

**FRUITA CITY COUNCIL MEETING  
MARCH 18, 2025  
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.

Mayor Breman made an announcement prior to the start of the Council meeting. He stated that the previous evening, Councilor Andrea Downs, for personal reasons, resigned from City Council. He acknowledged her hard work and all that she accomplished while she was on City Council. He also said she will be sorely missed.

City staff and City Council will be working on the process of replacing Councilor Downs and the information should be forthcoming very soon.

**Present:**

Mayor Matthew Breman  
City Councilor Jeannine Purser  
City Councilor Rich Parrish  
City Councilor James Williams

**Excused Absent:**

Mayor Pro Tem Aaron Hancey  
City Councilor Amy Miller

**City Staff Present:**

City Manager Shannon Vassen  
Executive Assistant to the City Manager Kaydee Lucero  
City Clerk Deb Woods  
Finance Director Joe Zaher  
Planning and Development Director Dan Caris  
City Planner Henry Hemphill  
Engineering Project Manager Steve Martinez  
Public Works Director Kimberly Bullen  
Public Works Deputy Director John Carillo  
Parks and Recreation Director Marc Mancuso  
Chief of Police Dave Krouse  
Marketing and Communications Coordinator Ammon Pierce (virtually)  
City Attorney Mary Elizabeth Geiger (virtually)

**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 reflection. He then led the Pledge of Allegiance.

**3. AGENDA - ADOPT/AMEND**

City Clerk Deb Woods noted for the record that there was a correction to the coversheet for Ordinance 2025-05 in that it incorrectly read “Ordinance 2025-06” at the top of the page where it should have read, “Ordinance 2025-05.” Ms. Woods explained that she made the correction to the Council packet earlier in the day.

In addition, staff requested the addition of an item to the Consent Agenda: Resolution 2025-13 – Ratifying and authorizing staff’s actions regarding real property closings for the 19 Road Improvements Project right-of-way acquisitions (authorizing signatories to sign closing documents).

Mayor Breman acknowledged the changes to the agenda.

- **COUNCILOR PARRISH MOVED TO APPROVE THE AGENDA AS AMENDED. COUNCILOR WILLIAMS SECONDED THE MOTION. THE MOTION PASSED WITH THREE YES VOTES.**

#### **4. PROCLAMATIONS AND PRESENTATIONS**

##### **A. PROCLAMATION – RECOGNIZING WOMEN’S LEADERSHIP, ENTREPRENEURSHIP AND HISTORY TO BE ACCEPTED BY THE FRUITA AREA CHAMBER OF COMMERCE EXECUTIVE DIRECTOR KAYLA BOWERS**

Councilor Williams read the Proclamation, which was accepted by Fruita Area Chamber of Commerce Executive Director Kayla Bowers and Assistant Director Allie Daniel. Kayla read a statement about the impact of women in business owners, entrepreneurs, civic leaders, educators and change makers who drive innovation and progress. She stated that the Fruita Chamber is committed to empowering women in business through mentorship, networking and professional development.

Kayla spoke specifically about the Chamber’s “Women in Business” group and encouraged everyone to take part in its programs, mentor the next generation and celebrate the achievements of women who inspire daily.

Mayor Breman pointed out that the Fruita Area Chamber of Commerce had just had a very successful “Women in Business” Conference, where approximately 200 women were in attendance. Kayla said that following the conference, the group received overwhelming support and positive feedback about the event and the Chamber is really, really happy about it.

#### **5. PUBLIC PARTICIPATION AND CONSENT AGENDA**

##### **PUBLIC COMMENT:**

Mayor Breman stated that the Council wanted to ensure that all voices are heard and respected to maintain a welcoming and productive environment. He asked that there be no clapping, cheering, booing, jeering or sign holding to ensure that everyone felt comfortable sharing their thoughts, even when opinions differ.

Finally, Mayor Breman explained that each speaker would have three minutes to speak and that while they were listening, the Council would not be responding to public comment or taking any action under this Section of the agenda.

