

**FRUITA CITY COUNCIL
VIRTUAL MEETING
JUNE 15, 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 7:00 p.m. The meeting was held both in person and with virtual access provided through Zoom.

Present:

Mayor Pro Tem Lori Buck
City Councilor Ken Kreie
City Councilor Kyle Harvey
City Councilor Heather O'Brien
City Councilor Matthew Breman

Excused Absent:

City Councilor Karen Leonhart

Also present:

City Manager Mike Bennett
Management Analyst Shannon Vassen
City Clerk/Finance Director Margaret Sell
Deputy City Clerk Deb Woods
Adult Protection Services (APS) Manager Candace McGuire
Black Citizens and Friends Board Member David Combs
Black Citizens and Friends Board Member Eric Ward
Black Citizens and Friends Board Member Gretchen Annan
Sandstone Concerts, Inc. owner Ron Wilson
Event Manager Paul Nelson
CO Parks and Wildlife Park Manager Pete Firmin
Members of the public (virtually)

2. PLEDGE OF ALLEGIANCE

Councilor Breman led in the recital of the Pledge of Allegiance.

3. AGENDA – ADOPT/AMEND

Mayor Kincaid asked if there were any additions or changes to the agenda. Deputy City Clerk Deb Woods confirmed that there were none.

- **COUNCILOR BUCK 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 JUNE 2021 AS “ADULT PROTECTION AWARENESS MONTH” IN THE CITY OF FRUITA TO BE ACCEPTED BY CANDACE MCGUIRE, ADULT PROTECTION MANAGER, MESA COUNTY DEPARTMENT OF HUMAN SERVICES

Councilor Kreie read the Proclamation, which was accepted by Candace McGuire, Adult Protection Services (APS) Manager with the Mesa County Department of Human Services.

Ms. McGuire stated that there were over 1,500 reports concerning at-risk adults last year, a number that was expected to be lower due to the pandemic as caregivers were not going into homes and therefore, people were not seeing mistreatment of the older population.

Ms. McGuire added that over 700 of the 1,500 cases were those in which there was a substantiated finding and APS was able to complete the investigation assessments and hopefully were able to improve those clients' lives.

Ms. McGuire thanked the Fruita City Council for helping to raise awareness about APS and its very valuable services to Mesa County communities.

B. PROCLAMATION – PROCLAIMING JUNE 19, 2021 AS “JUNETEENTH DAY” IN THE CITY OF FRUITA TO BE ACCEPTED BY DAVID COMBS OF BLACK CITIZENS AND FRIENDS

Councilor Harvey read the Proclamation, which was accepted by David Combs, Eric Ward and Gretchen Annan, Board Members of Black Citizens and Friends (BCF).

Mr. Combs invited the Mayor and/or a Council member to re-read the Proclamation at a celebration in Lincoln Park on June 19th at 5:30 p.m. Prior to that, there will be a pop-up art display and information booths.

Mr. Combs spoke about the current state of the country and its schools, which he said probably don't teach about the Juneteenth holiday, the largest celebration concerning emancipation in the United States. He gave a brief history of Juneteenth and said that what is most important is the recognition of it even though some people believe it separates people. Mr. Combs said that actually, the recognition educates people and that is the reason that Black Citizens and Friends started hosting the events. This is only the second annual Juneteenth celebration to be held so far.

Mr. Combs noted that he was accompanied by Black Citizens and Friends Board members Eric Ward and Gretchen Annan and he invited them to say a few words also.

Mr. Ward thanked the City Council for acknowledging Juneteenth, which he called a significant point in American history.

Ms. Annan stated that she was very glad that the Council was helping to honor the celebration and thanked them.

5. PUBLIC PARTICIPATION

There were no comments from the public, whether present in person or virtually.

