

**FRUITA CITY COUNCIL
REGULAR MEETING
MAY 17, 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.

Mayor Buck asked if there were any corrections or additions to the agenda. Deputy City Clerk Deb Woods noted that a Proclamation needed to be added to the agenda: A Proclamation for “Armed Forces Day” in the City of Fruita on May 21, 2016.

3. AGENDA – ADOPT/AMEND

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

4. PROCLAMATIONS AND PRESENTATIONS

- A. PROCLAMATION – PROCLAIMING MAY 15 – 21, 2016 AS “POLICE WEEK” AND MAY 15, 2016 AS “PEACE OFFICERS MEMORIAL DAY” IN THE CITY OF FRUITA**

Mayor Buck read the Proclamation. Chief Macy introduced many law enforcement personnel that were present at the meeting, as well as Betty and Rod Dalley, parents of Acting Fruita Police Chief Dan Dalley, who was killed in 2001. Chief Macy requested that the Proclamation be accepted by Mr. and Mrs. Dalley.

- B. PROCLAMATION – PROCLAIMING MAY 21, 2016 AS “ARMED FORCES DAY” IN THE CITY OF FRUITA (ADDED TO THE AGENDA)**

Mayor Buck read the Proclamation, which was accepted by Louis Brackett, veteran and Jr. Vice Commander for the American Legion Post 2006. He thanked all veterans in the audience and asked those that have served the nation to stand to be recognized.

Mr. Brackett said he wanted to remind everyone that many of the freedoms that we have would not have been possible without the sacrifices of the men and women in the U.S. Armed Forces.

Mr. Brackett extended an invitation for all to attend the Memorial Day Service that will be conducted by American Legion Post 2006 at the Elmwood Cemetery on Monday, May 30, 2016 at 11:00 a.m.

C. PRESENTATION – WYATT POPP, CIVIC ENGINEER AT OLSSON ASSOCIATES AND FRUITA PARKS AND RECREATION ADVISORY BOARD MEMBER WILL PRESENT THE CITY OF FRUITA WITH THE ENGINEERING EXCELLENCE NATIONAL RECOGNITION AWARD FOR THE AERIAL SURVEY OF THE KOKOPELLI TRAIL

Councilor Kreie stated that he had invited co-worker Wyatt Popp to speak about an award won by the City of Fruita and Olsson and Associates.

Mr. Popp from Olsson Associates presented the City with an award of recognition from the American Council of Engineering Companies (ACEC). Olsson Associates participated in a partnership with the City of Fruita to conduct an unmanned aerial survey of the Kokopelli Trail. Mr. Popp said this was an innovative approach to surveying and he thanked the City of Fruita for partnering on the project.

D. PRESENTATION – A PRESENTATION FROM RON POLLARD, PRESIDENT OF FUNSHARES, INC. CONCERNING ATVS/OHVS IN CITY LIMITS

Mr. Ron Pollard had a PowerPoint presentation regarding the allowance of off-highway vehicles on city streets. He noted that they are legal in approximately 40 states, but not Colorado.

Mr. Pollard asked County Commissioner John Justman (present in the audience) if the county had any horror stories since they adopted laws to allow off road vehicles on county roads.

Commissioner Justman stated that Mesa County passed an ATV ordinance with restrictions: riders have to be 16 years old and have a valid driver's license, and the ATV has to have a legal muffler that was factory installed as well as headlights and taillights. Riders are not required to wear helmets, but Mesa County does suggest that they do. Commissioner Justman said that as far as he knew, there have been no issues whatsoever on county roads since the Ordinance went into effect last November.

Commissioner Justman added that he believed that state legislation had just passed that allows ATVs to cross state highways, but it was a very contentious issue.

Mr. Pollard presentation included pictures of remodeled/revamped vehicles, dune buggies, jeeps and other vehicles that people like to drive recreationally because they can fit in places where regular vehicles can't. The photos also included shots of many areas around Fruita where recreational vehicles are popular and fun for people to go.

In regards to safety issues, Mr. Pollard said that accidents are 99% the fault of the driver and 1% of the off highway vehicle.

Mr. Pollard noted that someone at a previous Council meeting said that they couldn't imagine people parking OHVs at City Market, but he thought it would actually be easier to park next to them than it would a big truck with a trailer.