**Tessa Binam, 255 N. Ash Street, Fruita** stated that she was going to throw a lot at the Council, but that it was okay because the Council can “do hard things.” Her comments were as follows:

1. House Bill 21-1110 mandates that by July 1, 2024, all state and local governments must improve accessibility for all digital content according to the standards set by the Office of Information Technology (OIT). Binam provided the definition of “accessibility” as listed in the bill, which states that “perceivable, operable and understandable digital content that enables an individual with a disability to access the same information, engage in the same interactions and enjoy the same services offered to other individuals with the same privacy, independence and ease of access as it exists for individuals without a disability.” She said the OIT says that the definition and statute apply to more than just internet content and she agrees with them.
2. House Bill 24-1368 was approved on May 28, 2024 and established a Language Access Advisory Board to enhance legislative access to individuals with limited English proficiency, disabilities or no college degree.
3. House Bill 24-1122 was effective January 1, 2025 and includes provisions that require temporary and permanent protection orders to be written in plain language.
4. C.R.S. 22-801 requires bills and amendments to be written in clear, plain language using common words that an average reader easily understands.
5. In September of 2023, the OIT conducted a training session for local governments emphasizing that accessibility is essential with over 1 million Coloradans, which is one in four people having a disability.
6. The Hemingway app, which is recommended by the OIT, allows users to add documents to find the readability and grade level of content. Binam stated that the agenda for this Council meeting requires a grade level of the first year of college, the Proclamation that Councilor Williams read an eleventh-grade education and the T-Mobile Lease, a seventh-grade education. For the entire Model Traffic Code as part of the Fruita Municipal Code, a post graduate education is required, she said.

Binam made the comment that if the City Council wanted the “Codes” and information at meetings to be accessible, they would be and if the Council wanted all the people to feel like their voices mattered, they would make it happen. She reiterated that the Council “can do hard things.”

Hearing no further public comment, Mayor Breman closed Public Participation and referred the City Council to the Consent Agenda.

- A. MINUTES – A REQUEST TO APPROVE THE MINUTES OF THE FEBRUARY 4, 2025 REGULAR CITY COUNCIL MEETING**
- B. MINUTES – A REQUEST TO APPROVE THE MINUTES OF THE FEBRUARY 18, 2025 REGULAR CITY COUNCIL MEETING**
- C. LIQUOR LICENSE RENEWAL – A REQUEST TO APPROVE THE RENEWAL OF A FERMENTED MALT BEVERAGE AND WINE (OFF PREMISES) LIQUOR LICENSE FOR THE FRUITA CONSUMERS COOPERATIVE ASSOCIATION LOCATED AT 1650 HIGHWAY 6 & 50**
- D. ORDINANCE 2025-08 – FIRST READING – AN INTRODUCTION OF AN ORDINANCE VACATING A TEMPORARY CITY OF FRUITA EASEMENT**

**LOCATED ON PORTIONS OF LOT 1 OF THE SANTA ANA SUBDIVISION FOR PUBLICATION OF PUBLIC HEARING ON MAY 6, 2025**

- E. ORDINANCE 2025-09 – FIRST READING – AN INTRODUCTION OF AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF FRUITA BY ZONING APPROXIMATELY 14 ACRES OF PROPERTY LOCATED AT 1130 AND 1138 18 ½ ROAD FROM A PLANNED UNIT DEVELOPMENT ZONE TO A COMMUNITY RESIDENTIAL ZONE FOR PUBLICATION OF PUBLIC HEARING ON MAY 6, 2025 (1130 & 1138 18 ½ ROAD REZONE)**
- F. FINANCIAL REPORTS – A REQUEST TO APPROVE THE JANUARY 2025 FINANCIAL REPORTS**
- G. RESOLUTION 2025-13 – RATIFYING AND AUTHORIZING STAFF’S ACTIONS REGARDING REAL PROPERTY CLOSINGS FOR THE 19 ROAD IMPROVEMENTS PROJECT RIGHT-OF-WAY ACQUISITIONS (*ADDED TO THE AGENDA BY STAFF AT THE BEGINNING OF THE MEETING*)**

Mayor Breman stated that as he was looking through the Financial Reports, he was trying to pay close attention to the City’s sales tax revenues and although they are up, he was starting to see a trend of retail continuing to decline. He said he feels this is one of the things that the Council has to keep an eye on even though two months does not constitute a trend. Councilor Williams suggested that the numbers for two months in years past would be a better barometer for the Council to make a comparison.

Mayor Breman asked if the “over the prior year” figures take into account seasonal fluctuation or if they are just one-12<sup>th</sup> of the Budget. City Manager Shannon Vassen explained that the Financial Reports do take into account seasonal fluctuation and that every once in a while, there will be one-time expenses that can make those numbers fluctuate. He added that the numbers for January and February of 2023 were lower, but in looking at those same months in 2021 or 2022, the revenues are significantly higher.

Vassen stated that January of 2025 was an odd month, but that staff could look further into the data to see if there is anything specific to tie that to. He pointed out that much of the decrease was in Wholesale Trade and some retail, but county sales tax was up compared to the prior year, so it was a little hard to explain.

Vassen also stated that staff actually budgeted to have no increase in sales tax revenue because they never know what the revenues are going to be at the end of the year but as long as it is consistent with the prior year, the City should hopefully continue to meet budget.

