

**FRUITA CITY COUNCIL
JULY 19, 2016
7:00 P.M.**

1. INVOCATION AND PLEDGE OF ALLEGIANCE

2. CALL TO ORDER AND ROLL CALL

3. AGENDA - ADOPT/AMEND

4. PROCLAMATIONS AND PRESENTATIONS

A. PRESENTATION – An update from the Museum of Western Colorado

5. PUBLIC PARTICIPATION

This section is set aside for the City Council to LISTEN to comments by the public regarding items that do not otherwise appear on this agenda. Generally, the City Council will not discuss the issue and will not take an official action under this section of the agenda. **Please limit comments to a five-minute period.**

6. CONSENT AGENDA

These are Items where all conditions or requirements have been agreed to or met prior to the time they come before the Council for final action. A Single **Public Hearing** will be opened for all items on the Consent Agenda. These items will be approved by a single motion of the Council. The Mayor will ask if there is anyone present who has objection to such procedure as to certain items. Members of the Council may also ask that an item be removed from the consent section and fully discussed. All items not removed from the consent section will then be approved. A member of the Council may vote no on specific items without asking that they be removed from the consent section for full discussion. Any item that is removed from the consent agenda will be placed at the end of the regular agenda.

A. MINUTES – A request to approve the minutes from the June 21, 2016 City Council meeting

B. MINUTES – A request to approve the minutes from the July 5, 2016 City Council meeting

C. NEW LIQUOR LICENSE APPLICATION – A request to approve an application for a Beer and Wine Liquor License for Bestslope Coffee Company, LLC located at 129 N. Peach Street

D. ORDINANCE 2016-10 – First Reading – An introduction of an Ordinance amending Section 17.41.040(X), Temporary Off-Premise Signs, of the Fruita Land Use Code for publication of public hearing on August 16, 2016

E.. RESOLUTION 2016-25 – A request to approve a Resolution supporting a CDOT TAP grant application for the Kokopelli Trail

F. JUNE 2016 FINANCIAL REPORTS – A request to approve the June 2016 Financial Reports

7. PUBLIC HEARINGS

Public Hearings are the formal opportunity for the city council to LISTEN to the public regarding the issue at hand. For land use hearings and liquor license hearings; the Council is required to act in a quasi-judicial capacity. When acting as a quasi-judicial body, the Council is acting in much the same capacity as a judge would act in a court of law. Under these circumstances, the judicial or quasi-judicial body must limit its consideration to matters which are placed into evidence and are part of the public record. The council must base their decision on the law and evidence presented at the hearing.

- 1) **Applicant Presentation (15 minutes max)** The petitioner is asked to present the proposal. Presentations should be brief and to the point and cover all of the main points of the project.
- 2) **Staff presentation (15 minutes max)** Staff will present the comments and reports received from review agencies, and offer a recommendation.
- 3) **Public Input (limit of 5 minutes per person.** If two people in the audience are willing to cede their time to the speaker, that speaker may receive a total of 10 minutes, referred to as banking time). People speaking should step up to the microphone and state their name and address. Speakers should be to the point and try not to repeat the points others have made.
- 4) **Applicant Rebuttal (limited to 5 minutes)** The Mayor will ask for the applicant's rebuttal. During this brief time, the applicant should answer the questions raised by the public.
- 5) **The hearing is then closed to public comments.**
- 6) **Questions from the Council.** After a Council member is recognized by the Mayor, they may ask questions of the staff, the applicant, or the public.
- 7) **Make a motion.** A member of the City Council will make a motion on the issue.
- 8) **Discussion on the motion.** The City Council may discuss the motion.
- 9) **Vote.** The City Council will then vote on the motion.

8. ADMINISTRATIVE AGENDA

A. City Engineer Sam Atkins

- 1) **RESOLUTION 2016-24 – A request to approve a Resolution transferring funds from the General Fund Contingency Account to the Public Works Mountain Water Program to conduct an assessment of the dam at Reservoir #2**

B. Police Chief Judy Macy and City Manager Mike Bennett

- 1) **Update regarding Enoch's Lake**

C. City Manager Mike Bennett

- 1 **Finalize three Strategic Priority Areas of Focus on Goals**

9. CITY MANAGER'S REPORT

10. COUNCIL REPORTS AND ACTIONS

A. Council Reports and Actions

- B. **EXECUTIVE SESSION – A request to convene in Executive Session regarding personnel issues under C.R.S. Section 24-6-402(4)(F) (City Manager Evaluation with the City Manager)**

11. ADJOURN



FRUITA
COLORADO

AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL AND MAYOR
FROM: MICHAEL BENNETT, CITY MANAGER AND COUNCILOR KINCAID
DATE: JULY 19, 2016
RE: PRESENTATION FROM THE MUSEUM OF WESTERN COLORADO

BACKGROUND

The Museum of Western Colorado Executive Director Peter Booth will provide City Council with an update on the museum, Dinosaur Journey and the Museum's Strategic Plan.

No immediate action is necessary.

**FRUITA CITY COUNCIL
REGULAR MEETING
JUNE 21, 2016**

1. INVOCATION AND PLEDGE OF ALLEGIANCE

The Invocation was given and the Pledge of Allegiance was recited.

2. CALL TO ORDER AND ROLL CALL

Council members present were Bruce Bonar, Dave Karisny, Kyle Harvey, Ken Kreie, Joel Kincaid and Louis Brackett. Mayor Buck called the meeting to order at 7:00 p.m.

3. AGENDA – ADOPT/AMEND

Mayor Buck asked if there were any corrections or additions to the agenda.

- **COUNCILOR KREIE MOVED TO REMOVE ITEM C FROM THE CONSENT AGENDA (A REQUEST TO APPROVE AN AFFIRMATION STATEMENT TO BE PRESENTED TO GOVERNOR HICKENLOOPER IN SUPPORT OF 1GW RENEWABLE ENERGY AS REQUESTED BY SARA MCCARTHY WITH CONSERVATION COLORADO) TO ITEM 7.A PUBLIC HEARINGS. COUNCILOR KINCAID SECONDED THE MOTION. THE MOTION PASSED WITH SIX YES VOTES.**

4. PROCLAMATIONS AND PRESENTATIONS

A. PRESENTATION – AUDITOR’S REPORT ON FINANCIAL STATEMENTS FOR YEAR ENDING DECEMBER 31, 2015

Mr. Steve Hovland of the CPA firm of Dalby, Wendland & Co., P.C. presented their findings from their audit of the 2015 Financial Statements for the year ended December 31, 2016, which were presented to the City Council at the May 3, 2016 Council meeting. Mr. Hovland stated that the audit took about one week and was completed at the end of April/beginning of May 2016. He thanked City Clerk/Financial Director Margaret Sell and her crew for all their hard work.

Mr. Hovland stated that for the 2015 year, Dalby, Wendland & Co. was issuing what is called an “unmodified opinion,” which in layman’s terms is a clean audit. The audit opinion is currently posted on the City’s website.

Mr. Hovland said the firm also issued a Required Communication Letter, which is a report to the City Council in municipal government audits. He added that if anything unusual came up in the audit, the firm would report that to the City Council. Mr. Hovland stated that nothing of significance came up during the audit, there were no disagreements with management, there were no difficulties with the audit, and there were no second opinions.

Mr. Hovland continued that the firm reviewed the internal controls of the City such as receipts, disbursements and credit cards and there were no findings on the internal controls. He noted that when Dalby Wendland first took over the audits for the City of Fruita in 2008, there were about four internal control recommendations. The firm has worked with management over the years to strengthen those controls.

Mr. Hovland also stated that there were no audit adjustments this year.

Mr. Hovland again commended Mrs. Sell and the City for having a very well-run organization and said that Dalby Wendland has been happy to have been Fruita's auditors for the past eight years.

- **COUNCILOR BONAR MOVED TO APPROVE THE FINANCIAL STATEMENTS FOR THE CITY OF FRUITA AND ACCEPT THE AUDITOR'S REPORT FOR FISCAL YEAR ENDING DECEMBER 31, 2015. COUNCILOR BRACKETT SECONDED THE MOTION. THE MOTION PASSED WITH SIX YES VOTES.**

- B. PROCLAMATION – PROCLAIMING THE MONTH OF JUNE 2016 AS “ADULT PROTECTION AWARENESS MONTH” IN THE CITY OF FRUITA TO BE ACCEPTED BY DEBI NELSON ON BEHALF OF ADULT SERVICES**

Councilor Karisny read the Proclamation. No one was present in the audience to accept it.

- C. PROCLAMATION – PROCLAIMING JUNE 25, 2016 AS “ST. BALDRICK'S FOUNDATION DAY” IN THE CITY OF FRUITA TO BE ACCEPTED BY ROBYN CARMINE, VOLUNTEER EVENT ORGANIZER FOR THE ST. BALDRICK'S FOUNDATION**

Mayor Buck read the Proclamation. No one was present in the audience to accept it.

5. PUBLIC PARTICIPATION

There were no comments from the public.

6. CONSENT AGENDA

- A. MINUTES – A REQUEST TO APPROVE THE MINUTES FROM THE MAY 3, 2016 CITY COUNCIL MEETING**
- B. BOARDS AND COMMISSIONS REAPPOINTMENT – A REQUEST TO APPROVE THE REAPPOINTMENT OF MEL MULDER TO THE PLANNING COMMISSION TO FULFILL AN UNEXPIRED TERM PLUS AN ADDITIONAL THREE-YEAR TERM TO EXPIRE IN JULY OF 2021**
- C. AFFIRMATION STATEMENT – A REQUEST TO APPROVE AN AFFIRMATION STATEMENT TO BE PRESENTED TO GOVERNOR HICKENLOOPER IN SUPPORT OF 1GW RENEWABLE ENERGY AS**

**REQUESTED BY SARA MCCARTHY WITH CONSERVATION COLORADO
(REMOVED FROM CONSENT AGENDA AND PLACED UNDER PUBLIC
HEARINGS, ITEM 7.A)**

- D. RESOLUTION 2016-20 – A REQUEST TO APPROVE A RESOLUTION APPROVING AN AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF FRUITA AND THE GRAND VALLEY DRAINAGE DISTRICT FOR THE USE OF DISTRIBUTED FUNDS**
- E. MAY 2016 FINANCIAL REPORTS – A REQUEST TO APPROVE THE MAY 2016 FINANCIAL REPORTS**

Mayor Buck opened the public hearing on the Consent Agenda. Hearing no comments from the public, she referred back to the City Council.

- COUNCILOR KINCAID MOVED TO APPROVE THE CONSENT AGENDA AS AMENDED. COUNCILOR BONAR SECONDED THE MOTION. THE MOTION PASSED WITH SIX YES VOTES.**

Councilor Karisny noted that he and Mayor Buck had just interviewed (previous to the Council meeting) Richard Hocter for a vacant seat on the Planning Commission.

- COUNCILOR KARISNY MOVED TO ADD TO THE ADMINISTRATIVE AGENDA THE APPOINTMENT OF RICHARD HOCTOR TO THE PLANNING COMMISSION. COUNCILOR BONAR SECONDED THE MOTION. THE MOTION PASSED WITH SIX YES VOTES.**

7. PUBLIC HEARINGS

- A. AFFIRMATION STATEMENT – A REQUEST TO APPROVE AN AFFIRMATION STATEMENT TO BE PRESENTED TO GOVERNOR HICKENLOOPER IN SUPPORT OF 1GW RENEWABLE ENERGY AS REQUESTED BY SARA MCCARTHY WITH CONSERVATION COLORADO
(REMOVED FROM CONSENT AGENDA AND PLACED UNDER PUBLIC
HEARINGS, ITEM 7.A)**

Sara McCarthy, Community Organizer for Conservation Colorado's field office in Grand Junction, stated that she works with community members, business leaders and local elected officials to support policies that protect clean water and air, public lands, climate and energy.

Ms. McCarthy said she was present to discuss an opportunity for which the Council could easily and collectively show their support for clean energy in the state of Colorado through a general statement to Governor Hickenlooper. Ms. McCarthy read the statement as follows:

"The Fruita City Council is excited about Xcel's recent announcement to build new homegrown wind and solar energy. Colorado has been a leader in putting renewable onto the grid and Xcel

has signaled their intention to continue moving forward with clean, cost-competitive energy to power our businesses and homes. Clean energy is good for business, and good for the people of Colorado."

Ms. McCarthy stated that this spring, Xcel Energy submitted their Electric Resource Plan to the Colorado Public Utilities Commission and within that resource plan, they propose to add 1 gigawatt of renewable energy. She said that 1 gigawatt can power about 300,000 homes annually, which is about the size of Denver. Ms. McCarthy said that this is an incredible opportunity for Colorado to step into a leadership role in the renewable energy sector and really embrace clean energy and the economy.

Ms. McCarthy stated that the statement to Governor Hickenlooper was very general and that the Governor has a lot of influence over the Public Utilities Commission because he is the person who appoints the three commissioners who make decisions. She added that she believes that Fruita has a very strong voice on the Western Slope and signing the statement would be a great way to show the City's support for clean energy in Colorado.

Ms. McCarthy added a quick disclaimer: she said there are a lot of complicated components to the matter and that there are a lot of experts on board, so if she couldn't answer any of the Council's questions, she would get the information from them and get back to the Council as soon as possible.

Councilor Kreie asked if Xcel Energy was voluntarily wishing to add the renewable resource and if Ms. McCarthy expected any pushback from the Public Utilities Commission.

Ms. McCarthy responded that Conservation Colorado does not expect any pushback because it is a decision that the PUC would be making on their own terms due to the economic viability of the decision. She added that Xcel Energy is already required to produce 30% renewable energy and they have already completed that, so this would just bolster that purely because it makes economic sense and their customers are demanding it.

Councilor Karisny asked what it would mean for the City of Fruita, noting that Grand Valley Power has built a solar farm. He also asked if there would be an opportunity for incentives to do similar things like building solar farms or other kinds of renewable energy.

Ms. McCarthy responded that currently, 600 megawatts of the 1 gigawatt proposed will take shape in the form of a 90,000 acre wind (turbine) plant that will serve Cheyenne, Elbert, Kit Carson and Arapahoe Counties. She said there have been no details about the remaining 400 megawatts and nobody knows where Xcel Energy is with that planning. Ms. McCarthy said she could get back to the Council with the details when they come out.

Councilor Karisny asked Ms. McCarthy to send Mayor Buck an e-mail when she has a better sense of what will happen with the other 400 megawatts. Mayor Buck requested that Ms. McCarthy send the e-mail to City Manager Mike Bennett, who would get it out to the Council.

Mayor Buck said she didn't know a lot about it except that a lot of jobs have been lost in the coal industry and she wanted to acknowledge that.

Ms. McCarthy said she agreed; that there has been a downturn in coal since the 21st Century and that it's driven by the market and natural gas with less expensive technologies that allowed the market to shift. She added that communities have suffered and it is hard to watch, but that this is a transition and that communities need to diversify the economy so that everyone is not dependent on the boom and bust cycles any longer.

Ms. McCarthy handed out information to the City Council regarding the wind turbine plant project.

- **COUNCILOR BONAR MOVED TO APPROVE AND SIGN THE AFFIRMATION STATEMENT SUPPORTING CONSERVATION COLORADO'S CAMPAIGN TO HAVE 1GW OF RENEWABLE ENERGY ADDED TO THEIR ELECTRIC RESOURCE PLAN. COUNCILOR KINCAID SECONDED THE MOTION.**

Councilor Kreie asked if the motion was to approve Conservation Colorado's campaign/Electric Resource Plan or if it was Xcel Energy's Electric Resource Plan.

Ms. McCarthy explained that it was Xcel Energy's Electric Resource Plan and Conservation Colorado is working with local elected officials across the state to show support for it so that it will be approved in the fall.

Councilor Bonar acknowledged that the motion was not clear.

THE MOTION PASSED WITH SIX YES VOTES.

8. ADMINISTRATIVE AGENDA

A. COMMUNITY DEVELOPMENT DIRECTOR DAHNA RAUGH

1) COMMUNITY DEVELOPMENT DEPARTMENT UPDATE

Mrs. Raugh presented the Council with an update on the Community Development Department's portion of the City of Fruita's website. She noted that the Community Development Department is most commonly referred to as the "Planning Department."

Mrs. Raugh pulled up the City's website on the laptop for the Council to see. She reviewed the Community Development section of maps and GIS data including a land use map that reflects zoning and other information that anybody can access. She also reviewed available links such as the Chamber of Commerce, the BLM, Colorado National Monument, Enterprise Zone and Mesa County.

Mrs. Raugh noted that Mesa County's website shows very valuable information that she refers to all the time because it lists different properties by address that include who owns the property, when they bought it, the different taxes that are applicable to the property and photographs.

Mrs. Raugh reviewed the other tabs for the Community Development Department located on the City of Fruita's website including Code Enforcement, the Land Use Code and "frequently asked questions."

Councilor Kincaid asked if information on the new Sign Code would be available under "frequently asked questions." Mrs. Raugh responded that this was a work in progress.

Mrs. Raugh also went over the "Community Oriented Program," which is part of the City's Code Enforcement. She noted that Code Enforcement Officer Mark Angelo has approached Code Enforcement differently than anyone else ever has in the past. He tries to build a relationship with the person that has a code violation (especially long, ongoing code violations) where the person usually has a physical or financial problem to resolve the issue themselves. Mrs. Raugh stated that he has tackled many problems that have been going on for a long time and has placed people in contact with other members of the community that can help solve problems.

Mrs. Raugh continued with her review of the website and showed the Council the section regarding building permits. The City of Fruita has a contract with Mesa County to administer the Building Codes, as does the City of Grand Junction, the Town of Palisade, and the Town of Collbran. Mesa County will issue a building permit in the various municipalities as long as somebody has a planning clearance from those various cities.

The City's website has information regarding accessory buildings and fences, as well as all the planning clearance forms, which are fillable online. The Code allows staff five days to process planning clearance forms, but Mrs. Raugh stated that staff typically gets them done much quicker than that.

Mrs. Raugh stated that now approvals for land development that need to go to the City Council are now being uploaded to the City's website instead of people submitting giant stacks of paper. E-mails are sent to the reviewing agencies so that they can look at the applications online and submit their comments electronically. She said that staff, developers and the reviewing agencies all seem to appreciate this system and that it is all public information, so when the Planning Department sends out postcards notifying people of land use applications, those people are now advised that they can find all the information on the City's website.

Mrs. Raugh pointed out that not all applications are online; only those that are either being reviewed and will shortly be going to the Planning Commission or the Planning Commission has made a recommendation that will soon be going to the City Council. Projects that are in the active construction phase do not appear online because they have already been through the public hearing process.

Mrs. Raugh noted that John Deere Tractor will be moving in on Highway 6 & 50, but staff has not received a complete application yet, so it's not yet out for review.

She also commented that there are a lot of things going on in the Fruita Planning Department, which has been at its busiest since 2007 or 2008. There are a lot of applications for vacation rentals in Fruita (with more on the way) and Mrs. Raugh said so far they haven't been a problem and seem to

be a very worthwhile thing both for the people renting them out and the people who are coming to visit and are looking for something different than a hotel room.

Councilor Karisny asked if the current development projects listed on the website also include the ones that are administratively approved as well as those that go through the Planning Commission and City Council.

Mrs. Raugh responded that anything that requires a public notice to be sent out and reviewing agencies to look at would be on the website, for example, the Dairy Queen project. That project was approved by staff and the only way the Council would have seen the project come before them is if the site plan was going to deviate from the rules and regulations in some way in the Land Use Code.

Mrs. Raugh noted that her presentation was a very quick overview of the Planning Department and didn't include everything such as historic preservation, long-range planning, writing grant application, temporary encroachment agreements and other land developments that are within three miles of the Fruita city limits, which Mesa County sends to Fruita for comment.

Mrs. Raugh continued that Mesa County recently finished a wireless Master Plan and a housing needs study and Fruita was included in those.

Mrs. Raugh stated that the Fruita Planning Department also deals with demography issues and pointed out that the state and the nation are getting ready for the 2020 Census, so Planning is looking at Census blocks and other things.

Mayor Buck asked if there was a flowchart on the City's website that detailed how long planning processes take.

Mrs. Raugh responded that although staff is working on flowcharts and that is another work in progress, it usually is different for every application depending on what decisions people are making. She said she understands how helpful flowcharts could be for people who are not familiar with the process if they have a simple application, but it was going to take some time to finish the flowcharts.

Mrs. Raugh added that she hears all the time from applicants that the process was easy and that overall Fruita does a good job compared to most other places, especially right now because the Land Use Code and application process are reasonably flexible. She said problems typically occur when people don't like the rules and that makes it harder to make it all work.

Mayor Buck said she thinks that it becomes a negotiation and that is the way a lot of people look at it, so that takes time and adds to the project.

Mayor Buck asked if staff was able to regularly check the VRBO and Air BNB sites located in Fruita.

Mrs. Raugh responded that if staff were to do Code Enforcement by looking at those websites, there would be a full house of vacation rentals coming through the Planning Department for months, so staff usually waits until there is a complaint. She said it has become even more difficult because people are wanting to use Recreational Vehicles as vacation rentals, so staff is trying to figure out how that is going to work.

Mayor Buck said that getting ahead of them (the vacation rentals) as soon as possible would then make it something everybody knows about and if staff could come up with a letter and the application form and mail them out to the vacation rental addresses, then the City could get on top of them to help make up what is being lost in lodging tax at the hotels. She wondered if perhaps the City should implement a fine if the VRBOs do not comply because with her rental property in another state, she was immediately warned about it and so she took care of it because she didn't want to be fined.

Mrs. Raugh said that this was definitely something to think about because currently, there is no penalty in Fruita for having a vacation rental and not paying lodging tax and having a business license. She added that some of the VRBOs that staff has received complaints on have just disappeared from the internet, even though they are likely still renting. She said that there is a wide variety; some people are renting their whole house, some are renting an upstairs garage unit or some people are just renting out one bedroom in a 3-bedroom house.

City Clerk/Finance Director Margaret Sell pointed out that the Municipal Code does call out penalties for not paying lodging tax, but staff has to know first who to assess that penalty to.

Mrs. Raugh stated that staff could be more aggressive about the matter if the Council wanted them to be.

Councilor Kreie suggested that an article be placed in the City Link about it.

Mayor Buck said she didn't want to necessarily put any extraordinary burdens on staff and wondered if the Council should discuss it at a workshop session.

Councilor Bonar said he thought it would be a good workshop discussion and he would like to hear some details about how staff was going to approach the issue.

Mayor Buck requested that staff place VRBOs on the agenda for the next workshop session in June.

B. CHIEF OF POLICE JUDY MACY

1) POLICE DEPARTMENT UPDATE

Fruita Police Chief Judy Macy presented the update on the Police Department. She provided a printed out report containing 2015 statistics and highlights as well as future challenges.

The mission statement of the Fruita Police Department is as follows:

- *Keeping the community safe*
- *Building relationships with citizens*
- *And always doing the right things for the right reasons*

Chief Macy stated that the last few years have been difficult for law enforcement, but she feels that in Fruita, the Police Department has a very good relationship with its citizens.

Some of the things the Police Department does to maintain relationships with the citizens include “community policing projects” (that are not enforcement related) such as involvement with the Special Olympics, gun safety classes, internships at the Police Department, the Junior Citizen Police Academy, the annual Bike Rodeo, and teaching EMT students at CMU, among many others.

Chief Macy reported on the pilot program for body cameras for officers. Unfortunately, budget issues precluded instituting the program due to additional personnel required to manage captured data.

Staffing changes in 2015 included two officers being promoted to supervisory positions (Corporal), filling the Animal Control Officer position (part-time), upgrading a part-time School Resource Officer (SRO) position to full time and the addition of a part-time Records Technician.

Calls for service have essentially remained flat for the past four years. However, there has been an increase in more serious and/or complex crimes including domestic violence, sexual assault and homicide. The two homicides in Fruita in 2015 were statistically unusual; the last homicide occurred in 2010.

Chief Macy’s update included reports on reported crime and traffic, complaints, internal affairs investigations and use of force reports.

Accomplishments of the Fruita Police Department in 2015 include:

- The institution of a volunteer program resulting in 251 hours of volunteered time to the department and community
- Handling two fairly complex homicide cases (one resulting in a guilty plea and the second begin determined by the District Attorney’s Office to be an act of self defense)
- Working with local agencies and federal officials on Operation Cross Country IX, a joint task force targeting human trafficking and crimes against children
- Two supervisors attending Leadership in Police Organizations Training
- One officer obtaining certification as a Drug Recognition Expert (DRE)
- One officer being sent to the FBI Defensive Tactics Instructor Training
- Contributions of instructors to teach classes at the POST Academy (offered through Western Colorado Community College)
- Working closely with Adult Protective Services to find resolutions that improve the lives of “at risk” persons
- The continuation of positive relationships with the citizens of Fruita

Challenges of the Fruita Police Department are as follows:

- The need for necessary and advanced tools and technology such as TASERS, radio communication, computing devices, digital recording capabilities, data extraction and associated specialized training
- Sustainable, sensible and permanent funding of the Regional Communication Center that provides dispatching services for almost all first responders in Mesa County
- Staffing – in the next five years, approximately 1/3 of the department will be within retirement age. Succession planning and quality recruitment will have to be a priority. Additionally, the five-year staffing plan requested the Animal Control/PST position be restored to full-time and one (Investigations) Sergeant needs to be added to the Investigations Unit. In 2017, three additional police officers were requested and a part-time records technician position upgraded to full-time

Mayor Buck weighed in on the Chief's statement about the Fruita Police Department and their efforts in the area of adult protection. She said that she really appreciates the tactics that the officers utilize instead of just throwing people in jail because she was involved in a situation where that's not what the people needed; they needed help. She commended that Fruita Police PD for their patience in working through the matter.

