

**FRUITA CITY COUNCIL
REGULAR MEETING
MAY 18, 2010
7:00 P.M.**

1. THE INVOCATION WAS GIVEN AND THE PLEDGE OF ALLEGIANCE WAS RECITED

2. CALL TO ORDER AND ROLL CALL

The regular meeting of the Fruita City Council was called to order at 7:00 p.m. by Mayor Henry. Members present were Bruce Bonar, Mel Mulder, Lori Buck, Stacey Mascarenas, Terry Moss and Bob Fuller.

3. AGENDA-ADOPT/AMEND

Councilor Buck asked to add item 8 (D) to the Administrative Agenda; a brief discussion concerning Family Health West and possible contribution of funds for senior transit services in the Fruita area.

Councilor Bonar asked to add item 8 (E) to the Administrative Agenda; a discussion about the possibility of continuing mini grants for block parties.

- **COUNCILOR BUCK MOVED TO ADOPT THE AGENDA AS AMENDED. COUNCILOR MASCARENAS SECONDED THE MOTION. THERE WERE 6 YES VOTES.**

4. PUBLIC PARTICIPATION

There were none.

5. PROCLAMATIONS AND PRESENTATIONS

- A. PROCLAMATION: MAY AS FOSTER PARENT APPRECIATION MONTH IN THE CITY OF FRUITA – ACCEPTED BY TED AND STACEY HANSEN, FOSTER PARENTS FOR THE MESA COUNTY DEPARTMENT OF HUMAN SERVICES**

Ted Hansen introduced himself, his wife Stacey and their 6 children. He stated that fostering and adopting children is both challenging and rewarding. Foster parenting requires the support of the community and friends. Foster parenting is about changing the future for the children. He stated that he was honored to be present to represent foster parents.

Joni Bedell, Placement Resource Manager for the Mesa County Human Services Foster Care Resource Team, stated that it was an honor to be attending the meeting as well and to recognize those parents who foster children.

Mayor Henry read the proclamation declaring May 2010 as Foster/Kinship Parent Appreciation Month and presented it to Joni Bedell.

6. CONSENT AGENDA

- A. MINUTES OF MAY 4, 2010 CITY COUNCIL MEETING – A REQUEST FOR APPROVAL OF THE MINUTES**
- B. THE BREW COMPANY, INC. DBA THE END ZONE SPORTS PUB LIQUOR LICENSE**
 - 1. LIQUOR LICENSE RENEWAL – A REQUEST TO APPROVE THE RENEWAL OF A TAVERN - MALT, VINOUS, AND SPIRITUOUS LIQUOR LICENSE FOR THE BREW COMPANY, INC. DBA THE END ZONE SPORTS PUB LOCATED AT 152 S. MESA**
 - 2. MODIFICATION OF PREMISES - A REQUEST TO APPROVE A MODIFICATION OF PREMISES FOR THE BREW COMPANY, INC. DBA THE END ZONE SPORTS PUB LOCATED AT 152 S. MESA**
- C. RESOLUTION 2010-21 – A REQUEST TO APPROVE A RESOLUTION TRANSFERRING FUNDS FROM THE COMMUNITY CENTER FUND TO THE DEBT SERVICE FUND, REDUCING THE APPROPRIATION FOR THE COMMUNITY CENTER FUND AND RE-APPROPRIATING THE FUNDS IN THE DEBT SERVICE FUND FOR PAYMENT OF THE 2009 SALES AND USE TAX REVENUE BONDS**

Mayor Henry asked if anyone in the audience or Council wanted an item removed from the consent agenda for full discussion. All items remained on the consent agenda.

- COUNCILOR MASCARENAS MOVED TO APPROVE THE CONSENT AGENDA AS PRESENTED. COUNCILOR BUCK SECONDED THE MOTION. THERE WERE 6 YES VOTES.**

7. PUBLIC HEARINGS

There were none.

