

**FRUITA CITY COUNCIL
REGULAR MEETING
NOVEMBER 1, 2016**

1. INVOCATION AND PLEDGE OF ALLEGIANCE

A moment of silence was observed in lieu of the Invocation and the Pledge of Allegiance was recited.

2. CALL TO ORDER AND ROLL CALL

Council members present were Bruce Bonar, Dave Karisny, Kyle Harvey and Lou Brackett. Councilors Joel Kincaid and Ken Kreie 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. City Manager Mike Bennett stated that there were not.

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

4. PROCLAMATIONS AND PRESENTATIONS

There were no proclamations or presentations on the agenda.

5. PUBLIC PARTICIPATION

Mr. Mel Mulder, 983 E. Pabor Ave., stated that if he had known seven months ago what the campaign (of running for Mesa County Commissioner) was going to entail, he might have done things differently. He said that the campaign was long, drawn out and amazing.

Mr. Mulder stated that wherever he goes, he uses Fruita as his reference point. He continued that people at all ends of the valley are jealous of what Fruita has accomplished with little or nothing.

Mr. Mulder said he spent three hours at a County Commissioners' meeting the previous day which could have been done in Fruita in 30 minutes. He said it is going to be a long hard row if he is successful in his campaign.

Mr. Mulder stated that these things are important: de-brucing, making Mesa County a home-rule county, supporting a Foreign Trade Zone (as Fruita has done), supporting the Mesa County Workforce and supporting the Business Incubator. He said there are so many things that need to be taken care of at the county level.

Mr. Mulder said that what he has learned in Fruita during his time on the City Council has been very important to what is going on outside at the county level. He added that he appreciates the Fruita City Council and praised them for being able to sometimes keep meetings short.

There were no further comments from the public.

6. CONSENT AGENDA

- A. LIQUOR LICENSE RENEWAL – A REQUEST TO APPROVE THE RENEWAL OF A HOTEL AND RESTAURANT – MALT, VINOUS AND SPIRITUOUS LIQUOR LICENSE FOR DRAGON TREASURE CHINESE RESTAURANT LOCATED AT 576 KOKOPELLI BLVD.**
- B. BOARDS AND COMMISSIONS APPOINTMENT – A REQUEST TO APPROVE THE APPOINTMENT OF BEV CARNETT TO THE ARTS AND CULTURE BOARD FOR A THREE-YEAR TERM TO EXPIRE IN NOVEMBER OF 2019**
- C. BOARDS AND COMMISSIONS APPOINTMENT – A REQUEST TO APPROVE THE APPOINTMENT OF ED VIGIL TO THE POLICE COMMISSION TO FULFULL AN UNEXPIRED TERM PLUS AN ADDITIONAL THREE-YEAR TERM TO EXPIRE IN OCTOBER OF 2020**
- D. ORDINANCE 2016-11 - SECOND READING – A REQUEST TO APPROVE AN ORDINANCE ACCEPTING APPROXIMATELY 32.76 ACRES OF REAL PROPERTY LOCATED AT 1081 16 ROAD FOR PUBLIC TRAIL AND OTHER PUBLIC RECREATIONAL PURPOSES**
- E. ORDINANCE 2016-17 – FIRST READING - AN INTRODUCTION OF AN ORDINANCE ANNEXING PROPERTY LOCATED AT 965 18 ROAD CONTAINING 7.33 ACRES TO THE CITY OF FRUITA (ADOBE VIEW NORTH ANNEXATION) FOR PUBLICATION OF PUBLIC HEARING ON DECEMBER 6, 2016**
- F. ORDINANCE 2016-18 – FIRST READING – AN INTRODUCTION OF AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF FRUITA AND ZONING NEWLY ANNEXED PROPERTY LOCATED AT 965 18 ROAD TO SOUTH FRUITA RESIDENTIAL (ADOBE VIEW NORTH ANNEXATION) FOR PUBLICATION OF PUBLIC HEARING ON DECEMBER 6, 2016**
- G. RESOLUTION 2016-35 – A REQUEST TO APPROVE A RESOLUTION SUPPORTING AN APPLICATION FOR A LOCAL PARKS AND OUTDOOR RECREATION GRANT FROM GREAT OUTDOORS COLORADO (GOCO) TO EXPAND LITTLE SALT WASH PARK**
- H. RESOLUTION 2016-36 – A REQUEST TO APPROVE A RESOLUTION FOR A SUPPLEMENTAL BUDGET AND APPROPRIATION FOR FLOOD PLAIN**