Councilor Karisny asked how many total officers the City of Fruita has. Chief Macy said that Fruita has 17 commissioned officers plus 5 civilian support staff made of 2 full-time employees and 3 part-time employees for a total of 22 people in the department.

Councilor Karisny noted that the funding for the 911 call center has been a decades-long issue and asked if anyone recently had any ideas about how to fund it. Chief Macy said that there are some ideas that are being discussed and she would bring it up at the next Regional Communication Center Board meeting. She said she was not a dispatch expert herself and at some point, she would like to invite Monica Million from the Comm Center to a Fruita City Council workshop because she understands the funding piece. Chief Macy noted that there are states and counties that manage it differently than how it's done here. She continued that the whole issue is very complicated and problematic and it is only get more so because the technology is becoming more and more cell tower and internet oriented.

C. APPOINTMENT OF RICHARD HOCTOR TO THE PLANNING COMMISSION (REQUESTED TO BE ADDED TO THE AGENDA BY COUNCILOR KARISNY)

Councilor Karisny stated that prior to the Council meeting, he and Mayor Buck interviewed candidate Richard Hctor for a vacant seat on the Planning Commission. Mr. Hctor submitted his application a couple of years ago but was not appointed at that time.

Councilor Karisny continued that Mr. Hctor and his wife moved back to Fruita a couple years ago after living in Grand Junction and that he knew him through School District 51. Mr. Hctor has been a Special Education Administrator, Principal and Vice Principal and Mrs. Hctor was the Principal at Shelledy Elementary for several years. Mr. Hctor is now retired but his wife is currently working at CMU.

Councilor Karisny stated that Mr. Hoctor seemed to be interested in being on the Planning Commission for all the right reasons; he thinks Fruita is a cool place (that's why they moved here) and he wants to be an involved part of the community.

Councilor Karisny explained that the vacancies that have opened up on the Planning Commission came about when Chair Mike Joseph resigned and Mel Mulder's term on the Commission was up when he finished his term on the Fruita City Council. Lou Brackett also left the Planning Commission once he was elected to the Fruita City Council and Councilor Karisny was appointed as the Council liaison to the Commission. Councilor Karisny also said that Janet Brazfield would be leaving the Planning Commission soon once she moves out of Fruita.

Councilor Karisny continued that at the last Planning Commission meeting, Doug Van Etten was trying to talk to him about someone else participating on the Planning Commission, but that there would be another position opening up for that individual when Mrs. Brazfield moves out of Fruita.

Councilor Karisny stated that he and Mayor Buck were recommending the appointment of Richard Hoctor to the Planning Commission.

- **COUNCILOR KARISNY MOVED TO APPOINT RICHARD HOCTOR TO THE PLANNING COMMISSION TO FULFILL AN UNEXPIRED TERM PLUS AN ADDITIONAL THREE-YEAR TERM TO EXPIRE IN SEPTEMBER OF 2021. COUNCILOR BONAR SECONDED THE MOTION. THE MOTION PASSED WITH SIX YES VOTES.**

9. COUNCIL REPORTS AND ACTIONS

COUNCILOR KARISNY

Councilor Karisny stated that it was in the newspaper that the Grand Valley Transit (GVT) will be receiving eight new Condensed Natural Gas (CNG) buses as per a contract that was approved a few years ago. The funding was through the Department of Local Affairs (DOLA), the Federal Transit Administration and the Colorado Department of Transportation (CDOT) and was leveraged with local funds. The GVT will then have a total of 20 CNG buses and 20 slow-fill fueling stations plus one fast-fill post to serve them will be completed by the end of 2016.

COUNCILOR HARVEY

Councilor Harvey reported that he sat on the Interview Committee for the Riverfront Commission and four new members were selected for the Board. He added that he had a Riverfront Commission meeting earlier in the day and the Board discussed the first concert of the year quite a bit. There were a total of 1,800 attendees at the concert and \$2,200 was collected in donations.

Councilor Harvey also reported that on Wednesday, July 20th, the Subdudes would be playing at the state park and there will be a trail (Lower Little Salt Wash) dedication prior to the concert, for which the Parks and Recreation Department would be sending a press release.

Mayor Buck noted that Great Outdoors Colorado (GOCO) Board members would be at the trail dedication and she urged all Council members to try to attend as well.

Councilor Harvey added that a letter of support is being worked on for the GOCO grant application for the Kokopelli section of the Riverfront Trail.

COUNCILOR KREIE

Councilor Kreie reported that the Downtown Advisory Board cancelled their last meeting. At the Associated Governments of Northwestern Colorado (AGNC), the Board extensively discussed ballot initiatives. Councilor Kreie said he thought some were good and some were bad.

COUNCILOR KINCAID

Councilor Kincaid stated that the board meetings for both the Tourism Advisory Board and Museum of Western Colorado Board were coming up in the next week.

Councilor Karisny said that Ron Pollard approached him on the OHV (off highway vehicles) issue again, but he didn't know if the Council ever came up with a decision on what direction the City of Fruita would be taking.

City Manager Mike Bennett noted that at the last workshop session, the Council asked that the question be put in the next issue of the City Link, which will be mailed to Fruita homes and businesses in the next few weeks.

Councilor Kincaid asked that the question include a deadline for responses. Mr. Bennett responded that this was a good idea and that the deadline should allow at least a couple of weeks for people to respond via e-mail. The question will ask if residents are interested in the City Council pursuing whether or not to allow OHVs on City roads.

Councilor Kincaid stated that the Tourism Board is trying to figure out where the funds will come from to replace the Co-Op banner and that the City Manager had some new information from a company called Pro Editors out of Palisade. Councilor Kincaid said he had a concern with pulling money out of the tourism budget because there is so much more that could be done with the money, although the banner has been a great staple for the last few years. He asked if the Council should take the matter to a workshop session to discuss tourism priorities and the funds for them.

Mayor Buck said she thought the Council gave direction to staff to get the banner replaced, but didn't specify where the funds should come from. Councilor Kincaid said there have been discussions about pulling the money from Economic Development, some out of tourism and possibly some from the sign budget, which only has about \$2,500 available. He added that there still isn't enough money to cover the estimated cost of \$13,000 unless the City pulls some out of the General Fund.

Mr. Bennett said that it was not a budgeted item for this year, but staff did find some funds in the existing budget to cover portions of it. He added that the remainder needed is a pretty sizable

amount, and a decision needed to be made regarding the priority of the banner over the other needs of the City. He said staff could prepare a report of what it would look like to piece together the funding for the banner to the next workshop including a list of what would have to be sacrificed in order to do so.

Mayor Buck requested that that matter be placed on the next workshop agenda.

Mr. Bennett continued that in the meantime, staff is continually trying to figure out how to pay for re-securing the banner (because it's not the banner itself that is so expensive; it is the installation).

Councilor Kincaid said he was concerned that the other banner is now three years old, so within another two years, the City may have to replace that one as well.

Councilor Harvey asked if there was a possibility of talking to a mural artist who could paint the banner. Councilor Kincaid responded that the Co-Op will not allow the City to paint the grain elevator; they will only allow something that can be removed.

COUNCILOR BRACKETT

Councilor Brackett said that Chief Macy had just given a very report on the Fruita Police Department. He has not yet attended a Police Commission meeting but the next one is scheduled in July.

Councilor Brackett stated that the Parks and Recreation Board would not be meeting until the following week.

Councilor Brackett encouraged the other Council members to attend the trail dedication for the Little Lower Salt Wash prior to the Subdudes concert at the state park.

MAYOR BUCK

Mayor Buck reported that she attended the Grand Junction Economic Partnership (GJEP) Board meeting the previous week. It was discussed that over the next four years (including 2016), the Jump Start program will have been responsible for adding 300 new jobs to the valley.

Mayor Buck continued that the lunch meeting that she, Kristi Pollard from GJEP and the City Manager had with Haibike was good; more was learned about what Haibike is actually looking for and Kristi Pollard was able to give the company information about what GJEP can do for them.

Mayor Buck said that hopefully word of mouth about what Fruita has to offer new businesses will bring some results.

Mayor Buck also reported that she and the City Manager met with Steve Schultz and John Williams of School District 51 over lunch and they had a nice discussion. The School District is looking for support for their bond issues or mill levy overrides in the coming years because there is an absolute need for better schools. The School District is hearing about it community-wide, especially from

those who are trying to recruit businesses because potential prospects can see on the internet that School District 51 is one of the lowest funded school districts in the state.

Mayor Buck said that she and Mr. Bennett asked the School District what they could do to help. She also said that at least the City and the School District are working on developing a relationship, a consensus and the idea that they work well together.

Mayor Buck added that the School District is supposed to get some more information to the City on a few things and Mr. Bennett will forward that to the Council when he receives it.

Mayor Buck noted that the Food Truck Friday of the summer was coming up on Friday. She also said she thought that the City of Fruita should do more to promote Country Jam because it is such a huge music festival that draws high talent acts and many visitors to the Fruita area.

Councilor Kincaid added that the Fruita Farmers' Market would be starting on the weekend as well. The market goes from 8:30 am to 12:30 pm every Saturday through mid-September.

10. CITY MANAGER'S REPORT

Mr. Bennett stated that it was a privilege and an honor to work with not only the Fruita City Council but also Department Directors and City staff. He noted that there have been great updates from each department for the Council.

Mr. Bennett noted that on the following Thursday, the City Council would be serving ice-cream to the public starting at 6:30 at Civic Center Park prior to the Thursday Night Concert performed by the Centennial Band, whom the City pays to perform.

Mr. Bennett said City staff is working very closely with GJEP on the City's marketing collateral for economic development. He said the Council would be seeing some drafts in the upcoming weeks. The goal setting process will continue at the June workshop session.

Mr. Bennett stated that the next day was Bike to Work Day and people were meeting at Dinosaur Journey at 6:30 am to ride the new trail to the Community Center, where Colorado Canyons Hospital and Medical Center will be serving breakfast burritos.

Mr. Bennett also stated that he and Councilor Kreie would be leaving Fruita at 6:00 am to head to the Colorado Municipal League (CML) Conference to make the DOLA presentation at 9:00 am. They will be at the conference for the rest of the week.

Mr. Bennett said that the City continues to have some issues at Enoch's Lake; staff is working with the Sheriff's Office on some homesteading issues and activities that are scaring away other campers. Staff does not want to make any drastic changes mid-season, but they are going to look at imposing a 7-day restriction and potentially reduced services. This will be an ongoing discussion as the Council dives into the goal setting process. The Parks and Recreation Advisory Board will also be having discussions about the issue at their upcoming meetings and will have some recommendations for the City Council.

11. ADJOURN

With no further business before the Council, the meeting was adjourned at 8:31 p.m.

Respectfully submitted,

Debra Woods
Deputy City Clerk
City of Fruita

**FRUITA CITY COUNCIL
REGULAR MEETING
JULY 5, 2016**

1. INVOCATION AND PLEDGE OF ALLEGIANCE

The Invocation was given and the Pledge of Allegiance was recited.

2. CALL TO ORDER AND ROLL CALL

Council members present were Bruce Bonar, Kyle Harvey, Ken Kreie, and Joel Kincaid. Councilors Dave Karisny and Lou Brackett were excused absent. Mayor Buck called the meeting to order at 7:00 p.m.

3. AGENDA – ADOPT/AMEND

Mayor Buck asked if there were any corrections or additions to the agenda. There were none.

- **COUNCILOR BONAR MOVED TO APPROVE THE AGENDA AS PRESENTED. COUNCILOR HARVEY SECONDED THE MOTION. THE MOTION PASSED WITH FOUR YES VOTES.**

4. PROCLAMATIONS AND PRESENTATIONS

- A. PROCLAMATION – PROCLAIMING JULY 6, 2016 AS “FAMILY HEALTH WEST DAY” IN THE CITY OF FRUITA TO BE ACCEPTED BY FHW PRESIDENT/CEO MARK FRANCIS**

Mayor Buck read the Proclamation and Family Health West President and CEO Mark Francis accepted it.

Mr. Francis thanked all the citizens of Fruita for the opportunity that Family Health West (FHW) has had over the years. He said that FHW has always been a family ever since the early days of the farmers in their beet trucks actually creating the hospital itself and making sure that it had services to provide.

Mr. Francis said that FHW hopes to see many different changes happen over the next few years and that they will continue to provide services through the direct devotion of the 500 plus employees at Family Health West. He noted that about half of FHW employees live in Fruita and the other half live in the greater Grand Valley.

Mr. Francis stated that FHW appreciates the partnership and support of the City of Fruita and they hope to have the opportunity to work with the City on more projects in the near future.

Mayor Buck said that the list of services that FHW provides is quite impressive. She added that part of having a great community is having a great medical facility as well as good schools.

B. PROCLAMATION – PROCLAIMING JULY 2016 AS PARKS AND RECREATION MONTH IN THE CITY OF FRUITA TO BE ACCEPTED BY TOM CASAL, CITY OF FRUITA RECREATION SUPERINTENDENT

Councilor Kreie read the Proclamation and Tom Casal accepted in on behalf of the Parks and Recreation Department of the City of Fruita.

Mr. Casal thanked the Council for their continued support of the Parks and Recreation Department. He noted that the Fruita Community Center just had the busiest month ever since its opening.

5. PUBLIC PARTICIPATION

Mr. Richard Sander, 129 S. Maple, said that what he would like to see someday for Fruita is a bridge that goes all the way across the highway, the railroad and the service road to connect north Fruita and south Fruita. He said he had spoken to the previous City Manager, Clint Kinney, who said it would cost the City millions to accomplish that and that there were other issues involved.

Mr. Sander said he still thought it would be a wonderful thing for the City.

6. CONSENT AGENDA

- A. MINUTES – A REQUEST TO APPROVE THE MINUTES FROM THE MAY 17, 2016 CITY COUNCIL MEETING**
- B. MINUTES – A REQUEST TO APPROVE THE MINUTES FROM THE JUNE 7, 2016 CITY COUNCIL MEETING**
- C. LIQUOR LICENSE RENEWAL – A REQUEST TO APPROVE THE RENEWAL OF A RETAIL LIQUOR STORE LICENSE – MALT, VINOUS AND SPIRITUOUS AND TASTINGS PERMIT FOR IN THE MIDDLE LIQUORS LOCATED AT 303 HIGHWAY 6 & 50**
- D. RIVERFRONT COMMISSION APPOINTMENTS – A REQUEST TO APPROVE THE RIVERFRONT COMMISSION APPOINTMENTS**
- E. BOARDS AND COMMISSIONS APPOINTMENT – A REQUEST TO APPROVE THE APPOINTMENT OF AMANDA EWING TO THE PARKS AND RECREATION ADVISORY BOARD TO FULFILL AN UNEXPIRED TERM PLUS AN ADDITIONAL THREE-YEAR TERM TO EXPIRE IN FEBRUARY OF 2021**
- F. ORDINANCE 2016-07 – SECOND READING – A REQUEST TO APPROVE AN ORDINANCE GRANTING A FRANCHISE TO BRESNAN COMMUNICATIONS, LLC TO CONSTRUCT, OPERATE AND MAINTAIN A CABLE TELEVISION SYSTEM IN THE CITY OF FRUITA, COLORADO**

- G. ORDINANCE 2016-08 – SECOND READING – A REQUEST TO APPROVE AN ORDINANCE AMENDING CHAPTER 2.28 OF THE FRUITA MUNICIPAL CODE CONCERNING MUNICIPAL COURT**
- H. CONDITIONAL USE PERMIT REQUEST – A REQUEST TO APPROVE A CONDITIONAL USE PERMIT (CUP) FOR A VACATION RENTAL BY OWNER LOCATED AT 1950 TIMBER FALLS DR. (THE GREAT DIVIDE VILLA)**
- I. CONDITIONAL USE PERMIT REQUEST – A REQUEST TO APPROVE A CONDITIONAL USE PERMIT (CUP) FOR A VACATION RENTAL BY OWNER LOCATED AT 107 E. PABOR AVENUE (THE SAGEBRUSH HOUSE VACATION RENTAL)**
- J. MESA GRAND MINOR SUBDIVISION – A REQUEST TO APPROVE A MINOR SUBDIVISION WITH VESTED RIGHTS FOR THE MESA GRAND MINOR SUBDIVISION**
- K. RESOLUTION 2016-21 – A REQUEST TO APPROVE A RESOLUTION SETTING A HEARING DATE TO DETERMINE THE ELIGIBILITY OF APPROXIMATELY 6.73 ACRES OF PROPERTY LOCATED AT 1062 18 ROAD TO BE ANNEXED INTO THE CITY OF FRUITA AND TO CONSIDER THE INITIATION OF ANNEXATION PROCEDURES (ASPEN VILLAGE ANNEXATION)**
- L. RESOLUTION 2016-22 – A REQUEST TO APPROVE A RESOLUTION SETTING A HEARING DATE TO DETERMINE THE ELIGIBILITY OF APPROXIMATELY 7.33 ACRES OF PROPERTY LOCATED AT 965 18 ROAD TO BE ANNEXED INTO THE CITY OF FRUITA AND TO CONSIDER THE INITIATION OF ANNEXATION PROCEDURES (ADOBE VIEW NORTH ANNEXATION)**
- M. RESOLUTION 2016-23 – A REQUEST TO APPROVE A RESOLUTION SUPPORTING A GREAT OUTDOORS COLORADO “CONNECT INITIATIVE” GRANT APPLICATION FOR THE KOKOPELLI TRAIL CONNECTION OF THE RIVERFRONT TRAIL**

Mayor Buck opened the public hearing on the Consent Agenda. Hearing no comments from the public, she referred back to the City Council.

- **COUNCILOR KINCAID MOVED TO APPROVE THE CONSENT AGENDA AS PRESENTED. COUNCILOR BONAR SECONDED THE MOTION. THE MOTION PASSED WITH FOUR YES VOTES.**

7. PUBLIC HEARINGS

A. COMMUNITY DEVELOPMENT DIRECTOR DAHNA RAUGH

1) **ORDINANCE 2016-09 – FIRST READING – AN INTRODUCTION OF AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF FRUITA BY REZONING APPROXIMATELY 0.65 ACRES OF PROPERTY LOCATED AT 433 AND 503 EAST ASPEN AVENUE FROM COMMUNITY RESIDENTIAL (CR) TO PLANNED UNIT DEVELOPMENT (PUD) FOR PUBLICATION OF PUBLIC HEARING ON AUGUST 2, 2016**

Mayor Buck explained the public hearing process for the audience.

The applicant, Lance Stewart, 1312 L 7/10 Rd., Loma, stated that he was presenting the application for a zone change from Community Residential to Planned Unit Development for his parish properties.

Mr. Stewart stated that his presentation would include the following:

- A brief background on the project
- Expressing the need for the project
- Presentation of the limited proposed PUD uses
- Addressing staff concerns and report comments
- Addressing any questions from the City Council

Mr. Stewart stated that one of the oldest churches in Fruita is the Catholic Church. It was built in 1921 and the Parish Hall (the house) preceded it 1911. He said that the properties have historic values that have been pointed out by the Historic Preservation Board and they contribute to not only the well-being of the community at large, but also to the economic development of the community.

Mr. Stewart continued that the Parish has been growing since the day it was created and the congregation has outgrown facilities on a couple of occasions, so the church is expanding into a new church at the end of Maple Street where it meets 17 ½ Road.

Mr. Stewart said that the neighborhood in which the church is located arguably has been in transition since the first building was constructed on Aspen Avenue. Over the decades, the neighborhood has changed from a commercial/residential mixed use to more residential and now back again to a varied level of mixed use again.

Mr. Stewart noted that the current zoning is Community Residential (CR), which while providing for a number of uses, limits the opportunity for the parish to sell the properties to a potential client or customer that may be able to put the buildings to a more satisfactory use than what might otherwise occur. He added that what he and the parish were suggesting would preserve the values of the community and the neighborhood.

Mr. Stewart said that it is their goal to provide for only a few additional uses to help facilitate the reuse of the properties. He said that the parish is cognizant and does recognize the values espoused by neighboring residents and that they believe the zone change will actually protect property values and preserve the neighborhood in a manner that is consistent with current planning objectives, much more so than the presence of a potentially vacant building that may eventually aid a developer to seek a full commercial classification.

Mr. Stewart continued that in the discussions with the Fruita Planning Department, it was highly recommended that the parish pursue this particular avenue in order to provide for additional opportunity for the properties.

He said that the various uses that the parish is requesting for inclusion were compiled with sensitivity to the values of the neighborhood and transitioning changes along Aspen Avenue away from residential and the preferred overall vision of the Master Plan. Mr. Stewart said that the Planned Unit Development uses that they requested are:

- All the uses within the CR zone including community services and government offices, daycare, childcare, and senior care
- Indoor recreation and entertainment
- Exhibition areas less than 10,000 square feet in size
- Commercial parking
- General offices
- Educational type institutions
- Religious and charter schools
- Facilities associated with the delivery of medical care services
- Funeral homes and mortuaries
- Food services
- Restaurant and catering
- General retail sales indoor operations

Mr. Stewart said that the facilities are ideally suited for all of the above uses. He continued that he hoped the Council would agree that the uses would have far less impact on the adjacent residences than those allowed under a blanket commercial zone.

Mr. Stewart stated that the zone change process provides opportunities for public involvement and review. After providing longer than normal posting of the property, information was sent out to all property owners within a 350-foot radius of the property, comment was requested from numerous entities, and there were no adverse comments returned to the Planning Department. In fact, Mrs. Raugh had stated that only positive comments were received. Mr. Stewart said this was the same response the church had received at the public outreach meeting they conducted. All property owners within the 350 foot radius were invited to attend that meeting, but unfortunately, only one individual attended the meeting. Mr. Stewart said that while being the lone attendee, he was enthusiastic and in support of the zone change.

Mr. Stewart said that written comments were submitted to the Planning Department by the Historical Preservation Board and the letter was included in the Council packet.

Mr. Stewart continued that at the Planning Commission public hearing, four neighbors presented concerns about the zone change, primarily centered on the potential for an increased presence of inebriated individuals in the area who might possibly be associated with activities where alcohol can be served. Mr. Stewart noted that for 90 years, there has already been a precedent in that building. He said that in addition, the effect that expanded activities might have on property values was also discussed. He offered that there are emotional arguments on both sides of the issue, but often the effects of a viable and vibrant property with the opportunity for expanded uses not allowed in the CR zone has a much more positive effect on property values than does a vacant, blighted property.

Mr. Stewart said that his parish is encouraged that the Planning Department is recommending approval of the zone change with only a couple of changes to the table of approved uses. The Planning Commission unanimously approved the application with suggested amendments.

Mr. Stewart said that they would like to request that the opportunity for funeral homes and mortuaries remain in the approved uses under the PUD classification.

Mr. Stewart then requested that the City Council approve the application as amended by the Planning Commission and set the matter for a second reading.

He said that he hopes that the Council would agree that through the application narrative, the church has presented a realistic assessment of the current and future direction of the growth along Aspen Avenue, which is a major street in the community and how the application will actually benefit a logical transition of land uses by only allowing for a few select uses more compatible with the neighborhood than what might otherwise occur.

Mr. Stewart concluded by saying that his goal is to provide for more uses to benefit the sale of the property while not creating undue adverse impacts on the neighborhood and that this supports the future vision and growth of Fruita.

Community Development Director Dahna Raugh gave staff's presentation. She pointed out that there were three separate properties involved; the parish hall at the northwest corner, the church building at the northeast corner and the house that sits next to that. She displayed the properties on a map on the overhead projector. Mrs. Raugh stated that the church and the house have the same address but actually sit on two separate lots.

The current zoning is Community Residential, which allows mainly single-family residential land uses and a few multi-family residential land uses, as well as a host of other commercial types of land uses that are considered institutional land uses that are more or less compatible with residential.

Mrs. Raugh stated that the applicants are requesting the Planned Unit Development zone to allow for more uses on the property so that they property will be more saleable. There are several

approval criteria that must be considered for a rezone request: the first one requires that the rezone be compatible with what exists in the area, and that it is consistent with the City Master Plan. There are no commercial zones or land uses next to the subject properties. The closest commercial use is the Chamber of Commerce Building directly to the south, which is in a Community Services and Recreational zone.

Mrs. Raugh continued that single-family land uses surround the subject property for the most part and they sit on fairly small lots, so there is no way to buffer any impacts from the subject property to those residential uses. Also, on the subject property, the buildings take up most of the land area, so there is no way to buffer any impacts between the proposed commercial and the adjacent residential land uses.

Mrs. Raugh said she knows that it has been said that there have been changes in this area, but there really have been no significant changes in the area for many decades. She said the only closest change that she could find was the funeral home that was torn down and an eye doctor's building was built there instead (on the corner of Peach Street and Aspen).

Mrs. Raugh said that many of the commercial uses that could land in the PUD zone could create problems for the surrounding neighborhood because of the inability to screen any impacts and also because of the total lack of parking. She said the church has created a big parking impact to the neighborhood for decades, but certainly pedestrian traffic for a church has a very different characteristic than pedestrian traffic for commercial businesses. Mrs. Raugh continued that commercial traffic is typically much more continuous and the behavior of the pedestrians typically is a bit different between the two different uses.

Mrs. Raugh said there is definitely an issue of compatibility with the PUD zone as proposed. She said that the other part of the first approval criteria is that it should be compatible with the City's Master Plan, of which a major portion of is the Fruita Community Plan adopted in 2008. In the Master Plan, it talks about expanding the downtown to the north, south and the west, but it doesn't talk about expanding it to the east. Mrs. Raugh pointed out that the subject property is to the east of the area identified in the Master Plan for downtown.

