

**FRUITA CITY COUNCIL
VIRTUAL MEETING
SEPTEMBER 1, 2020
7:00 P.M.**

1. CALL TO ORDER AND ROLL CALL

Mayor Kincaid called the regular meeting of the Fruita City Council to order at 7:00 p.m. The meeting was held with virtual access provided through Zoom.

2. PLEDGE OF ALLEGIANCE

The American Flag was displayed on the screen and the Pledge of Allegiance was recited.

Present via teleconference:

Mayor Joel Kincaid
Mayor Pro Tem Lori Buck
City Councilor Heather O'Brien
City Councilor Kyle Harvey
City Councilor Matthew Breman
City Councilor Karen Leonhart

Excused Absent:

None

Also present via teleconference:

City Manager Mike Bennett
Deputy City Clerk Deb Woods
Management Analyst Shannon Vassen
Planning & Development Director Dan Caris
Members of the public

3. AGENDA – ADOPT/AMEND

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

- **COUNCILOR LEONHART MOVED TO ACCEPT THE AGENDA AS PROPOSED. COUNCILOR BREMAN SECONDED THE MOTION. THE MOTION PASSED WITH SIX YES VOTES.**

4. PROCLAMATIONS AND PRESENTATIONS

There were no Proclamations or presentations on the agenda.

5. PUBLIC PARTICIPATION

Mayor Kincaid noted that he did not see any members of the public present to provide any comments in the list of attendees in the Zoom meeting. Shannon Vassen confirmed this to be correct.

6. CONSENT AGENDA

- A. MINUTES - A REQUEST TO APPROVE THE MINUTES OF THE AUGUST 18, 2020 REGULAR CITY COUNCIL MEETING (VIRTUAL)**
- B. RESOLUTION 2020-34 – APPROVING THE FIRST RELEASE OF THE SUBDIVISION IMPROVEMENTS AGREEMENT FOR THE BRANDON RESIDENTIAL PLANNED UNIT DEVELOPMENT (PUD) SUBDIVISION**

Mayor Kincaid opened the public hearing on the Consent Agenda. Mr. Vassen noted that there were no requests from the public to provide comments.

- COUNCILOR KREIE MOVED TO APPROVE THE CONSENT AGENDA AS PRESENTED. COUNCILOR O'BRIEN SECONDED THE MOTION. THE MOTION PASSED WITH SIX YES VOTES.**

7. PUBLIC HEARINGS

There were no public hearings on the agenda.

8. ADMINISTRATIVE AGENDA

- A. UPDATE ON STATUS OF PROJECTS AND EFFORTS ASSOCIATED WITH THE EXPENDITURE OF CORONAVIRUS RELIEF FUNDS – MIKE BENNETT, CITY MANAGER AND DAN CARIS, PLANNING & DEVELOPMENT DIRECTOR**

City Manager Mike Bennett provided the first segment of an update on the City's expenditures of Federal Coronavirus Relief Funds (CVRF) and Planning & Development Director Dan Caris provided the second segment of the update.

Mr. Bennett and Mr. Caris reported on staff's progress on ascertaining eligible operational expenses, developing outdoor dining spaces, shade areas, outdoor programming space and outdoor classrooms, evaluating possible assistance for food banks, looking at technology upgrades and instituting a "Be Well/Be Fruita" public outreach campaign.

As reported to Council in public meetings, through the City Manager's weekly update and various public webinars, the City of Fruita is eligible for reimbursement of up to \$1,162,373 of CVRFs for expenditures that were unbudgeted for and related directly to COVID-19. Eligibility criteria is

established by the US Treasury and guidance continues to be updated weekly and almost daily. Expenses must be incurred between April 1, 2020 and December 31, 2020.

Councilors Breman and Buck had questions about the method and regulations for having alcohol in the new downtown outdoor spaces. Staff explained a few aspects of the Governor's Executive Order for Temporary Modifications of Licensed Premises and how it would work. There was concern among Council members that there would not be enough flexibility for patrons, so Mr. Caris assured the Council he would speak with the City Attorney about any potential alternative methods. Mr. Bennett pointed out that the new spaces are temporary, but they will stay for the remainder of the year.