Mr. Pollard continued that many people have OHVs and in reality, the vehicles have four wheels, a steering wheel and disc brakes, so they are very car-like.

Mr. Pollard showed more photos of many well-known local people riding their OHVs and said that it is just a really neat recreation option, especially with all the areas around Fruita that are suitable for it.

Mr. Pollard said that these vehicles should be able to generate income for the City because people like to live and visit places that offer a wide variety of personal freedoms and fun activities. He added that states all around Colorado use the multi-purpose vehicle privilege to draw freedom-lovers of all types including Arizona, Utah, Wyoming and Montana, which have very liberal laws on the books. All of these states require the addition of safety equipment such as mirrors, turn signals, and horns in addition to the things that Commissioner Justman mentioned that are required in Mesa County.

Mr. Pollard stated that the following counties in Colorado have also legalized the use of ATVs and UTVs: Montezuma, Moffat, Rio Blanco, Hinsdale and Ouray. Garfield County is currently considering allowing them as well.

The following cities and towns in Colorado currently have ordinances allowing the use of these multi-purpose vehicles in their jurisdictions: Craig, Meeker, Rangely, Silverton and Delta. Clifton is unincorporated so ATV and UTV use is allowed there under Mesa County's regulations.

These Colorado cities and counties require that the operators have a driver's license and insurance. Safety equipment required is standard on most ATVs and UTVs. Craig is the only city requiring a permit.

Mr. Pollard suggested that the City of Fruita adopt Mesa County's requirements plus the additional requirements of mirrors, turn signals and horns. He said any of the vehicles of any brand can have these things added and many of them already have them.

Mr. Pollard said he also would suggest something easy that would require almost zero staffing to collect the money: issue a three-year permit for around \$75; something that would look like a license plate.

Mr. Pollard said the above requirements should encourage responsible participants without hindering current, non-city use.

Mr. Pollard also said he hoped that Utah could reciprocate with Colorado to allow out-of-state people with tags on their multi-purpose vehicles.

Mayor Buck said that the Council needs to decide if this is something that they want to move forward with and then it would be taken to a Council workshop with the new Council members to hammer out whether the majority wants to allow the multi-purpose vehicles or not, whether in a limited way or without a lot of limitations.

Mayor Buck added that the Council did receive one e-mail about the subject, which would be discussed at the workshop. She explained that workshop sessions of the Council are open to the public, but without public comment and then if the Council decides to move forward, it would go back to a public hearing, which would be open for public comment.

Mesa County Commissioner John Justman stated that there is an ATV loop in Rio Blanco County going into Utah and the Commissioners there have said that having the loop has helped the towns of Meeker, Craig and Vernal. They towns actually made a deal with the state highway department along Highway 13 where there is an easement on the right-of-way to run the ATVs to complete the large loop. Commissioner Justman added that there haven't been any safety issues on the loop.

Commissioner Justman continued that in Hinsdale County (Lake City), the county sheriff is a retired Arizona highway patrolman and when the regulations were first passed in Arizona, there was a lot of anticipated doom and gloom, but they found that wasn't their experience at all.

He added that in Hinsdale County, there was a court case where users had legal license plates on their ATVs and the court decided that the highway patrol had to allow the multi-purpose vehicles on the highway.

Commissioner Justman said that the experiences that he is aware of have all been positive.

Mayor Buck asked if anyone wanted to weigh in on the matter during the Public Participation section of the agenda.

5. PUBLIC PARTICIPATION

Kelly Brady, 725 Pinyon Ct., Fruita stated that she was present at the meeting to request a reversal to the current approved Code in regards to the dismissal of the Conditional Use Permit for the area of Grand Avenue in Fruita where the City does not allow industrial shops such as mechanic repair shops. She said that Kim's Auto Parts has been a small business in Fruita for 21 years and she feels that mechanic shops should be allowed to come into Fruita, especially in areas that are set up for them. Ms. Brady said that Fruita needs as much business in the City limits as possible to be able to support three auto parts stores and that not allowing a legitimate group that have been trying to follow the rules to start a company in Fruita will only hurt the community.

Ms. Brady continued that if they (mechanics' shops) are not granted a permit to establish their business here, it will force them to move to Grand Junction.