In December of 2014, the City Council adopted the Civic Center Memorial Park and Streetscape Improvements Master Plan, which was a more detailed look at the downtown. That plan also did not recommend going east with the downtown improvements for commercial activity.

The Master Plan recommends that the character of the existing neighborhoods be taken into consideration when considering zone changes, with emphasis on preserving existing residential neighborhoods. This is especially important in this area because it is an historic and unique residential area in Fruita as pointed out by the Master Plan and additionally, the Master Plan points out that attention should be paid to the older and historic structures to maintain housing options and preserve community character.

Mrs. Raugh said that staff absolutely understands the difficulty in how to reuse a big church building and the related parish hall building.

Mrs. Raugh referred to Page 6 of the staff report that lists what staff is recommending for land uses permitted in the Planned Unit Development zone. Staff's recommendations are as follows:

- All uses that are currently permitted in the Community Residential zone with only the following uses requiring the approval of a Conditional Use Permit:
 1. Public safety and emergency response services (e.g., fire station)
 2. Other community services (e.g., public works yard)
 3. Basic utilities other than underground facilities
 4. Telecommunications facilities, towers and support structures

- Medical, vision, massage, hearing and dental clinics
- Indoor recreation and entertainment (including an events center)
- General offices
- Food service, restaurant, catering

Mrs. Raugh said that staff believes that these are the land uses that potentially have the least amount of negative impacts to the surrounding residential neighborhood. She added that because they are big buildings that don't lend themselves very easily to new uses in a residential type of way, the zone change includes the house on the east side, but staff recommends that the house not be included in the zone change because it is a house, just like those around it.

Mrs. Raugh continued that the Planned Unit Development Guide needs to clearly state that no parking is required for any new uses of the property because obviously, there isn't any. Additionally, staff recommends that one of the conditions of the PUD zone be that the buildings remain substantially in the format that they are now and not demolished to be redeveloped, but certainly that they may be maintained and remodeled such that they can meet the building codes for offices and other types of uses. If the buildings were to be demolished, staff recommends that the zoning revert back to the Community Residential zone.

Mrs. Raugh stated that there are four other approval criteria that must be considered for a zone change. One of them is whether or not there is an error in the zone and staff does not believe this is applicable because the property has been zoned Community Residential or something very close to it for the past 50 plus years. Another approval criteria is whether the rezone is part of a comprehensive rezone of a much larger area, which Mrs. Raugh said is not the case because the City isn't doing any comprehensive rezones currently. A third approval criteria is whether the zoning is part of an annexation. The subject property is not part of annexation; the properties have been part of the City of Fruita for more than 100 years. The last approval criteria is (that Mrs. Raugh said she believes can be met) is that the area has changed such that the rezone better meets the needs of the community. Mrs. Raugh stated that the old church building has been there since 1921 and the parish hall has been there since the 1940s and she believes that there's probably been some changes in the area in the past 50-70 years to justify that that the area has changed enough to support a rezone to allow commercial uses.

Mrs. Raugh stated that staff believes that the approval criteria for rezoning has been met, but with a Planned Unit Development zone, there is a whole other set of criteria: compliance with the Master

Plan, compatibility with the area, criteria involving subdivisions (not applicable here), criteria regarding the adjustment to the requirements of the Code (Mrs. Raugh said it doesn't look like any adjustments are being requested), and that the Planned Unit Development zone should meet the purposes of the PUD zoning.

Mrs. Raugh continued that the Chapter of the Code that deals with Planned Unit Development has nine different categories and although she couldn't point to any specific one exactly, but overall, the intent of a Planned Unit Development zone is to produce or allow a development that would be better than what would result from a strict application of a non-PUD zone.

Mrs. Raugh said that allowing commercial uses in the area under the downtown zone or a commercial zone could certainly present a compatibility and problem issue for the surrounding neighborhood, but as a PUD zone, a lot of the uses that could be problematic can be taken out. She said this is why that the PUD zone would be better than a straight commercial zone and it meets that requirement of the Code.

Mrs. Raugh continued that staff has received no written public comments, but they did receive a letter from the Historic Preservation Board pointing out their concerns about compatibility, concerns with the historic nature of the properties and the concern that with the zone change, it could hasten somebody tearing the buildings down in favor of a much bigger development under a different zone.

At the Planning Commission public hearing, several members of the neighborhood spoke out with concerns regarding how the zone change could affect the neighborhood. There were also many members of the church in the audience who all spoke in favor of the rezone for the church. The Planning Commission recommended approval of the zone change with the recommendations provided by staff.

Mrs. Raugh said that because it appears that the rezone can meet the approval criteria that must be considered, staff is recommending approval with some changes. This concluded staff's presentation.

Mayor Buck asked the Council if they had any questions.

Councilor Kreie asked if the Council was approving a group of potential uses that aren't currently allowed and if those potential uses would be approved administratively or by the Planning Commission or by the City Council.

Mrs. Raugh responded that a PUD development zone is like any other zone; if somebody shows up at the Planning Department and said that they wanted to build a retail store at the subject property, staff would just give them the application packet for a Site Plan. The Site Plan is turned into staff, which is then reviewed by reviewing agencies and then it is administratively approved and the Council never sees it. She added that the applicant would also need a business license and evidence from the building department that the project meets the building codes. Mrs. Raugh said that the only time the Council or the neighborhood would only see the application was if it was a specific

use that requires a Conditional Use Permit (Conditional Use permits are required to be approved by the Council at a public hearing).

Mayor Buck noted that at the Council workshop session, Councilor Karisny stated that he was under the impression that all of the uses listed in the staff report were under a Conditional Use Permit and not just the four under the first bullet (see list above). She asked if the other Planning Commission members understood it the same way.

Mrs. Raugh responded that she had asked the other Planning Commission members a question: that if it was approved as proposed, would an applicant need a Conditional Use Permit to open a restaurant? She said she couldn't find any of the other Planning Commission members that misunderstood it the way that Councilor Karisny did. Mrs. Raugh added that certainly requiring a Conditional Use Permit for all of the items in the list would give the neighborhood and the Council opportunity to comment, but then that makes it hard to start a business where the applicant would have to go through a public hearing process to find out if it would even be allowed.

Mayor Buck pointed out to the Council that if they thought this was something that should be required (a Conditional Use Permit for all uses), that they could require it.

Councilor Kreie asked if someone came to staff with a proposed use, would staff have any power to require any further conditions that wouldn't be put on normally. Mrs. Raugh said that staff makes suggestions all the time to try to avoid potential conflicts, but does not have any legal requirement that they follow those suggestions.

Mayor Buck asked the Council if there were any further questions. Hearing none, she opened the public hearing on the First Reading of Ordinance 2016-09.

Richard Sander, 149 S. Maple Street, said that he was going to miss all the wonderful church members that come to church every Sunday and Wednesday and Saturday nights and that it has been an addition to the neighborhood that he really wished wasn't leaving. He continued that he spoke to someone connected with the church about it and also to Mrs. Raugh and the only portion that seemed significant to him was that he would prefer that the house be excluded from the sale of the church building; in other words, he would like to see the properties separated so that the house could become a residential premises separate from any commercial development.

Mayor Buck stated that she heard that staff's recommendation was that the house not be included in the PUD rezone; that the house would remain Community Residential. Mrs. Raugh confirmed that this was staff's recommendation, but the church had asked that the house be included in the PUD rezone.

Greg Dahl, 496 Logan Lane, stated that he was a member of the Catholic Church and a member of the community, in which he tries to be very involved. He said that there are a lot of issues with the PUD zone and the needs of the church and the community, but to sum it up, he thought it was something that was very important for the community to allow to happen because if it wasn't, the reuse of the building would be squashed. Mr. Dahl continued that some people are saying that it is all about the income for the church, but that there are resources out there for the church to handle

the church they are building without the sale of the property. He said that if the PUD zone is not allowed to move forward, the building(s) will just sit there and nothing will happen.

Mr. Dahl said it is a beautiful church and is close enough to downtown that the City should allow some activity to happen there, to allow what staff has recommended so the property can be enjoyed for many years to come. He said if the City doesn't, he feels that everyone will be disappointed at the outcome.

Dave Fox, Chairman of the Sacred Heart Catholic Church Building Committee, said that the members of the church are very proud of it; it has been there a very long time. In 2006-2007, they undertook a study to see if the church could be expanded because the church was growing, but the study concluded that there was no way to expand due to the way the structure was built and the way the land lays. He said that the church has grown so much that the members are ready to push on and build a new facility, which is what they are doing right now.

Mr. Fox continued that the church members want to remain proud of the facility because it is so nice. He added that there are incredible things that can be done with old structures; turning them into restaurants or offices and he thinks this could be real amenity for the City of Fruita.

Mr. Fox added that he has been heavily involved in the finances being on the Building Committee, which is very concerned that the church will have to maintain both facilities but won't have enough cash if they are not able to sell the old properties.

Mr. Fox also said the church does not want to see the old properties go into misuse; they want to see something really unique go in there and he believes that there are opportunities for that. He displayed a few photos (on the overhead projector) of boarded up buildings such as the Grand Junction Depot on First and Pitken, and old vacant train station in Palisade and White Hall in Grand Junction, which burned down after it was vacated. Mr. Fox said these are the things he doesn't want to see happen to the Sacred Heart Catholic Church.

Colleen Nycum, 1674 Fowler Drive, said she had a question for staff. She asked why it was decided or if it had not yet been determined that the church properties would not be allowed for funeral homes or mortuaries or if those uses were included in the list of allowed uses. Mrs. Raugh responded that the decisions in the staff report are a group effort; they weren't solely made by her or even two people, there are a group of staff people talking about it. Staff discussed how the different land uses could affect the neighborhood and specifically with a funeral home/mortuary, there was a concern that if it were a very popular funeral home/mortuary that would have a lot of business, there would be issues with funeral processions in a near-downtown setting. Another factor was simply what she called the "ick factor" being right next door to people's houses. Mrs. Raugh said these were the only two issues she could recall that staff discussed.

Mrs. Nycum stated that as a Catholic Church, they have a lot of funerals there already, so she wasn't sure that it would change that much. She added that the parishioners at Sacred Heart love Fruita; they don't want to see anything bad happen to the buildings or to the downtown area because they care about the City of Fruita. She said they also care about the neighbors and have talked to lots of them and that a lot of them are on board with selling the properties that would fit the new

uses. Mrs. Nycum urged everyone to understand that the church was not just trying to sell the properties to get them off their hands because that is not what they are all about; most of the parishioners live in Fruita and they all love, care and take pride in the community.

Bill Holstein, 1390 Monument Court, stated that he is also the owner of 404 E. Aspen. He said the reason that he and his wife bought the house on Aspen was because they didn't want to see it torn down. Mr. Hollstein said he would hate to see the church properties abandoned with broken out windows and he would like to see it remain a historical property like the one he owns on Aspen.

Judy Fox, parishioner at Sacred Heart, said that she was very much in agreement with what she had been hearing; that the parish loves the beautiful church and they want to see something incredible done with it to add to the Fruita Community. She continued that the church believes that the request that they have made is the best way to make that happen and the suggestions from staff are good ones. Ms. Fox said that the church is looking for economic viability for the building and that the church could be one more of all the wonderful things that Fruita has going for it.

Hearing no further comments from the public, Mayor Buck closed the public hearing and asked the applicant for a rebuttal.

Mr. Lance Stewart said he thought it had been summed up by all those who spoke already. He closed in saying that the church's interests and goals are transparent; there have been many public meetings and they want to work with the community to keep the building viable, one that will hopefully be around for another 100 years. Mr. Stewart thanked the City Council for its support.

Mayor Buck referred back to the Council.

Councilor Kincaid asked if there was any parking behind the church in the alley. Mrs. Raugh responded that there was a small gravel area behind the church that could be considered parking for about 6 to 7 vehicles. Councilor Kincaid asked about the parking at the other building. An audience member (unidentified) stated that there were about 6 to 10 parking spots there. Councilor Kincaid noted that there were approximately 16 parking spots for both properties.

Councilor Kincaid asked how much approximate parking would be required for a restaurant the same size of the subject properties. Mrs. Raugh responded that the Land Use Code requires parking at the rate of one space for every 200 square feet of floor area, but she wasn't familiar with the floor plan of the church. Mr. Stewart stated that the Assessor's records show that the building is 3,600 square feet. Councilor Kincaid concluded that this would require 18 parking spots.

Mr. Stewart responded that the issue of parking had been discussed quite a bit with staff in the past and he could show that throughout the downtown area, especially in the restaurant and bar trade, there are very few establishments that have the number of requisite parking spaces on the street or on the property that they actually own. He continued that the church attempts to provide spaces usually through public use and extra parking that the public pays for such as the parking lot at the Fruita Civic Center. Mr. Stewart said he believes this is why the staff report does not require any additional parking spaces.

Mayor Buck asked (in an effort to squash some rumors) what (if any) covenants were being attached with the sale of the church. Mr. Stewart responded that one of the members of the church who is a realtor might be able to address that in a better fashion, but he didn't believe there were any CCRs or anything of that nature attached to the church property.

Mayor Buck asked Mr. Stewart to verify that the church didn't get a full-price offer from an outside entity and denied it. Mr. Stewart responded that there have been potential prospects that have looked at the building and talked about a multiple use facility to provide for some event-type activities such as funerals, weddings, bar mitzvahs and educational purposes; those types of things that are more non-denominational in nature. He continued that the church has suggested that the prospect(s) go to the City Planning Department to see if the proposed uses would be allowed and some concerns were presented to the prospect, so they backed off. Mr. Stewart said this is one of the reasons that the whole process was precipitated for the rezone.

Councilor Bonar stated that he had been sitting on the City Council for over 8 years and prior to that he spent a year on the Planning Commission and in those 9 years, he has participated in the hearings for a significant number of PUD requests. He said that it had been his understanding through all of those that the PUD was a request for a specific exception to the existing zoning for a specific purpose. Councilor Bonar continued that to his recollection, the City of Fruita has never approved a PUD for a non-specific purpose. He asked Mrs. Raugh if his memory served him correctly.

Mrs. Raugh confirmed that Councilor Bonar was correct in that statement.

- **COUNCILOR BONAR MOVED TO DENY THE PROPOSED ORDINANCE 2016-09 BECAUSE IT DOES NOT COMPLY WITH THE CITY'S MASTER PLAN, WHICH DOES NOT PERMIT DEVELOPMENT GOING TO THE EAST AND SPECIFICALLY BECAUSE IT IS A PLANNED UNIT DEVELOPMENT (PUD) REQUEST FOR A NUMBER OF PURPOSES AND THE CITY DOES NOT APPROVE PUDS FOR A NON-SPECIFIC PURPOSE. COUNCILOR KINCAID SECONDED THE MOTION. COUNCILOR KREIE VOTED NO. THE MOTION PASSED WITH THREE YES VOTES.**

Councilor Bonar stated that at such time that there was a specific purpose involved, the City Council could hear the PUD request again, but he didn't think this was the proper process.

Mayor Buck stated that she had been on the City Council for 10 years and she had never seen an application for a PUD come through for a non-specific use. She added that it is a slippery slope that makes the Council nervous because it opens the door for any property at any location in the City that doesn't have any tie-in to the Master Plan to do the same thing, which really throws predictability out the door for the people that buy properties around that location. Mayor Buck said she didn't want to set that precedent, although she understands where the church is coming from and their not wanting it to go into disrepair and making sure that it is open for a use that is attractive to everyone. She continued that she thinks that is what the Council needs to see; what that use is specifically and what the very specific impacts are that the use will have to the neighborhood.

Mr. Stewart responded that he was a bit confused because after reading the Land Use Code concerning zoning, he did not see any language that said a PUD zone classification is only used for a specific use. He said he did read that one of the purposes of the zone is primarily for large developments that are multi-uses, either a new annexation or a completely redeveloped area that is going to be considered for a number of uses, which was not the case for the Sacred Heart Church.

Mr. Stewart continued that staff at no time ever suggested to him that he had to apply for one singular use and if that were the case, he would have come back with the specific use of an event-type center, which is what started the whole process.

Mr. Stewart asked the Council if they were suggesting that if this is the direction the church wants to go, that they would need to start the process all over again?

Mayor Buck said she would almost rather see the application come through as a Conditional Use Permit than a PUD zone change because that seemed a more appropriate way to do it. She asked if the Council and/or staff wanted to weigh in on that.

Councilor Bonar agreed with Mayor Buck.

Mrs. Raugh responded that it would be more appropriate with the zone change because a Conditional Use Permit is for a conditional use, which is a use that because of its varying characteristics, cannot be properly classified as a permitted use in a specific zone. She said it depends where exactly in that zone it might be located to determine whether it is appropriate or not. Mrs. Raugh stated that the applicant is then stuck with whatever conditional uses are listed in the Land Use Code, and that an event center is not a conditional use in the Community Residential zone. She continued that it would need to be in a zone that allows an event center as either a permitted use or as a conditional use.

Mayor Buck asked if the process that the Sacred Heart Church just went through is the only way that an events center could happen.

Mr. Raugh responded that it is the only way that she knows of that it could happen under the current rules and regulations. She added that the concern is that the applicant would have to run an application for just one use back through the system so that it will go in front of the Council again in two or three months just looking at the one land use.

Mr. Stewart stated that this is what they basically will be asking for.

City Clerk/Finance Director Margaret Sell stated that if that was the use (an events center) that the Council was looking at permitting, they could include that in a motion to allow that specific one use only in the PUD zone.

Mrs. Raugh noted that per Robert's Rules of Order, one of the people that voted in favor of the motion can ask that the question be reconsidered.

Councilor Bonar said he would question whether it was an appropriate part of the process to select a particular use out of the list of uses recommended by staff without having a staff report that details the potential impact of that particular use and the other ramifications of such for a full consideration. He continued that generally speaking, if the applicant had said that they wanted a PUD zone for an events center on this specific property, staff would have prepared a report that addressed all of the specific impacts and relevant considerations for an events center on that property and the surrounding neighbors would have been informed that this is what was being considered by the Council.

Councilor Bonar said he had an issue with the process, but not with what the church was asking for.

Mrs. Raugh responded that the Council could consider that the applicants had a list of all the different uses they would like as part of the PUD and staff analyzed the list and recommended a much smaller list. She continued that it sounded like the Council might be comfortable with a much smaller list than that; a list that is so small that it might only have one use on it. She said if that one thing was already in the list, then the public had been notified and there is a staff report that details the issues because staff had already considered it as one of the items on the list. She said if anyone were to look online at all the details, they would see that one use, so she didn't think there was an issue with the process because it had been taken care of.

Mrs. Raugh said that if the Council wanted to reconsider the question and make a different decision, then the process in place for the Council to do that without creating any violations of the City's regulations.

Councilor Bonar pointed out that there were two Council members absent who were not privy to this part of the discussion and he thinks that the Council should not make a decision on something that was not talked about at the workshop session.

Mayor Buck said she agreed with that statement, but said that the thing that concerned her was that an events center is kind of big deal, and although she thought that would be fine, she would still like to attach a Conditional Use Permit to it in some way because for an applicant to show up at the counter and ask for a permit for an events center and have it administratively approved, the Council wouldn't have any control over what is going on regarding the impacts to the neighborhood. Mayor Buck added that it was important for the application to come back through for an events center and there would be neighborhood input for however that events center is going to be used. She said she did agree that since 1/3 of the Council was absent, perhaps the application should be continued and the applicant shouldn't have to go through the whole process again.

Mr. Stewart suggested that the Council reconsider Councilor Bonar's motion and move to continue the matter to the next City Council meeting to give the absent Councilors the chance to discuss it at the July workshop meeting. He also requested that people didn't get too hung up on the terminology of "events center," because that sounds like something that might be in downtown Denver when it is a term that was coined through the planning process and not by the prospect that approached the church. He continued that the types of uses that the prospect primarily wanted to utilize the facility for are the same types of uses that the church has always been used for. Mr.

Stewart noted that any type of liquor permit would have to go before the Council for approval, so there would be control over that. Mr. Stewart requested that the Council consider his comments.

Councilor Kincaid said he thought that the process and generalities on the application just don't fit with a PUD.

- **COUNCILOR KINCAID MOVED TO RECONSIDER THE LAST MOTION MADE BY COUNCILOR BONAR. COUNCILOR HARVEY SECONDED THE MOTION. COUNCILOR BONAR VOTED NO. THE MOTION PASSED WITH THREE YES VOTES.**

- **COUNCILOR KREIE MOVED TO CONTINUE THE PUBLIC HEARING ON ORDINANCE 2016-09 TO THE AUGUST 2, 2016 COUNCIL MEETING. COUNCILOR KINCAID SECONDED THE MOTION. THE MOTION PASSED WITH FOUR YES VOTES.**

Mr. Stewart asked if the Council had any direction for him since he was the representative on the application. Mayor Buck said she thought the Council had the information they need; there was just two Council members missing that probably need to be privy to what was discussed.

Mr. Stewart said he would work with Mrs. Raugh and would see the Council on August 2nd.

Mayor Buck pointed out that it is not normal to have two people absent on the City Council, but that it is summertime when people take vacations.

8. ADMINISTRATIVE AGENDA

There were no administrative items on the agenda.

9. CITY MANAGER'S REPORT

City Manager Mike Bennett was not present at the meeting. Acting City Manager Margaret Sell had no report for the Council.

10. COUNCIL REPORTS AND ACTIONS

A. COUNCIL REPORTS AND ACTIONS

COUNCILOR KINCAID

Councilor Kincaid reported that at the Museum of Western Colorado (MWC) board meeting the previous week, they discussed how they did some partial roof repairs and now are working on getting a grant to do the rest of the repairs. The board has \$15,000 or \$20,000 set aside for the work and is trying to find a matching grant to complete the rest of the roof all at once and before the end of this year.

Councilor Kincaid noted that the MWC would be giving the Council a presentation at the July workshop session, but he would be absent from the meeting. The MWC will give an update on an upcoming feasibility study for consolidating all their assets in Fruita. The study will analyze whether or not there will be enough visitor traffic in Fruita. Last year, Dinosaur Journey saw 58,000 visitors, the Visitor's Center in Fruita had 168,000 and the Colorado National Monument had a little over half a million people. Councilor Kincaid said that the board is really being pushed to move to one location.

Councilor Kincaid noted that the MWC had another 6.5 acres donated to them adjacent to Riggs Hill. The challenge all along for the MWC is how to maintain all the different properties that they own effectively.

Councilor Kincaid added that Dinosaur Journey is by far the MWC most profitable location.

Councilor Kincaid said he had two people ask him about what the City Police do about illegal fireworks in city limits. Mayor Buck noted that something was mentioned about it in the Daily Sentinel's *You Said It* column.

Councilor Kincaid said that one of the people that asked him about the fireworks lives in Comstock and the other one lives in Orchard Ridge. One person has two county officers that live on their street as well as a state trooper, but they don't do anything about the fireworks. There is also a Fruita City officer that lives within a block of the Comstock Subdivision.

City Clerk/Finance Director Margaret Sell stated that she would get some information about that for the City Council.

Councilor Kincaid added that one person told him that the fireworks were still going off at 1:00 in the morning. Mrs. Sell asked if the person called the Fruita Police Department and Councilor Kincaid said the person probably didn't because from his own personal experience, he once called the police on his neighbors after he went out and talked to them. They were drunk and shooting fireworks that were spreading hot ashes all over but by the time the police arrived, the neighbors were done and it was all over with. Councilor Kincaid said he knows that fireworks in city limits are illegal, but he would like to know what the Police Department's policy on them is.

COUNCILOR KREIE

Councilor Kreie stated that he hasn't yet met with the Downtown Advisory Board because they didn't have a meeting last month.

Councilor Kreie reported that he and City Manager Mike Bennett attended the Colorado Municipal League's (CML's) Annual Conference and he highly recommended it for the other Council members. He also said he would like to go again next year.

COUNCILOR BONAR

Councilor Bonar said that the Historic Preservation Board did not meet the previous night due to the holiday, so they will meet the following Monday.

MAYOR BUCK

Mayor Buck stated that she had coffee with Sara McCarthy with Conservation Colorado and she offered the idea that the City of Fruita draft a letter of support for Xcel Energy's addition of 1GW of renewable energy to their Electric Resource Plan. She said that she asked Sara what kind of subsidies Xcel Energy would be getting, but Ms. McCarthy didn't have an immediate answer.

Councilor Kreie said that the issue raised a lot of questions for him and he felt uncomfortable about supporting something without more information.

Councilor Bonar stated that Ms. McCarthy approached him after the Public Lands Day event and asked if he would sign a letter of support. She had taken it to Grand Junction City Council member Bennett Boeschstein, who said that he was probably the only one on the Grand Junction City Council who would sign it.

Councilor Bonar continued that he read the letter and didn't really want to sign it but told Ms. McCarthy that if she really wanted it to have an impact, she needed the whole City Council to sign the letter, not just individual elected officials. Councilor Bonar suggested that Ms. McCarthy contact Mike Bennett, who received a Statement of Affirmation from her rather than a letter for the Fruita City Council to sign. He continued that the letter was a lot more detailed than the statement, but it still didn't have all the details such as Xcel not looking at rooftop solar as being a major component in achieving their goal. Councilor Bonar said there were some other things that he specifically asked Ms. McCarthy about but she didn't have answers, so he was quite pleased that the Council only signed a letter of Affirmation as opposed to the letter that was originally presented to him.