8. ADMINISTRATIVE AGENDA**A. CITY MANAGER CLINT KINNEY****1) DISCUSSION AND POSSIBLE ACTION AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE COLORADO RIVERFRONT FOUNDATION AND MESA COUNTY FOR A LAND PURCHASE**

City Manager Clint Kinney reviewed the Memorandum of Understanding (MOU) and proposal for purchase of 4 parcels north and west of the existing lagoons as a joint acquisition with Mesa County and the Riverfront Foundation. The County will contribute \$185,000, the Riverfront Foundation will contribute \$50,000, and the City of Fruita will contribute \$100,000 towards the purchase. Title to the property will be retained by the County. Funds are included in the 2010 Annual Budget for the City's contribution to the project.

The purpose of the land purchase is to facilitate the Colorado River trail from the Kokopelli Trail to Palisade. Mr. Kinney stated that they have been working with the County on this joint acquisition since last fall. The property is now under contract with a proposed closing date of July 6, 2010.

Mayor Henry complimented staff with the City and County on securing this purchase.

Councilor Buck asked if the MOU would be recorded with the title to the property to ensure that the agreements and terms are of record. Any future sale of the property would be split based on the same percentage as the purchase price is shared among the entities. The MOU calls for mutual agreement of the parties for any land use changes.

- **COUNCILOR MULDER MOVED TO AUTHORIZE THE MAYOR TO EXECUTE THE MEMORANDUM OF UNDERSTANDING TO PURCHASE THE COMPTON PROPERTY AND TO FURTHER THE RIVERFRONT TRAIL CONSTRUCTION. COUNCIL BONAR SECONDED THE MOTION. THERE WERE 6 YES VOTES.**

Councilor Moss noted that he would like to have seen joint ownership of the property and Councilor Buck would have liked to have seen the mineral rights. However, they were in favor of the MOU and property acquisition. Councilor Mascarenas noted that any application for land use changes will have to be mutually agreed upon by the parties prior to such application being made. Clint Kinney added that in all the past and numerous partnership deals done with the County, it has always worked out adequately and fairly for everyone's benefit. He said the County should be especially recognized for their contribution and efforts in the property purchase and Councilor Mascarenas said she would convey as much to the County.

2) UPDATE OF THE KINGS VIEW OPEN SPACE

Ture Nycum, Parks and Recreation Director, reviewed the Kings View Open Space project design. The project includes bike trails, disc golf locations, and access. They have reviewed several designs with other agencies such as the U.S. Corp of Engineers, U.S. Fish and Wildlife, and Bureau of Reclamation to ensure that the City obtained their input. Some changes were made to the design to accommodate wildlife corridors and address other issues.

In December of 2009, a public meeting was held with residents of the area and a fence line along north side of property along Kings View Road was added to address their concerns. Additional changes were made based on input from a company called Single-Track Trail that develops bike trails and bike parts. The City and other agencies have been working with the adjacent land owner on a temporary easement for access to the property and will continue negotiations. They have also been doing some site improvements. A significant amount of tamarisk has been removed with the assistance of the Colorado Conservation Corp, the Mesa County Sheriff's Office and the Tamarisk Coalition.

Upcoming activities include a re-vegetation program. The Tamarisk Coalition has applied for a grant on behalf of the City to assist with re-vegetation. There is a large amount of Russian Knapweed and an eradication program will be put into place. The City is also working with the Mesa Land Trust to place baskets on the Snooks Bottom property adjacent to the Kings View Open Space because the Snooks Bottom area is under a conservation easement. It will have to be presented to Great Outdoors Colorado (GOCO) because the City will need their approval as well to receive the funding.

Mr. Nycum said he plans to submit the Site Design to the City's Planning Department by July 1st so that the review process can be initiated.

Mr. Nycum reviewed the budget for the project which includes a total of \$40,500 in available funds through grants from Conoco Phillips and Alpine Bank (both through the Tamarisk Coalition), as well as tamarisk removal funds from the Parks Budget and the City's Capital Improvement Projects out of the General Fund.

Councilor Moss clarified that with the site improvement and park development costs; the City will be within the amounts budgeted for this project in the 2010 Budget.