Mayor Breman said county sales tax was much higher than he anticipated (which he didn’t understand), but he didn’t think there was really a need to dig into it right now; it’s just that Council needs to pay attention to how the revenues track going forward.

- COUNCILOR PURSER MOVED TO APPROVE THE CONSENT AGENDA AS AMENDED WITH THE ADDITION OF RESOLUTION 2025-13. COUNCILOR PARRISH SECONDED THE MOTION. THE MOTION PASSED WITH THREE YES VOTES.**

**6. PUBLIC HEARINGS AND ACTION ITEMS**

**A. QUASI-JUDICIAL PUBLIC HEARING – ORDINANCE 2025-05 – SECOND READING – APPROVING A LEASE AGREEMENT BETWEEN T-MOBILE WEST, LLC, A DELAWARE LIMITED LIABILITY COMPANY AND THE CITY OF FRUITA AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE LEASE AGREEMENT– FINANCE DIRECTOR JOE ZAHER**

Finance Director Joe Zaher provided staff's presentation. He explained it was an amendment to a Lease Agreement that the City has had with T-Mobile for some time now. It started in 2015 originally and was supposed to run through 2030 before they renewed it, but T-Mobile chose to renew early. Zaher stated that in doing so, T-Mobile increased the rent to their original year 2030-dollar amount, so the City is actually getting more revenue sooner. The terms of the lease remain the same.

Zaher continued that the lease is for approximately 400 ft of space at 1725 Broadway, where a City of Fruita water tower is located. He pointed out that T-Mobile has five different opportunities to renew for five-year terms in the future and added that they have been very good about ensuring the lease gets renewed.

It was staff's recommendation that the Council approve Ordinance 2025-05 on Second Reading.

Mayor Breman opened the public hearing. Hearing no comments, he closed public comment and referred the agenda item to the City Council.

- **COUNCILOR WILLIAMS MOVED TO APPROVE ORDINANCE 2025-05 – SECOND READING – APPROVING A LEASE AGREEMENT BETWEEN T-MOBILE WEST, LLC, A DELAWARE LIMITED LIABILITY COMPANY AND THE CITY OF FRUITA AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE LEASE AGREEMENT. COUNCILOR PURSER SECONDED THE MOTION. THE MOTION PASSED WITH THREE YES VOTES.**

**B. ORDINANCE 2025-06 – SECOND READING – APPROVING A LEASE AGREEMENT BETWEEN THE COLORADO DEPARTMENT OF TRANSPORTATION (CDOT) AND THE CITY OF FRUITA AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE LEASE AGREEMENT - FINANCE DIRECTOR JOE ZAHER**

Finance Director Joe Zaher explained that the above Lease Agreement was in effect at one point in time but terminated in 2020. Staff received a phone call from the Colorado Department of Transportation (CDOT) saying they wanted to renew the lease, so staff found the original Lease Agreement in archived records. The lease is for ten years and is for the boat ramp that people use on the east side of Highway 340 as they travel south. The cost is \$500 for the ten-year period.

Zaher noted that added to the Lease Agreement were provisions that the City maintain the area and put in a trash can at the site to include regular, weekly trash service totaling \$50 per month. He added that if "The Launch" development happens before the end of the ten years, the City would be allowed to cancel the Lease if it chooses to.

It was staff's recommendation that the Council approve Ordinance 2025-06 on Second Reading.

Mayor Breman opened the public hearing. Hearing no comments, he closed public comment and referred the agenda item to the City Council.

Mayor Breman asked for confirmation that moving forward, staff will be able to digitally track the ten-year lease and that the City will carry the liability insurance on it. Mr. Zaher confirmed both statements to be correct.

City Manager Shannon Vassen pointed out that a few years ago, staff purchased software to help with some new government accounting standards that the City has to meet with the Financial Statements and much of it has to do with Subscription-based IT Arrangements (SBITAs), of which the City has several. The new software keeps track of all of the City's long-term leases, which will help staff identify and document the true cost of the leases throughout their terms.