B. EXECUTIVE SESSION – A REQUEST TO CONVENE IN EXECUTIVE SESSION REGARDING PERSONNEL ISSUES UNDER C.R.S. SECTION 24-6-402(F) (CITY MANAGER EVALUATION WITHOUT THE CITY MANAGER)

- **COUNCILOR KINCAID MOVED TO MEET IN EXECUTIVE SESSION TO DISCUSS ISSUES RELATED TO PERSONNEL ISSUES UNDERSTANDING THAT DISCUSSIONS OF SUCH ISSUES IN EXECUTIVE SESSION ARE SPECIFICALLY PERMITTED BY THE STATE'S OPEN MEETING LAW C.R.S. 24-6-402(4)(F) . COUNCILOR HARVEY SECONDED THE MOTION. THE MOTION PASSED WITH FOUR YES VOTES.**

The Fruita City Council convened in Executive Session at 8:33 p.m. The City Council reconvened into the regular meeting at 9:05 p.m.

11. ADJOURN

With no further business before the Council, the meeting was adjourned at 9:05 p.m.

Respectfully submitted,

Debra Woods
Deputy City Clerk
City of Fruita



FRUITA
COLORADO

AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL AND MAYOR
FROM: DEBRA WOODS, DEPUTY CITY CLERK
DATE: JUNE 19, 2016
RE: NEW LIQUOR LICENSE APPLICATION – A REQUEST TO APPROVE AN APPLICATION FOR A BEER AND WINE LIQUOR LICENSE FOR BESTSLOPE COFFEE COMPANY, LLC LOCATED AT 129 N. PEACH STREET

BACKGROUND

The Bestslope Coffee Company, LLC has submitted an application to be granted a Beer and Wine Liquor License at 129 N. Peach Street in Fruita and has requested a concurrent review with the Liquor Enforcement Division and paid the appropriate fee to the Colorado Department of Revenue Liquor Enforcement Division for the concurrent review.

The following section from the Colorado Liquor Rules outlines the provisions for a concurrent review on a liquor license application.

Regulation 47-324. Concurrent Application Review.

A. A local licensing authority, or a license applicant with local authority approval, can request that the state licensing authority conduct a concurrent review of a new license application prior to the local licensing authority's final approval of the license application. Local licensing authorities who permit a concurrent review will continue to independently review the applicant's license application for the purpose of establishing the reasonable requirements of the neighborhood, the suitability of the character, record and reputation of the applicant and its principals, the fitness of the applicant's premises for occupancy in compliance with the provisions of Articles 46 and Article 47 of Title 12 C.R.S., and any other provisions required for local authority determination as provided for in these articles.

B. When conducting a concurrent application review, the state licensing authority will advise the local licensing authority of any items that it finds that could result in the denial of the license application. Upon correction of the noted discrepancies, the state licensing authority will notify the local licensing authority of its conditional approval of the license application subject to the final approval by the local licensing authority. The state licensing authority will then issue the applicant's state liquor license upon receiving evidence of final approval by the local licensing authority.

C. All applications submitted for concurrent review must be accompanied by all applicable state license and application fees. Any applications that are later denied or withdrawn will allow for a refund of license fees only. All application fees provided by an applicant shall be retained by the respective licensing authority.

Background checks were conducted with The Fruita and Grand Junction Police Departments, as well as The Mesa County Sheriff's Department and the Colorado Bureau of Investigation. None of these law enforcement agencies found anything of concern that would hinder the issuance of the license. The Preliminary Findings Report, law enforcement agencies' comments and Colorado Liquor License Application are attached hereto.

The following is a list of questions and guidelines to aid the Council in the decision making process to determine if the liquor license should be approved. These guidelines are from Colorado State Statutes.

Code Of Regulations, 1 C.C.R 203-2

Regulation 47-310 Application – General Provisions

- E. A licensing authority (the City Council in this case) is required to make a determination as to the character, record and reputation of the applicants for new licenses. The City Council may consider the following factors when assessing the character of the applicants, which may include but not be limited to the following:
1. The applicant or licensee has submitted false applications, made willful misrepresentations and/or committed fraudulent acts;
 2. The application or licensee has a criminal history of crimes of moral turpitude. By way of example, crimes of moral turpitude shall include but not be limited to, murder, burglary, robbery, arson kidnapping, sexual assault, illegal drugs or narcotics convictions;
 3. The applicant or licensee has had previous alcohol beverage licenses denied, suspended or revoked as a result of violations of law;
 4. The applicant or licensee has been found to be delinquent in the payment of any state or local taxes, and record of such tax delinquency has been filed in a court having jurisdiction, or has been made a public record by some other lawful means;
 5. The applicant or licensee has committed statutory violations resulting in the suspension, revocation or denial or any other professional license. For purpose of this section, the suspension or revocation or a state-issued driver's license shall not be considered.
- F. Pursuant to 24-5-101, C.R.S., when making a determination as to the character, record or reputation of a licensee or applicant as required by Title 12, Article 46, 47 and 48, the licensing authority shall also consider evidence of rehabilitation. Such evidence may include, but not be limited to, evidence of no criminal history record information, educational achievements, financial solvency, community standing, lack of additional arrests or convictions, or the lack or parole or probation violations since the date of last conviction.

ISSUANCE OF A NEW LIQUOR LICENSE

When acting on the issuance of a new liquor license, in addition to the moral character of the applicants, the City Council shall consider following issues when deciding whether or not to issue a license:

1. The reasonable requirements of the neighborhood;
2. The desire of the adult inhabitants as evidenced by petitions, remonstrance's or otherwise;
3. All other reasonable restrictions that are or may be placed upon the neighborhood by the local licensing authority. (City Council)

No license shall be issued to or held by:

1. Any person until the annual fee therefore has been paid;
2. Any person who is not of good moral character;
3. Any partnership, association, or company any of whose officers, or any of whose members holding ten percent or more interest therein, are not of good moral character;
4. Any person unless such person's character, record, and reputation are satisfactory to the respective licensing authority;
5. Any natural person under twenty-one years of age.

FISCAL IMPACT

Unknown

APPLICABILITY TO CITY GOALS AND OBJECTIVES

The City of Fruita is charged with protection of the public health, safety and welfare. The consideration of the issuance of a new Beer and Wine Liquor License by the City Council ensures that the proposed establishment is desired in the neighborhood and the applicant is of good moral character.

OPTIONS AVAILABLE TO THE COUNCIL

1. Approve the Beer and Wine Liquor License for Bestslope Coffee Company, LLC located at 129 N. Peach Street as proposed
2. Approve the Beer and Wine Liquor License for Bestslope Coffee Company, LLC located at 129 N. Peach Street with additional requirements
3. Deny the issuance based on the requirements of the needs of the neighborhood and the desires of its adult inhabitants and/or the character of the applicant.

RECOMMENDATION

It is the recommendation of the staff that Council, by motion:

- **APPROVE THE APPLICATION FOR A BEER AND WINE LIQUOR LICENSE TO BESTSLOPE COFFEE COMPANY, LLC LOCATED AT 129 N. PEACH STREET**



325 E Aspen
Fruita, CO 81521
(970) 858-3663

CITY OF FRUITA LOCAL LICENSING AUTHORITY, MESA COUNTY COLORADO

PRELIMINARY FINDINGS AND REPORT UPON APPLICATION FOR A BEER AND WINE LIQUOR LICENSE

IN RE: Bestslope Coffee Company, LLC
Dba Bestslope Coffee Co.
129 N. Peach St.
Fruita, CO 81521

TO THE APPLICANT NAMED ABOVE AND OTHER INTERESTED PARTIES:

You are hereby advised that with regard to your application for a Beer and Wine Liquor License, an investigation has been made and based on the results thereof the following has been determined:

1. That the application was filed on June 14, 2016.
2. That the Notices of Public Hearing on this matter were posted by the applicant on June 17, 2016 and publication was made in the Grand Junction Daily Sentinel on July 6, 2016 for the hearing date of July 19, 2016.
3. There has not been, within two years preceding the date of your application, a denial of an application by the County Commissioners of Mesa County, the State Licensing Authority, or the Local Licensing Authority of the City of Fruita for a Beer and Wine Liquor License at the location for which you make application for the reason that the reasonable requirements of the neighborhood and the desires of the inhabitants have been satisfied by the existing outlets.
4. It appears from the evidence submitted by you that you will be entitled to possession of the premises where you propose to exercise the license applied for.
5. Employees serving alcohol shall attend a Training Intervention Procedures (TIPS) class. This is a four-hour class on Colorado laws pertaining to but not limited to: serving alcohol, identifying intoxicated persons, and how to identify those of age to drink alcoholic beverages. All employees that serve alcohol should be trained either prior to beginning employment or within 30 days of employment. You may contact the Fruita Police Department, Officer John Coughran at 858-3008. Proof of attendance by employees selling alcohol must be submitted to the City Clerk's office and will be kept on file.

6. The proposed establishment is located in a Downtown Mixed Use Zoning District. Food Service, Restaurant (including alcohol) is an allowed use in this zone. A certificate of occupancy, a food establishment permit and any other applicable licenses and permits must be issued prior to commencement of operations **including Planning Clearances from the City of Fruita Planning Department.**
7. The building and grounds where you propose to exercise the privilege of serving alcohol does not appear to be within 500 feet from any public or parochial school or the principal campus of any college, university or seminary.
8. Within a one mile radius from the building and grounds where you propose to sell malt and vinous liquors there are the following Beer and Wine Liquor License establishments:

Hot Tomato Café and Pizzeria
Pablo's Pizza
Camilla's Kaffe
No Coast Sushi
DTF Wine Bar and Tapas

9. The following criminal history information has been brought to the attention of the authority:

Applicant (including partners, officers, directors over 10% shareholders)

Owner: Dana Anne Keller - All clear
Owner: Jennifer Mary Zeuner – All clear
Owner: Tom Griffith – all clear

Source of information:

Fruita Police Department	(Exhibit A)
Grand Junction Police Department	(Exhibit B)
Mesa County Sheriff's Office	(Exhibit C)
Colorado Bureau of Investigation	(Exhibit D)

10. The results of the petition circulated with respect to this application are as follows:

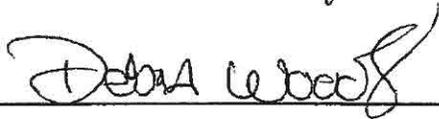
Total Signatures obtained by applicant:	13 (Exhibit E)
For:	13
Against:	0
No Opinion:	0

11. The public hearing on your application will be held on July 19, 2016 at 7:00 p.m. in the Council Chambers at the Fruita City Hall, 325 E Aspen, Fruita, CO. At said hearing you

shall have the opportunity to be heard regarding all matters related to your application, including all matters set forth herein.

11. At the public hearing, and pursuant to CRS 12-46-108, as amended, you have the burden of proving that you are qualified to hold the license applied for and that your character, record and reputation are satisfactory; that the neighborhood needs this license and that the residents of the neighborhood desire that this license be granted.
14. A copy of the "Order of Hearing" procedures used by the Local Licensing Authority of the City of Fruita for use and guidance in holding hearings on liquor license applications is attached for your information and review. (Exhibit F)

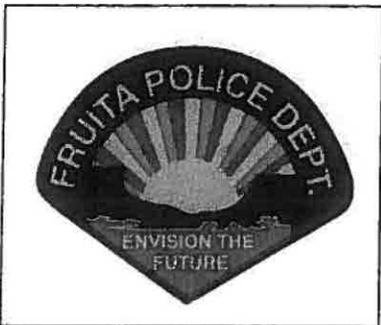
Dated this 23rd Day of June, 2016.

A handwritten signature in cursive script that reads "Debra Woods". The signature is written in black ink and is positioned above a horizontal line.

Debra Woods, Deputy City Clerk
for the Local Licensing Authority



Fruita Police Department



Memo

To: Debra Woods
From: Chief Macy
Date: 06/23/16
Re: Records check; Beer and Wine Liquor License, Bestslope Coffee Company, 129 N. Peach St., Fruita, Co. 81521

A records check has been completed on the following persons:

- 1) Jennifer Mary Zeuner (██████████)
- 2) Dana Anne Keller (██████████)
- 3) Thomas Ryan Griffith (██████████)

There was nothing of concern which would prevent the issuance of the license requested. If you have questions, please feel free to contact me.

JHM/jhm



Debra Woods

From: PD Records [PDRecords@ci.grandjct.co.us]
Sent: Thursday, June 23, 2016 3:10 PM
To: Debra Woods
Subject: Re: Records checks on 3 individuals for a liquor license application in Fruita

These three individuals do not have a record with GJPD.

Pam

Grand Junction Police Records
555 Ute Ave
Grand Junction, CO 81501
phone: 970-549-5000
fax: 970-549-5002
email: pdrecords@gjcity.org

WARNING: This electronic mail transmission, to include any attached document, is from the Records & Data Management Unit of the Grand Junction Police, Grand Junction, Colorado. The information contained in this message may be privileged and/or confidential, and protected by law. The privileges are not waived by virtue of this message being sent to you in error. If the person receiving this message or any other reader of the message is not the intended recipient, please note that disclosure, copying, distribution or use of the information contained in the message is prohibited. For questions regarding this information or additional help, please call (970) 549-5000.

>>> Debra Woods <dwoods@fruita.org> 6/23/2016 2:32 PM >>>

Hello,

Please see attached request and respond at your earliest convenience.

Thank you!

Debra Woods

Deputy City Clerk
City of Fruita
(970) 858-3663
dwoods@fruita.org



325 E. Aspen
Suite 155
Fruita CO 81521

Phone:
970/858-3663

Fax
970/858-0210

E Mail
fruita@fruita.org

Web Site
www.fruita.org

City Manager's Office
970/858-3663

City Clerk/Finance
970/858-3663

Community
Development
970/858-0786

Municipal Court
970/858-8041

Police Department
970/858-3008

Engineering
970/858-8377

Human Resources
970/858-8373

Public Works
970/858-9558

Parks and Recreation
970/858-0360

Wastewater
Treatment
Facility
970/858-4081

June 14, 2016

Mesa County Sheriff's Office
Donna Draper
Lorene Hernandez
Administrative Specialists

Via e-mail: Donna.Draper@mesacounty.us
Lorene.Hernandez@mesacounty.us

RE: Records checks on three individuals for an application for a Beer and Wine
Liquor License

The City of Fruita has received an application for a **Beer and Wine Liquor License**
for **Bestslope Coffee Company, LLC dba Bestslope Coffe Co.** to be located at **129**
N. Peach St. in Fruita, CO.

Please conduct records checks and let me know of any items that would reflect the
below individuals' character. The back ground checks will assist the Fruita City
Council in determining whether the applicants are of "Good Moral Character."

You can fax or e-mail the information back to me at 858-0210 or dwoods@fruita.org.

Co-Owner: Jennifer Mary Zeuner
Current Address 166 N. Cherry St.
(2003 to present) Fruita, CO 81521
Date of Birth: [REDACTED]
SSN# [REDACTED]

Co-Owner: Dana Anne Keller
Current Address 166 N. Cherry St.
(2003 to present) Fruita, CO 81521
Date of Birth: [REDACTED]
SSN# [REDACTED]

Co-Owner: Thomas Ryan Griffith
Current Address 506 E. Pabor Ave.
(2009 to present) Fruita, CO 81521
Date of Birth: [REDACTED]
SSN# [REDACTED]

Thank you for your assistance in this matter.

Sincerely,

Debra Woods
Deputy City Clerk

No Record Found
Mesa County Sheriff's Office

No Record Found
Mesa County Sheriff's Office

No Record Found
Mesa County Sheriff's Office

Honor the Past - Envision the Future





COLORADO
Bureau of Investigation
Department of Public Safety

Identification
690 Kipling Street, Suite 3000
Lakewood, CO 80215
303-239-4208



Page 1 of 3

CITY OF FRUITA
325 E ASPEN
FRUITA, CO 81521

Date: 06/14/16 04:03:29(MT)

RE: KELLER, DANA ANNE

DOB: [REDACTED] SOC: XXXXX [REDACTED]

No Colorado Record of arrest has been located based on information provided.

The Colorado Bureau of Investigation's database contains detailed information of arrest records based upon fingerprints provided by Colorado law enforcement agencies. Arrests, which are not supported by fingerprints, will not be included in this database. On occasion the Colorado criminal history will contain disposition information provided by the Colorado Judicial system. Additionally, warrant information, sealed records, and juvenile records are not available to the public.

The results attached are based on a name search which may or may not be the subject of this inquiry. This search does not include a fingerprint comparison, which is the only means of positive identification. Since an arrest record may be established after this inquiry, an arrest record is only valid at the time of the current request. To ensure the most current available information in regards to subsequent arrest after an initial inquiry, it is recommended another query be made.

Falsifying or altering this document with the intent to misrepresent the contents of the record is prohibited by law, and may be punishable as a felony when done with intent to injure or defraud any person.

Sincerely,
Michael S. Rankin, Director
Colorado Bureau of Investigation





COLORADO
Bureau of Investigation
Department of Public Safety

Identification
690 Kipling Street, Suite 3000
Lakewood, CO 80215
303-239-4208



Page 2 of 3

CITY OF FRUITA
325 E ASPEN
FRUITA, CO 81521

Date: 06/14/16 03:53:20(MT)

RE: ZEUNER, JENNIFER MARY

DOB: [REDACTED] SOC: [REDACTED]

No Colorado Record of arrest has been located based on information provided.

The Colorado Bureau of Investigation's database contains detailed information of arrest records based upon fingerprints provided by Colorado law enforcement agencies. Arrests, which are not supported by fingerprints, will not be included in this database. On occasion the Colorado criminal history will contain disposition information provided by the Colorado Judicial system. Additionally, warrant information, sealed records, and juvenile records are not available to the public.

The results attached are based on a name search which may or may not be the subject of this inquiry. This search does not include a fingerprint comparison, which is the only means of positive identification. Since an arrest record may be established after this inquiry, an arrest record is only valid at the time of the current request. To ensure the most current available information in regards to subsequent arrest after an initial inquiry, it is recommended another query be made.

Falsifying or altering this document with the intent to misrepresent the contents of the record is prohibited by law, and may be punishable as a felony when done with intent to injure or defraud any person.

Sincerely,
Michael S. Rankin, Director
Colorado Bureau of Investigation





COLORADO
Bureau of Investigation
Department of Public Safety

Identification
690 Kipling Street, Suite 3000
Lakewood, CO 80215
303-239-4208



Page 3 of 3

CITY OF FRUITA
325 E ASPEN
FRUITA, CO 81521

Date: 06/14/16 04:04:46(MT)

RE: GRIFFITH, THOMAS RYAN

DOB: [REDACTED] SOC: [REDACTED]

No Colorado Record of arrest has been located based on information provided.

The Colorado Bureau of Investigation's database contains detailed information of arrest records based upon fingerprints provided by Colorado law enforcement agencies. Arrests, which are not supported by fingerprints, will not be included in this database. On occasion the Colorado criminal history will contain disposition information provided by the Colorado Judicial system. Additionally, warrant information, sealed records, and juvenile records are not available to the public.

The results attached are based on a name search which may or may not be the subject of this inquiry. This search does not include a fingerprint comparison, which is the only means of positive identification. Since an arrest record may be established after this inquiry, an arrest record is only valid at the time of the current request. To ensure the most current available information in regards to subsequent arrest after an initial inquiry, it is recommended another query be made.

Falsifying or altering this document with the intent to misrepresent the contents of the record is prohibited by law, and may be punishable as a felony when done with intent to injure or defraud any person.

Sincerely,
Michael S. Rankin, Director
Colorado Bureau of Investigation





SURVEY



page 1 of 2

An application has been filed with the City of Fruita for a liquor license. In its consideration of this application, the Fruita City Council must consider the reasonable requirements of the neighborhood and the desires of the inhabitants. An "inhabitant" is an individual who resides in a given neighborhood or community for more than six months each year. The "neighborhood" is defined generally as the area between L Road to the North and the Colorado National Monument to the South, and between 15 1/2 Road to the West and 20 Road to the East. A public hearing will be advertised and held on this application in the Council Chambers at the Fruita Civic Center, 325 E. Aspen, Fruita, Colorado. Please call the City Clerk's Office at 858-3663 to inquire as to the date and time of the hearing.

Do not sign this survey unless you are 21 years or older and reside within the area bounded on the north by L Road, on the south by Colorado National Monument, on the west by 15 1/2 Road, and on the 20 Road to the East.

As an owner of property in the neighborhood, an employee or business lessee of property in the neighborhood and/or an inhabitant who resides in the neighborhood for more than six months each year:

Question 1. *I believe the reasonable requirements of the neighborhood are already being met by other existing outlets. (Yes or No)*

As an inhabitant who resides in the neighborhood for more than six month each year:

Question 2. *It is my desire that the license be issued. (Yes or No or Not Applicable (N/A))*

Name (signature)	Address	Business (B) Residence (R)	Question 1		Question 2		N/A	Date
			Yes	No	Yes	No		
Brett Jones	432 Forty Niner Dr.	R		X	X			4/12/16
Lori Chesnick	137 N Peach st	B		X	X			4/12/16
Patrick Reznick	147 N. Willow	R		X	X			4/13/16
Jennifer Wene	117 Pellet Fruita	R		X	X			4/13/16
Tyler Blackwelder	123 N maple st	R		X	X			4/14/16
Jennie Blackwelder	123 N maple st	R		X	X			4/14/16
123 N Maple	1225 17 1/2 RD	R		X	X			4/23/16
Chris	1820 K 4/10 rd.	R		X	X			4/23/16
Patricia	1820 K 4/10 RD	R		X	X			4/23/16
Kristi Sumlin	198 RED ROCKS	R		X	X			4/23/16
J	171 N. Peach St	R/B		X	X			4/23/16
Tom	713 E Harrison	R		X	X			5/1/16
Stephen A. Ryan	890 S Abilene	R		X	X			5/1/16



page 2 of 2

CIRCULATOR'S AFFIDAVIT

I, Tom Griffith, who resides at 506 E. Pabor
(print name) (print address)

do hereby swear or affirm:

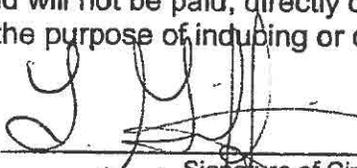
That I circulated the foregoing survey for a Beer and wine license
(print type of license)
liquor license application within in the area described as the neighborhood,
on the date(s) of 4/12 - 5/1, 2016, and;

That each signature thereon was affixed in my presence;

That each signature thereon is the signature of the person whose name it purports to be;

That to the best of my knowledge and belief, each of the persons signing was, at the time of signing, an owner of property in the neighborhood, an employee or business lessee of property in the neighborhood for more than six (6) months each year, and;

That the signers were not paid and will not be paid, directly or indirectly, any money or other thing of value for the purpose of inducing or causing signature of this survey.

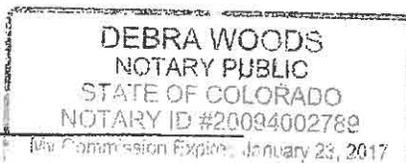


Signature of Circulator
6/10/16

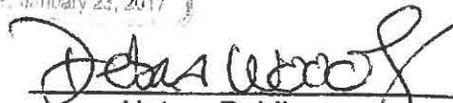
Date

The foregoing instrument was executed before me this 10th day of June, 2016.

My commission expires _____



(Seal)



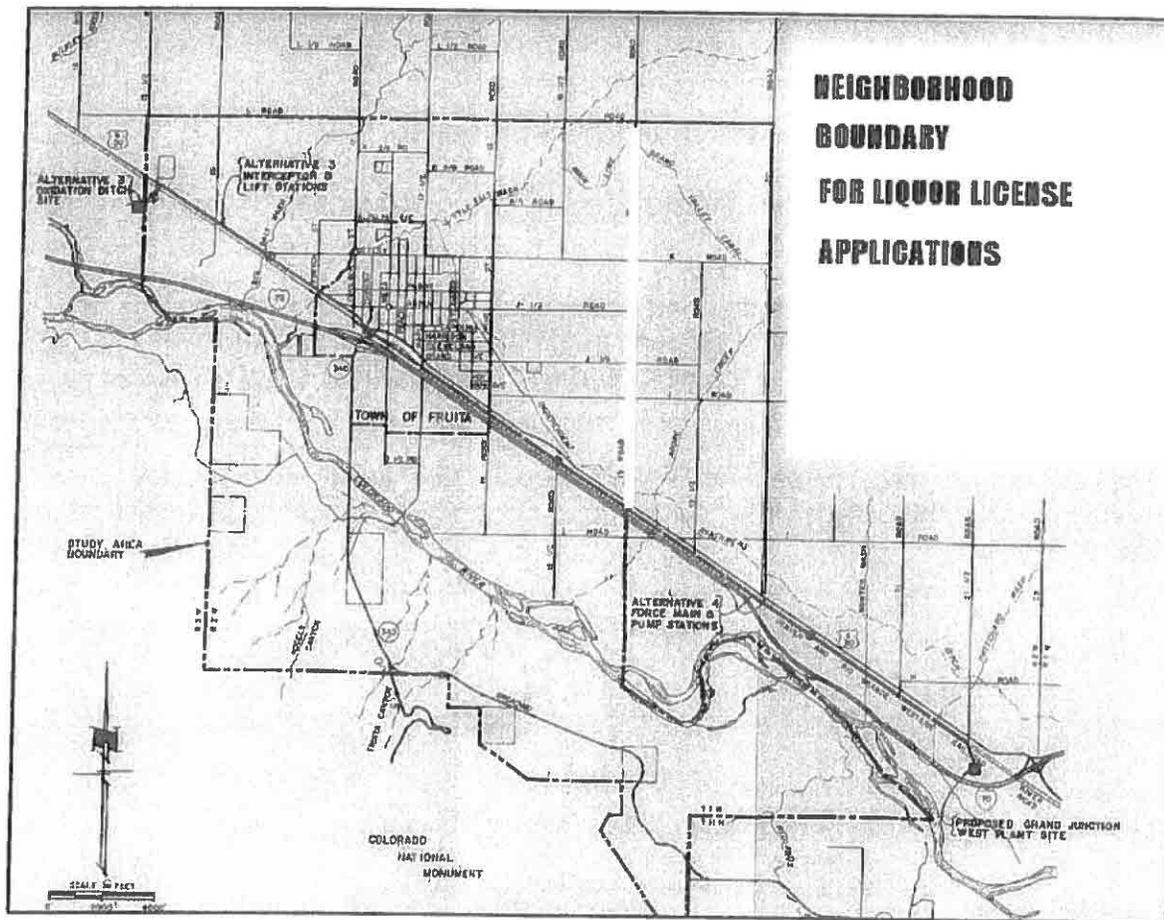
Notary Public

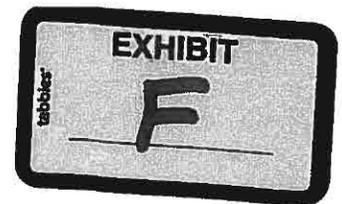


NEIGHBORHOOD DEFINED

DATE: January 4, 2008

The Fruita City Council amended the "neighborhood" definition for purposes of surveys for new liquor license applications at their regular meeting of October 5, 1999. The neighborhood is now defined as the 201 boundary, with the east border of the 201 boundary located north of the Colorado River extended from 19 Road to 20 Road. The map below indicates the boundary of the neighborhood.