Councilor Mascarenas asked about ongoing operational costs. Mr. Nycum stated that there will ongoing operation and maintenance costs for the facility and weed removal. Council Mascarenas asked about parking. Mr. Nycum stated that parking will be available from the existing Snooks Bottom Open Space parking lots. Parking is not available from SH340 due to issues with the geography and traffic.

Councilor Mascarenas asked about the proposed Sponsorship program and how sponsors would be recognized. Mr. Nycum explained that that would be addressed in the next phase of the project. He said that trail development is going to be very expensive but perhaps volunteers could be utilized to bring some of those costs down.

The Grand Valley Disc Golf Association is very excited about this project and will do some fund-raising. Each basket costs from \$600 to \$1,000.

Mayor Henry stated that he did not realize that there would be as much tamarisk removal and the costs associated with it. He thought that the park would be more rustic. He asked if the project had been expanded upon from the original vision.

Ture Nycum stated that a fairly wide trail is needed for disc golf and it was apparent that clearing of the site of tamarisk was necessary. As far as the bike park, the Colorado Plateau Mountain Bike Trail Association (COPMOBA) is looking for more of a full service bike park. However, that has not been settled and can still be reviewed and addressed. Mayor Henry said it was his personal opinion that the bike park should be the next phase of the project and in talking with Chris Muhr of COPMOBA, he thought Chris said they weren't looking at a whole lot of effort in terms of making the bike trails because they want it somewhat rustic and challenging. Mr. Nycum responded that everyone was definitely trying to keep it as natural as possible.

Councilor Buck noted that there were concrete paths for the tee boxes at the Little Salt Wash Park, but there was an old access road that the kids used. She said this is what she envisioned for the Kings View Open Space. She said that the city is doing its due diligence by taking care of the tamarisk removal, but felt that it would be more of an ongoing process with users making their own improvements and letting it evolve.

Councilor Mulder said he had spoken with three of the land owners in the area and he believes they have accepted the fact that the project is occurring as it is to a certain point, but are reluctant to give their full support. The land owners appreciate the tamarisk removal and Councilor Mulder stated that the Conservation Corp has done a great job on the west end. He stated that he hopes chipping can be used on the trails and that bikers would be responsible for putting the bike park in, not the City. He noted that he feels the rest of the project will fall into place and that it has his full support.

Councilor Bonar stated that the removal of the tamarisk is a moot point. It is gone, and it looks very nice. He stated that doing due diligence with all the various agencies was the responsible thing to do and results in a better park. Councilor Bonar agreed that the Council originally envisioned a natural-terrain park built by the bikers and COPMOBA where people would come in and build a single-track bike trail that would have essentially no development. Then, and as time goes along and money becomes available, signs would be put up such as those at Rustler's Loop, where it's an educational training ground to teach people the etiquette of single-track biking.

Councilor Bonar also said that the Disc Golf Association had envisioned a course like the one at Little Salt Wash, where it is more rustic and as usage increased and funding became available; amenities would then be increased. He said he wanted to know the Kings View project timeline and how it could be moved along to take advantage of the volunteers that are out there.

Clint Kinney remarked that it started out as a no cost project, but at the Council's direction, the city took it to the government agencies to get feedback as well as input

from the neighborhood. In each one of those steps, modifications were made to the project and the city still needs permission from some property owners and Mesa Land Trust. COPMOBA has had significant input on the trail design and the Disc Golf Course was designed by Bill Alderman with the Disc Golf Association. The City is now to the point where it will be ready to go through the Planning process; which will likely occur in September.

Mr. Kinney reminded the Council that there have been plenty of other projects that have demanded staff's and the Council's attention, but that he felt staff has been working on the Kings View project to the best of their ability. He added that it will take some fundraising in the near future through the Disc Golf Association and COPMOBA, so it is difficult to determine an exact completion date but that everyone is trying to keep the project moving forward by spending only what is available now, which is the money that was already budgeted for the tamarisk removal.

Councilor Fuller asked where staff envisioned the future access to the park when it opens. Mr. Nycum responded that the current temporary access from the adjacent land owner has been discussed with him and the initial understanding is that he is amenable but that it is still under negotiation. Staff hopes to resolve that issue relatively quickly.