6. CONSENT AGENDA

- A. MINUTES – A REQUEST TO APPROVE THE MINUTES OF THE JUNE 1, 2021 REGULAR CITY COUNCIL MEETING**
- B. LIQUOR LICENSE RENEWAL – A REQUEST TO APPROVE THE RENEWAL OF A HOTEL & RESTAURANT LIQUOR LICENSE – MALT, VINOUS & SPIRITUOUS FOR STRAYHORN GRILL LOCATED AT 456 KOKOPELLI BLVD., UNIT J**
- C. FINANCIAL REPORTS – A REQUEST TO APPROVE THE MAY 2021 FINANCIAL REPORTS**
- D. DOLA GRANT – ENDORSING A DEPARTMENT OF LOCAL AFFAIRS (DOLA) ADMINISTRATIVE GRANT APPLICATION FOR A PARKS, OPEN SPACE AND TRAILS (POST) IMPACT FEE STUDY AND THE USE OF UP TO \$10,000 IN CONTINGENCY FUNDS**

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 O'BRIEN 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 ONE RIVERFRONT – COLORADO RIVERFRONT FOUNDATION, INC. TO SELL MALT, VINOUS & SPIRITUOUS AT JAMES M. ROBB - COLORADO RIVER STATE PARK, FRUITA SECTION LOCATED AT 595 HIGHWAY 340 ON THURSDAY, SEPTEMBER 9, FRIDAY, SEPTEMBER 10 AND SATURDAY,**

**SEPTEMBER 11, 2021 FROM 5:00 TO 10:00 PM ON ALL THREE DAYS
– DEPUTY CITY CLERK DEB WOODS**

Deputy City Clerk Deb Woods gave staff's presentation. She reviewed the application and event narrative, which consisted of plans for security and the control of the alcohol at the park. She noted that all relative documents were included in the Council packet for the Council members to consider prior to the meeting and subsequently provided staff's recommendation of approval of the Special Event Liquor Permit application with the following conditions:

1. Alcohol will be secured and no longer served after 9:45 p.m., allowing patrons 15 minutes to finish their beverages.
2. The One Riverfront – Colorado Riverfront Foundation, Inc. will be solely responsible for the enforcement of liquor laws.
3. All other procedures presented by the One Riverfront – Riverfront Foundation, Inc. will be followed.

Applicants Paul Nelson and Ron Wilson were present in the audience. Mr. Wilson, owner of Sandstone Entertainment, stated that the Riverfront Concerts have been going on for twenty-some years (excluding last year) and that he is grateful that the concerts were allowed to come back this year.

Mayor Kincaid opened the public hearing. Hearing no comments from the public, he referred the agenda item to the Council for their questions, comments or a motion.

- **COUNCILOR BREMAN MOVED TO APPROVE THE SPECIAL EVENT LIQUOR PERMIT APPLICATION FOR THE ONE RIVERFRONT – COLORADO RIVERFRONT FOUNDATION, INC. TO SELL MALT, VINOUS & SPIRITUOUS LIQUOR DURING THE SUMMER CONCERT SERIES AT THE JAMES M. ROBB COLORADO RIVER STATE PARK SUBJECT TO THE FOLLOWING CONDITIONS:**

- 1. ALCOHOL BE SECURED AND NO LONGER SERVED AFTER 9:45 PM, ALLOWING THE PATRONS 15 MINUTES TO FINISH THEIR BEVERAGES.**
- 2. THE ONE RIVERFRONT – COLORADO RIVERFRONT FOUNDATION, INC WILL BE SOLELY RESPONSIBLE FOR THE ENFORCEMENT OF LIQUOR LAWS, AND**
- 3. ALL OTHER PROCEDURES PRESENTED BY THE ONE RIVERFRONT – COLORADO RIVERFRONT FOUNDATION, INC. WILL BE FOLLOWED.**

COUNCILOR HARVEY SECONDED THE MOTION. THE MOTION PASSED WITH FIVE YES VOTES.