PUBLIC HEARINGS

Public Hearings are the formal opportunity for the city council to LISTEN to the public regarding the issue at hand. For land use hearings and liquor license hearings; the Council is required to act in a quasi-judicial capacity. When acting as a quasi-judicial body, the Council is acting in much the same capacity as a judge would act in a court of law. Under these circumstances, the judicial or quasi-judicial body must limit its consideration to matters which are placed into evidence and are part of the public record. The council must base their decision on the law and evidence presented at the hearing.

- 1) **Applicant Presentation (15 minutes max)** The petitioner is asked to present the proposal. Presentations should be brief and to the point and cover all of the main points of the project.
- 2) **Staff presentation (15 minutes max)** Staff will present the comments and reports received from review agencies, and offer a recommendation.
- 3) **Public Input (limit of 5 minutes per person.** If two people in the audience are willing to cede their time to the speaker, that speaker may receive a total of 10 minutes, referred to as banking time). People speaking should step up to the microphone and state their name and address. Speakers should be to the point and try not to repeat the points others have made.
- 4) **Applicant Rebuttal (limited to 5 minutes)** The Mayor will ask for the applicant's rebuttal. During this brief time, the applicant should answer the questions raised by the public.
- 5) **The hearing is then closed to public comments**
- 6) **Questions from the Council.** After a Council member is recognized by the Mayor, they may ask questions of the staff, the applicant, or the public.
- 7) **Make a motion.** A member of the City Council will make a motion on the issue.
- 8) **Discussion on the motion.** The City Council may discuss the motion.
- 9) **Vote.** The City Council will then vote on the motion.

revised to State LCB
6/14/16



325 E. Aspen
Suite 155
Fruita CO 81521

Phone:
970/858-3663

Fax
970/858-0210

E Mail
fruita@fruita.org

Web Site
www.fruita.org

City Manager's Office
970/858-3663

City Clerk/Finance
970/858-3663

Community
Development
970/858-0786

Municipal Court
970/858-8041

Police Department
970/858-3008

Engineering
970/858-8377

Human Resources
970/858-8373

Public Works
970/858-9558

Parks and Recreation
970/858-0360

Wastewater
Treatment
Facility
970/858-4081

June 14, 2016

Colorado Department of Revenue
Liquor Enforcement Division - 108
P. O. Box 173350
Denver, CO 80217-3350

RE: Beer and Wine Liquor License Application for **Bestslope Coffee, LLC**
located at 129 N. Peach St., Fruita, CO

Dear Liquor Enforcement Division,

On June 14, 2016, the above applicant filed an application and supporting documents for a new Beer and Wine Liquor License with the City Clerk's Office in the City of Fruita and has requested a concurrent review with the Liquor Enforcement Division. The applicant has also submitted the appropriate fee to the Colorado Dept. of Revenue Liquor Enforcement Division for the concurrent review.

Please contact me should you have any questions.

Sincerely,

Debra Woods
Deputy City Clerk
Liquor Licensing

Honor the Past - Envision the Future



Application Documents Checklist and Worksheet

Instructions: This checklist should be utilized to assist applicants with filing all required documents for licensure. All documents must be properly signed and correspond with the name of the applicant exactly. All documents must be typed or legibly printed. Upon final State approval the license will be mailed to the local licensing authority. Application fees are nonrefundable.

Questions? Visit: www.colorado.gov/enforcement/liquor for more information

Items submitted, please check all appropriate boxes completed or documents submitted

I. Applicant information

- A. Applicant/Licensee identified
- B. State sales tax license number listed or applied for at time of application
- C. License type or other transaction identified
- D. Return originals to local authority
- E. Additional information may be required by the local licensing authority

II. Diagram of the premises

- A. No larger than 8 1/2" X 11"
- B. Dimensions included (does not have to be to scale). Exterior areas should show type of control (fences, walls, entry/exit points, etc.)
- C. Separate diagram for each floor (if multiple levels)
- D. Kitchen - identified if Hotel and Restaurant
- E. Bold/Outlined Licensed Premises

III. Proof of property possession (One Year Needed)

- A. Deed in name of the Applicant (or) (matching question #2) date stamped / filed with County Clerk
- B. Lease in the name of the Applicant (or) (matching question #2)
- C. Lease Assignment in the name of the Applicant with proper consent from the Landlord and acceptance by the Applicant
- D. Other Agreement if not deed or lease. (matching question #2)
(Attach prior lease to show right to assumption)

IV. Background information and financial documents

- A. Individual History Records(s) (Form DR 8404-I)
- B. Fingerprints taken and submitted to local authority (State Authority for Master File applicants)
- C. Purchase agreement, stock transfer agreement, and or authorization to transfer license
- D. List of all notes and loans (Copies to also be attached)

V. Sole proprietor / husband and wife partnership

- A. Form DR4679
- B. Copy of State issued Driver's License or Colorado Identification Card for each applicant

N/A

VI. Corporate applicant information (if applicable)

- A. Certificate of Incorporation dated stamped by the Secretary of State
- B. Certificate of Good Standing
- C. Certificate of Authorization if foreign corporation
- D. List of officers, directors and stockholders of Applying Corporation (If wholly owned, designate a minimum of one person as Principal Officer of Parent)

N/A

VII. Partnership applicant information (if applicable)

- A. Partnership Agreement (general or limited). Not needed if husband and wife
- B. Certificate of Good Standing (If formed after 2009)

N/A

VIII. Limited Liability Company applicant information (if applicable)

- A. Copy of articles of organization (date stamped by Colorado Secretary of State's Office)
- B. Certificate of Good Standing if organized more than two years
- C. Copy of operating agreement
- D. Certificate of Authority if foreign company

IX. Manager registration for hotel and restaurant, tavern licenses when included with this application

- A. \$75.00 fee
- B. Individual History Record (DR 8404-I)
- C. If owner is managing, no fee required

N/A

7. Is the applicant (including any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation) or manager under the age of twenty-one years? Yes No

8. Has the applicant (including any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation) or manager ever (in Colorado or any other state):

(a) Been denied an alcohol beverage license?

(b) Had an alcohol beverage license suspended or revoked?

(c) Had interest in another entity that had an alcohol beverage license suspended or revoked?

If you answered yes to 8a, b or c, explain in detail on a separate sheet.

9. Has a liquor license application (same license class), that was located within 500 feet of the proposed premises, been denied within the preceding two years? If "yes", explain in detail.

10. Are the premises to be licensed within 500 feet of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary?

Waiver by local ordinance? or
Other:

11. Has a liquor or beer license ever been issued to the applicant (including any of the partners, if a partnership; members or manager if a Limited Liability Company; or officers, stockholders or directors if a corporation)? If yes, identify the name of the business and list any current financial interest in said business including any loans to or from a licensee. (see attached)

12. Does the Applicant, as listed on line 2 of this application, have legal possession of the premises by virtue of ownership, lease or other arrangement?

Ownership Lease Other (Explain in Detail) _____

a. If leased, list name of landlord and tenant, and date of expiration, exactly as they appear on the lease:

Landlord	Tenant	Expires
Jawic Properties, LLC	Bestslope Office Company LLC	4/3/2017

b. Is a percentage of alcohol sales included as compensation to the landlord? If yes complete question 13.

c. Attach a diagram and outline or designate the area to be licensed (including dimensions) which shows the bars, brewery, walls, partitions, entrances, exits and what each room shall be utilized for in this business. This diagram should be no larger than 8 1/2" X 11".

13. Who, besides the owners listed in this application (including persons, firms, partnerships, corporations, limited liability companies), will loan or give money, inventory, furniture or equipment to or for use in this business; or who will receive money from this business. Attach a separate sheet if necessary.

Last Name	First Name	Date of Birth	FEIN or SSN	Interest/Percentage
(NONE)				
Last Name	First Name	Date of Birth	FEIN or SSN	Interest/Percentage

Attach copies of all notes and security instruments, and any written agreement, or details of any oral agreement, by which any person including partnerships, corporations, limited liability companies, etc.) will share in the profit or gross proceeds of this establishment, and any agreement relating to the business which is contingent or conditional in any way by volume, profit, sales, giving of advice or consultation.

4. Optional Premises or Hotel and Restaurant Licenses with Optional Premises:
Has a local ordinance or resolution authorizing optional premises been adopted? N/A

Number of additional Optional Premise areas requested. (See license fee chart)

5. Liquor Licensed Drug Store applicants, answer the following:
(a) Does the applicant for a Liquor Licensed Drug Store have a license issued by the Colorado Board of Pharmacy? N/A
If "yes" a copy of license must be attached.

6. Club Liquor License applicants answer the following: **Attach a copy of applicable documentation**

(a) Is the applicant organization operated solely for a national, social, fraternal, patriotic, political or athletic purpose and not for pecuniary gain?

(b) Is the applicant organization a regularly chartered branch, lodge or chapter of a national organization which is operated solely for the object of a patriotic or fraternal organization or society, but not for pecuniary gain?

(c) How long has the club been incorporated? N/A

(d) Has applicant occupied an establishment for three years (three years required) that was operated solely for the reasons stated above?

7. Brew-Pub License or Vintner Restaurant Applicants answer the following:
(a) Has the applicant received or applied for a Federal Permit? (Copy of permit or application must be attached) N/A

1a. For all on-premises applicants.
(If this is an application for a Hotel, Restaurant or Tavern License, the manager must also submit an individual History Record - DR 8404-1)

Last Name of Manager	First Name of Manager	Date of Birth
N/A	N/A	

b. Does this manager acts as the manager of, or have a financial interest in, any other liquor licensed establishment in the State of Colorado? If yes, provide name, type of license and account number. N/A

Type of License	Account Number
N/A	

8. Tax Distraint Information. Does the applicant or any other person listed on this application and including its partners, officers, directors, stockholders, members (LLC) or managing members (LLC) and any other persons with a 10% or greater financial interest in the applicant currently have an outstanding tax distraint issued to them by the Colorado Department of Revenue?

If yes, provide an explanation and include copies of any payment agreements.

20. **If applicant is a corporation, partnership, association or limited liability company, applicant must list all officers, directors, general partners, and managing members. In addition, applicant must list any stockholders, partners, or members with ownership of 10% of more in the applicant. All persons listed below must also attach form DR8404-I (Individual History Record), and submit fingerprint cards to their local licensing authority.

Name	Home Address, City & State	DOB	Position	% Owned
Dana Anne Keller	1166 N. cherry st, Fruita, CO	[REDACTED]	Co-owner	35
Jennifer Mary Zumar	1166 N Cherry St Fruita CO	[REDACTED]	Co-owner	35
Tom Griffith	506 E. Pabor Ave	[REDACTED]	Co-owner	30

** Limited Liability Companies and Partnerships - 100% of ownership must be accounted for on question #20
 ** Corporations - The President, Vice-President, Secretary and Treasurer must be accounted for on question #20 (Include ownership percentage if applicable)

Oath Of Applicant

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge. I also acknowledge that it is my responsibility and the responsibility of my agents and employees to comply with the provisions of the Colorado Liquor or Beer Code which affect my license.

Authorized Signature 	Printed Name and Title Dana Anne Keller Co-owner	Date 6/10/16
--------------------------	---	-----------------

Report and Approval of Local Licensing Authority (City/County)

Date application filed with local authority 6/14/16	Date of local authority hearing (for new license applicants; cannot be less than 30 days from date of application 12-47-311 (1) C.R.S.) July 19, 2016
--	--

The Local Licensing Authority Hereby Affirms that each person required to file DR 8404-I (Individual History Record) has:

- Been fingerprinted
- Been subject to background investigation, including NCIC/CCIC check for outstanding warrants

That the local authority has conducted, or intends to conduct, an inspection of the proposed premises to ensure that the applicant is in compliance with, and aware of, liquor code provisions affecting their class of license

- (Check One)
- Date of inspection or anticipated date _____
 - Will conduct inspection upon approval of state licensing authority

The foregoing application has been examined; and the premises, business to be conducted, and character of the applicant are satisfactory. We do report that such license, if granted, will meet the reasonable requirements of the neighborhood and the desires of the adult inhabitants, and will comply with the provisions of Title 12, Article 46 or 47, C.R.S.

Therefore, this application is approved.

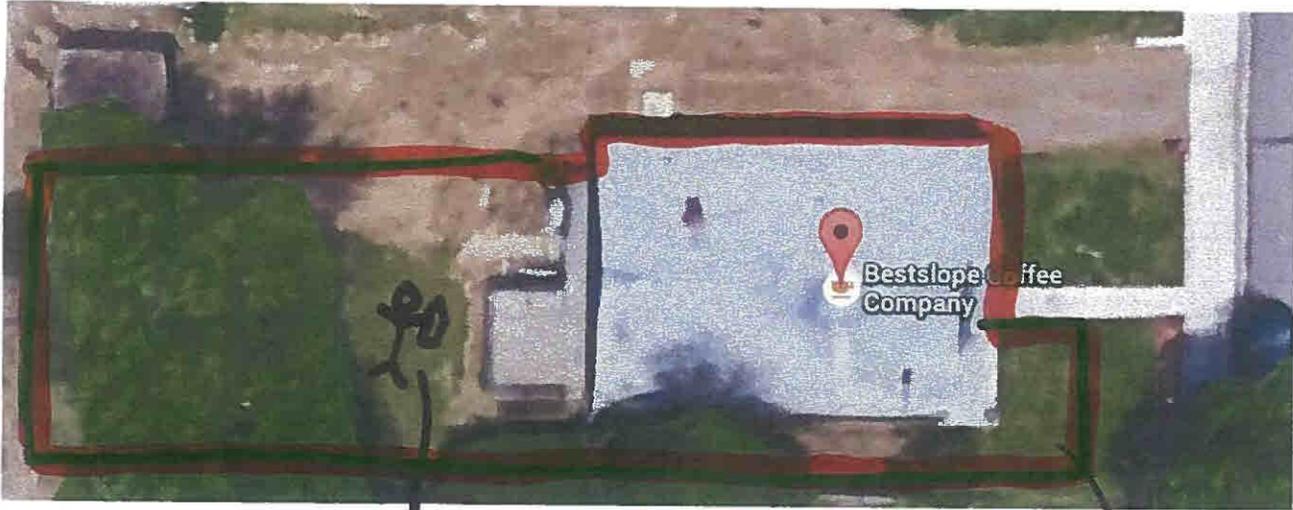
Local Licensing Authority for The City of Fruita	Telephone Number (970) 858-3663	<input checked="" type="checkbox"/> Town, City <input type="checkbox"/> County
Signature 	Print LORI BUCK	Title MAYOR
Signature (attest)	Print MARGARET SELL	Title CITY CLERK

Q #11 on liquor license application for Bestslope Coffee Company, LLC

Co-owner: **Jennifer Zeuner** (166 N. Cherry St., Fruita, CO 81521)
DOB: [REDACTED]
SS: [REDACTED]

is also 100% owner of: **Hot Tomato, LLC**
dba Hot Tomato Café and Pizzeria, The
124 N. Mulberry
Fruita, CO 81521-2297

Beer and Wine License #42165760000



→ Responsible
Consumer ☺

→ New
Patio



AGENDA ITEM COVER SHEET

TO: Fruita City Council and Mayor

FROM: Community Development Department

DATE: July 19, 2016

RE: Ordinance 2016 - 10, First Reading - An Ordinance Of the Fruita City Council Amending Section 17.41.040.X, Temporary Off-Premise Signs, of the Fruita Land Use Code (Application #2015-12)

BACKGROUND

On June 7, 2016, the City Council adopted amendments to the city's sign regulations. One of the main issues was allowing temporary off-premise signs in the public right-of-way in front of businesses.

The language adopted for this amendment specifically states:

Temporary, Off-Premise. In lieu of on-premise temporary signs, one temporary off-premise portable freestanding sign is permitted in the public right -of-way directly abutting the subject property per each businesses or institutional use as long as the signs meet the following requirements:

The rules permit two temporary on-premise signs and this language requires that if a temporary off-premise sign is used, NO temporary on-premise signs are permitted. Staff believes that the Council intended the changes to allow one temporary off-premise sign in lieu of ONE temporary on-premise sign.

To correct this potential error, the language should be amended to read:

In lieu of ONE on-premise temporary signs, one temporary off-premise portable freestanding sign is permitted in the public right -of-way directly abutting the subject property per each businesses or institutional use as long as the signs meet the following requirements:

The attached ordinance reflects this correction.

FISCAL IMPACT

Providing this clarification for signs is expected to have an overall positive fiscal impact on the city in the long term.

APPLICABILITY TO CITY GOALS AND OBJECTIVES

One of the current City Council's goals is a commitment to review the Land Use Code to help ensure that the regulations reflect the best promotion of the public health, safety, and welfare and improve the fiscal sustainability of the community. The proposed amendment to the Sign Code is intended to help support local businesses while ensuring the best promotion of public health, safety and welfare.

OPTIONS AVAILABLE TO COUNCIL

1. Approval of Ordinance 2016-10, First Reading, An Ordinance Of the Fruita City Council Amending Section 17.41.040.X, Temporary Off-Premise Signs, of the Fruita Land Use Code with or without changes
2. Denial of the proposed Ordinance
3. Continue the Ordinance to a later date

RECOMMENDATION

Staff recommends that the City Council move to approve Ordinance 2016-10, First Reading, An Ordinance of the Fruita City Council Amending Section 17.41.040.X, Temporary Off-Premise Signs, of the Fruita Land Use Code for the City Council public hearing on August 16, 2016.

ORDINANCE 2016-10

**AN ORDINANCE OF THE FRUITA CITY COUNCIL AMENDING SECTION 17.41.040.X,
TEMPORARY OFF-PREMISE SIGNS, OF THE FRUITA LAND USE CODE
(Application #2015-12)**

WHEREAS, the Fruita City Council adopted amendments to the regulations for signs contained in Chapter 41 of the Fruita Land Use Code on June 7, 2016, and

WHEREAS, there is a need to clarify the Council's intent with respect to temporary off-premise signs, and

WHEREAS, the Fruita Planning Commission held a public hearing on August 9, 2016, regarding this issue and recommended PENDING, and

WHEREAS, a public hearing was held before the Fruita City Council on July 19, 2016, and August 16, 2016, regarding the proposed amendment to the sign regulations.

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRUITA COLORADO AS FOLLOWS:

(Additions are shown in *italics* and deletions in ~~strikethrough~~)

Section 17.41.040.X is amended as follows:

- X. Temporary, Off-Premise. In lieu of *one* on-premise temporary signs, one temporary off-premise portable freestanding sign is permitted in the public right-of-way directly abutting the subject property per each businesses or institutional use as long as the signs meet the following requirements:
1. The sign can be located only on the public right-of-way directly in front of the subject property.
 2. The sign height shall not exceed four (4) feet as measured from the ground;
 3. The sign size shall not exceed six (6) square feet;
 4. The sign cannot be placed on public art including pedestals, benches, seating walls, trash cans, landscaping (other than grass or gravel ground cover), utility structures, and similar items;
 5. Signs affixed to a fence or other structure, or are within the area used as part of a permitted sidewalk restaurant (as per Chapter 12.14 of the Municipal Code) are considered on-premise signs;
 6. The sign shall be brought indoors at the end of each business day;
 7. The sign shall not obstruct the clear sight for traffic at intersections and driveways;
 8. No sign shall be placed in a traffic lane for vehicles, including bicycle lanes;

9. No sign shall be placed in a public parking space including bicycle parking spaces;
10. A sign placed on public sidewalks must leave five (5) feet of minimum width clear for traffic circulation and if the sidewalk is less than five (5) feet in width, a sign cannot be placed on the sidewalk;

**PASSED AND ADOPTED BY THE FRUITA CITY COUNCIL, THIS
16th DAY OF AUGUST, 2016.**

City of Fruita

ATTEST:

Lori Buck, Mayor

City Clerk



AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL MAYOR

FROM: KEN HALEY, PUBLIC WORKS DIRECTOR

DATE: JULY 19, 2016

RE: RESOLUTION 2016-25 TO SUPPORT A TAP GRANT APPLICATION TO THE DEPARTMENT OF TRANSPORTATION FOR CONSTRUCTION OF THE KOKOPELLI RIVERFRONT TRAIL

BACKGROUND

The City of Fruita has prioritized the completion of Kokopelli Riverfront Trail to connect Fruita to the Kokopelli Trailhead in Loma, Colorado. The City has allocated funds and secured grants necessary to complete the design for this section of the riverfront trail, which is in process and scheduled to be completed by the end of 2016. This construction of this project is projected to cost roughly \$3.5 million and the City has requested financial assistance for this project for a variety of funding sources. The City currently has two large grant requests submitted for this project; one requesting \$2.0 million from GOCO and one requesting \$1.2 million from the Department of Local Affairs. It is unclear if the City will receive full funding from these sources and staff is seeking approval from Council to submit an additional grant application the Colorado Department of Transportation (CDOT) for funding through the Transportation Alternative Program (TAP).

The TAP was first established in 2012 to help fund pedestrian & bicycle facilities, environmental mitigation of transportation activities, and historic/scenic transportation activities. Funding for the TAP grant is awarded through a competitive process administered by CDOT with a limited amount of funds, but does include additional consideration for projects that have been designated as a *16 in '16 Project* by the Governor's office. The use of funds from a TAP grant for the Kokopelli Riverfront Trail will only be necessary if full funding is not received. However, the TAP grant applications are due by August 1, 2016 for the next three years of funding.

FISCAL IMPACT

Applying for a TAP grant for the Kokopelli Riverfront Trail project does not increase the City's planned allocations for the project.

APPLICABILITY TO CITY GOALS AND OBJECTIVES

This project meets a wide variety of goals established and has been specifically prioritized by the City Council.

OPTIONS AVAILABLE TO COUNCIL

The City Council is required to take formal action as a requirement of the grant application. The City Council has the following options:

- 1. APPROVE RESOLUTION 2016-25 TO SUPPORT A TAP GRANT APPLICATION TO THE DEPARTMENT OF TRANSPORTATION FOR CONSTRUCTION OF THE KOKOPELLI RIVERFRONT TRAIL**

- 2. DENY RESOLUTION 2016-25 TO SUPPORT A TAP GRANT APPLICATION TO THE DEPARTMENT OF TRANSPORTATION FOR CONSTRUCTION OF THE KOKOPELLI RIVERFRONT TRAIL**

RECOMMENDATION

It is the recommendation of staff that Council:

APPROVE RESOLUTION 2016-25 TO SUPPORT A TAP GRANT APPLICATION TO THE DEPARTMENT OF TRANSPORTATION FOR CONSTRUCTION OF THE KOKOPELLI RIVERFRONT TRAIL

RESOLUTION 2016-25

**A RESOLUTION TO SUPPORT A TAP GRANT APPLICATION TO THE
COLORADO DEPARTMENT OF TRANSPORTATION
FOR THE CONSTRUCTION OF THE
KOKOPELLI RIVERFRONT TRAIL PROJECT**

WHEREAS, the City of Fruita is dedicated to maintaining and improving the quality of place in Fruita by providing infrastructure that attracts residents, businesses, and visitors while maximizing the use of available resources; and

WHEREAS, the City of Fruita has prioritized completion of the Kokopelli Riverfront Trail due to the project's ability to provide critical connections for trail users that meets a variety of the City's goals for the community; and

WHEREAS, the costs of constructing the Kokopelli Riverfront Trail Project is such the City of Fruita cannot afford to solely fund such a project without comprising the services expected from the City's constituents; and

WHEREAS, the City of Fruita is seeking funds from a variety of funding sources and partners for the Kokopelli Riverfront Trail Project; and

WHEREAS, the City of Fruita has partnered with the Colorado Department of Transportation (CDOT) in providing transportation improvements for multi-modal users using a variety of funding sources on past projects; and

WHEREAS, the Transportation Alternatives Program (TAP) is administered by CDOT to provide improved pedestrian and bicycle facilities, and the City of Fruita has adequate resources to manage a project that is funded by through the TAP; and

WHEREAS, the City of Fruita has secured, or applied for, adequate funding to meet the Local Agency match requirements of the TAP grant for the costs of the Kokopelli Riverfront Trail Project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FRUITA, COLORADO, THAT THE CITY COUNCIL FINDS AND DETERMINES:

THAT the City Manager be authorized to submit an application to the Colorado Department of Transportation on behalf of the City of Fruita requesting financial assistance for construction of the Kokopelli Riverfront Trail Project.