Councilor Fuller stated that recent studies indicate that tamarisk may not be as damaging as previously thought. He stated that we may want to allow some of the tamarisk to return as it actually helps keep down the Russian Knapweed. He suggested that the City diminish some of the funding for tamarisk removal in the future.

Councilor Buck noted that she read the same article and understood it to say that the tamarisk was found not to be as damaging to water usage as previously thought, but it still provides a very bad wildlife habitat for other plant species.

Mayor Henry felt that the rustic concept was his point. Mr. Kinney assured that the end result of the project would be rustic because the city doesn't have the money to really make it anything else, but that staff is taking the steps to make sure the project is done right.

Councilor Mulder requested that the Council hear from the Disc Golf Association about their vision for the park and when it might be able to be completed.

Councilor Moss stated that he wants to make sure that John Moir is on board with the project and that he also wants comments from the Fire Department, the Police Department, and the public.

Councilor Mascarenas proposed that the city could obtain a Contingency Agreement with Mr. Moir.

There was consensus that some type of agreement with Mr. Moir and the Mesa Land Trust should occur before the City schedules a public hearing.

The Council expressed their desire to keep this project moving as quickly as possible. Mr. Nycum stated that he didn't foresee any revisions to the current Site Design unless there was additional feedback during the Planning process.

Councilor Bonar said it was his understanding about the issue with Mesa Land Trust and Snooks Bottom is that part of the easement prevents the development of golf courses. The question then becomes is a disc golf course considered the same thing as a conventional golf course? Mr. Kinney explained that it is "active recreation" that is prevented by the easement, and the decision needs to be made whether disc golf should be considered as an active or passive recreation.

Councilor Bonar asked if the Council would be comfortable with a disc golf course that is less than an 18-hole course if the disc golf carts cannot be placed on the road because of the Snooks Bottom issue. He stated that if the City was able to say that they are committed to building a course even though the final plans are not yet approved, the Disc Golf Association could begin fundraising efforts sooner rather than waiting for the final Site Design approval in the fall. Mr. Kinney responded that the Association has not been discouraged from beginning any fundraising now, but that he cannot predict an approval or an approval date of the City Council.

Councilor Fuller asked if the Disc Golf Association would feel cheated if the course ended up with 9 holes instead of 18. Councilor Bonar said that they would be disappointed, but at the same time, they are desperately looking for more places to play disc golf and they would be happy with 9 because the course at Little Salt Wash is so busy. The Disc Golf Association also have discussed having tournaments at the Kings View course that could draw 80 to 100 people from around the state who will come to play. This would be a huge benefit to hotels and restaurants. They have even discussed a "river tournament" where people would play 18 holes in Palisade, then canoe or raft down the Colorado River to play 18 holes in Fruita.

Councilor Moss recommended that staff strongly encourage the Disc Golf Association to begin fundraising efforts now.

B. CITY CLERK/FINANCE DIRECTOR MARGARET STEELMAN

1. APRIL 2010 FINANCIAL REPORTS

City Clerk/Finance Director presented the April 2010 financial reports. Copies of the reports are on file at the City Clerk's Office. The Council asked a few questions, which were answered by Mrs. Steelman.

- **COUNCILOR MASCARENAS MOVED TO APPROVE THE APRIL 2010 FINANCIAL REPORTS AS PRESENTED. COUNCILOR MOSS SECONDED THE MOTION. THERE WERE 6 YES VOTES.**

C. PUBLIC WORKS DIRECTOR TOM HUSTON**1. UPDATE ON CITY'S STREET MAINTENANCE PROGRAM**

Tom Huston reviewed information on the City's street maintenance program. He noted that costs of maintenance escalate the longer maintenance is postponed. The City's PACER Asphalt evaluation program involves an inventory of city streets and rating each street on a scale every two years based on the condition of the street. There are a total of 60 miles of streets in Fruita. Approximately 71% of our streets are in fair condition and need preventive maintenance work, while 28% are in need of more significant repair and maintenance.

