

**FRUITA CITY COUNCIL
WORKSHOP
AUGUST 27, 2024
6:30 P.M.**

CALL TO ORDER AND ROLL CALL

The workshop of the Fruita City Council was called to order at 6:30 p.m. by Mayor Matthew Breman. City Council members present were Jeannine Purser, James Williams, Amy Miller, Rich Parrish, Andrea Stolarczyk and Aaron Hancey.

City Staff present were City Manager Mike Bennett, Assistant City Manager Shannon Vassen, Chief of Police Dave Krouse, Communications & Engagement Specialist Ciara DePinto, City Clerk Deb Woods, Public Works Director Kimberly Bullen, Public Works Deputy Director John Carillo, Parks and Recreation Director Marc Mancuso, Planning and Development Director Dan Caris and Municipal Court Judge Dan Robinson.

AGENDA ITEMS

1. DISCUSSION REGARDING POTENTIAL CHANGES TO THE CITY OF FRUITA MUNICIPAL CODE (6:30 – 7:30 PM)

City Manager Mike Bennett noted that one of the purposes of this agenda item was to address the Municipal Court Judge reporting that he has been running into situations concerning current provisions in the Fruita Municipal Code for Class A and B municipal offense penalty ranges related to the Theft and Criminal Mischief being in conflict with the Colorado Revised Statutes. Mr. Bennett requested direction from City Council about whether or not they wish to more closely align with the state's categories and/or fees.

Judge Robinson said it seemed appropriate to him that the City of Fruita's Municipal Code mirror the state's provisions. He noted that many times, he imposes Community Service in addition to or in lieu of fines.

After a lengthy discussion, the City Council members agreed that they are comfortable with having the City's Municipal Code align with state statutes. Although it is at the discretion of the court/Judge, the Council also liked the idea of including verbiage that community service is an option in lieu of a fine because it is so much more in line with Fruita's culture.

Judge Robinson agreed to send the City Council the latest statistics for convicted crimes in Fruita.

During a discussion about dangerous animals, Judge Robinson stated that he would appreciate having more options than disposition of a dog as a dangerous animal pursuant to Municipal Code Section 6.04.010.K paragraphs 1 – 4. He requested that these options be more clearly defined, like they are in paragraphs 5 – 8.

The final purpose of this agenda item was for the Council to discuss adopting the newest version of the State of Colorado Model Traffic Code (MTC). The City has adopted and is currently operating under the 2010 version of the MTC but staff recommends that the Council adopt the 2024 version of the MTC. There were no objections from the City Council.

There was also discussion about when Fruita Police Officers chose to cite someone into Fruita Municipal Court versus Mesa County District Court. Chief Krouse stated that the Fruita PD shares the same philosophy as and appreciates its relationship with Fruita Municipal Court. He explained that citing someone into Fruita Municipal Court is at an officer's discretion, but sometimes officers are not allowed to cite into Municipal Court for repeat offenders, offenders who have probation officers, or upon the District Court's orders. Otherwise, they prefer to cite into Fruita Municipal Court.

Judge Robinson added that he feels that the Fruita Municipal Court could do more such as being able to adjudicate small claims. He said it would be a service to the Fruita community and he would love to see it as he is very proud of the efficiency of the Municipal Court Clerk and administrative staff.

Mayor Matthew Breman noted that the City Council has plans to review the processes in the future for the annual evaluations of the City Manager, City Attorney, and Municipal Judges.

2. OVERVIEW AND DISCUSSION ON DRAFT FIVE-YEAR CAPITAL IMPROVEMENTS PLAN (7:30 P.M. – 9:00 P.M.)

The Council was provided with a spreadsheet handout of the City's Five-Year Capital Improvement Plan broken down by the various Funds of the City.

City Manager Mike Bennett commended Assistant City Manager Shannon Vassen and the Project Execution Team for their management of Capital Projects and learning how to tackle some challenges. The Project Execution Team includes Mr. Vassen, Parks and Recreation Director Marc Mancuso, Planning & Development Director Dan Caris and Public Works Director Kimberly Bullen in coordination with the City's Engineering Department. Besides managing the City's Capital Projects, the team's other purpose is to complete the City's Five-year Capital Improvement Plan (CIP), which is a useful tool for Budget decisions.

Mr. Bennett explained that staff and the Council will begin the Budget process at the Council Workshop meeting of September 24, 2024. He noted that he also wanted the Council to begin thinking about the CIP since the Council had their Strategic Planning meeting the following day. He explained that the CIP gets adopted when the Annual Budget is adopted by City Council in December.

Assistant City Manager Shannon Vassen explained that projects in the CIP were included and prioritized by community impact, Council goals, available funding, public support and urgency. He reviewed many of the projects in the CIP and asked for feedback or if the Council had any questions.

The Council requested that "The Launch" be categorized under Economic Development.