Regarding the outdoor classroom kits that were purchased with CVRF funds, Mr. Caris said that the educators who have looked at the equipment approved of it. Staff did tour each of the school locations in Fruita to determine which equipment would work best because they are all different.

Mr. Caris reviewed details shown on renderings of the outdoor classroom kits purchased for each one of the Fruita schools to show the Council what they will look like. Equipment for the classrooms include commercial grade tents and sun sails, tables, chairs, picnic tables and rolling whiteboards. Tents will be anchored into concrete and come fully furnished with sidewalls. The School District's principals and maintenance staff will be responsible for storage of the equipment when it is not in use.

Mr. Bennett added that he submitted Fruita's coronavirus expenditures to the Department of Local Affairs to obtain their guidance and they were confident and comfortable with everything the City of Fruita is proceeding with.

There was further discussion about how people will be able to consume alcohol in the new outdoor spaces downtown and it was concluded that staff would talk with the City Attorney and get back to the Council. Mr. Bennett added that once staff has been able to ascertain how the alcohol consumption in the new spaces will work, there will need to be an education process for the public and liquor licensees.

Mayor Kincaid pointed out that although the City doesn't usually rush decisions for change in the community, the rules for using the new spaces downtown will be an ongoing learning process for everyone.

9. CITY MANAGER'S REPORT

City Manager Mike Bennett reported that the Pine Gulch Fire is now 81% contained and has grown to 139,000 acres.

Mike also noted that on the following Tuesday, the City Council would be holding a Virtual Joint Workshop session with the Planning Commission. In-person attendance will also be available on the 2nd Floor of the Fruita Civic Center, but people will have the option of joining the meeting remotely. The boards will be discussing short-term rentals and attainable housing and will feature a special guest from the Vail Valley Housing Authority.

Mike added that there was a recent Outside Magazine article for which he was interviewed by the writer in the spring before staff had any data for the City's revenues. He had told the writer that the City was extremely busy on the weekends even though in late spring there was a dip in the temperature when most work was being done remotely. Mike said the article didn't come out until now and he is a little miffed because out of everything he talked about, it was written that the City Manager said that no one was visiting Fruita. The actual headline was, "Maybe the Outdoor Recreation Industry Isn't as Resilient..." Mike said he sent the writer a message to explain that Fruita is 25% up over its busiest year ever in sales tax revenues and the last three years have been the busiest years the City has ever had with 2019 being the best from a sales tax perspective.

The writer did reply to Mike and apologized; saying that it was a mistake on their part and she was going to talk to the editor about doing some updates.

Mike congratulated Public Works Director Ken Haley for just completing his Masters of Public Administration degree. He pointed out that there are now four staff members who have this same degree: Planning & Development Director Dan Caris, Management Analyst Shannon Vassen, himself and now Ken Haley.

10. COUNCIL REPORTS AND ACTIONS

COUNCILOR KEN KREIE

Ken had nothing to report.

COUNCILOR MATTHEW BREMAN

Matthew reported that the Grand Junction Economic Partnership (GJEP) is working with Grand Junction, Fruita and Palisade on a Comprehensive Plan, although they did not go into any details about the Plan. He said he would try to find out more.

Mike explained that GJEP is working on their own Comp Plan and has representatives of their staff working with each municipality. He also pointed out that Steve Jozefczyk is on the City of Fruita's committee.

Matthew continued that the Colorado Concern White Paper (the infrastructure funding report) was finished with input from all the communities.

COUNCILOR KYLE HARVEY

Kyle reported that he attended the Grand Valley Task Force Meeting on Thursday and the group went through the nomination process for an Executive Committee, which will essentially keep the Task Force on task. They also reviewed the eight objectives of the board that came out of the last planning session that they will be working towards. Subcommittees were formed to begin tackling some of the bigger issues such as the School District, upon which Drs. Sirko and Hill are sitting. Kyle is on the mental health subcommittee and then there are around seven other subcommittees ranging from law enforcement and criminal justice to business and community. These subcommittees will be fleshed out with members of the community as well as experts in each of

the field from different institutions and organizations throughout the Grand Valley. The next meeting of the Grand Valley Task Force will be held on Thursday, September 10, 2020 at 6:00 p.m. at Orchard Mesa Middle School.