Ms. Brady said she realizes that there are other industrial properties available in Fruita, but they would have to be built from the ground up, whereas the properties on Grand Avenue already have buildings ready to go.

Ms. Brady said that she understands that change is bound to happen, but she feels as though everyone must all work together to grow a strong community with all of its diversity.

Mayor Buck requested that this issue be placed on the May workshop agenda as well because there were some interesting points that were brought up that were worth being discussed and to make sure that the Council didn't overlook something.

Mr. Jackson Berry, 330 McFarland Court in Grand Junction stated that he was an agent representing the property in the Downtown Mixed Use zone that was disallowed by the City for an automotive repair shop. He said that the neighboring property has a Conditional Use Permit for doing auto repair and that the property he was representing has been used for diesel repair for the past three years (historically known as Pierce Automotive) and that it does not have a residence that borders it; there is only a junkyard and industrial buildings surrounding the property.

Mr. Berry stated that he completely agrees with what Kelly Brady said about driving business away from Fruita and into Grand Junction and that the other point he wanted to make was that the alternative locations (for an auto repair shop) would have to be built from the ground up, which would cost an excessive amount of money for a new business.

Mr. Mel Mulder, 983 E. Pabor Avenue in Fruita, weighed in on the OHV issue. He said that horseback riders trailer their horses to the trail and then they ride their horses, dirt bike riders trailer their dirt bikes to the trail and ride their dirt bikes, and so ATV/OHV riders should trailer their vehicles to the trails and then ride the trails. He said as it stands right now, he has to purchase a permit every year for his ATV to ride it in the state park for \$25 per year. Mr. Mulder continued that his ATV is not safety rated; it doesn't have brake lights, turn signals or a seat belt. He suggested that the Council solve the ATV/OHV problem in the City limits of Fruita by requiring the multi-purpose vehicles to pass a safety inspection, riders to be 16 years old, license plates and insurance purchased, then people can ride on City streets.

There were no further comments from the public.

6. CONSENT AGENDA

- A. SPECIAL EVENT LIQUOR PERMIT APPLICATION – A REQUEST TO APPROVE THE SPECIAL EVENT LIQUOR PERMIT APPLICATION FROM THE FRUITA ROTARY CLUB TO SELL BEER AT THE MIKE THE HEADLESS CHICKEN FESTIVAL ON JUNE 3, 2016 FROM 3:00 PM TO 10:00 PM AND ON JUNE 4, 2016 FROM 11:00 AM TO 10:00 PM AT CIVIC CENTER PARK INCLUDING THE PARKING LOT AND ONE BLOCK OF ASPEN AVENUE BETWEEN N. PEACH STREET AND N. ELM STREET**

- B. TRANSFER OF A LIQUOR LICENSE APPLICATION – A REQUEST TO APPROVE THE TRANSFER OF A HOTEL AND RESTAURANT LIQUOR LICENSE – MALT, VINOUS AND SPIRITUOUS FROM THE FEEDLOT RESTAURANT AND BAR TO ROSCO'S INC. DBA KANNAH CREEK BREWING COMPANY WEST LOCATED AT 456 KOKOPELLI BLVD., UNIT J**

- C. NEW LIQUOR LICENSE APPLICATION – A REQUEST TO APPROVE A TAVERN LIQUOR LICENSE – MALT, VINOUS AND SPIRITUOUS FOR GEARS FROZEN YOGURT AND SMOOTHIES LOCATED AT 211 A E. ASPEN AVENUE**
- D. NEW LIQUOR LICENSE APPLICATION – A REQUEST TO APPROVE A BEER AND WINE LIQUOR LICENSE FOR DTF? WINE BAR AND TAPAS, LLC LOCATED AT 138 S PARK SQUARE, STE. #102**
- E. BOARDS AND COMMISSIONS APPOINTMENT – A REQUEST TO APPROVE THE APPOINTMENT OF ANNIE PAYNE TO THE PARKS AND RECREATION ADVISORY BOARD FOR A THREE YEAR TERM TO EXPIRE IN MAY OF 2019**
- F. RESOLUTION 2016-18 – A REQUEST TO APPROVE A RESOLUTION APPROPRIATING ADDITIONAL FUNDS IN VARIOUS FUNDS FOR PURPOSES SPECIFIED**
- G. INTERGOVERNMENTAL AGREEMENT (IGA) – A REQUEST TO APPROVE AN INTERGOVERNMENTAL AGREEMENT (IGA) BETWEEN THE CITY OF FRUITA AND MESA COUNTY CONCERNING THE COLORADO RIVERFRONT TRAIL AND AUTHORIZE THE MAYOR TO EXECUTE THE IGA**
- H. APRIL 2016 FINANCIAL REPORTS – A REQUEST TO APPROVE THE APRIL 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 PRESENTED. COUNCILOR BONAR SECONDED THE MOTION. THE MOTION PASSED WITH SIX YES VOTES.**