MAP REVISIONS, ECONOMIC DEVELOPMENT AND FRUITA COMMUNITY CENTER OPERATIONS

- I. RESOLUTION 2016-37 – A REQUEST TO APPROVE A RESOLUTION SUPPORTING A PLANNING GRANT APPLICATION TO GREAT OUTDOORS COLORADO (GOCO) FOR THE NORTH FRUITA DESERT**
- J. LAND DEDICATION FEES DISBURSEMENT – A REQUEST TO APPROVE THE DISBURSEMENT OF SCHOOL LAND DEDICATION FEES COLLECTED BY THE CITY OF FRUITA TO MESA COUNTY SCHOOL DISTRICT #51**

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

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

7. PUBLIC HEARINGS

- A. ORDINANCE 2016-14 – SECOND READING – (CONTINUED FROM OCTOBER 18, 2016) AN ORDINANCE AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF TAX EXEMPT AND TAXABLE HEALTH CARE REVENUE BONDS FOR THE COLORADO CANYONS HOSPITAL PROJECT, SERIES 2016, IN AN AMOUNT NOT TO EXCEED \$46 MILLION**

City Clerk/Finance Director Margaret Sell stated that this public hearing on Ordinance 2016-14 was continued from the last City Council meeting that was held on October 18, 2016. She noted that Family Health West/Colorado Canyons Hospital staff were at that meeting and were also present in the audience again.

Mrs. Sell explained that the bonds were to improve and expand the Colorado Canyons Hospital facility. The City of Fruita acts as a conduit for those bonds and allows the bonds to be issued with a tax exempt status.

Mayor Buck opened the public hearing on Ordinance 2016-14. Hearing no comments from the public, she closed the public hearing and referred back to the City Council.

- COUNCILOR BONAR MOVED TO ADOPT ORDINANCE 2016-14 – AUTHORIZING THE ISSUANCE OF THE COLORADO CANYONS HOSPITAL SERIES 2016 BONDS IN AN AMOUNT NOT TO EXCEED \$46 MILLION. COUNCILOR BRACKETT SECONDED THE MOTION. THE MOTION PASSED WITH FOUR YES VOTES.**

8. ADMINISTRATIVE AGENDA

A. 2017 BUDGET PRESENTATION**1) COMMUNITY CENTER FUND – TURE NYCUM, PARKS AND RECREATION DIRECTOR AND TOM CASAL, RECREATION SUPERINTENDENT**

Parks and Recreation Director Ture Nycum stated that Mr. Casal would be presenting the 2016 accomplishments of the Recreation Department and their 2017 Budget with a PowerPoint presentation.

Mr. Casal stated that the Fruita Community Center (FCC) is doing extremely well with the number of visits; they are on pace to have 10,000 more visits than 2015. He said 2016 has been the FCC's busiest year to date and June was the busiest month in its history. Mr. Casal noted that they are expecting the one millionth visitor to the facility in mid-November.

Mr. Casal reviewed the numbers of the different types of passes available at the FCC. Daily and annual passes make up the majority of passes issued at the facility as opposed to punch, Silver Fit/Silver Sneaker or 3-month passes.

Revenues at the FCC are on track to meet or exceed staff's revenue projections for the year. Mr. Casal presented a slide with the breakdown of revenues to include user fees, retail sales, concessions, program fees, room rental, transfers from the General Fund and sales and use tax revenues.