Councilor Miller asked about the Sidewalk Replacement Program. Mr. Bennett explained that the City has recently budgeted \$100,000 per year and identifies the highest need replacement sections each year. The City contacts the property owners and shares that although it is their responsibility, the City will cover 80 percent of the cost and they will cover 20 percent, and the City will manage the project and obtain competitive pricing by bidding out all concrete replacements and crosswalks. Mr. Bennett added an example of how things can change by talking about the construction on the north end of the Civic Center, where a new concrete ADA ramp is being put in. The project ended up requiring a Structural Engineer to get involved, which really caused the cost to go up because the problem was unforeseen prior to demolition of the old staircase. Mr. Bennett explained that due to these increased costs, and the desire to complete the planned sidewalk improvements this year, the

City will use budgeted funds originally planned for chipseal to fill the gap. This includes added crosswalks this year rather than next year, and the proposed 2025 budget will include chipseal. Added crosswalk projects will include an improvement to the existing crosswalk on Cherry St, and additional crosswalk on Cherry St near the Community Center and Hospital, one near Reed Park across Maple St. & McCune Ave. along with the crosswalk on Pabor Ave. near Sycamore St.

Mr. Vassen also explained that the City won't be doing chip sealing this year; staff received only one really high bid from an out of state bidder after going to bid twice. Staff will continue exploring options such as different materials like recycled plastics for chip sealing.

The Council had a few other questions about the CIP, which were answered by staff.

3. MULBERRY MURALS ART PRESENTATION (9:00 P.M. – 9:15 P.M.)

Seven (7) artists submitted renderings for two (2) murals for the North Mulberry Plaza space. The Fruita Arts and Culture Board and downtown business owners participated in judging without knowing who the artists were. Factors considered included composition, design, originality and whether design would appeal throughout the year. The next step is to work with the artist to see if any changes need to be made. A contract will then go on a Council agenda for approval and once signed, the artist can begin work.

OTHER ITEMS (9:15 PM)

- HeArt of Fruita: Marc Mancuso displayed photos of five art pieces selected for the HeArt of Fruita rotating sculpture program. Art pieces will be installed next Thursday, and Marc will be scheduling a walking tour of them.
- Mr. Mancuso noted that a Pickleball court didn't work with an east/west orientation at Reed Park. He said that four courts on the Fruita Community Center (FCC) property are best option after looking at different alternatives. The bid came in at \$230,262 but has a bigger warranty. It includes eight-foot fencing and windscreens and four-foot fences along the edges of the courts. For \$293,000, a bid includes a cantilever shade structure. This project is not budgeted for this year, so funds would have to be moved. Councilor Williams requested that a water fountain and restrooms be made available.

Some questions remain such as whether Pickleball will be part of FCC memberships. Construction is about six to eight weeks out unless the City also wants to do the shade structure, in which case, construction will be about twelve to fourteen weeks out. Mr. Mancuso stated that the contractor should be able to complete the project this year. He added that trees could be added to the area, but it will take many years for them to grow to provide enough shade.

The Council discussed how they would like the messaging to the public be that the proceeds from the sale of Enoch's Lake will go toward Pickleball as a public recreation amenity.

Discussions were also held concerning how Parks and Recreation staff will need to schedule public use as well as FCC programming.

The Council gave staff direction to proceed with a Budget Amendment for the project including the shade structure.

- Mr. Mancuso answered Councilor Williams' question about the size of the proposed Community Garden on the Fruita Community Center property. It is approximately 1,300 square feet.
- Mr. Mancuso also provided an update on the size of the toilet seats in the downtown self-cleaning bathrooms. He noted that there are no standard widths of toilet seats; they are based on toilet shapes and sizes. Mr. Mancuso said he called the manufacturer and the seat is designed to have water and sanitizer go through it, so unfortunately, there are no other options at this time. Mayor Breman asked if the voice giving instructions inside the bathrooms can be programmed. Mr. Mancuso explained that the manufacturer is developing different messaging right now. Councilor Miller said that pushing the button is an issue; you have to push it really hard. Communications and Engagement Specialist Ciara Amann is going to be working on some signage for the bathrooms.
- Councilor Miller stated that she would contact Tessa Binam about the Planning Commission vacancy that was posted by staff for 30 days. Mike explained that the Ash Street study has not been completed yet but will be soon. Staff will communicate back to Tessa.
- Staff is working on updates to the City's Open Records Policy that will be brought to Council for adoption as well as internal procedures such as implementing a tracking log and an email address specifically for requests that includes more staff members than only the City Clerk's Office in case Ms. Woods is out of the office. Mr. Bennett explained many aspects of the new policy.

4. ADJOURN

With no further business before the Council, the meeting was adjourned at 9:38 p.m.

Respectfully submitted,

Deb Woods
Deputy City Clerk