7. PUBLIC HEARINGS

There were no public hearing items on the agenda.

8. ADMINISTRATIVE AGENDA

- A. PUBLIC WORKS DIRECTOR KEN HALEY/CITY MANAGER MIKE BENNETT**
 - 1) DISCUSSION ON DRAINAGE NEEDS AND FEES**

City Manager Mike Bennett noted that staff and the Council had a discussion about the Grand Valley Drainage District (GVDD) fee at a recent workshop session, but before staff pays the bill to the GVDD, they want to make sure that Council had an opportunity to discuss any concerns or thoughts they might have.

Mr. Bennett stated that the GVDD assessed fees and sent the bills out to residents and businesses including the City of Fruita. He said that Public Works Director Ken Haley did a great job working with the GVDD to go through the initial list of properties that the City owns to determine what should be included in the billing, and the total bill for the City was brought down to just under \$13,000 for the year. Those fees are due at the end of May and Mr. Bennett noted that at the last Council meeting, the Council approved moving money from the Contingency Account to cover the bill from the GVDD.

Mr. Bennett continued that since that time, a couple of things have occurred: the Mesa County Board of Commissioners and the Grand Junction Chamber of Commerce have filed a lawsuit against the GVDD contending the appropriateness of assessing the fees and whether they are a fee or not. Also, the City of Fruita received a check from the GVDD for \$90,000 from fee revenues received from all areas in the valley to be set aside for large capital projects to be completed over time. Mr. Bennett added that at least \$90,000 must be spent within the Fruita City limits on drainage projects and said that staff had deposited that check but has not yet appropriated it for any particular projects. Staff plans to meet with the Drainage District to coordinate projects that are deemed to be priorities.

Mr. Bennett said that City Attorney Ed Sands was asked whether or not the City should pay the GVDD bill and Mr. Sands' recommendation was that this was simply a Council decision whether to pay it now or hold off and see what happens with the litigation. Mr. Sands concluded that there would be no harm either way.

Mr. Bennett stated that it was staff's recommendation that the City pay the GVDD bill and continue to work as closely as possible with the GVDD to get the most benefit for the residents of Fruita related to drainage projects.

Mr. Bennett said that if the Council needed more background or had questions, Public Works Director Ken Haley would be happy to address them.

Councilor Kincaid asked if there was a timeline on when the City would execute an Intergovernmental Agreement (IGA) with the GVDD for what has to be done.

Mr. Bennett responded that Mr. Haley has requested to sit down with the GVDD to do that.

Mr. Haley stated that staff has had some initial discussions with the GVDD over the priorities and administration of spending the \$90,000 and an IGA was in the process of being drafted that the Council would likely see in June.

Mayor Buck said staff had done a great job of turning what could have been a very bad situation into a pretty okay situation.

Councilor Kreie asked if the litigation were to be found not in favor of the GVDD, would the City be able to recoup the money for the drainage fees (\$13,000)? Mr. Bennett said it would depend on how the litigation turns out.

Councilor Kreie asked if the City were to spend the \$90,000 under that same scenario, would the City have to give it back to the GVDD at some point?

Mr. Bennett said that staff had asked that question, and although it still depends on how everything goes, the \$90,000 is actually separate and is not the City's liability because it has been turned over specifically for drainage projects regardless of the outcome of the lawsuit.

