

**FRUITA CITY COUNCIL
WORKSHOP
JANUARY 23, 2024
6:30 P.M.**

CALL TO ORDER AND ROLL CALL

The workshop of the Fruita City Council was called to order at 6:30 p.m. by Mayor Pro Tem Matthew Breman. City Council members present were Jeannine Purser, James Williams, Amy Miller, Ken Kreie Aaron Hancey and Ken Kreie. Mayor Joel Kincaid was excused absent.

City Staff present were City Manager Mike Bennett, Assistant City Manager Shannon Vassen, Communications & Engagement Specialist Ciara DePinto, Deputy City Clerk Deb Woods, Planning and Development Director Dan Caris and City Attorney Mary Elizabeth Geiger (virtually).

Also in attendance was Tim Navin, owner of Sparks Fly Studio, Ltd.

AGENDA ITEMS

1. ECONOMIC DEVELOPMENT UPDATE & DISCUSSION (GREENWAY BUSINESS PARK, CO-OP TOWER, THE BEACH, 169 S. MULBERRY ST.) (6:30 – 8:00 PM)

City Manager Mike Bennett noted that City Attorney Mary Elizabeth Geiger had also joined the meeting virtually.

169 S. MULBERRY:

Since the City has reached the terms of negotiations with FARM, LLC, staff wanted to review them with the City Council. On the agenda at the City Council meeting of February 6, 2024, there will be the First Reading of an Ordinance for the sale of the City's property at 169 S. Mulberry to FARM, LLC and a request that the City Council give the City Manager the authority to execute the contract. Exhibit A of the contract will contain the terms of the contract. The Second Reading of the Ordinance is scheduled for the March 5, 2024 Regular City Council meeting.

The contract will be for a combination of a cash payment and nonmonetary contributions totaling \$640,000. The contract breaks down the agreements there will be for requirements for improvements, economic development performance criteria and uses such as parking.

City Attorney Mary Elizabeth Geiger clarified that the agreement on 20 public parking spaces will be a lease from FARM to the City and the City will carry the insurance. After 5 years, the parking will be donated to the City. The 24 existing parking spaces north of the FARM property and south of E. Aspen Avenue will remain without private signage (except for "no overnight parking") and available for use as public parking until the dedication of the 20 permanent parking spaces is completed. All development will follow based on parking requirements in the Code.

A redevelopment contract will be included in the Exhibit to the Ordinance. Planning and Development Director Dan Caris listed the improvements to be included in the redevelopment contract.

Councilor Hancey expressed concern that the community might think of FARM as a developer who is coming in and taking over Fruita.

Mr. Bennett pointed out that part of the story will be the City's and part will be FARM's as the developer and the City will be very clear about getting the full value for the community. He also explained that it will all be presented during readings of the Ordinance and there will be announcements going out to the community about what is happening.

Councilor Breman noted that the City is seeing people who want to invest in Fruita and that's part of the narrative in addition to the City not giving away anything.

Mr. Bennett said the dream is that people come and propose projects that are in the Comprehensive Plan, which is exciting.

Gavin Brooke of FARM, LLC added that that is the point of the Downtown Mixed-Use zone; there is shared public parking, daytime uses and nighttime uses, all of which bring vibrancy to the City.

“THE BEACH”:

The City's largest economic development project is undeniably “The Beach.” Next steps include further negotiations for a public/private partnership agreement between the City and 2Forks Ventures that will likely have phases. At the February 27, 2024 Workshop Meeting, Mr. Gavin Brooke with 2Forks Ventures will present an overview of the due diligence work that has been completed.

There will be an Executive Session at the Regular Council meeting of March 5, 2024. Negotiations will likely continue after the new City Council has been seated.

CO-OP GRAIN TOWER:

Tim Navin with Sparks Fly Studio, Ltd. is under contract to purchase the former Fruita Co-Op grain tower located on Highway 6 & 50. The City has historically used the tower to hang banners that promote the City of Fruita. Sparks Fly and the City would like to enter into a lease of the east and west facades of the tower effective on closing of Sparks Fly purchase on the property.

There was discussion about how the City leases the I-70 Billboard to Family Health West for \$12,000 per year.

City Attorney Mary Elizabeth Geiger proposed to Planning and Development Director Dan Caris that the City use that money it get from its lease of the I-70 billboard to pay for the lease of the tower from Sparks Fly long term. Fair market rate is currently \$2,000 per month per side.

The City Council gave direction to staff to pursue talks with Sparks Fly about opportunities, who has a potential closing date of March 21, 2024.

Staff and the Council took a break at 7:46 p.m. The Workshop Meeting resumed at 7:55 p.m.

GREENWAY BUSINESS PARK

City Manager Mike Bennett described how he and Planning and Development Director Dan Caris met with a development group concerning the Greenway Business Park, who wanted to know if the City would have any interest in establishing a Metro District, which are common now. One of big challenges is the access required from the Colorado Department of Transportation (CDOT) for a bridge crossing the Big Salt Wash. With this type of Improvement District, the City could have borrowing power of future revenue. First, the City needs to establish a policy for steps that the City will need to go through.