Tom Huston reviewed the preventive road maintenance program which includes chip sealing and sealing of cracks. A road can be chip sealed effectively twice over its life time and that extends the life of the asphalt about 5 years. Crack sealing prevents moisture from getting under the asphalt and causing accelerated deterioration of the asphalt. Patching is performed on premature asphalt failure.

Asphalt and chip seal have dropped in price in 2010. The 2010 program will cover approximately 83,363 yards of chip seal. Overlays for 2010 include East Ottley from 18 Road to 18 ½ Road. The City is working with Mesa County to possibly expand the East Ottley overlay project with improvements from 18 Road to 18 ½ Road. The other overlay project is on Aspen from Circle Park to Peach St. This area was originally scheduled to be chipsealed but an overlay would be a more effective and efficient use of funds based on the condition of this street. The project is being expanded to include the Coulson/Aspen intersection, Plum to Circle on Aspen and Circle to Peach on Aspen.

9. COUNCIL REPORTS AND ACTIONS**COUNCILOR BUCK**

Councilor Buck stated that she attended a meeting with Mesa County and Family Health West concerning individual transportation services for those in need which provides pick-up-at-front-door services and direct transportation to doctors' offices. There are two buses that will be available in several months. The County will schedule rides for one day per week. However, the hospital needs funding for personnel costs to provide the service. Funding of \$5,000 would be needed to pay for one person's wages for one day a week as well as vehicle maintenance and operation costs from July 1 to December 31. The City Council directed staff to bring back a resolution to transfer contingency funds for individual transportation services.

COUNCILOR BONAR

A mini grant program was created in 2009 to host block parties in the downtown business area. Individual businesses could apply for a grant for a block party for music or other entertainment or costs for a block party. The program was not continued in 2009 due to a lack of interest from businesses. Councilor Bonar said he had been approached with the possibility of the City helping to subsidize a monthly concert series to increase the awareness of businesses in Fruita. He said he has a hesitation to actively be subsidizing an individual business because it would show favoritism of support for that particular

business, but if the City proposed it as a monthly grant and any business could apply for it; that would alleviate some of his concern. Councilor Bonar stated that downtown businesses did not like the idea of closing Aspen Street for the block parties because the no-parking cones were placed out at 4:00 p.m. before the businesses were closing for the day. There was not an overwhelming amount of support for the block parties from the businesses on Aspen Street, but there are other businesses in town that are very interested in it. Councilor Bonar suggested the possibility of local lodging establishments providing complimentary rooms for bands in return for promotional consideration; that would go a long ways towards making the program affordable. The idea for the block parties would be that a band would be playing outside of a business in order to attract attention to all the businesses in the area.

Councilor Buck recommended that the parties would need to be on a consistent day of the month so that people would know when they were going on.

Councilor Mulder stated that he didn't think the block parties were that great of an idea and that the Thursday Night Concert Series is all the expense the city should incur for free concerts. He said he was not in favor of giving any business \$500 to hire a band for a block party.

Councilor Buck stated that she and Councilor Mascarenas had discussed bringing in vendors to the Thursday Night Concert Series.

Councilor Moss stated that he would like to see \$2,000 committed for a block party program, for a maximum of \$500 each. The Council authorized the staff to prepare a resolution to transfer \$2,000 from the Marketing Contingency Fund for an entertainment grant for additional events that would bring people to Fruita.

COUNCILOR FULLER

Councilor Fuller stated that the Lower Valley Fire Protection District meetings moved to the second Thursday of month at 6:00. The LVFPD is trying to proceed with construction of new facility by applying for a grant.

COUNCILOR MOSS

Councilor Moss stated that Parks and Recreation has received many great applications for recreation positions related to the new Community Center. He said he thought the Mike the Headless Chicken Festival was a big success. The Triangle Park re-naming issue is still being worked on.

MAYOR HENRY

Mayor Henry met with Colorado National Monument superintendent Joan Anselmo and attended their annual association meeting. The report on the impact of visitors to the Monument/Gateway region indicated that approximately 19 million people visited last year.

10. ADJOURN

The City Council meeting was adjourned at 10:50 p.m.

Respectfully submitted,

Debra Woods for Margaret Steelman, City Clerk