- **COUNCILOR BONAR MOVED THAT THE COUNCIL DIRECT STAFF TO PAY THE CURRENT GRAND VALLEY DRAINAGE DISTRICT (GVDD) FEES AND WORK WITH THE GVDD ON MAXIMIZING AND PRIORITIZING THE AMOUNT OF DRAINAGE WORK TO BE COMPLETED WITHIN THE CITY LIMITS BY DEVELOPING AN IGA WITH THE GVDD. COUNCILOR KARISNY SECONDED THE MOTION. THE MOTION PASSED WITH SIX YES VOTES.**

B. PARKS AND RECREATION DIRECTOR TURE NYCUM

1) PARKS AND RECREATION UPDATE

Parks and Recreation Director Ture Nycum and Recreation Superintendent Tom Casal gave the Council and update on the Parks and Recreation Department including Parks, Open Space and Trails, Recreation and the Fruita Community Center, and current and future projects of the department. Many statistics, operations, programs, special events and budget numbers were presented. The full PowerPoint presentation is on file at the City Clerk's Office.

C. CITY MANAGER MIKE BENNETT

1) ANNUAL EVALUATION OF CITY MANAGER – ESTABLISHING THE SCHEDULE FOR THE ANNUAL EVALUATION OF THE CITY MANAGER AND APPROVAL OF THE EVALUATION FORM

City Manager Mike Bennett noted that the Fruita City Charter and the contract between the City and the City Manager require an annual evaluation. The evaluation includes written comments from not only the City Council, but also from anybody in the public that wants to give input.

The evaluation form is the same one that has been used for a number of years and Mr. Bennett said that he has looked at other types of formats that were of interest to him in respect to receiving information from the City Council, but the City has to use the same form for the public that the Council uses, so the same form was being proposed to be used again.

He noted that the Council needed to finalize and approve the evaluation form by motion and then there would be a legal publication on May 23, 2016 that the evaluation form would be available to the public from June 1st through June 30th, when public comments are due. On July 5th, the Council

will hold an Executive Session to draft the City Manager's evaluation (without the City Manager present) and on July 19th, the Council will hold an Executive Session to present the evaluation to the City Manager.

- **COUNCILOR BONAR MOVED TO DIRECT STAFF TO PUBLISH THE CHARTER-MANDATED NOTICE, MAKE THE APPROVED EVALUATION FORM AVAILABLE FOR USE BY THE PUBLIC, SCHEDULE AN EXECUTIVE SESSION FOR JULY 5, 2016 TO PREPARE THE EVALUATION AND SCHEDULE AN EXECUTIVE SESSION ON JULY 19, 2016 TO PRESENT THE REVIEW TO THE CITY MANAGER. COUNCILOR BRACKETT SECONDED THE MOTION. THE MOTION PASSED WITH SIX YES VOTES.**

9. COUNCIL REPORTS AND ACTIONS

COUNCILOR BONAR

Councilor Bonar reported that on the previous Thursday, he went to the Colorado Parks and Wildlife Commission dinner at the request of the Mayor, who was not available. He said that the statewide Commission has annual meetings and this year the meeting was held in Grand Junction. After several days of meeting, the Commission has a community picnic to open the meeting up to the public. Councilor Bonar said it was a very informal affair; there were no speakers or presentations; it was just about 100 people attending a catered meeting that he said was very nice.

Councilor Bonar said he spent some time talking with the Mayor of Palisade, who stated that the big "hot-button" issue in Palisade is short-term rentals and how the town is trying to catch up with them all.

Councilor Bonar said he also spoke to quite a number of Fruita residents and got a lot of feedback on trails, the downtown project and other things. He also said he spent a lot of time talking with Ken Mayberry, the Superintendent of the Colorado National Monument and it turns out that Councilor Bonar worked with Ken's father in Moab in the early 1980s, so they had a lot of stories to compare about how Moab developed and how Fruita is developing. Councilor Bonar said the widespread opinion that he received was "don't let Fruita become Moab."

Councilor Bonar said it was a pleasant and entertaining evening and he even met a lot of Fruita people that he did not know.

Councilor Bonar continued that the History Fair would be held on the coming Saturday (May 21st) at 10:00 a.m. in the Council Chambers and the history room next door.

Councilor Bonar also reported that earlier that day, he heard two promos for the Mike the Headless Chicken Festival on KAFM Radio and they were done very well.

COUNCILOR KARISNY

Councilor Karisny reported that he, the City Manager, the Mayor and City staff were out in downtown Fruita in wheelchairs cruising around and he thought everyone learned some things. He said that he was really struck by how unforgiving the chairs were on so many different surfaces; it didn't take much of a lip on a sidewalk to feel it.