Mr. Caris explained that Dan creating a Metro District contemplates “Service Plan” mechanisms with a set of approval criteria in place that lead to a public hearing. It does not require an Ordinance, just a policy. There are a number of factors that would come into play such as landscaping, public spaces, and welcome signage, some of which can be taken from components of the City’s Gateway Enhancement Plan. Council Breman recommended that the Council wait until the Council Retreat to do a deep dive into the big steps and stages.

2. SIGN CODE TEXT REVIEW AND DISCUSSION (8:00 – 8:30 PM)

City Manager Mike Bennett recalled how he provided Council with an overview/update at the last Council meeting about the need to amend the Sign Code concerning political signs. He said that timing-wise, staff is not in a major rush, but the amendments probably should be in place before the November election.

Mr. Bennett stated that since the City can’t regulate the content of signs, it needs to define “temporary signs,” which can be regulated in regards to the length of time they are up, such as 90 days, for example. Staff feels that designating regulations by zone district makes a lot of sense.

Councilors Breman, Williams and Hancey expressed their preference for keeping it simple and doing the bare minimum of regulations.

Mr. Breman stated that staff will bring a template to the Council as a starting point.

3. CITY COUNCIL HANDBOOK REVIEW (8:30 – 9:00 PM)

The City Council Handbook is updated prior to each Municipal Election. During previous meetings, staff has provided an overview of the updates and incorporated City Council suggestions to the handbook, which is already live on www.fruita.org.

Within a suggested new section “What to Expect,” staff added language under “Your First 90 Days” that was drafted by Mayor Pro Tem Breman. Mike asked the Council to review the changes.

Also, Council has requested to discuss whether any additional language should be added to the handbook regarding relatives of City Council as City employees. Currently, there is no policy regarding relatives of City Council members as employees of the City, but there is a section in the Employee Handbook which says that the City’s policy is to avoid real or apparent conflicts of interest or circumstances that could result in actual or perceived acts of favoritism, interpersonal conflicts or jeopardizing confidentiality. It also lists the situations in which the hiring of relatives is not allowed.

Mr. Bennett asked if the Council wanted to add similar language to the City Council Handbook.

There was discussion about Council members respecting decisions made by Council previously and taking the time to research why a decision was made that they may not agree with but not inside a Council meeting.

Mayor Pro Tem Breman said he would clarify his wording.

Councilor also Williams requested that Council members' families get Fruita Community Center passes in addition to the Council members themselves.

OTHER ITEMS

Mr. Bennett noted that the "State of the City" video is a fairly new thing. He said he was wondering if the Council was interested in including highlights that occurred in the last year or if those should be put into a few shorter, educational videos on specific topics such as "Core Values" or "Growth in Fruita." Mr. Bennett suggested the topic "Growth Boundaries." It was discussed that these should be short and concise (with 2.5 minutes being the goal) and how they can be used for a number of years.

Videos highlighting City employees were well received and Mr. Bennett said staff will keep doing those. The Council showed interest in accomplishing all three that had been mentioned. The City is paying \$5,000, but Councilor Hancey said he supports adding more money.

Ciara DePinto reported that she and Parks and Recreation Director Marc Mancuso are working on a "Winter Concert" to be held on Friday, February 23rd at the North Mulberry Plaza. She is also working with Councilor Williams on getting the band to play two sets. Ciara and Marc are thinking of ideas to make the event more festive such as having straw bales, hot chocolate, hot cider and getting downtown businesses involved. Mayor Pro Tem Breman asked Ciara to let the Fruita Chamber know about the event. From 6:00 to 7:00 there will be some kind of activity. Music then goes from 7:00 to 8:00, then there will be a break. From 8:30 – 9:00, there will be more music. Staff is working on getting the firepit working. The Council bounced a few names for the event around such as "Ice-o-saurus."

At the February 20, 2024 Council meeting, City Market will appeal the decision on their proposed fueling stations. Planning minutes will be included in the Council packet. They are asking Council to override the Planning Commission's denial.

Councilor Hancey said he would prefer to have the construction detour at 18 Road instead of 28 ½ Road because K Road is so busy.

Councilor Hancey stated that he still felt strongly that the Council needed to cancel the Council meeting of March 5, 2024 because of the Caucus, and added that it is a part of everyone's civil duty to vote.

Mayor Pro Tem Breman expressed concerns because it was not a Caucus for both political parties; just one. There was discussion about how each of the Council members felt about it before it was determined that the Caucus was actually scheduled for Saturday, March 9th and not Tuesday, March 5th.

Councilor Williams mentioned that community members have talked to him about a spot on Coulson by the old Family Health West building where cars almost hit people all the time. Mr. Bennett noted that the City can't have two crosswalks in that stretch. Family Health West has been bugging the City to move the sidewalk, but by doing that, they will have a problem with moving food.

4. ADJOURN

With no further business before the Council, the meeting was adjourned at 9:43 p.m.

Respectfully submitted,

Deb Woods
Deputy City Clerk