**PASSED AND ADOPTED BY THE FRUITA CITY COUNCIL
THIS 19th DAY OF JULY, 2016.**

CITY OF FRUITA, COLORADO

Lori Buck, Mayor

ATTEST:

Margaret Sell, City Clerk



AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL AND MAYOR
FROM: MARGARET SELL, FINANCE DIRECTOR
DATE: JULY 19, 2016
RE: JUNE 2016 FINANCIAL REPORTS

BACKGROUND

Attached are copies of the June 2016 Financial Reports for the City of Fruita.

Sales and Use Tax Revenues. The following chart shows the percentage change in the most recent months collections of sales and use tax revenue compared to the same month last year, and the year to date collections compared to the same time frame for the prior year. City sales and use tax revenues are up year to date from the prior year by \$110,704 which is offset by a year to date decrease of \$24,640 in County sales tax revenue for a net increase of \$86,063 from the prior year.

Sales and Use Tax Revenues			
Type	Month	% change Month	% change Y-T-D
City	May-16	3.68%	2.11%
County	May-16	-7.84%	-3.14%
Use tax on Motor Vehicles	Jun-16	53.34%	13.69%
Use tax on Building Materials	Jun-16	109.25%	156.81%

Community Center Fund – May 2016. The combination of city sales and use tax revenues for the month reflect a 17% increase from 2015 revenues. Sales and use tax revenues are up 10% for the year.

Marketing and Promotion Fund – May 2016. Lodging tax revenues are up 4.2% for the month and up 0.54% year to date. The 2016 budgeted amount reflects a decrease of 4.9% from 2015 so we are tracking ahead of budget.

General Fund Revenues – June 2016. The General Fund Revenue report is a detailed budget to actual revenue report. Revenues are right on track at 51% of the budgeted amount for the year (6/12 = 50%).

Revenue vs Expense by Account Type – June 2016. This report presents summary information on revenues and expenses and budget comparisons for all funds. The report includes revenues and expenses by category or type of revenue/expense and also by department. The following is a summary of the report by fund showing actual revenues and expenses as a percentage of budget.

Revenues and Expenses as Percentage of Budget - June 2016		
	Revenues as a % Budget	Expenses as a % of Budget
General Fund	51%	46%
Conservation Trust Fund	65%	26%
Marketing	43%	53%
Community Center	54%	50%
Capital Projects	43%	51%
Debt Service	50%	47%
Irrigation Water	51%	49%
Sewer	48%	39%
Trash	42%	35%
Fleet Maintenance Fund	100%	51%
Total	50%	46%

FISCAL IMPACT

None.

APPLICABILITY TO CITY GOALS AND OBJECTIVES

These reports provide financial information to the Council to monitor the City's financial position and may be used as a tool to hold staff accountable for accomplishing goals and objectives set forth in the Budget.

OPTIONS AVAILABLE TO THE COUNCIL

Approval of Financial Reports

Approval of Financial Reports with clarification on specific items

RECOMMENDATION

It is the recommendation of Fruita City staff that the City Council, by motion:

ACCEPT THE MAY 2016 FINANCIAL REPORTS AS PRESENTED.

GENERAL FUND 2% CITY SALES TAX REVENUES -JULY 7, 2016

	2010	2011	2012	2013	2014	2015	2016	\$ Variance	% Variance
Jan	98,322.29	89,314.15	101,419.74	110,204.24	107,894.03	108,459.92	102,654.47	-5,805.45	-5.35%
Feb	84,525.46	95,295.86	110,489.69	96,957.80	117,630.56	107,188.89	109,027.57	1,838.68	1.72%
Mar	100,841.31	99,780.60	107,316.93	116,327.45	151,397.66	122,437.25	122,491.87	54.62	0.04%
Apr	102,872.82	120,678.35	142,421.79	131,340.78	130,473.13	119,605.83	130,968.87	11,363.04	9.50%
May	110,519.20	110,761.47	96,366.93	139,145.24	146,354.29	141,096.11	146,283.09	5,186.98	3.68%
Jun	113,710.31	121,036.54	153,521.01	134,614.06	145,170.75	142,137.11			
Jul	106,381.35	111,666.79	117,642.13	119,997.86	128,914.77	129,557.37			
Aug	106,951.08	108,226.15	117,891.22	132,205.95	139,363.95	116,732.34			
Sep	109,072.31	127,962.44	136,662.04	119,797.21	137,994.97	141,331.25			
Oct	100,306.58	105,477.56	118,473.48	131,267.83	123,354.93	116,359.62			
Nov	92,589.67	102,290.50	89,760.11	118,140.73	116,620.45	107,336.71			
Dec	108,661.53	110,977.83	111,679.39	123,646.37	123,855.91	111,500.58			
TOTAL	1,234,753.91	1,303,468.24	1,403,644.46	1,473,645.52	1,569,025.40	1,463,742.98	611,425.87	12,637.87	2.11%
%	3.14%	5.57%	7.69%	4.99%	6.47%	-6.71%			

2016 Budget= \$1,525,000, 4% increase from 2015 Actual Revenues

598,788.00 611,425.87 12,637.87 2.11%

COUNTY SALES TAX REVENUES- JULY 13, 2016

	2010	2011	2012	2013	2014	2015		\$ Variance	% Variance
Jan	113,058.19	120,360.46	139,025.37	134,836.51	130,571.18	143,816.00	143,233.57	-582.43	-0.40%
Feb	118,275.57	128,907.44	141,496.92	132,354.45	136,453.63	139,681.16	140,142.92	461.76	0.33%
Mar	139,649.23	147,913.58	160,249.88	152,973.96	156,998.09	166,560.39	155,984.45	-10,575.94	-6.35%
Apr	133,088.63	143,042.21	160,533.08	151,855.18	154,276.05	159,563.89	159,418.10	-145.79	-0.09%
May	147,139.03	153,133.55	154,553.36	160,201.04	162,075.43	176,074.56	162,276.46	-13,798.10	-7.84%
Jun	119,282.18	162,878.08	161,305.05	163,671.23	165,562.44	176,818.44			
Jul	143,771.76	152,964.04	147,950.00	155,143.98	166,412.21	168,785.26			
Aug	151,631.97	166,457.23	162,644.66	160,891.70	167,517.03	169,601.48			
Sep	148,068.43	155,015.91	151,264.37	158,830.58	169,036.62	175,746.65			
Oct	145,127.53	134,741.13	147,651.90	156,348.63	156,686.58	151,764.08			
Nov	144,375.13	153,895.13	141,634.37	149,817.01	153,873.00	166,473.69			
Dec	170,647.84	181,793.63	173,798.76	177,187.35	194,349.22	184,665.83			
TOTAL	1,674,115.49	1,801,102.39	1,842,107.72	1,854,111.62	1,913,811.48	1,979,551.43	761,055.50	-24,640.50	-3.14%
%	-4.18%	7.59%	2.28%	0.65%	3.22%	3.44%			

2016 Budget=\$2,040,000, 3% increase from 2015 actual revenue

785,696.00 761,055.50 (24,640.50) -3.14%

Use Tax on Vehicles - 2% General Fund

	2009	2010	2011	2012	2013	2014	2015	2016	Variance	% Change	
JAN	20,721.07	21,010.53	28,474.28	30,152.69	27,942.83	56,070.39	34,956.67	28,122.91	-6,833.76	-19.55%	
FEB	22,901.63	23,512.06	32,236.80	25,415.92	38,537.86	36,000.06	50,225.73	36,471.71	-13,754.02	-27.38%	
MAR	34,251.57	31,711.06	33,956.87	36,496.12	43,071.73	38,156.08	26,009.96	40,528.67	14,518.71	55.82%	
APR	32,178.98	25,064.54	24,077.10	40,616.59	36,939.81	52,092.34	32,776.89	47,068.73	14,291.84	43.60%	
MAY	28,991.09	27,124.89	41,212.91	45,918.39	41,984.05	42,159.85	42,823.62	43,755.86	932.24	2.18%	
JUN	31,756.88	26,232.32	38,459.02	41,628.76	44,597.09	42,893.54	41,419.11	63,513.86	22,094.75	53.34%	
JUL	27,302.19	31,988.69	39,392.08	40,487.84	38,899.29	46,697.95	52,885.65				
AUG	26,662.40	32,405.36	39,759.24	47,323.03	48,828.89	52,311.48	64,714.85				
SEP	31,920.89	39,773.57	35,811.70	30,358.71	45,580.49	37,084.71	58,410.57				
OCT	27,699.09	25,993.80	30,785.97	47,064.75	43,843.87	60,005.46	53,854.48				
NOV	17,431.56	26,057.48	28,049.93	25,419.72	41,660.04	29,508.89	46,492.91				
DEC	25,156.62	22,964.99	37,661.47	37,047.69	50,357.95	50,261.97	48,616.81				
YTD	326,973.97	333,839.29	409,877.37	447,930.21	502,243.90	543,242.72	553,187.25	259,461.74	31,249.76	13.69%	
%	-41.02%	2.10%	22.78%	9.28%	12.13%	8.16%	1.83%				
								228,211.98	259,461.74	31,249.76	13.69%

2016 Budget = \$520,000 - 5.4% decrease from 2015 actual revenues

Use Tax on Building Materials - 2% General Fund

	2009	2010	2011	2012	2013	2014	2015	2016	Variance	% Change	
JAN	3,558.19	18,147.60	5,439.12	26,313.85	20,923.45	13,167.04	14,735.14	3,256.46	-11,478.68	-77.90%	
FEB	4,047.25	8,504.62	16,282.90	16,100.01	14,788.93	11,632.38	2,458.97	14,608.11	12,149.14	494.07%	
MAR	6,919.27	6,162.62	30,509.68	25,506.73	10,552.31	7,307.73	8,211.61	14,726.17	6,514.56	79.33%	
APR	8,919.35	35,306.94	9,839.22	14,732.71	26,597.25	14,357.92	7,344.73	34,284.04	26,939.31	366.78%	
MAY	9,562.65	16,486.49	7,073.59	12,539.25	13,725.38	12,874.85	3,720.34	29,705.49	25,985.15	698.46%	
JUN	13,956.59	11,810.90	3,208.84	21,515.83	11,902.04	13,891.13	6,139.39	12,846.67	6,707.28	109.25%	
JUL	17,372.54	16,884.69	7,956.54	18,255.65	15,093.09	24,526.19	9,501.34				
AUG	25,575.83	9,649.66	7,344.90	16,064.36	27,974.64	12,311.44	7,115.25				
SEP	11,542.90	4,380.71	13,268.39	24,727.66	13,947.63	21,844.73	7,596.69				
OCT	14,667.33	11,302.35	17,526.21	17,943.01	23,497.04	9,547.81	8,877.79				
NOV	6,436.47	14,520.62	8,709.93	5,819.74	10,256.27	9,042.11	9,442.56				
DEC	11,833.53	3,754.79	2,630.75	14,482.99	4,810.32	13,018.26	19,628.19				
YTD	134,391.90	156,911.99	129,790.07	214,001.79	194,068.35	163,521.59	104,772.00	109,426.94	66,816.76	156.81%	
%	-53.64%	16.76%	-17.28%	64.88%	-9.31%	-15.74%	-35.93%				
								42,610.18	109,426.94	66,816.76	156.81%

2016 Budget - \$75,000 - 28% reduction from 2015 actual revenues

2016 COMMUNITY CENTER FUND TAX REVENUES
1% Sales and Use Tax Revenues - July 7, 2016

	2009 Total	2010 Total	2011 Total	2012 Total	2013 Total	2014 Total	2015 Total	City Sales Tax	Use Tax on Motor Vehicles	Use Tax on Building Materials	2016 Total	\$ Change	% Chg
Jan	56,593.55	68,740.22	61,514.93	78,943.15	79,535.26	88,565.74	79,075.86	51,327.24	14,061.46	1,628.23	67,016.93	-12,058.93	-15.25%
Feb	58,002.09	58,148.39	71,825.86	76,002.81	75,142.30	82,631.50	79,936.78	54,513.78	18,235.85	7,304.05	80,053.68	116.90	0.15%
Mar	67,748.11	69,072.06	81,884.01	84,659.89	84,975.73	98,430.74	78,329.40	61,245.94	20,264.33	7,363.09	88,873.36	10,543.96	13.46%
Apr	75,033.32	81,620.90	77,165.81	98,885.55	97,438.92	98,461.69	79,863.73	65,484.43	23,534.36	17,142.02	106,160.81	26,297.08	32.93%
May	73,839.15	77,162.18	79,523.99	77,412.30	97,427.34	100,694.49	93,820.03	73,141.55	21,877.93	14,852.75	109,872.23	16,052.20	17.11%
Jun	73,538.22	75,828.93	81,352.21	108,332.79	95,556.60	100,977.70	94,847.80			6,423.34	6,423.34		
Jul	67,544.66	77,627.37	79,507.70	88,192.80	86,995.11	100,069.45	95,972.19				0.00		
Aug	74,268.70	74,500.07	77,665.14	90,639.31	104,504.75	101,993.43	94,281.22				0.00		
Sep	80,243.54	76,613.29	87,316.31	95,874.21	89,662.68	98,462.20	103,669.26				0.00		
Oct	68,996.64	68,780.04	76,894.86	91,740.61	99,304.36	96,454.10	89,545.94				0.00		
Nov	53,157.55	66,475.61	69,525.19	60,499.78	85,028.51	77,585.72	81,636.09				0.00		
Dec	70,957.51	67,542.34	75,635.02	81,605.04	89,407.32	93,568.08	89,872.79				0.00		
TOTAL	819,923.04	862,111.40	919,811.03	1,032,788.24	1,084,978.88	1,137,894.84	1,060,851.09	305,712.94	97,973.93	54,713.48	458,400.35	40,951.21	9.96%
% +/-		5%	6.69%	12.28%	5.05%	4.88%	-6.77%						
2016 Budget								762,500.00	260,000.00	37,500.00	1,060,000.00		
% of Budget								40.09%	37.68%	145.90%	43.25%		

411,025.80

451977.01

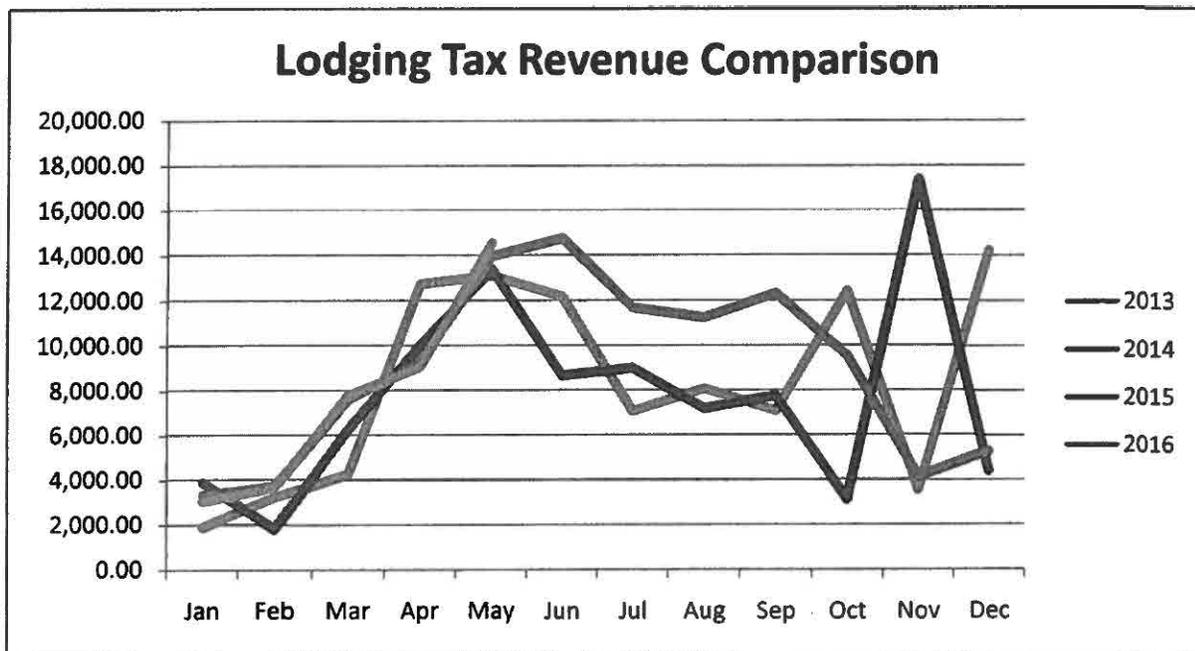
40951.21

9.96%

MARKETING AND PROMOTION FUND
3% Lodging Tax Revenues - July 13, 2016

	2011	2012	2013	2014	2015	2016	Difference	%
Jan	3,338.63	2,076.12	1,865.42	3,835.87	3,295.72	3,009.89	-285.83	-8.67%
Feb	3,706.38	5,076.82	3,188.23	1,782.08	3,688.48	3,649.96	-38.52	-1.04%
Mar	5,794.48	7,102.70	4,233.87	6,250.18	7,582.11	7,755.49	173.38	2.29%
Apr	8,841.90	8,604.24	12,736.42	9,984.25	9,261.50	9,030.79	-230.71	-2.49%
May	11,733.32	11,886.54	13,101.84	13,393.62	13,948.38	14,533.96	585.58	4.20%
Jun	11,893.86	12,811.34	12,179.20	8,646.09	14,742.08			
Jul	9,621.68	10,697.76	7,045.91	8,991.16	11,676.25			
Aug	10,462.73	11,478.01	8,063.40	7,171.28	11,237.25			
Sep	10,956.22	11,061.65	7,074.25	7,753.38	12,311.19			
Oct	8,141.23	8,189.25	12,413.50	3,106.86	9,543.11			
Nov	5,119.32	2,957.31	3,536.66	17,384.48	4,118.50			
Dec	3,902.25	5,164.09	14,224.16	4,401.91	5,290.61			
TOTAL	93,512.00	97,105.83	99,662.86	92,701.16	106,695.18	37,980.09	203.90	0.54%
	-5.58%	3.84%	2.63%	-6.99%	15.10%			
					37,776.19	37,980.09	203.90	0.54%

2016 Budget - \$101,500 - 4.87% decrease from 2015 actual revenues



General Ledger

General Fund Revenues

User: msteelman
 Printed: 07/13/16 08:53:09
 Period 06 - 06
 Fiscal Year 2016

Account Number	Description	Current Month	End Bal	Budget	% Received
110-000-00-3110	Property Tax	\$ (125,491.23)	\$ (787,267.97)	\$ (1,097,500.00)	71.73%
110-000-00-3120	Specific Ownership Tax	\$ (10,768.98)	\$ (67,335.91)	\$ (142,600.00)	47.22%
110-000-00-3130	County Sales Tax	\$ (155,984.45)	\$ (942,264.54)	\$ (2,040,000.00)	46.19%
110-000-00-3131	City Sales Tax	\$ (130,968.87)	\$ (683,980.07)	\$ (1,525,000.00)	44.85%
110-000-00-3132	Use Tax on Vehicles	\$ (43,755.86)	\$ (244,564.69)	\$ (520,000.00)	47.03%
110-000-00-3133	Use Tax on Building Materials	\$ (12,846.67)	\$ (109,426.94)	\$ (75,000.00)	145.90%
110-000-00-3142	Cigarette Tax	\$ (961.64)	\$ (4,983.59)	\$ (11,000.00)	45.31%
110-000-00-3182	Franchise Fees	\$ (21,180.82)	\$ (178,678.67)	\$ (405,000.00)	44.12%
110-000-00-3190	Penalties and Interest	\$ (64.64)	\$ (76.37)	\$ (3,000.00)	2.55%
	Taxes	\$ (502,023.16)	\$ (3,018,578.75)	\$ (5,819,100.00)	51.87%
110-000-00-3210	Business Licenses	\$ (487.50)	\$ (7,837.50)	\$ (18,500.00)	42.36%
110-000-00-3211	Liquor Licenses	\$ (975.00)	\$ (7,250.00)	\$ (8,500.00)	85.29%
110-000-00-3220	Street Excavation Permits	\$ (120.00)	\$ (540.00)	\$ (1,500.00)	36.00%
110-000-00-3221	Other Permits	\$ (165.00)	\$ (1,405.00)	\$ (1,500.00)	93.67%
	Licenses and permits	\$ (1,747.50)	\$ (17,032.50)	\$ (30,000.00)	56.78%
110-000-00-3330	Severance & Mineral Leasing Ta	\$ -	\$ -	\$ (150,000.00)	0.00%
110-000-00-3342	Energy Impact Grant	\$ -	\$ -	\$ (11,250.00)	0.00%
110-000-00-3351	Add. Motor Vehicle Reg Fees	\$ (1,797.00)	\$ (9,252.00)	\$ (19,000.00)	48.69%
110-000-00-3352	State Highway Users Tax	\$ (31,612.80)	\$ (183,701.49)	\$ (372,000.00)	49.38%
110-000-00-3353	App. Motor Vehicle Reg Fees	\$ (2,407.50)	\$ (13,520.00)	\$ (27,500.00)	49.16%
110-000-00-3370	Tree Grants	\$ -	\$ (400.00)	\$ -	0.00%
110-000-00-3371	Mesa County Grants	\$ -	\$ (619.00)	\$ (600.00)	103.17%
110-000-00-3373	Local Agency Police Grants	\$ -	\$ (12,837.40)	\$ (10,725.00)	119.70%
110-000-00-3375	AGNC Grant	\$ -	\$ -	\$ (5,000.00)	0.00%
110-000-00-3380	Mesa County Road & Bridge Tax	\$ (2,686.20)	\$ (16,844.99)	\$ (24,000.00)	70.19%
	Intergovernmental revenue	\$ (38,503.50)	\$ (237,174.88)	\$ (620,075.00)	38.25%
110-000-00-3413	Planning Fees	\$ (5,330.00)	\$ (20,181.25)	\$ (13,000.00)	155.24%
110-000-00-3421	Vehicle Inspection Fees	\$ (139.00)	\$ (664.00)	\$ (1,100.00)	60.36%
110-000-00-3455	Impound Fees	\$ -	\$ -	\$ (100.00)	0.00%
110-000-00-3470	Recreation Registration Fees	\$ (6,785.50)	\$ (44,145.70)	\$ (77,000.00)	57.33%
110-000-00-3472	Special Event Appl & Booth Fee	\$ (495.00)	\$ (5,157.50)	\$ (5,500.00)	93.77%
110-000-00-3473	Retail Sales	\$ (7,464.32)	\$ (8,575.64)	\$ (9,000.00)	95.28%
110-000-00-3475	Internet sales	\$ -	\$ (856.74)	\$ (1,000.00)	85.67%
110-000-00-3477	Park Rentals	\$ (1,420.00)	\$ (13,207.50)	\$ (11,000.00)	120.07%
110-000-00-3478	Shipping and Handling Charges	\$ -	\$ -	\$ (50.00)	0.00%
110-000-00-3479	Scholorship Program	\$ (330.00)	\$ (11,559.00)	\$ (13,100.00)	88.24%
110-000-00-3480	Manpower and other charges	\$ (1,328.00)	\$ (6,750.21)	\$ (7,775.00)	86.82%
110-000-00-3483	Penalties	\$ (1,604.27)	\$ (11,218.40)	\$ (19,000.00)	59.04%