Councilor Karisny said they went up and down both sides of Aspen Avenue and Channel 5 News followed them. Nick Saylor, Director of Rehabilitation from Family Health West and his wife came along and was helpful in getting everyone on their way.

Councilor Karisny reported that he would be meeting with Todd Hollenbeck the following day to talk about the next Grand Valley Regional Transportation meeting to be held on Monday, May 23rd. Mr. Hollenbeck is going to give Councilor Karisny a quick orientation concerning what to anticipate.

Councilor Karisny also stated that the next 5-2-1 Drainage Authority meeting will be held on Wednesday, June 29th at 2:00 at the Mesa County Courthouse Training Room. Public Works Director Ken Haley said he did receive confirmation of the meeting.

Councilor Karisny said that Mel Mulder gave him the two binders he had from the 5-2-1 and he had read over the most recent minutes from the last couple of meetings, but he thought it would really be helpful if he could sit down with Ken Haley and the City Manager to get a refresher course on the 5-2-1 Drainage Authority.

Councilor Karisny continued that the Mesa Land Trust would be having a potluck On May 22nd.

Councilor Karisny said that when Governor Hickenlooper was talking to the Fruita City Council, he was trying to remember a saying, which was "Everything that needs to be said has already been said, but since no one was listening, everything must be said again." The quote was from a 1947 Nobel Prize winning French author in literature who was alive from 1869 until 1951.

Councilor Karisny said that right underneath that quote was one that said "there was nowhere to go but everywhere, so just keep on rolling under the stars." -Jack Kerouac

COUNCILOR HARVEY

Councilor Harvey reported that the Arts and Culture Board met the previous Wednesday and continues planning for next year's "An Evening of Art and Fruita Gala." The tentative date that they have selected is Saturday, March 11, 2017 and it will be held in the gymnasium at the Fruita Community Center, so the board is hoping that there will be more artists and booths. The board is also looking at having a little more emphasis on the music at the event.

Councilor Harvey also reported that right before he came to the City Council meeting, he attended his first Riverfront Commission meeting and they discussed the following topics:

1. With the help of Colorado Mesa University, the Riverfront Commission completed a survey to see if people in Mesa County would be supportive of a Voluntary Surcharge Program (VSP) so

that when people make purchases (at City Market, for example), the amount would be rounded up to the nearest dollar and the additional money would go to the Riverfront Foundation. People could also have the choice of a direct donation of \$1. The survey involved 300 random consumers and 118 businesses and the results were pretty overwhelmingly clear that people would be supportive of a program like that and would like to see it happen.

Some of the problems the Riverfront Commission is running into are that a lot of people don't understand who is in charge of the Riverfront Trail; they don't make the connection that the Riverfront Trail and the Concert Series are actually projects of the Riverfront Commission and the Riverfront Foundation, so the board is looking at ways to better educate the public about that. Councilor Harvey added that there are a lot of numbers in the summary of the survey that he would be happy to give to the City Manager to share with the rest of the City Council.

2. The Riverfront Commission also discussed the Los Colonias amphitheater. They have raised \$3.5 of the \$3.7 million needed and they are pretty confident that they will get the rest of the funding and will be able to complete the project in the fall of 2017.

COUNCILOR KREIE

Councilor Kreie reported that the Downtown Advisory Board meeting was cancelled that week, along with the banner making. He said he did have breakfast with the County Commissioners the previous week and also the Federal Mineral Lease meeting to observe.

Councilor Kreie stated that another organization that he is involved in (Cavalcade) is now an official 501(c)(3) nonprofit.

COUNCILOR KINCAID

Councilor Kincaid stated that he had spoken with Barb and the Visitors Convention Bureau about some of the grant opportunities that are coming up, as well as more potential partnerships with Fruita's Tourism Advisory Board. Grant dollars will be available for marketing, which would mean less dollars will have to be taken out of the Tourism budget. The Board has been talking about this for the last year and about how to partner with the Town of Palisade and the City of Grand Junction to make marketing dollars go farther. Councilor Kincaid said there are two or three different grant opportunities available from the State of Colorado.

Councilor Kincaid added that he had a Tourism Advisory Board meeting the following week. He noted that Cobb & Associates now is under new ownership, and hopefully the new owner will attend the Fruita Tourism Board meeting to give an overview on where the situation stands with marketing for the City of Fruita.