In regards to expenses, the FCC had some increases in aquatics due to some temp salaries when the outdoor pool operation hours were expanded in the summer.

2016 Capital Projects at the FCC included:

- New siding (half of the cost (appx. \$10,000) was paid for by the class action law suit that the City was part of)
- Shower partitions
- Concrete stain (inside)
- Fitness equipment replaced
- New play feature in pool
- ADA-compliant door and lift installed in pool
- Deck drain pumps
- Re-upholstered bench in play area

Mr. Casal stated that 2015 was the first year of the new Youth Volleyball program and 90 kids registered in the program. The Dinomites Summer Camp (moved to Shelledy Elementary) had 112 kids in 2015, but saw an increase of 82 kids and maxed out at 194. Senior Services was sold out on all overnight trips.

Mr. Casal stated that for 2017 revenue projections, staff is proposing a slight increase in user fees and estimating that retail sales will go up while concessions will stay flat. Program fees and room rentals are projected to see continued growth.

2017 Expense projections for the FCC are at approximately \$25,000 over from 2016 not including any Capital Projects. Expense highlights for next year include:

- The reclassification of Recreation Supervisors to Grade 11 (their salaries are currently at 30% below market)
- Adjusted overtime (due to new laws)
- Reduced pool chemicals
- Adjustment of part-time salaries for Youth Activities (to reflect the increase in Dinomites and Dino Days off)
- Reduced utilities
- Additional part-time custodian during the day

2017 Capital Projects at the FCC include:

- Rec Trac (software) upgrade
- Meeting room furniture
- Convert pools to CO2 and bleach (which are both safer and less expensive)
- Back up circulation pumps
- Outdoor pool lane line reel
- Additional security cameras
- Carpet replacement in childcare area
- Carpet replacement in Meeting Room hallway and Senior Center

Mr. Casal reviewed the challenges for the Recreation Department include:

- Department of Labor overtime rules (five Recreation Supervisors are no longer exempt and are now eligible for on-call and call-back time)
- Amendment 70 (Minimum wage will rise to \$9.30 per hour on January. Currently, lifeguards make \$9.06 per hour. Minimum wage will increase another .90 in one year and will be at \$12.00 per hour by the year 2020. 10 FCC positions will need to be increased)
- Space limitations (the FCC is running out of room for Dino Days Off, there is a crowded fitness area, there is no room for additional fitness equipment requests and gym/room space for athletics and programs)

Items that staff considered for the 2017 Budget include:

- A potential fee increase for the FCC (a .50 increase would net \$85,000 if no pass holders cancel their passes. A Family Pass for five members would go from \$57.50 per month to \$69.00, an increase of \$11.60 per month. Staff is analyzing the numbers to see if a .50 increase is even enough)

- Adjusting hours (closing early by one hour one day per week will save \$3,750 per year. Closing at 8 p.m. on Fridays, which average 1.65 visits on that day between 8 and 9 p.m. Closing at 7 p.m. on Saturdays is another option. There are and average of 2.98 visits from 7 – 8 p.m. on Saturdays)
- Credit Card Surcharge (the City pays \$26,000 per year in credit card fees at the FCC. A proposed \$2.00 surcharge has been considered to help offset costs with credit cards and will encourage patrons to use an auto-pay (ACH) system instead, which have minimal fees to the City. A 20% conversion from credit cards to auto-pay (ACH) would result in a savings of \$3,622 per year).

This concluded Mr. Casal's presentation.

Mayor Buck asked why staff did not begin using bleach and CO2 in the pools to begin with. Mr. Casal responded that at the time, the bleach was not readily available. Mr. Nycum added that bleach is not as readily available in large quantities on this area and just wasn't considered when the FCC was originally built, but is a viable option that staff should be looking at.

Councilor Karisny asked if patrons needed to be made aware of the change in the pool chemicals. Mr. Casal responded that the main agent in the pool is the chlorine, which comes from bleach and is the same thing that is being used now in a tablet. This tablet contains a lot of calcium and creates calcium hardness issues. Muriatic acid is also used in the pools. It is extremely low in ph, and staff constantly has to add sodium bicarbonate to bring the water's alkalinity back up. Mr. Casal said that the CO2 will bring the alkalinity levels back, will reduce a lot of chemical handling for staff and is economical.