Account Number	Description	Current Month	End Bal	Budget	% Received
110-000-00-3484	Developer Contribution - Parks	\$ -	\$ -	\$ -	0.00%
	Charges for services	\$ (24,896.09)	\$ (122,315.94)	\$ (157,625.00)	77.60%
110-000-00-3510	City and County Court	\$ (1,419.60)	\$ (12,773.50)	\$ (26,000.00)	49.13%
110-000-00-3511	Penalty Assessments	\$ (1,155.00)	\$ (6,035.00)	\$ (14,500.00)	41.62%
110-000-00-3512	Restitution to City	\$ -	\$ (50.69)	\$ -	0.00%
110-000-00-3513	Misdemeanor Fee	\$ (135.00)	\$ (1,575.00)	\$ (1,500.00)	105.00%
	Fines and forfeitures	\$ (2,709.60)	\$ (20,434.19)	\$ (42,000.00)	48.65%
110-000-00-3610	Interest on deposits	\$ (525.75)	\$ (11,738.21)	\$ (8,000.00)	146.73%
110-000-00-3613	Gain (Loss) on investments	\$ -	\$ (26.46)	\$ -	0.00%
	Interest	\$ (525.75)	\$ (11,764.67)	\$ (8,000.00)	147.06%
110-000-00-3640	Senior Center Donations	\$ (71.14)	\$ (453.98)	\$ -	0.00%
110-000-00-3641	Miscellaneous Donations	\$ -	\$ (1,000.00)	\$ (1,000.00)	100.00%
110-000-00-3642	Recreation Donations	\$ -	\$ (4,622.50)	\$ (4,600.00)	100.49%
110-000-00-3645	Special Event Donations	\$ -	\$ (19,000.00)	\$ (12,000.00)	158.33%
	Donations	\$ (71.14)	\$ (25,076.48)	\$ (17,600.00)	142.48%
110-000-00-3680	Miscellaneous	\$ (320.50)	\$ (1,785.36)	\$ (3,000.00)	59.51%
110-000-00-3681	Cash Over (Short)	\$ (5.00)	\$ 29.39	\$ -	0.00%
110-000-00-3682	Refunds	\$ -	\$ (161.97)	\$ -	0.00%
	Miscellaneous	\$ (325.50)	\$ (1,917.94)	\$ (3,000.00)	63.93%
110-000-00-3911	Transfer from Sewer Fund	\$ (40,000.00)	\$ (80,000.00)	\$ (160,000.00)	50.00%
110-000-00-3912	Transfer from Trash Fund	\$ (12,750.00)	\$ (25,500.00)	\$ (51,000.00)	50.00%
110-000-00-3915	Transfer from Irrigation Fund	\$ (2,500.00)	\$ (5,000.00)	\$ (10,000.00)	50.00%
110-000-00-3917	Transfer from Retirement Fund	\$ -	\$ -	\$ (60,000.00)	0.00%
	Transfers from other funds	\$ (55,250.00)	\$ (110,500.00)	\$ (281,000.00)	39.32%
110-000-00-3950	Sale of Equipment	\$ -	\$ (180.00)	\$ -	0.00%
110-000-00-3960	Insurance payments	\$ -	\$ (3,110.22)	\$ (2,675.00)	116.27%
	Other financing sources	\$ -	\$ (3,290.22)	\$ (2,675.00)	123.00%
110-000-00-3625	Rent on Lands and Water	\$ (3,049.01)	\$ (15,044.06)	\$ (29,000.00)	51.88%
110-000-00-3626	Facility Rentals	\$ (20.00)	\$ (1,165.00)	\$ (1,800.00)	64.72%
	Rents	\$ (3,069.01)	\$ (16,209.06)	\$ (30,800.00)	52.63%
Revenue Total		\$ (629,121.25)	\$ (3,584,294.63)	\$ (7,011,875.00)	-51.00%

General Ledger

Actual vs Budget Report



User: msteelman
 Printed: 07/13/16 13:14:58
 Period 06 - 06
 Fiscal Year 2016

Sort Level	Description	Period Amt	End Bal	Budget	Variance	% ExpendCollect
110	General Fund					
000						
R01	Taxes	-502,023.16	-3,018,578.75	-5,819,100.00	-2,800,521.25	51.87
R02	Licenses and permits	-1,747.50	-17,032.50	-30,000.00	-12,967.50	56.78
R03	Intergovernmental revenue	-38,503.50	-237,174.88	-620,075.00	-382,900.12	38.25
R04	Charges for services	-24,896.09	-122,315.94	-157,625.00	-35,309.06	77.60
R05	Fines and forfeitures	-2,619.60	-20,344.19	-42,000.00	-21,655.81	48.44
R06	Interest	-2,512.90	-13,751.82	-8,000.00	5,751.82	171.90
R07	Donations	-71.14	-25,076.48	-17,600.00	7,476.48	142.48
R08	Miscellaneous	-315.50	-1,907.94	-3,000.00	-1,092.06	63.60
R09	Transfers from other funds	-55,250.00	-110,500.00	-281,000.00	-170,500.00	39.32
R10	Other financing sources	0.00	-3,290.22	-2,675.00	615.22	123.00
R12	Rents	-3,069.01	-16,209.06	-30,800.00	-14,590.94	52.63
000		-631,008.40	-3,586,181.78	-7,011,875.00	-3,425,693.22	51.14
410	General Government					
	<i>Department</i>					
E01	Personnel services, salaries	13,964.42	89,418.21	186,950.00	97,531.79	47.83
E02	Personnel services, benefits	3,446.77	23,420.97	43,375.00	19,954.03	54.00
E03	Purchased professional service	4,511.20	27,701.02	63,950.00	36,248.98	43.32
E04	Purchased property services	324.79	1,895.81	6,100.00	4,204.19	31.08
E05	Other purchased services	605.31	3,700.72	8,475.00	4,774.28	43.67
E06	Supplies	88.56	8,290.93	13,850.00	5,559.07	59.86
E07	Capital	0.00	2,220.00	2,225.00	5.00	99.78
E08	Special projects	320.13	30,929.31	45,700.00	14,770.69	67.68
410	<i>General Government</i>	23,261.18	187,576.97	370,625.00	183,048.03	50.61
	<i>Department</i>					
415	Administration Department					
E01	Personnel services, salaries	21,473.76	142,210.46	285,600.00	143,389.54	49.79
E02	Personnel services, benefits	6,995.28	50,395.45	92,100.00	41,704.55	54.72
E03	Purchased professional service	4,121.70	51,754.63	81,000.00	29,245.37	63.89
E04	Purchased property services	5,360.55	53,083.77	90,000.00	36,916.23	58.98
E05	Other purchased services	773.76	11,382.97	30,750.00	19,367.03	37.02
E06	Supplies	3,675.79	27,044.80	54,550.00	27,505.20	49.58

Sort Level	Description	Period Amt	End Bal	Budget	Variance	% ExpendCollect
E07	Capital	588.50	8,346.15	29,700.00	21,353.85	28.10
E08	Special projects	0.00	0.00	15,000.00	15,000.00	0.00
415	<i>Administration Department</i>	42,989.34	344,218.23	678,700.00	334,481.77	50.72
418	<i>Engineering Department</i>					
E01	Personnel services, salaries	14,380.81	94,975.23	188,875.00	93,899.77	50.28
E02	Personnel services, benefits	5,936.45	43,198.92	76,175.00	32,976.08	56.71
E03	Purchased professional service	1,008.00	1,672.82	24,000.00	22,327.18	6.97
E04	Purchased property services	1,950.06	6,418.98	6,725.00	306.02	95.45
E05	Other purchased services	106.83	550.32	3,250.00	2,699.68	16.93
E06	Supplies	44.98	785.81	8,400.00	7,614.19	9.35
E07	Capital	0.00	6,788.19	7,000.00	211.81	96.97
418	<i>Engineering Department</i>	23,427.13	154,390.27	314,425.00	160,034.73	49.10
419	<i>Community Development Dpmt</i>					
E01	Personnel services, salaries	12,298.22	81,022.95	161,375.00	80,352.05	50.21
E02	Personnel services, benefits	5,935.25	41,741.30	75,750.00	34,008.70	55.10
E03	Purchased professional service	0.00	112.29	2,850.00	2,737.71	3.94
E04	Purchased property services	0.00	4,379.10	4,725.00	345.90	92.68
E05	Other purchased services	95.88	1,998.36	8,300.00	6,301.64	24.08
E06	Supplies	148.19	2,096.39	8,275.00	6,178.61	25.33
E08	Special projects	0.00	0.00	10,000.00	10,000.00	0.00
419	<i>Community Development Dpmt</i>	18,477.54	131,350.39	271,275.00	139,924.61	48.42
421	<i>Police Department</i>					
E01	Personnel services, salaries	90,287.87	602,506.70	1,238,825.00	636,318.30	48.64
E02	Personnel services, benefits	36,252.50	285,573.34	494,125.00	208,551.66	57.79
E03	Purchased professional service	6,027.00	15,704.72	24,525.00	8,820.28	64.04
E04	Purchased property services	1,051.18	71,102.83	85,725.00	14,622.17	82.94
E05	Other purchased services	23,926.30	144,623.47	303,525.00	158,901.53	47.65
E06	Supplies	4,079.55	17,983.09	72,400.00	54,416.91	24.84
E07	Capital	0.00	6,375.00	79,875.00	73,500.00	7.98
421	<i>Police Department</i>	161,624.40	1,143,869.15	2,299,000.00	1,155,130.85	49.76
431	<i>Public Works Department</i>					
E01	Personnel services, salaries	46,293.75	243,638.02	449,000.00	205,361.98	54.26
E02	Personnel services, benefits	17,111.81	119,218.32	185,900.00	66,681.68	64.13
E03	Purchased professional service	23.50	1,395.00	13,200.00	11,805.00	10.57
E04	Purchased property services	16,668.77	177,836.64	365,700.00	187,863.36	48.63
E05	Other purchased services	212.63	1,028.51	3,150.00	2,121.49	32.65
E06	Supplies	22,282.92	140,827.06	366,400.00	225,572.94	38.44
E07	Capital	0.00	193,231.83	497,025.00	303,793.17	38.88
431	<i>Public Works Department</i>	102,593.38	877,175.38	1,880,375.00	1,003,199.62	46.65

Sort Level	Description	Period Amt	End Bal	Budget	Variance	% ExpendCollect
451	<i>Parks and Recreation Dept</i>					
E01	Personnel services, salaries	41,309.00	247,545.50	513,425.00	265,879.50	48.21
E02	Personnel services, benefits	12,730.59	101,978.05	178,000.00	76,021.95	57.29
E03	Purchased professional service	163.14	22,582.17	25,325.00	2,742.83	89.17
E04	Purchased property services	4,853.84	57,230.68	87,575.00	30,344.32	65.35
E05	Other purchased services	154.00	4,955.40	16,950.00	11,994.60	29.24
E06	Supplies	15,113.72	87,480.27	143,825.00	56,344.73	60.82
E07	Capital	0.00	23,908.73	25,900.00	1,991.27	92.31
E08	Special projects	9,782.00	18,842.87	43,100.00	24,257.13	43.72
451	<i>Parks and Recreation Dept</i>	<i>84,106.29</i>	<i>564,523.67</i>	<i>1,034,100.00</i>	<i>469,576.33</i>	<i>54.59</i>
490	<i>Non-Departmental Expenses</i>					
E02	Personnel services, benefits	3,113.10	9,798.42	22,200.00	12,401.58	44.14
E03	Purchased professional service	2,572.81	22,778.37	35,400.00	12,621.63	64.35
E04	Purchased property services	669.09	17,114.83	22,000.00	4,885.17	77.79
E05	Other purchased services	131.00	133,372.11	164,000.00	30,627.89	81.32
E08	Special projects	0.00	21,994.50	42,000.00	20,005.50	52.37
E11	Contingency	0.00	0.00	211,000.00	211,000.00	0.00
E12	Transfers to other funds	39,132.82	156,668.64	860,800.00	704,131.36	18.20
490	<i>Non-Departmental Expenses</i>	<i>45,618.82</i>	<i>361,726.87</i>	<i>1,357,400.00</i>	<i>995,673.13</i>	<i>26.65</i>
Revenue Total		-631,008.40	-3,586,181.78	-7,011,875.00	-3,425,693.22	-0.51
Expense Total		502,098.08	3,764,830.93	8,205,900.00	4,441,069.07	0.46
110	General Fund	-128,910.32	178,649.15	1,194,025.00	1,015,375.85	14.96

General Ledger
Actual vs Budget Report



User: msteelman
Printed: 07/13/16 13:14:58
Period 06 - 06
Fiscal Year 2016

Sort Level	Description	Period Amt	End Bal	Budget	Variance	% Expend/Collect
121	Conservation Trust Fund					
000						
R03	Intergovernmental revenue	-47,912.91	-77,876.51	-120,000.00	-42,123.49	64.90
000		-47,912.91	-77,876.51	-120,000.00	-42,123.49	64.90
880	<i>Purchase of Dev Rights</i>					
E08	Special projects	0.00	0.00	26,000.00	26,000.00	0.00
E12	Transfers to other funds	31,519.02	53,966.46	184,100.00	130,133.54	29.31
880	<i>Purchase of Dev Rights</i>	31,519.02	53,966.46	210,100.00	156,133.54	25.69
Revenue Total		-47,912.91	-77,876.51	-120,000.00	-42,123.49	-0.65
Expense Total		31,519.02	53,966.46	210,100.00	156,133.54	0.26
121	Conservation Trust Fund	-16,393.89	-23,910.05	90,100.00	114,010.05	-26.54

General Ledger

Actual vs Budget Report



User: msteelman
 Printed: 07/13/16 13:14:58
 Period 06 - 06
 Fiscal Year 2016

Sort Level	Description	Period Amt	End Bal	Budget	Variance	% Expend/Collect
125	Marketing and Promotion Fund					
<i>000</i>						
R01	Taxes	-14,533.96	-43,270.70	-101,500.00	-58,229.30	42.63
R04	Charges for services	-10.00	-20.00	0.00	20.00	0.00
<i>000</i>		<i>-14,543.96</i>	<i>-43,290.70</i>	<i>-101,500.00</i>	<i>-58,209.30</i>	<i>42.65</i>
<i>465</i>	<i>Marketing Operations</i>					
E01	Personnel services, salaries	1,008.40	6,453.76	14,000.00	7,546.24	46.10
E02	Personnel services, benefits	341.40	2,344.70	4,600.00	2,255.30	50.97
E04	Purchased property services	13.03	72.79	300.00	227.21	24.26
E05	Other purchased services	4,493.56	28,447.47	62,225.00	33,777.53	45.72
E06	Supplies	400.00	795.00	3,500.00	2,705.00	22.71
E08	Special projects	0.00	18,500.00	22,500.00	4,000.00	82.22
<i>465</i>	<i>Marketing Operations</i>	<i>6,256.39</i>	<i>56,613.72</i>	<i>107,125.00</i>	<i>50,511.28</i>	<i>52.85</i>
Revenue Total		-14,543.96	-43,290.70	-101,500.00	-58,209.30	-0.43
Expense Total		6,256.39	56,613.72	107,125.00	50,511.28	0.53
125	Marketing and Promotion Fund	-8,287.57	13,323.02	5,625.00	-7,698.02	236.85

General Ledger

Actual vs Budget Report



User: msteelman
 Printed: 07/13/16 13:14:58
 Period 06 - 06
 Fiscal Year 2016

Sort Level	Description	Period Amt	End Bal	Budget	Variance	% Expend/Collect
127	Community Center Fund					
000						
R01	Taxes	-93,785.70	-518,985.85	-1,060,000.00	-541,014.15	48.96
R03	Intergovernmental revenue	0.00	-2,000.00	-2,000.00	0.00	100.00
R04	Charges for services	-128,385.72	-594,004.29	-1,029,500.00	-435,495.71	57.70
R06	Interest	-5.72	-30.17	0.00	30.17	0.00
R07	Donations	-150.00	-450.00	-500.00	-50.00	90.00
R08	Miscellaneous	-401.22	-1,021.32	0.00	1,021.32	0.00
R09	Transfers from other funds	-23,750.00	-47,500.00	-95,000.00	-47,500.00	50.00
R10	Other financing sources	0.00	-24,839.36	-24,800.00	39.36	100.16
R12	Rents	-3,135.00	-29,420.00	-38,000.00	-8,580.00	77.42
000		-249,613.36	-1,218,250.99	-2,249,800.00	-1,031,549.01	54.15
451	Parks and Recreation Dept					
E01	Personnel services, salaries	86,669.24	445,661.47	879,525.00	433,863.53	50.67
E02	Personnel services, benefits	14,735.10	108,931.10	182,200.00	73,268.90	59.79
E03	Purchased professional service	3,091.63	20,730.54	41,900.00	21,169.46	49.48
E04	Purchased property services	5,223.21	47,843.04	97,475.00	49,631.96	49.08
E05	Other purchased services	4,038.35	19,911.64	38,050.00	18,138.36	52.33
E06	Supplies	27,673.53	151,852.40	315,175.00	163,322.60	48.18
E07	Capital	2,350.00	42,173.05	91,600.00	49,426.95	46.04
E12	Transfers to other funds	120,891.68	352,675.00	738,200.00	385,525.00	47.77
451	Parks and Recreation Dept	264,672.74	1,189,778.24	2,384,125.00	1,194,346.76	49.90
Revenue Total		-249,613.36	-1,218,250.99	-2,249,800.00	-1,031,549.01	-0.54
Expense Total		264,672.74	1,189,778.24	2,384,125.00	1,194,346.76	0.50
127	Community Center Fund	15,059.38	-28,472.75	134,325.00	162,797.75	-21.20

General Ledger

Actual vs Budget Report



User: msteelman
 Printed: 07/13/16 13:14:58
 Period 06 - 06
 Fiscal Year 2016

Sort Level	Description	Period Amt	End Bal	Budget	Variance	% Expend/Collect
130	Capital Projects Fund					
000						
R03	Intergovernmental revenue	0.00	-90,000.00	0.00	90,000.00	0.00
R05	Fines and forfeitures	0.00	0.00	0.00	0.00	0.00
R06	Interest	-491.86	-2,687.36	0.00	2,687.36	0.00
000		-491.86	-92,687.36	0.00	92,687.36	0.00
700	<i>Contingency</i>					
E11	Contingency	0.00	0.00	92,500.00	92,500.00	0.00
R09	Transfers from other funds	0.00	0.00	-92,500.00	-92,500.00	0.00
700	<i>Contingency</i>	0.00	0.00	0.00	0.00	0.00
708	<i>Downtown Improvements</i>					
E03	Purchased professional service	0.00	0.00	50,000.00	50,000.00	0.00
E07	Capital	0.00	0.00	20,000.00	20,000.00	0.00
R03	Intergovernmental revenue	0.00	0.00	-25,000.00	-25,000.00	0.00
R09	Transfers from other funds	0.00	0.00	-45,000.00	-45,000.00	0.00
708	<i>Downtown Improvements</i>	0.00	0.00	0.00	0.00	0.00
733	<i>Sidewalk Replacement</i>					
E07	Capital	264.00	27,267.98	40,000.00	12,732.02	68.17
R05	Fines and forfeitures	0.00	-4,754.66	0.00	4,754.66	0.00
R09	Transfers from other funds	-15,382.82	-22,249.32	-40,000.00	-17,750.68	55.62
733	<i>Sidewalk Replacement</i>	-15,118.82	264.00	0.00	-264.00	0.00
735	<i>Overlays</i>					
E07	Capital	0.00	0.00	398,750.00	398,750.00	0.00
R03	Intergovernmental revenue	0.00	0.00	-100,000.00	-100,000.00	0.00
R09	Transfers from other funds	0.00	0.00	-298,750.00	-298,750.00	0.00
735	<i>Overlays</i>	0.00	0.00	0.00	0.00	0.00
742	<i>Hwy 340 and I-70 Improvements</i>					
E03	Purchased professional service	0.00	3,325.00	38,300.00	34,975.00	8.68
E07	Capital	0.00	0.00	30,000.00	30,000.00	0.00
R03	Intergovernmental revenue	0.00	0.00	-20,000.00	-20,000.00	0.00

Sort Level	Description	Period Amt	End Bal	Budget	Variance	% Expend/Collect
R09	Transfers from other funds	0.00	0.00	-48,300.00	-48,300.00	0.00
742	<i>Hwy 340 and I-70 Improvements</i>	0.00	3,325.00	0.00	-3,325.00	0.00
745	<i>J.2 Road Improvements</i>					
E07	Capital	246,075.08	246,140.68	310,450.00	64,309.32	79.29
R03	Intergovernmental revenue	-37,990.85	-37,990.85	-102,300.00	-64,309.15	37.14
R11	Development impact fees	-208,149.83	-208,149.83	-208,150.00	-0.17	100.00
745	<i>J.2 Road Improvements</i>	-65.60	0.00	0.00	0.00	0.00
781	<i>Shop Improvements</i>					
E07	Capital	37,048.48	213,874.54	224,450.00	10,575.46	95.29
R03	Intergovernmental revenue	0.00	-3,975.89	-115,000.00	-111,024.11	3.46
R09	Transfers from other funds	0.00	-86,919.32	-109,450.00	-22,530.68	79.41
781	<i>Shop Improvements</i>	37,048.48	122,979.33	0.00	-122,979.33	0.00
790	<i>Kokopelli Trail</i>					
E03	Purchased professional service	2,134.25	27,443.23	233,600.00	206,156.77	11.75
R03	Intergovernmental revenue	0.00	0.00	-160,000.00	-160,000.00	0.00
R09	Transfers from other funds	-27,443.23	-27,443.23	-73,600.00	-46,156.77	37.29
790	<i>Kokopelli Trail</i>	-25,308.98	0.00	0.00	0.00	0.00
791	<i>Lower Little Salt Wash Trail</i>					
E07	Capital	20,382.67	862,881.36	1,260,000.00	397,118.64	68.48
R03	Intergovernmental revenue	-584,140.00	-584,140.00	-849,500.00	-265,360.00	68.76
R09	Transfers from other funds	0.00	0.00	-220,500.00	-220,500.00	0.00
791	<i>Lower Little Salt Wash Trail</i>	-563,757.33	278,741.36	190,000.00	-88,741.36	146.71
794	<i>Little Salt Wash Park</i>					
E07	Capital	0.00	9,714.48	11,250.00	1,535.52	86.35
R09	Transfers from other funds	0.00	-9,714.48	-11,250.00	-1,535.52	86.35
794	<i>Little Salt Wash Park</i>	0.00	0.00	0.00	0.00	0.00
798	<i>Community Recreation Center</i>					
E07	Capital	5,000.00	5,000.00	42,850.00	37,850.00	11.67
R09	Transfers from other funds	-5,000.00	-5,000.00	-42,850.00	-37,850.00	11.67
798	<i>Community Recreation Center</i>	0.00	0.00	0.00	0.00	0.00
802	<i>Veterans Memorial Park</i>					
E07	Capital	1,209.15	17,983.67	20,000.00	2,016.33	89.92
R09	Transfers from other funds	-4,075.79	-16,808.75	-20,000.00	-3,191.25	84.04
802	<i>Veterans Memorial Park</i>	-2,866.64	1,174.92	0.00	-1,174.92	0.00
803	<i>General Park Improvements</i>					
E07	Capital	0.00	8,225.00	8,500.00	275.00	96.76

Sort Level	Description	Period Amt	End Bal	Budget	Variance	% Expend/Collect
R07	Donations	0.00	-8,500.00	-8,500.00	0.00	100.00
803	General Park Improvements	0.00	-275.00	0.00	275.00	0.00
Revenue Total		-882,674.38	-1,108,333.69	-2,590,650.00	-1,482,316.31	-0.43
Expense Total		312,113.63	1,421,855.94	2,780,650.00	1,358,794.06	0.51
130	Capital Projects Fund	-570,560.75	313,522.25	190,000.00	-123,522.25	165.01

General Ledger

Actual vs Budget Report



User: msteelman
 Printed: 07/13/16 13:14:58
 Period 06 - 06
 Fiscal Year 2016

Sort Level	Description	Period Amt	End Bal	Budget	Variance	% Expend/Collect
140	Debt Service Fund					
000						
R03	Intergovernmental revenue	0.00	-124,233.27	-248,450.00	-124,216.73	50.00
R06	Interest	-5,017.68	-6,029.58	-4,350.00	1,679.58	138.61
R09	Transfers from other funds	-115,891.68	-347,675.00	-695,350.00	-347,675.00	50.00
000		-120,909.36	-477,937.85	-948,150.00	-470,212.15	50.41
470	<i>Debt Service</i>					
E09	Debt service principal	0.00	0.00	60,000.00	60,000.00	0.00
E10	Debt interest & bond issuance	0.00	444,318.75	888,150.00	443,831.25	50.03
470	<i>Debt Service</i>	<i>0.00</i>	<i>444,318.75</i>	<i>948,150.00</i>	<i>503,831.25</i>	<i>46.86</i>
	Revenue Total	-120,909.36	-477,937.85	-948,150.00	-470,212.15	-0.50
	Expense Total	0.00	444,318.75	948,150.00	503,831.25	0.47
140	Debt Service Fund	-120,909.36	-33,619.10	0.00	33,619.10	0.00

General Ledger
Actual vs Budget Report



User: msteelman
Printed: 07/13/16 13:14:58
Period 06 - 06
Fiscal Year 2016

Sort Level	Description	Period Amt	End Bal	Budget	Variance	% Expend/Collect
211	Irrigation Water Fund					
000						
R04	Charges for services	-50.92	-53,025.48	-103,525.00	-50,499.52	51.22
000		-50.92	-53,025.48	-103,525.00	-50,499.52	51.22
431	<i>Public Works Department</i>					
E01	Personnel services, salaries	4,514.36	22,531.50	48,800.00	26,268.50	46.17
E02	Personnel services, benefits	1,708.42	9,003.91	20,125.00	11,121.09	44.74
E04	Purchased property services	0.00	1,500.00	1,500.00	0.00	100.00
E05	Other purchased services	137.37	939.31	8,200.00	7,260.69	11.46
E06	Supplies	475.13	12,038.04	14,900.00	2,861.96	80.79
E12	Transfers to other funds	2,500.00	5,000.00	10,000.00	5,000.00	50.00
431	<i>Public Works Department</i>	9,335.28	51,012.76	103,525.00	52,512.24	49.28
	Revenue Total	-50.92	-53,025.48	-103,525.00	-50,499.52	-0.51
	Expense Total	9,335.28	51,012.76	103,525.00	52,512.24	0.49
211	Irrigation Water Fund	9,284.36	-2,012.72	0.00	2,012.72	0.00