COUNCILOR HEATHER O'BRIEN

Heather reported that the Parks and Recreation Advisory Board will be meeting on September 14th and the Planning Commission would be presenting to the City Council the week of September 7th, so she didn't have anything to report yet.

COUNCILOR LEONHART

Karen reported that she wasn't able to attend the Museums of Western Colorado (MWC) Board of Directors meeting, but that she would forward the meeting minutes to the other Council members. She added that Shannon Vassen really goes above and beyond to get the information out from the Livability Commission.

Karen stated that she lives on N. Mesa in Fruita, which does not have any bike lanes north of Shelledy Elementary. She noted that there are bike lanes on 17 and 17 ½ Roads, but not on N. Mesa, so she wondered if N. Mesa was on the list to get them. Mike (Bennett) stated that he would look into it and make sure that N. Mesa would get on the list for bike lanes if it was not already.

Karen also reported that the Fruita For Equality event is scheduled for September 12th. The group did a "run through" at Reed Park with Rotary Club members to work out some kinks to make sure everyone is prepared.

COUNCILOR LORI BUCK

Lori reported that the Grand Valley Regional Transportation Committee (GVRTC) met the previous week. The Union attended the meeting and continues to ask for better Personal Protective Equipment (PPE) and higher wages. The GVRTC feels that the appropriate time to address those issues will be when it is time to renegotiate the contract with TransDev at the end of the year. Lori asked the Council members to think about what direction she should take back to the GVRTC concerning how Fruita wants to proceed, even though Fruita is a very small part of the Grand Valley Transit (GVT) big picture with its one route.

Lori asked Planning & Development Director Dan Caris if he could look at the covenants of the City's bigger, newer subdivisions (constructed ten years ago or less) and report to the Council (at the upcoming Joint Workshop with the Planning Commission) with approximately how many of those covenants do address short-term rentals. Dan responded that he would provide that information to the Council.

Heather asked if the Council could also have a heat map that shows where short-term rentals are permitted in the City and where they are not. Dan responded that he could provide that to the Council as well but warned that it would not be a static map because covenants can be changed at any time.

Mayor Kincaid asked for a map of where all the existing short-term rentals in Fruita are currently located. Heather stated that staff already had that map; she recalled seeing it.

MAYOR JOEL KINCAID

Joel reported that the Fruita Tourism Advisory Council (FTAC) met the previous week and was presented with some comparisons done by Slate Communications on where the City's actual sales tax dollars are coming in and/or how they are related to promotions on social media and elsewhere.

The other topic of conversation at the meeting focused on the City's Entertainment Mini-Grants, for which the City normally budgets between \$24,000 and \$26,000 per year. There were discussions about not including this line item in the 2021 Budget, but the City did receive a request from the Fruita Chamber to help fund other events that were not for locals. The FTAC decided that the funds need to go towards bringing tourists into Fruita and not towards events for locals.

Ken (Kreie) stated that he is a firm believer that anything that the City does to improve life in Fruita will bring tourists to the City, so events happening here are for tourists, too. Joel said he agrees, but the FTAC has stated that because marketing and promotional funds come from lodging tax, the intent of the tax that was passed by voters stipulates that the funds must be spent on tourism.

Mike added that the Mesa County Department of Public Health's restrictions on events require that they be limited to locals only at this time, so it put the FTAC in a dilemma since the funding as approved by the voters is supposed to be for events that bring people in from the outside. He said that typically, the City blends it all together really well, but because of COVID-19, there exists a unique and awkward dynamic.

With no further business before the Council, the meeting was adjourned at 8:00 p.m.

Respectfully submitted,

Debra Woods
Deputy City Clerk
City of Fruita