Councilor Kincaid also stated that he attended the Fruita Area Chamber of Commerce Board and the Farmers' Market will start on June 25th. In the past the Chamber has charged \$150 for a booth space, but now vendors have the choice of paying for a \$200 booth fee in order to get a specific spot on the venue so that there are no arguments about who gets what spot.

The Fruita Chamber is doing a member Appreciation Lunch on May 25th from 11:30 to 1:00 p.m. and Councilor Kincaid said that City staff were also invited. The Chamber is starting a new “Shop Fruita” campaign to get more people to shop locally instead of going to Grand Junction. The Chamber did just provide free listings for all Fruita businesses (Chamber member or not) on the Chamber’s website. Councilor Kincaid said that once the gofruita.com website is launched, it will drive traffic to that section of the Chamber’s website. He added that last he heard, there were 360 members of the Fruita Chamber and that 40% of them are located in Fruita, so this will give Fruita businesses a little more exposure.

Councilor Karisny asked where the tear-off maps that the Chamber made are available. Councilor Kincaid said that the Chamber has a lot of them but has also distributed them to all the hotels and the Welcome Center. Councilor Kreie said they were also available at the Monument book store. Deputy City Clerk added that the City had some in the Civic Center as well.

Councilor Karisny asked which other states had been advertising for Fruita. Councilor Kincaid responded that the State of Colorado actually advertises Fruita internationally. He added that the Tourism Board has found that local advertising dollars are spent in areas that are 50 to 75 miles outside of Fruita up to about 250 miles heading east, but out toward Utah, there really hasn’t been a good return on investments in advertising.

COUNCILOR BRACKETT

Councilor Brackett said that he thought the update given to the Council on the Parks and Recreation Department was excellent. He added that the City is very fortunate to have the staff it does.

Councilor Brackett recognized Annie Payne (present in the audience) who was just appointed to the Parks and Recreation Advisory Board. He said she would be a very good asset to the Board and welcomed her.

Councilor Brackett stated that on May 5th, the Parks and Recreation Advisory Board met and they were given a presentation from Colorado Discover Ability regarding how they’ve grown in working individuals with special needs by getting them very involved in outdoor recreation including rafting, fishing and other outdoor sports. He asked the City Manager if he had anything to add.

Mr. Bennett stated that he would add that the Colorado Discover Ability’s request at that meeting was that they be allowed to give the City Council a presentation at some point in time. He said it was a great connection because the City is not capable of providing services to those with disabilities on its own, and that it just makes sense to partner with Colorado Discover Ability. Mr. Bennett said that the Council may need to consider some outside agency funding for them, as Colorado Discover Ability would like to be part of that new process as the Council goes through its budget process this year.

Councilor Brackett said he thinks that Colorado Discover Ability adds to the overall quality of life that Fruita is looking for.

Councilor Brackett continued that he looked forward to his first Police Commission meeting the following evening as the Council liaison. He noted that he has a background in law enforcement and the military, so he does have a personal interest in doing what he can to support the Fruita Police Department, the Chief and the community.

MAYOR BUCK

Mayor Buck noted that she, the City Manager and City Clerk/Finance Director Margaret Sell met with Dan Robinson, the new Fruita Municipal Court Judge. She said that it sounds like there will be so much better of a working relationship for everybody and that collectively, they will hire the new Municipal Court Clerk. She added that City Attorney Ed Sands is working on the language to have the Court Clerk under the supervision of the City Clerk and that it was nice to see that there was dialogue that wasn't contentious.

Mayor Buck also noted that the Public Lands Day Happy Hour would be held the following evening at 5:30 at the Copper Club. A hike was also scheduled for 2:00, which she wouldn't be able to do, but that she would be at the Copper Club for the Happy Hour.

Mayor Buck continued that on that Thursday at 5:30, there would be a new dinosaur exhibit at Dinosaur Journey, which she planned on attending. Councilor Karisny said he would be attending that as well.

Mayor Buck stated that she and Mr. Bennett would be meeting with Pat Kennedy the following day to talk about things that happened in the 1990s regarding outdoor recreation, the BLM plan, the loss of Colorado Canyons to mountain biking and the gain of 18 Road for mountain biking.