Councilor Karisny asked if staff knew what the cost savings were going to be if the two chemicals were to be switched out.

Mr. Casal said that in his past experience, bleach was a lot cheaper, but he did not have the exact costs because he wasn't sure how much bleach the FCC would be using yet. He said staff is still working on a couple of different options as far as from where and how much bleach the City will be ordering.

Mr. Nycum pointed out that the Parks and Recreation Department did not have Mr. Casal's aquatics expertise when the City was going through the design process for the pools at the FCC.

Mayor Buck asked when staff would be making the decisions regarding closing the FCC an hour early or increasing fees.

City Manager Mike Bennett responded that in regards to the fee increase, staff will be looking at this more in depth in late 2017 or early 2018. In regards to adjusting the hours at the FCC, staff is still monitoring and evaluating the hours when the least amount of people are visiting the facility, but that this something that staff can look at doing sooner in 2017. In regards to the credit card surcharge fees, Mr. Bennett pointed out that this was already built into the 2017 Budget.

Mr. Nycum added that in regards to adjusting the hours at the FCC, staff was probably going to look at some type of seasonal schedule where the facility would close earlier during the summer months (on Fridays or Saturdays) when people are less likely to visit. He agreed with Mr. Bennett that the fees would not be raised until at least 2018, but even then, staff still wants to do more analysis because they are not certain that a .50 increase would be adequate and they do not want to have to implement another increase in another few years because it wasn't.

9. COUNCIL REPORTS AND ACTIONS

A. COUNCIL REPORTS AND ACTIONS

COUNCILOR BRACKETT

Councilor Brackett noted that on the Consent Agenda, the Council approved the appointment of Ed Vigil to the Police Commission and added that the next meeting of the Police Commission board would be held on November 16th. He also noted that Police Chief Judy Macy had voiced concerns over staffing on the Police Department and that she will be working on upgrading the staffing as much as the budget may allow. Councilor Brackett stated that Chief Macy had also given reports on Police activity within the City, which included mostly minor infractions except for a case where an extensive number of weapons were taken from a home in Fruita.

Councilor Brackett reported that the Parks and Recreation Advisory Board had a meeting scheduled for the following Monday and there was a full agenda to include the City's partnership with the BLM, the issue of non-motorized bicycles on trails and the affect of this on the City's grant applications, the Mack Ridge Trail development and the Lagoon Redevelopment Project update. Mr. Brackett noted that there was a land acquisition grant application for the Kokopelli section of the Riverfront Trail that the board will also be discussing, as well as an update on the Recreation Department's programming.

Councilor Brackett noted that the Parks and Recreation Advisory Board meetings have been changed from the first Thursday of the month to the first Monday of the month from now on.

COUNCILOR HARVEY

Councilor Harvey stated that his Boards and Commissions meetings would be held the following week.

COUNCILOR KARISNY

Councilor Karisny reported that he attended the Housing America Conference titled "Homeless, Hunger and Health" on October 19th. The conference was essentially made up of a coalition of agencies that work with housing needs and related issues.

Councilor Karisny noted that the coalition was represented by the Grand Junction Housing Authority, Homeward Bound of the Grand Valley, Grand Valley Catholic Outreach, Colorado First Home Buyer (CHFA), Habitat for Humanity, Hilltop Community Resources, Mesa County

Department of Human Resources, Kids Aid Colorado and Housing Resources of Western Colorado. There was a luncheon at the conference and a video was shown. The featured speaker was Mike Berry of Kids Aid, which is a program that assists children by sending home food over the weekends and other things. The program was initiated in 1999 and has quickly grown into 156 kids currently. There are over 2,200 bags of food that they distribute each week by 140 volunteers. Kids Aid also provides things during the summer; they follow the Lunch Lizard around and provide about 3,000 bags of food. They are trying to expand their services to non-public school kids such as preschoolers.