- **COUNCILOR PURSER MOVED TO APPROVE ORDINANCE 2025-06 – SECOND READING – APPROVING A LEASE AGREEMENT BETWEEN THE COLORADO DEPARTMENT OF TRANSPORTATION (CDOT) AND THE CITY OF FRUITA AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE LEASE AGREEMENT. COUNCILOR PARRISH SECONDED THE MOTION. THE MOTION PASSED WITH THREE YES VOTES.**

**C. RESOLUTION 2025-11 – AMENDING THE 2025 BUDGET WITH SUPPLEMENTAL APPROPRIATIONS OF FUNDS FOR CAPITAL PROJECTS, CAPITAL EQUIPMENT, SUPPLIES AND SPECIAL PROJECTS INITIALLY INCLUDED IN THE 2024 ANNUAL BUDGET - FINANCE DIRECTOR JOE ZAHER**

Finance Director Joe Zaher explained that the Resolution before City Council is adopted on an annual basis when the City has projects or items that either didn't get completed or purchased before the end of the previous year, which means Council needs to appropriate them into the current year's Budget so that the City can continue with the projects, some of which include:

- Crosswalks at Fruita Monument High School and new Fruita Middle School
- Murals at Mulberry Plaza
- South Mesa Street Improvements Project (design and construction)
- South Mesa Street Improvements Project (sewer replacement)
- Maple Street Bridge land acquisition and design
- Right-of-Way acquisition for Fremont Intersection Project
- Right-of-Way acquisition and construction for 19 Road Project
- "Middle-mile" broadband Carrier Neutral Location (CNL)
- Office space and equipment replacement at the Fruita Community Center (FCC)
- Orr Park pickleball courts construction

Additionally, the budget amendment appropriates funds in the General Fund and Community Center Fund for the purchase of capital equipment also included in the 2024 Budget but not purchased for various reasons as well as several new appropriations, some of which include:

Description	Amount
Additional funds to complete the 2025 Chip Seal Project	\$100,000
Additional funds for the 2025 Overlay Program	\$20,000

Funds received from scholarships proceeds for Pedal Kids “Ditch the Training Wheels” Program.	\$6,000
Funds to purchase a Block Party trailer that can be rented out to Fruita residents	\$17,500

Mayor Breman opened the public hearing on Resolution 2025-11. Hearing no comments, he closed public participation and brought the matter before City Council.

Councilor Williams asked when the City would take possession of the Block Party trailer. City Manager Shannon Vassen responded that upon approval of the Budget Amendment, staff can move forward with the purchase of the trailer along with additional games, chairs, coolers, trash cans and other items that will be a part of it, so he was estimating the City would have it ready for use in about two to three months.

Councilor Williams requested that the City do some kind of unveiling with the trailer’s first Block Party to introduce and showcase it to residents. Mayor Breman suggested that the Block Party be scheduled for one of the Thursday Night Concerts at Civic Center Memorial Park. Vassen said that staff could easily coordinate that and called it a great idea. Councilor Williams added suggestions to put the trailer in the westside parking lot at the Civic Center and have someone from the stage talk about it over a microphone. Mayor Breman asked why the \$44,000 included in the Budget Amendment for pedestrian safety improvements was an “appropriation” rather than a “reappropriation” like the other items in the Resolution. Vassen explained that last year, the City had approximately \$50,000 left over in additional funds after crosswalks were added to Maple Street by the Pickleball courts and to Pabor Avenue. The City received requests from both Fruita Monument High School and the new Fruita Middle School to install flashing lights at two crosswalks due to the schools being consolidated and more students attending, so City Council directed staff to move forward with appropriating the funds that had been appropriated the previous year, so it really was an “appropriation” and not exactly a “reappropriation.” He added that staff was trying to expand the use of the term “sidewalk replacements” to “pedestrian safety improvements” to include things like flashing lights.

- **COUNCILOR WILLIAMS MOVED TO APPROVE RESOLUTION 2025-11 – AMENDING THE 2025 BUDGET TO REAPPROPRIATE AND APPROPRIATE FUNDS IN THE GENERAL FUND, COMMUNITY CENTER FUND, CAPITAL PROJECT FUND AND SEWER FUND FOR CAPITAL PROJECTS, CAPITAL EQUIPMENT, SUPPLIES AND SPECIAL PROJECTS. COUNCILOR PURSER SECONDED THE MOTION. THE MOTION PASSED WITH THREE YES VOTES.**

## **7. ADMINISTRATIVE AGENDA**

There were no Administrative agenda items.

## **8. CITY MANAGER’S REPORT**

City Manager Shannon Vassen provided the following updates and reminders:

- The 2025 Community Survey is currently being printed and should arrive at homes either late next week or the week after that. Staff was able to include almost all the feedback provided by the City Council and will be encouraging residents to participate.

- The City Link (quarterly newsletter) should also be arriving in the mail very soon.
- Concerning the City Council vacancy, staff will put in a call for applications via the Daily Sentinel, Weekly Information Update and the City's website and the position will be open for about two weeks. Council will review the applications, decide whom they'd like to interview and then decide whom to appoint to the vacant seat in April. Pursuant to the City's Charter, the City has sixty (60) days to fill the vacancy and staff anticipates that the decision will be made at the first Council meeting in May to meet that requirement.
- Shannon took a moment to thank Councilor Andrea Downs for all of her hard work over the past year and said that she will definitely be missed.