Mayor Buck said that she and Mr. Bennett went to Camilla's Kaffe about their sidewalk restaurant issue, but Camilla wasn't available until Friday. She said she didn't think Camilla has heard from an elected official concerning the seriousness that the City holds on keeping the walkway in front of the restaurant open, so she thought that was the next step. Mayor Buck said she would try to make Camilla understand that it is not just City staff harassing her and that the City is ready to take it to the next level if necessary by sending an official letter stating the violation. Any subsequent violations would then cause a hearing date to be set before the Council to revoke the Sidewalk Restaurant permit. Mayor Buck said that this way, there would be documentation and a paper trail.

10. CITY MANAGER'S REPORT

City Manager Mike Bennett thanked everyone for coming out on Sunday to host Governor Hickenlooper. He said it was a whirlwind of discussion, but the Governor seemed very pleased with the efforts of the City, which dovetail with his priorities in the area of outdoor recreation.

Mayor Buck thanked Parks and Recreation Director Ture Nycum for his all around support services on the previous Sunday.

Mr. Bennett continued that the Council will have more discussions during the goal-setting and budget sessions concerning the City's mountain water (reservoirs) because there is a lot of resources

and time put towards it each year. In addition, there are potential liabilities; an issue just came up with Reservoir 2, which is showing signs of recent sliding of the soil, which will require City staff to do some monitoring. The monitoring that has been done so far shows that the situation is worse than first thought; there has been more movement in the last week and the dam inspector is going to require the City to hire a consultant to monitor and do work at the reservoir. Mr. Haley has been working directly with the dam inspector, who has been very cooperative in helping work through the issue.

Mr. Bennett stated that the following evening at Cavalcade at 7:00, he and Community Development Director Dahna Raugh and Code Enforcement Officer Mark Angelo would be meeting with downtown businesses about the proposed changes to the Sign Code. He noted that Mrs. Raugh had talked to a majority of the businesses to invite them to the meeting, which will allow the businesses an opportunity to give feedback. Mr. Bennett stated that the feedback received at this meeting would be discussed at the May workshop session of the City Council and then the Ordinance should be ready for consideration of adoption at the first Council meeting in June.

Mayor Buck asked if Mr. Bennett wanted any elected officials at the meeting at Cavalcade and Mr. Bennett said he didn't think the Council needed to feel any pressure to be there because staff would be bringing the feedback to the Council in one week at the workshop meeting.

Mr. Bennett said that there were a lot of upcoming events that would be included in his weekly update. The raft trip for staff and City Council has been scheduled for June 10th. On June 14th, Mr. Bennett said he would be giving a tour of City facilities and current projects from 9:00 am to noon. He said Council members could schedule a tour individually if necessary.

Mr. Bennett said that the Western Colorado Economic Summit hosted by the Grand Junction Economic Partnership (GJEP) would be held on June 1st and he planned to attend. The fee for the all-day event is \$100 or people can chose to come to the lunch event only, which is \$45. He asked if any Council members were interested in attending either of those. He said he knew of at least one person on the Tourism Advisory Board was interested in going to at least the luncheon. Mayor Buck said she would like an all-day ticket. Councilor Kreie said he would be interested in attending as well.

Mr. Bennett stated that he and the Mayor received an e-mail from Mountain Khakis, who has created a button-down mountain biking trail shirt that they are calling the "PBR" Trail shirt. In their catalog, they have a picture of the PBR Trail with a rider on the trail and the words "Fruita, Colorado." This catalog goes out to all the vendors and international and national buyers such as REI, Cabella's and Nordstrom.

Mr. Bennett said that Human Resources Director Odette Brach has been talking with Bud Signs regarding the Co-Op banner that fell down. The quote staff received to put a banner back up was \$13,200. Staff went to the group that originally installed the banner, but they are no longer in business. The person who worked there, however, is trying to coordinate with Bud Signs to see if there is anything salvageable and staff anticipates another quote, although it probably will be for around the same amount because the old components cannot be used and because of the difficulty of installation. Mr. Bennett said he asked Mrs. Brach to look into some of the funding that the City

has for signs and banners and there is a couple of thousand there. There could also be some funds that weren't given to Cobb & Associates that could be considered for the banner.

Mr. Bennett said that hopefully by the end of the week he would have more information about the banner issue.

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