Councilor Karisny continued that the group at the conference asked what government could do about these types of issues. Grand Junction City Manager Greg Caton responded that there is kind of a “three-legged stool” made up of business, government and other agencies that would be involved in the programs.

Councilor Karisny said the group took a bus tour to about four different housing projects for seniors and the homeless.

Councilor Karisny also reported that he watched the Colorado Municipal League’s hour-long *Introduction to Municipal Courts* on CML’s website, which is an overview of municipal court procedures for elected officials. He added that because Fruita is a Home Rule City, elected officials can have a lot to say about hiring or monitoring the Municipal Court Judge and they can also require that the judge follow the Colorado Code of Judicial Conduct by including that in the Judge’s employment contract.

Councilor Karisny reported that he attended the Police Department’s public forum to discuss feral cat issues.

Councilor Karisny noted that the Intergovernmental Agreement was adopted at the Grand Valley Regional Transportation Committee (GVRTC) meeting at its current funding rate, which means that the City of Fruita will provide about \$39,000 for Grand Valley Transit services. The IGA is for one year only.

Councilor Karisny stated that there was discussion about Senate Bill 228 and Fast Track and it was noted that there may continue to be some potential funding for a number of transportation projects in Western Colorado. He added that the Volkswagen issue came up and Michael King from the Colorado Department of Transportation (CDOT) came to the GVRTC meeting to talk specifically about the VW settlement. Mr. King indicated that Volkswagen will have to provide about \$10.3 billion to buy back their cars or fix them. Councilor Karisny noted that there are about 1,000 Volkswagens in Mesa County. \$2.7 billion will have to be spent for environmental issues as well as \$2 billion in improvements for future cars. Colorado is expected to receive \$61.3 million of the allocation, which can only be spent on certain things that are transportation related.

Councilor Karisny continued that on November 7th, there would be a stakeholders’ meeting held by CDOT in the valley to discuss the matter. He said that it sounds like the distribution of the \$61.3 million may end up happening through Municipal Planning Offices such as the GVRTC.

Councilor Karisny concluded his report by saying that he also attending the Economic Development Summit at Cavalcade on October 26th.

Councilor Brackett asked Councilor Karisny if there were any discussions about homeless veterans at the Housing America Conference. Councilor Karisny responded that homeless veterans were not discussed at the conference, but that doesn't mean that there aren't some programs in place. He added that the conference seemed to be really abbreviated for the amount of information that they had and there were a lot of things that were skipped over. He also said that Sister Karen from Catholic Outreach seemed to be the most logical contact regarding homeless veteran issues, but that there are some questions concerning case management and coordination of all the services.

COUNCILOR BONAR

Councilor Bonar stated that the Historic Preservation Board would be meeting the following Monday and the Board of Adjustments would be meeting later in the month.

MAYOR BUCK

Mayor Buck stated that the Grand Junction Economic Partnership (GJEP) is currently working with 101 active prospects with 72 active leads (active leads are those prospects that are having dialogue with GJEP). She also gave the following reports:

- GJEP has assisted with expansion and job growth projects with 26 businesses in the Grand Valley in 2016. They worked with a total of 57 new companies in 2015 and 70 new businesses in 2016. The industries most represented are outdoor manufacturing at 24%, followed by the Agricultural and Food/Beverage at 15% and then IT/Tech at 14%.
- GJEP's top sources for prospects and leads are direct inquiries (48%), trade shows (27%) and local referrals (11%).
- GJEP has 568 targeted businesses that are part of an outreach and receive information provided by GJEP.

Mayor Buck continued that she and City Manager Mike Bennett met with a couple of people from *Gear Patrol*, which is a growing online and public hard print magazine out of New York that targets the high-end market in bicycling. The representatives get to travel and demo products and then write about them. The edition that *Gear Patrol* is working on now is for March 2017.