2) SPECIAL EVENT LIQUOR PERMIT APPLICATION – FOOD TRUCK FRIDAYS – A REQUEST TO APPROVE A SPECIAL EVENT LIQUOR PERMIT APPLICATION FOR THE FRUITA ROTARY CLUB TO SELL BEER AT REED PARK LOCATED AT 250 S. ELM FOR FOOD TRUCK FRIDAYS ON FRIDAY, JUNE 18, FRIDAY, JULY 16, FRIDAY, AUGUST 6 AND FRIDAY, SEPTEMBER 3, 2021 FROM 5:00 TO 9:00 PM ON ALL FOUR DAYS - DEPUTY CITY CLERK DEB WOODS

Deputy City Clerk Deb Woods gave staff's presentation. She reviewed the application and event narrative, which consisted of plans for monitoring patrons and the entrances to the licensed area to make sure no alcohol enters or leaves and to prevent any patrons from becoming overly intoxicated. She noted that all relative documents were included in the Council packet for the Council members to consider prior to the meeting and subsequently provided staff's recommendation of approval of the Special Event Liquor Permit application with the following conditions:

1. The Fruita Rotary Club will be solely responsible for the enforcement of liquor laws.
2. All other procedures presented by the Fruita Rotary Club will be followed.

Ms. Woods explained that the applicant (Lou Mudd, Event Manager for the Fruita Rotary Club) could not be in attendance at the meeting but had asked that she pass along his request for approval.

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

- **COUNCILOR KREIE MOVED TO APPROVE THE APPLICATION FOR A SPECIAL EVENTS LIQUOR PERMIT FOR THE FRUITA ROTARY CLUB TO SELL BEER AT FOOD TRUCK FRIDAYS AT REED PARK ON FRIDAY, JUNE 18, FRIDAY, JULY 16, FRIDAY, AUGUST 6 AND FRIDAY, SEPTEMBER 3, 2021 FROM 5:00 TO 9:00 PM ON ALL FOUR DAYS SUBJECT TO THE FOLLOWING CONDITIONS:**

- 1. THE ROTARY CLUB WILL BE SOLELY RESPONSIBLE FOR THE ENFORCEMENT OF LIQUOR LAWS.**
- 2. ALL OTHER PROCEDURES PRESENTED BY THE FRUITA ROTARY CLUB WILL BE FOLLOWED.**

COUNCILOR BREMAN SECONDED THE MOTION. THE MOTION PASSED WITH FIVE YES VOTES.

8. ADMINISTRATIVE AGENDA

There were no items on the Administrative agenda.

9. CITY MANAGER'S REPORT

City Manager Mike Bennett reported on the following:

1. Next week, the new, permanent gooseneck microphones will be installed in the Council Chambers, which will hopefully help with some of the interference that was heard in the meeting.
2. He wished the Assistant to the City Manager, Shannon Vassen, a happy birthday.

10. COUNCIL REPORTS AND ACTIONS

COUNCILOR KYLE HARVEY

Kyle noted that his meetings are forthcoming.

COUNCILOR KEN KREIE

Ken reported that he would be attending the Associated Governments of Northwestern Colorado (AGNC) Meeting in Glenwood Springs the following day. He asked if there was anything significant that the Downtown Advisory Board had discussed at their meeting the previous week as he was unable to attend. Mike said that the board is just starting to plan for combining Pabor Day with Fruita Fall Festival.

COUNCILOR HEATHER O'BRIEN

Heather noted that the Mayor had attended the Parks and Recreation Advisory Board in her absence.

Joel said the Parks and Recreation Advisory Board had a good meeting; they did a tour of the parks and want to develop a Master Plan for them that will prioritize projects over the next three years after doing more in-depth planning and community outreach.

Heather noted that the next Planning Commission meeting was forthcoming.

COUNCILOR MATTHEW BREMAN

Matthew explained that the Grand Junction Economic Partnership (GJEP) canceled their meeting, so he had nothing to report.

MAYOR JOEL KINCAID

Joel reported that at the Fruita Area Chamber of Commerce Board Meeting, the board discussed how Fruita Fall Festival is on target at this point and that the Farmers' Market would be starting on the upcoming weekend. He added that the Fall Festival is going to be a two-day event this year instead of a three-day event. Over 40 vendors have already signed up to participate.

With no further business before the Council, Mayor Kincaid adjourned the meeting at 7:23 p.m.

Respectfully submitted,

Debra Woods
Deputy City Clerk
City of Fruita