General Ledger

Actual vs Budget Report



User: msteelman
 Printed: 07/13/16 13:14:58
 Period 06 - 06
 Fiscal Year 2016

Sort Level	Description	Period Amt	End Bal	Budget	Variance	% Expend/Collect
212	Sewer Fund					
000						
R04	Charges for services	-28,720.46	-1,437,090.20	-3,038,000.00	-1,600,909.80	47.30
R06	Interest	-1,494.97	-8,089.27	-4,300.00	3,789.27	188.12
R08	Miscellaneous	0.00	0.00	-100.00	-100.00	0.00
000		-30,215.43	-1,445,179.47	-3,042,400.00	-1,597,220.53	47.50
433	Sewer					
E01	Personnel services, salaries	27,838.49	205,509.15	481,475.00	275,965.85	42.68
E02	Personnel services, benefits	11,004.32	97,486.90	193,325.00	95,838.10	50.43
E03	Purchased professional service	2,393.35	40,011.05	64,000.00	23,988.95	62.52
E04	Purchased property services	8,988.45	73,818.55	81,250.00	7,431.45	90.85
E05	Other purchased services	778.02	64,982.44	120,450.00	55,467.56	53.95
E06	Supplies	19,984.52	117,288.78	365,325.00	248,036.22	32.11
E07	Capital	0.00	0.00	412,150.00	412,150.00	0.00
E08	Special projects	0.00	0.00	30,000.00	30,000.00	0.00
E09	Debt service principal	0.00	315,000.00	630,000.00	315,000.00	50.00
E10	Debt interest & bond issuance	0.00	281,421.85	562,850.00	281,428.15	50.00
E12	Transfers to other funds	40,000.00	80,000.00	169,450.00	89,450.00	47.21
433	Sewer	110,987.15	1,275,518.72	3,110,275.00	1,834,756.28	41.01
603	Sewer Line Upgrades					
E07	Capital	0.00	58,288.54	262,250.00	203,961.46	22.23
603	Sewer Line Upgrades	0.00	58,288.54	262,250.00	203,961.46	22.23
607	Section 2					
E04	Purchased property services	0.00	0.00	28,000.00	28,000.00	0.00
607	Section 2	0.00	0.00	28,000.00	28,000.00	0.00
Revenue Total		-30,215.43	-1,445,179.47	-3,042,400.00	-1,597,220.53	-0.48
Expense Total		110,987.15	1,333,807.26	3,400,525.00	2,066,717.74	0.39
212	Sewer Fund	80,771.72	-111,372.21	358,125.00	469,497.21	-31.10

General Ledger
Actual vs Budget Report



User: msteelman
Printed: 07/13/16 13:14:59
Period 06 - 06
Fiscal Year 2016

Sort Level	Description	Period Amt	End Bal	Budget	Variance	% Expend/Collect
215	Trash Fund					
000						
R04	Charges for services	-672.08	-284,425.91	-671,000.00	-386,574.09	42.39
000		-672.08	-284,425.91	-671,000.00	-386,574.09	42.39
432	<i>Sanitation Department</i>					
E05	Other purchased services	0.00	206,450.55	620,000.00	413,549.45	33.30
E12	Transfers to other funds	12,750.00	25,500.00	51,000.00	25,500.00	50.00
432	<i>Sanitation Department</i>	12,750.00	231,950.55	671,000.00	439,049.45	34.57
	Revenue Total	-672.08	-284,425.91	-671,000.00	-386,574.09	-0.42
	Expense Total	12,750.00	231,950.55	671,000.00	439,049.45	0.35
215	Trash Fund	12,077.92	-52,475.36	0.00	52,475.36	0.00

General Ledger
Actual vs Budget Report



User: msteelman
Printed: 07/13/16 13:14:59
Period 06 - 06
Fiscal Year 2016

Sort Level	Description	Period Amt	End Bal	Budget	Variance	% Expend/Collect
220	Fleet Maintenance Fund					
000						
R04	Charges for services	0.00	-290,375.00	-290,375.00	0.00	100.00
000		0.00	-290,375.00	-290,375.00	0.00	100.00
431	<i>Public Works Department</i>					
E01	Personnel services, salaries	8,220.59	72,804.85	125,475.00	52,670.15	58.02
E02	Personnel services, benefits	2,346.80	25,368.99	43,900.00	18,531.01	57.79
E03	Purchased professional service	0.00	336.51	1,700.00	1,363.49	19.79
E04	Purchased property services	3,818.21	10,595.08	21,000.00	10,404.92	50.45
E06	Supplies	8,424.83	39,375.39	98,300.00	58,924.61	40.06
431	<i>Public Works Department</i>	22,810.43	148,480.82	290,375.00	141,894.18	51.13
Revenue Total		0.00	-290,375.00	-290,375.00	0.00	-1.00
Expense Total		22,810.43	148,480.82	290,375.00	141,894.18	0.51
220	Fleet Maintenance Fund	22,810.43	-141,894.18	0.00	141,894.18	0.00

General Ledger
Actual vs Budget Report



User: msteelman
Printed: 07/13/16 13:14:59
Period 06 - 06
Fiscal Year 2016

Sort Level	Description	Period Amt	End Bal	Budget	Variance	% Expend/Collect
	<i>Revenue Total</i>	-1,977,600.80	-8,584,877.38	-17,129,275.00	-8,544,397.62	-0.50
	<i>Expense Total</i>	1,272,542.72	8,696,615.43	19,101,475.00	10,404,859.57	0.46



FRUITA
COLORADO

AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL & MAYOR

FROM: SAM ATKINS, CITY ENGINEER

DATE: JULY 19, 2016

RE: RESOLUTION 2016-24 TRANSFERRING FUNDS FROM THE GENERAL FUND CONTINGENCY ACCOUNT TO THE PUBLIC WORKS MOUNTAIN WATER PROGRAM TO CONDUCT AN ASSESSMENT OF THE DAM AT RESERVOIR #2

BACKGROUND

Fruita Reservoir No. 2 is located off S 16 1/2 Road approximately 10.5 miles south of the Glade Park Store (located at the intersection of S 16 1/2 Road and DS Road). The original dam was constructed around 1935 which was a 20-ft earth fill dam. In 1959, the dam was enlarged to 40 feet increasing the storage volume to 168 acre-feet.

In May, City of Fruita staff noticed a crack on the downstream slope of the dam. The Colorado Division of Water Resources' Dam Safety Engineer (DSE) was notified of the crack and he inspected the dam on May 12, 2016 and sent out an inspection report outlining the requirements for evaluation of the dam's stability. In the report, the following were identified to be completed by the end of 2016:

- Conduct a geotechnical evaluation of the dam
- Conduct a dam stability analysis
- Recommend safe storage level in reservoir
- Produce dam breach analysis a inundation mapping
- Prepare report propose method for dam stabilization if required

In response, a request for proposals was sent out by City staff for the DSE's items to be completed. The City received 10 responses with fees ranging from the low \$40K to over \$100K. The responses were evaluated by staff and the highest ranked consultant was RJH Consultants, Inc. from Englewood, CO with a fee of \$45,300.

Staff has thoroughly analyzed all options available whether completing the study or not, and found that all other options will cost the same amount or more. Staff will walk City Council through the analysis and pros and cons of each option during this presentation.

FISCAL IMPACT

This resolution will reduce the General Fund Contingency budget of \$211,000 by \$46,000 leaving a balance of \$165,000 in contingency funds for the remainder of the year. Regardless of the decision to approve this budget amendment, Reservoir No. 2 dam will require additional funds in subsequent years unless the stability analysis results in a full reservoir safe storage level (which is not likely).

APPLICABILITY TO CITY GOALS AND OBJECTIVES

By moving forward with this study, the City will be armed with information that will allow for a informed decision on how to move forward with any repairs. The storage of water at this reservoir is an asset to the Mountain Water system which has been a service (amenity) the City has historically provided. In addition, the State Engineer's Office has directed us to conduction this study in order to provide a safe dam.

OPTIONS TO THE COUNCIL:

1. Approve the budget amendment
2. Disapprove the budget amendment

RECOMMENDATION:

It is the recommendation of staff that the Council by motion:

ADOPT RESOLUTION 2016-24 AMENDING THE 2016 BUDGET AND TRANSFERRING \$46,000 FROM THE GENERAL FUND CONTINGENCY ACCOUNT TO THE PUBLIC WORKS DEPARTMENT MOUNTAIN WATER PROGRAM TO CONDUCT AN ASSESSMENT OF THE DAM AT RESERVOIR #2.

RESOLUTION 2016-24

A RESOLUTION TRANSFERRING BUDGETED AND APPROPRIATED MONEYS BETWEEN SPENDING AGENCIES WITHIN A FUND TO DEFRAID EXPENSES IN EXCESS OF AMOUNTS BUDGETED FOR THE CITY OF FRUITA FOR THE 2016 FISCAL YEAR

WHEREAS, the Fruita City Council finds it necessary to appropriate additional funds for an assessment of the dam at Reservoir #2 as required by the Colorado State Department of Natural Resources, State Engineers Office as part of an inspection which indicates a scarp on the downstream face of the dam, and

WHEREAS, funds are available in the General Fund contingency account to cover the cost of the assessment.

NOW, THEREFORE, BE IT RESOLVED BY THE FRUITA CITY COUNCIL TO TRANSFER FUNDS AS FOLLOWS:

Section 1: The sum of \$46,000 is hereby transferred from the General Fund Contingency account to the Public Works Mountain Water Program for the purpose of conducting an assessment of the dam at Reservoir #2.

**PASSED AND ADOPTED BY THE FRUITA CITY COUNCIL THIS
19th DAY OF JULY 2016**

ATTEST:

CITY OF FRUITA

Margaret Sell, City Clerk

Lori Buck, Mayor



AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL AND MAYOR
FROM: MIKE BENNETT, CITY MANAGER
DATE: JULY 19, 2016
RE: UPDATE ON ENOCH'S LAKE

BACKGROUND

Enoch's Lake/Campground is property owned and maintained by the City of Fruita. At the June 21, 2016 City Council meeting, I provided Council during the City Manager Update that we were running into concerning issues at Enoch Lake and we would need to begin implementing restrictions. Subsequently, the Mayor and I were interviewed by the Daily Sentinel, present at that City Council meeting and a story was run in the paper that contained some of the information that we had already requested of the Mesa County Sheriff's Department.

As this property is not within the City limits, an ordinance is not what created, nor what can govern the activity on this land. As the property owner, the City can place restrictions and post such restrictions as the City sees fit. Prior to implementing any restrictions, I would like to inform City Council to make sure there are no concerns. It is likely that members of the public may be present to speak in response to the newspaper article, and because this is not a public hearing, it would be appropriate to let the audience know that they would need to speak during the public comment period at the beginning of the meeting.

In response to recent complaints regarding the conditions and activity, an update will be provided to City Council by Chief of Police, Judy Macy. Attached is an update Chief Macy provided to me that includes a synopsis of the complaints, calls for service to the Mesa County Sheriff's Office, observations by FPD Officers on 06/30/16 and solutions being considered by City staff. The report identifies that these issues are not isolated to this year only or to one group of campers. Staff is not considering implementing all the solutions suggested, but plans to begin by replacing our current posted sign to restrict overnight camping and allow day use only within posted hours. This would allow the Sheriff's Department to enforce restrictions and enable the public to continue using the amenity. Camping is in abundance near Enoch's Lake and the City is not able to dedicate the resources to manage the campground in a way that would eliminate the ongoing issues.

FISCAL IMPACT

The long-term plan for the mountain properties will be a discussion during 2017 budget preparation meetings.

APPLICABILITY TO CITY GOALS AND OBJECTIVES

Maintaining and performing the core functions of government with a high level of expertise.

OPTIONS AVAILABLE TO COUNCIL

N/A

RECOMMENDATION

Update to City Council.



ENOCHS LAKE/CAMPGROUND – JULY 19, 2016 City Council Update

In response to recent complaints regarding the conditions and individuals camping and/or living at Enochs Lake, the following report was compiled for informational purposes.

On 06/19/16, a citizen sent an email to the city regarding Enochs Lake. In summary, the citizen said they attempted to camp there when a group of at least 6 people, living in a “hollowed out bus” began fighting with two other groups of families. The fight involved crowbars and other “makeshift” weapons. The citizen said they weren’t involved, but did not feel “safe” to stay and ended up leaving, describing the experience as “very negative”.

On 06/22/16, the Mesa County Sheriff’s Office called the Fruita Police Department and explained they were responding to a call for service at Enochs Lake regarding a reported assault occurring the previous (06/21/16) night. The MCSO supervisor asked if there were any city ordinances or rules enforceable at the location. They were told there were none other than those posted.

I reviewed the *dispatch incident logs* listing calls to Enochs Lake from the time period of July 2011 to present. All of the calls were to the MCSO. It should be noted these were calls specific to the location (not surrounding locations). A synopsis with the date, type of call and a narrative (if available) is listed below:

- 07/09/16 – Civil – reporting party said people came to their campsite and wouldn’t leave. Subjects drinking, no weapons seen, have R/P’s vehicle blocked in. Possibly 7 subjects and 2 dogs.
- 07/03/16 – Shots – reporting party said there was a ‘gun war’ the previous night, around 10:30 PM. Two camp sites had a contest to see who could shoot the most rounds. Associated vehicles – large red/white/blue bus and white truck with campers. A Deputy and BLM responded and spoke to subjects the next day.
- 06/27/16 – Suspicious – no narrative
- 06/22/16 – Welfare – reporting party believed he heard an assault occur the night before. Deputy spoke to parties (next day) and said the argument was verbal.
- 06/19/16 – Welfare – reporting party said a male and female were arguing, punching, hitting, and heard someone say “knife”. Subjects possibly living there, four dogs. Deputy and Ranger responded (next day) said 4 transients living in the campground, admitted to arguing, no weapons brandished. Multiple large and small knives carried by all parties.

- 03/10/16 – Search and Rescue call out
- 07/05/15 - Runaway
- 08/11/14 – Search and Rescue call out
- 07/16/14 – Threat – reporting party said a group of people were shooting off fireworks the night before. The group found out he called and 2 males came to his campsite and threatened to beat him up. Suspects not located.
- 08/01/13 – Welfare – reporting party said two boys, ages 9 and 13, being left alone all day, every day. Boys living up there for several months. Two dogs. Concerned for their welfare. Unfounded.
- 07/11/13 – Abuse – parent alleged abuse by a stepfather. Report taken.
- 06/24/13 – Burglary – Cabin broken into in the area of Enochs.
- 06/22/13 – Weapon – reporting party said subjects in campground were shooting guns the night before and earlier in the day. R/P not sure if they were shooting in the air or at something. No official action due to delayed reporting.
- 09/26/12 – Search and Rescue call out.
- 06/09/12 – Harassment – reporting party says a male in the campground has been hitting girlfriend. Male threatened R/P when R/P attempted to intervene. There were people shooting guns earlier in the day, not seen with suspect at the time. Report taken.
- 06/01/12 – Check – checking a fire pit.
- 08/13/11 – Assist – reporting party (Wildlife Officer) said there was a large group of campers in the area, “partying, loud and driving trucks over trees”.
- 07/26/11 – Theft – a motor was reported stolen from a boat.

On 06/27/16, Shelly Hawk, a resident living on the property next to Enochs Lake, called and explained problems she and her husband have experienced with trespassing and vandalism due to the proximity of their property to Enochs

On 06/30/16, another complaint from a citizen was received. The citizen was disappointed in the amount of trash in the campground and the condition of the bathroom, stating she had no desire to camp there in the future based on the condition. It should be noted the bathrooms and trash were emptied two days prior.

On 06/30/16, at around 09:30, Fruita PD officers went to Enochs to check the area and to contact (consensual) any campers present. Officers reported there were two people living in a bus who said they had been there for 3 weeks and were planning on leaving July 2nd. It should be noted these individuals were still living at the campground as of 07/11/16. There was another campsite with multiple tents (6/7) in one site. That individual said “they” had come up once before and decided to come back up again. It is likely the group had been camping at the site for some time. The rest of the people camping (about 6) were short term. Officers reported the area overall was clean and the campground itself was clean. However, officers believe the Public Works crew had been at the site earlier in the day.

The Enochs property should be protected and maintained. Although the intention of the city to provide camping and fishing for citizens is honorable, the end result has turned into a troubled area. Most of the activity currently occurring at the campground degrades the lifestyle of the neighbors, the value of the property itself, and the potential for enjoyment by city residents.

Day Use Only option -

My recommendation to the City Manager is to convert the campground to "Day Use Only" with specific open and closed times clearly posted. I believe many problems could be resolved implementing this restriction. The primary issue driving the problems is free, unlimited, unsupervised camping. This has resulted in people living at the site rather than camping.

I would also recommend prohibiting or at a minimum, discourage fires and removing the fire pits. This would also help to prevent "camping".

If feasible, blocking, fencing or gating the entry into the campground area to prohibit vehicles would help maintain the *day use only* aspect and prevent those who have lived there in the past from returning.

Designating a parking area, establishing a walking trail (to the lake) with picnic locations might encourage healthy or wholesome activities, eliminating the party and/or "anything goes" atmosphere.

Limited Camping option -

An alternative to the Day Use Only restriction is to allow some form of limited camping. However, without a designated person to oversee (physically) a permitting process, enforcement of limited camping is essentially impossible.

Limited Camping with a "Camp Host" –

Many campgrounds utilize a Camp Host to monitor the grounds, collect fees and oversee time restrictions. In return, the Camp Host lives on site at no cost to the host. However, most campgrounds with a host provide amenities such as electricity and water. Finding a host without these amenities would be difficult at best.



FRUITA

COLORADO

AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL AND MAYOR

FROM: MICHAEL BENNETT, CITY MANAGER

DATE: JULY 19, 2016

RE: APPROVING THE CITY'S STRATEGIC OUTCOME AREAS OF FOCUS

BACKGROUND

Each even year following the City Council election, City Council and staff work on updating and setting goals for the next two years. City Council kicked-off this process during a Special Meeting on May 31, 2016 with the plan to reconvene during this meeting. The May 31, 2016 cover sheet in the agenda packet contains much background information on the status of the 2014-2016 City Council Goals and preparation material that helped Council lead into the first discussion.

During the May 31, 2016 Special meeting, Council decided to focus the goal-setting process on the high level aspect of identifying the major focus areas and brainstorming what descriptions fit each focus area. It was agreed that staff would then work towards identifying the action items on how to impact the focus areas. The three focus areas were identified as (1) Quality of Place, (2) Economic Health and (3) Culture & Recreation (to broaden the scope and focus of Tourism—realizing that visitors come to Fruita for culture and recreation and that we want to maintain the community as a destination where visitors still feel like locals and where locals still love to live, rather than a pure tourist destination). Staff drafted definitions of the strategic outcome areas and presented to City Council at the June 28, 2016, Workshop. The three strategic priority areas of focus were changed to: (1) Quality of Place, (2) Economic Health and (3) Lifestyle. Suggestions to tweak the definitions were made at the Workshop and staff has updated the definitions that are included below:

WHY FRUITA? The City of Fruita focuses on three strategic outcomes built upon a base of providing quality core services.

Quality of Place (QP)

The City of Fruita is a community where residents and visitors love where they are. The City strives to be a bike and pedestrian friendly community by providing a system of sidewalks, trails, and bike lanes that connect our parks, schools, neighborhoods, civic facilities, and commercial areas. We value safe neighborhoods, our geographic natural resources and landscapes, top tier education and healthcare, and we collaborate to provide quality essential infrastructure and services. We are an inclusive community of doers who enjoy active and healthy lifestyles.

Economic Health (EH)

The City of Fruita strives to be financially sustainable by enabling a stable economy and supporting a diversity of businesses that offer well paying jobs that attract educated employees. The City works to be fiscally responsible and continuously seeks ways to allocate resources to services and projects that have the highest impact on the City's priorities. We are the innovative leader for economic development in the Grand Valley.

Lifestyle (L)

The City of Fruita fosters a fun and funky ambiance by celebrating the local arts, farm and ranching history, unique leisure opportunities, and family-friendly events and activities. As a city, we encourage a diversity of cultural opportunities, businesses, and recreational activities. We continue to improve and enhance recreational offerings from traditional to outdoor adventure sports and youth to adult activities. We are a family-friendly community with diverse cultural opportunities, businesses and recreational amenities where visitors feel like locals and locals play like visitors.

The three strategic outcomes above provide the target that all action items aim to influence. Action Items will be finalized during the 2017 budget development process priority based budgeting work.

FISCAL IMPACT

Sets the direction and framework for what the City's resources are utilized to achieve.

APPLICABILITY TO CITY GOALS AND OBJECTIVES

Establishes three strategic priority focus areas to which resources and action items will be dedicated to accomplishing.

OPTIONS AVAILABLE TO COUNCIL

1. Approve the three strategic outcome areas of focus and subsequent definitions.
2. Approve the three strategic outcome areas of focus and subsequent definitions with changes.
3. Deny the three strategic outcome areas of focus and subsequent definitions.

RECOMMENDATION

Approve the three recommended strategic outcome areas of focus and subsequent definitions.



AGENDA ITEM COVER SHEET

TO: FRUITA CITY COUNCIL AND MAYOR
FROM: MARGARET SELL, CITY CLERK/FINANCE DIRECTOR
DATE: JULY 19, 2016
RE: DISCUSSION AND POSSIBLE ACTION TO CONSIDER A MOTION TO CONVENE IN EXECUTIVE SESSION REGARDING PERSONNEL ISSUES UNDER C.R.S. SECTION 24-6-402(4)(F) (CITY MANAGER ANNUAL EVALUATION WITH THE CITY MANAGER PRESENT)

<u>BACKGROUND</u>	
	The City Council has reason to convene in Executive Session to discuss a personnel matter. To convene in executive session, state law requires that a motion with specific language requesting the executive session be passed with 2/3 of the governing body voting in the affirmative for said motion.
<u>FISCAL IMPACT</u>	
	N/A
<u>APPLICABILITY TO CITY GOALS AND OBJECTIVES</u>	
	N/A
<u>OPTIONS AVAILABLE TO THE COUNCIL</u>	
	N/A
<u>RECOMMENDATION</u>	
	It is the recommendation of the Fruita City Staff that the Council: MOVE TO MEET IN EXECUTIVE SESSION TO DISCUSS ISSUES RELATED TO PERSONNEL MATTERS UNDERSTANDING THAT DISCUSSIONS OF SUCH ISSUES IN EXECUTIVE SESSION ARE SPECIFICALLY PERMITTED BY THE STATE'S OPEN MEETING LAW CRS 24-6-402(4)(F).

ANNOUNCEMENT NO. 1

***ANNOUNCEMENT TO BE MADE BY CHAIRMAN
AT THE BEGINNING OF THE EXECUTIVE SESSION
(MAKE SURE THE TAPE RECORDER IS TURNED ON;
DO NOT TURN IT OFF DURING THE EXECUTIVE SESSION
UNLESS SO ADVISED BY LEGAL COUNSEL.)***

It's July 19, 2016 and the time is _____. For the record, I am the Mayor, Lori Buck. As required by the Open Meetings Law, this executive session is being electronically recorded.

Also present at this executive session are the following persons:

_____.

This is an executive session for the following purpose:

To discuss issues related to personnel matters understanding that discussions of such issues in executive session are specifically permitted by the State's open Meeting Law CRS 24-6-402 (4) (e).

I caution each participant to confine all discussion to the stated purpose of the executive session, and that no formal action may occur in the executive session.

If at any point in the executive session any participant believes that the discussion is going outside the proper scope of the executive session, please interrupt the discussion and make an objection.

ANNOUNCEMENT NO. 2

***ANNOUNCEMENT TO BE MADE BY THE CHAIRMAN
BEFORE CONCLUDING THE EXECUTIVE SESSION
(WHILE THE TAPE RECORDER IS STILL ON)***

I hereby attest that this recording reflects the actual contents of the discussion at the executive session and has been made in lieu of any written minutes to satisfy the recording requirements of the Open Meetings Law.

_____ I will have the Deputy City Clerk retain the recording for a 90-day period.

***OR
(if Executive Director was the
subject of the session and
was not present at the session)***

_____ I will retain the tape in my possession for a 90-day period.

The time is now _____, and we now conclude the executive session and return to the open meeting.

(turn off tape and return to open meeting)

CITY OF FRUITA
325 E. Aspen
Fruita, CO 81521
Return by: June 30, 2016

CITY MANAGER APPRAISAL FORM
OCT 2015 - JUNE 2016

The Fruita City Charter provides for public comment on the performance of the City Manager. Those interested in providing input to the City Council in the evaluation process can obtain a copy of the Evaluation from the Office of the City Clerk located in the Fruita Civic Center, 325 E. Aspen, Fruita, CO 81521 (858-3663) or from the City's website at www.fruita.org. Completed forms should be submitted or mailed to the City of Fruita, Attention: City Council, at the above noted address by 5:00 p.m. on June 30, 2016.

Please rate each performance category by either checking the appropriate box or placing a number 1 (low) through 10 (high) next to the category. Written comments are welcome.	Exceeds Expectations 10 or 9	Successful 8 or 7	Meets Expectations 6 or 5	Needs Improvement 4 or 3	Fails/Did Not Meet Expectations 2 or 1	Don't Know
<u>Overall Management Performance</u> Comments:						
<u>Personal Communication, Public Relations</u> Comments:						
<u>Communications/Relationship with the City Council</u> Comments:						
<u>Overall Job Knowledge/Skills</u> Comments:						
<u>Political Relationships with other Municipalities, County Officials, State Officials</u> Comments:						

Please rate each performance category by either checking the appropriate box or placing a number 1 (low) through 10 (high) next to the category. Written comments are welcome.	Exceeds Expectations 10 or 9	Successful 8 or 7	Meets Expectations 6 or 5	Needs Improvement 4 or 3	Fails/Did Not Meet Expectations 2 or 1	Don't Know
<u>Achievement of Goals Set by City Council</u> Comments:						
<u>Overall Leadership of the Organization</u> Comments:						
<u>Staff Supervision/Overall Performance of City Staff</u> Comments:						
<u>Financial Management (including budgeting) and Project Management</u> Comments:						
<u>How would you rate the leadership and direction the Mayor and City Council have provided to the City Manager?</u> Comments:						
Other comments:						

Signature _____

Date _____