Mayor Buck also stated that she and Mr. Bennett spoke to a political sciences group at Colorado Mesa University to give an overview of how elected officials work with City Managers and City staff. She said that they also visited a class of first-graders.

Mayor Buck stated that she receives a lot of comments and questions from visitors at the Fruita Community Center who want to know if the City is considering opening the facility earlier in the morning at 5:30 a.m. She noted that she had a petition containing about 50 signatures from people who would like this to happen. Mayor Buck asked staff about the status of the matter.

City Manager Mike Bennett said it had been discussed with the Council before the last municipal election and the majority of the Council seemed to be okay with having the FCC opening at 5:30, but that not everybody was 100% on it. Staff looked at it but took no action in 2016, although it is definitely something that staff hears about as well.

Mr. Bennett continued that there was a public perception that the City was avoiding opening earlier because the Fruita Health Club opens early, although he thought they (the Health Club) opened at 4:30 a.m. He said that when it was last discussed in a public setting, the Fruita Health Club definitely voiced their concern that they didn't want the FCC to open any earlier than 6:00 a.m.

Mr. Bennett said that staff often hears from teachers or people in other professions that need to come in 30 minutes earlier than 6:00 a.m. to allow them to get in a workout before going to work. He said that staff has considered opening at 5:30 a.m. and would be able to do it, although there would be added cost. Staff then discussed closing earlier on some days in order to offset those costs.

Mayor Buck asked if the Council needed to discuss it at a workshop session to try and get a consensus.

Mr. Bennett said that staff really didn't need to have Council's approval on the issue, but that they wanted the approval because it has been a polarizing issue in the community. He said as a professional recommendation, it makes sense to open the FCC at 5:30 and close earlier when the facility is the least busy and staff would be happy to do that with the support of the Council.

Mayor Buck requested that the issue be placed on the agenda for a short discussion at the next workshop session. She added that it would be great if the change could be in effect on January 2nd when the FCC opens back up after the holidays.

10. CITY MANAGER'S REPORT

Mr. Bennett reported that Elevation Outdoors put out their digital copy of the print version of their November issue announcing that Fruita won the "Top Adventure Town" in the large category for the second year in a row. He said there is a write up of the things that are occurring in Fruita and places to go.

Mr. Bennett noted that Fruita Municipal Court begins at 4:30 on Wednesdays if the Council wanted to sit in. He added that Judge Robinson had asked to be allowed to give the Council an update on December 20th and also to consider going into Executive Session to do his mid-year review at that same meeting.

Mr. Bennett added that he received an e-mail from the Municipal Clerk, who described how the Judge was able to calmly and professionally handle a pretty rowdy bunch in the courtroom the previous week.

Mr. Bennett said that Judge Robinson also plans to occasionally share some simple reports that could be included in the weekly Friday Information Update.

Mayor Buck said that she and the other Council members should really try to attend a Municipal Court session.

- B. EXECUTIVE SESSION – DISCUSSION AND POSSIBLE ACTION TO CONSIDER A MOTION TO CONVENE IN EXECUTIVE SESSION TO DETERMINE A POSITION RELATIVE TO A MATTER THAT MAY BE SUBJECT TO NEGOTIATION UNDER C.R.S SECTION 24-6-402 (4) (E).**
- **COUNCILOR BONAR MOVED TO MEET IN EXECUTIVE SESSION TO DETERMINE A POSITION RELATIVE TO A MATTER THAT MAY BE SUBJECT TO NEGOTIATION UNDER C.R.S. SECTION 24-6-402 (4) (E). COUNCILOR BRACKETT SECONDED THE MOTION. THE MOTION PASSED WITH FOUR YES VOTES.**

The Fruita City Council convened into Executive Session at 7:50 p.m. The regular meeting of the Fruita City Council reconvened at 8:25 p.m.

11. ADJOURN

With no further business before the Council, the meeting was adjourned at 8:25 p.m.

Respectfully submitted,

Debra Woods
Deputy City Clerk
City of Fruita