is going through a process for that with the City.

Xcel Energy did not end up going through Kingsview Estates and they can't go through the conservation easement (which is the upper part near the Snook's Bottom entrance and part of the disc golf course), but after numerous iterations considered by Xcel, they submitted an application to the City of Fruita that is posted for a public hearing before the Planning Commission for a Conditional Use Permit.

In their current proposal, there are three power poles that would go through a lower portion of the disc golf course and City staff provided comments to Xcel that the City would like to see the lines buried. Mike said a meeting was just held earlier in the day and there was discussion that burying the high-voltage power lines is not an actual option for Xcel without them being able to obtain a huge partner in funding. In addition, it would cause a serious disruption to the ground because the power lines are high-voltage, so both the City and Xcel are working through some alternative routes. Mike said the options are very limited because Xcel will have to avoid a vegetation area at the bottom of the cliff on the north side of the road going to Snook's Bottom (which puts the power lines close to some residences) and there are also some raptors and other wildlife issues that they ran into. Xcel Energy would also not be able to go south along the river for various reasons.

Mike stated that the power lines are on average 80 to 85 feet high and that the City is not interested in having the high-voltage power lines go through an open space in a park. He added that Xcel Energy still needs to make a decision about whether to continue the public hearing to a specific date or to withdraw and resubmit their application, which is currently for a Conditional Use Permit that is going through review. Mike reiterated that staff is trying to work with Xcel to find a solution, but it appears that those are very limited.

Andrea asked what response the Kingsview Estates residents had at the neighborhood meetings held by Xcel Energy. Mike responded that the residents wanted to avoid having the power lines go through their subdivision, which was upheld by Xcel after they originally presented it.

Andrea asked how residents can participate if they have concerns. Mike said they can send emails to the City's Community Development staff and find the public hearing details on the City's website at fruta.org (scheduled for Tuesday, August 13, 2024 at 6:30 p.m.).

Matthew asked if the City's franchise fees of 3% and 1% can be used for installing the power lines underground. Mike responded that franchise fees have been used by the City for projects within the City that utilize normal (not high-voltage) power lines such as the alleyway behind Aspen Avenue where existing overhead lines were removed and installed underground. He added that all new construction in residential areas has underground power lines but for the high-voltage lines, the cost would be significantly greater. Matthew asked if staff has shared what the balance of the franchise fees for undergrounding is and how it gets spent. Mike responded that there aren't funds that have been built up; they are used for paying back a project that the City has completed.

Andrea disclosed to the Council that she submitted a proposal for the Mulberry Street murals project and would therefore recuse herself from all Council discussions and acts of voting concerning that process.

COUNCILOR JAMES WILLIAMS

James reported that he finally attended his first Police Commission meeting a few weeks prior and it was a very short meeting consisting of introductions to the members and a discussion about the situation with Mesa County declining to assist local municipalities with animal control services. One idea was to have citizens get involved, but when asked about how many animal control complaints the Fruita Police Department receives in a year, it was determined that there were only (approximately) four (4).

COUNCILOR AARON HANCEY

Aaron asked if staff had any updates concerning the challenges the City has had with the 19 Road right-of-way acquisitions for the project. Mike responded that staff and the City's Right-of-Way Agent are continuing to work with all the property owners for the necessary width. He noted that if a width is going to cause an irrigation change, then the City has to pay the costs to redirect the water.

Aaron stated that there is a gentleman who is part of an investment group that wants to invest in Fruita and is looking for any businesses that need some support in starting up. Mike said that most businesses go to the Business Incubator Center if they need financial support and the City of Fruita contracts with them for those services. Aaron said the individual has joined with a few others and they are also

interested in buying a business outright because they want to be a part of good business development in the Fruita community.

Aaron said he was made aware of a professional firm in Fruita that is moving to Grand Junction because they weren't able to come to an agreement with their landlord about the rent being too costly. He stated that this was one of several businesses that this has happened to. Matthew said he actually had a conversation with the firm Aaron was referring to and Mike said he had, as well. Mike added that the business needed to expand but couldn't find any available space in Fruita to do so and the concern about cost was for constructing a new building. The firm will be moving into the old Colorado Christian Academy in Grand Junction. Matthew added that a real estate agent who has a client looking to do some expansion in Fruita contacted him and wanted to know who the larger Fruita employers are. Matthew put them in touch with the Fruita Area Chamber of Commerce.

COUNCILOR JEANNINE PURSER

Jeannine said it was her understanding that when the Council talked to the Livability Commission, the Commission was in full support of having a new, separate board for communications (and other things that were previously discussed) and so, she wants to look at that more closely again. Mike stated that there was some discussion at a Council Workshop meeting, but staff did not receive any specific direction from the Council.

A decision was made to work on the Memorandum of Understanding (MOU) between the City and the new board and place a discussion about it on the September 2024 Workshop agenda. Aaron said it would be nice to have a summary of past discussions in order to expedite the conversation and Matthew agreed that there should be some structure. James added that it would be nice if there was a specific idea of what the new board wants to do because it seemed to him that there were ideas that sounded great, but nothing concrete resulted from it. Jeannine said she was confident that the Council could decide on some more concrete goals.

MAYOR MATTHEW BREMAN

Matthew reported that he attended the "Breakfast at Timberline" the previous week and this time, they didn't have to discuss the Total Maximum Daily Load (TMDL), so it was much more enjoyable. There were a lot of questions about Fruita schools and School District #51 and understandably, the issue is growth.

Matthew asked if any of the other Council members were going to the Grand Valley Power Board meeting and dinner on Thursday, August 8th and no one said they were.

Matthew noted that he has received a number of different letters lately about weeds (staff has copies of them). Mike pointed out that the main letter Matthew received did not include locations, but fortunately, that person followed up with staff and now all locations referred to in that letter have been remedied. There were a number of hardship cases among them.

Matthew added that he received an anonymous weed complaint letter from Grand Junction the previous week that had two more specific addresses and he would forward that to staff as well.

Mike said he forgot to mention that staff had proactively made certain of all the vegetation on school routes was not causing visibility impairments in preparation for the start of the school year.

Matthew asked if there was a conversation with School District #51 about maintaining Fruita Middle School. Mike said the City's Planning and Development Department did reach out to the District and explained what the City's standards are. The District has committed to maintaining the property and staff will continue to monitor it.

Andrea requested that staff follow up with the gentleman who contacted her about his concerns with the downtown restroom toilet seats and Mike said he would ask Parks and Recreation Director Marc Mancuso to look into it and get back with him.

**B. EXECUTIVE SESSION – DISCUSSION AND POSSIBLE ACTION TO CONSIDER
A MOTION TO CONVENE IN EXECUTIVE SESSION FOR THE CITY
MANAGER'S INFORMAL REVIEW, A PERSONNEL MATTER PURSUANT TO
C.R.S. SECTION 24-6-402(4)(F)(1)**

- **COUNCILOR PURSER MOVED TO CONVENE IN EXECUTIVE SESSION FOR THE CITY MANAGER'S INFORMAL REVIEW, A PERSONNEL MATTER PURSUANT TO C.R.S. SECTION 24-6-402(4)(F)(1). COUNCILOR WILLIAMS SECONDED THE MOTION. THE MOTION PASSED WITH SIX YES VOTES.**

Mayor Breman called for a five-minute break at 8:00 p.m. before going into Executive Session.

The Fruita City Council convened in Executive Session at 8:09 p.m. They reconvened the regular meeting at 8:46 p.m.

11. ADJOURN

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

Respectfully submitted,

Deb Woods
City Clerk
City of Fruita