There were no further reports from City Manager Shannon Vassen.

## 9. COUNCIL REPORTS AND ACTIONS

### COUNCILOR JAMES WILLIAMS

James reported that a citizen had sent him an email, which he read as follows:

*"I live on Sierra Drive and when I am going somewhere, I have to stop at the corner of North Mesa and Sierra Drive. If you do have to stop, it's usually halfway into the road to get a clear view. The problem is all the brush by the bridge; it is so thick (even this time of year) it does not allow for good, clear, line-of-sight. My suggestion would be for someone to go in and clean up a lot of the scrub brush; it would be extremely helpful."*

James asked staff to look into the matter.

### COUNCILOR JEANNINE PURSER

Jeannine reported that she attended the Fruita Area Chamber of Commerce's Downtown Committee meeting earlier in the day called a great group. The two main topics were Fruita Fourth Friday coming up and Fruita Fall Festival. There is disheartening news concerning Fall Festival that the number of sponsorships has declined compared to last year and if things stay the same, the Chamber will not be able to have the second stage at Circle Park this year. Jeannine recalled how feedback about having a second stage has always been favorable, so the Committee asked if they could hold off making that decision while the Chamber tries to obtain the following essential sponsorships:

- Presenting Sponsorship: \$8,000
- Friday Night Sponsorship: \$4,000 (for the stage)
- Saturday Night Sponsorship: \$5,000 (for the stage)

Jeannine said that it would be very unfortunate for the Chamber to lose its momentum after they really made strides at last year's Fall Festival. James concurred and said he was kind of shocked when he was told about the Chamber's budget because it really isn't even enough to do one stage, but he did the best he could to stretch their budget as far as he possibly could. He added that although the one stage is booked, it is not anywhere near the level of what has been done in the past.

Mayor Breman said it would be a point of discussion at the next Chamber Board meeting and he would report back to City Council because he might know of a few other potential sponsorships that can be pursued.

Jeannine added that it seemed like the people on the Downtown Committee were willing to reach out to other entities concerning sponsorships with the hopes of turning things around in the next month or so.

James pointed out that he had already put together the lineup under the Chamber's perimeters and it will be difficult even without the same budget limitations.

Jeannine also pointed out that there will likely be a different parade route because the Chamber is moving the vendors to the middle of the street instead of on the side of the street.

Jeannine asked about the Creative District event at which the City Council members are supposed to speak considering Councilor Andrea Downs had stepped down from her Council seat. Mayor Breman stated that it had been discussed with Andrea and she is still willing to lead staff and the City Council through it as a former member of the Fruita City Council. Jeannine pointed out that there had been mention of the Council scheduling additional meetings to prepare for it.

#### COUNCILOR RICH PARRISH

Rich reported that he attended the Fruita Tourism Advisory Council (FTAC) meeting when the board heard the proposal by Barnhart concerning their specific campaign and things that they are going to do for the marketing and promotion of the City of Fruita. The FTAC approved Barnhart's proposal and will be meeting with City Council members at the next Council Workshop meeting to discuss the I-70 billboard that the City owns and currently rents to Family Health West. Rich said the consensus among FTAC members was unanimous in approving the campaign that Barnhart presented and he thinks the City Council will be pleased with it as well.

#### MAYOR MATTHEW BREMAN

Matthew asked if the City Council will have a chance to thoroughly discuss the Community Survey results after they are received. Shannon responded that yes, the consultant hired to conduct the survey will give the City Council a presentation. He pointed out that another topic of discussion has been short-term rentals, but staff is recommending holding off on that discussion until after the survey results.

Shannon also shared that there will be a lot of community engagement and potential surveys for the Housing Needs Assessment (included in the 2025 Budget), so if there were additional things that staff and/or Council wants to ask community members concerning growth, short-term rentals or other topics, it will be allowed, although the results will not be statistically valid. Those survey questions will be open to anyone who is interested in participating. Mayor Breman commented that between the two surveys, the City Council and staff should have a great guide for what is most important to Fruita residents.

Matthew reported that he had a Fruita Area Chamber of Commerce meeting the following day.

He also pointed out that the City Council had the City Attorney's Informal Review scheduled for April 1, 2025 and he would be emailing Council members documents to prepare for it.

#### **10. ADJOURN**

With no further business before the Council, Mayor Breman adjourned the meeting at 7:46 p.m.

Respectfully submitted,

Deb Woods  
City Clerk  
City of Fruita

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