

**RIFLE CITY COUNCIL MEETING**

Wednesday, June 15, 2011

REGULAR MEETING

7:00 p.m. \* Council Chambers

The regular meeting of the Rifle City Council was called to order at 7:00 p.m. by Mayor Keith Lambert.

**PRESENT ON ROLL CALL:** Councilors Alan Lambert, Jonathan Rice, Jen Sanborn, Randy Winkler, and Mayor Keith Lambert.

Councilor A. Lambert moved to excuse Councilors Jay Miller and Jeanette Thompson from attending tonight's meeting; seconded by Councilor Rice.

Roll Call: Yes – A. Lambert, Rice, Sanborn, Winkler, K. Lambert

**OTHERS PRESENT:** Matt Sturgeon, Assistant City Manager / Director of Planning; Lisa Cain, City Clerk; Jim Neu, City Attorney; Michael Churchill, Channel 10 Assistant Manager; Daryl Meisner, Police Chief; Police Officer Max Bowen, Carol Bowen, Dwayne Bowen, and other family members and friends; Police Officer Jeremy Muxlow and his family and friends; Sam Stewart, Police Officer; Hope Stewart; Brittany Koley, Community Service Officer; William VanTeylingen, Police Officer; Nathan Lindquist, City Planner; Aleks Briedis, Recreation Director; Dale Potvin; Sally Potvin; Dick Rhoades; Karen Rhoades; Michael Langhorne; Ed Arnold; Annette Arnold; Dennis Burk; Kevin Kelley; and John Elkins.

**CONSENT AGENDA - APPROVE THE FOLLOWING ITEMS:**

- A. Minutes from the June 1, 2011 Regular Meeting
- B. Liquor license transfer and 60-day extension of temporary alcohol beverage permit - Base Camp Café
- C. Liquor license renewal - El Kora Mexican Restaurant
- D. Liquor license renewal - Winchester Nite-Club
- E. Accept audit of 2010 financial records
- F. Accounts Payable

Councilor A. Lambert moved to approve Consent Agenda Items A, B, C, D, E, and F; seconded by Councilor Sanborn.

Roll Call: Yes – A. Lambert, Rice (abstaining as to Item A), Sanborn, Winkler, K. Lambert

**CITIZEN COMMENTS AND LIVE CALL-IN**

There were no citizen comments or live call-ins.

***ADMINISTER OATHS OF OFFICE TO POLICE OFFICERS MAX BOWEN AND JEREMY MUXLOW***

Mayor Lambert administered oaths of office to Police Officers Max Bowen and Jeremy Muxlow. Officers Bowen and Muxlow read the *Code of Ethics* aloud. Police Chief Daryl Meisner welcomed Officers Bowen and Muxlow to the force.

***CONSIDER AMENDING SECTION 18-9-30 OF THE RIFLE MUNICIPAL CODE (2003 IFC AMENDMENT)***

Assistant City Manager / Director of Planning Matt Sturgeon explained that proposed Ordinance 5 would amend Rifle Municipal Code Section 18-9-30 to only require buildings located in the Central Business District or in attached buildings with multiple ownership interests to comply with the standards established by said section. All other buildings would need to comply with the 2003 International Fire Code (IFC). This amendment is proposed because there is no demonstrated reason justifying the current amendment to the 2003 IFC; however, to protect the more densely constructed historic core and other environments where there are attached structures with multiple ownership interests, staff recommends the amendment be kept for these specific situations.

Councilor Rice moved to approve Ordinance No. 5, Series of 2011, on second reading as presented and to order it to be published in full as required by Charter; seconded by Councilor A. Lambert.

Roll Call: Yes – A. Lambert, Rice, Sanborn, Winkler, K. Lambert

***CONSIDER APPROVING 14TH STREET MARKETPLACE PUD AND PLAT AMENDMENT***

Dale Potvin and Sally Potvin were sworn in and requested Preliminary/Final Plan approval for an Amended Planned Unit Development (PUD) at the site of the currently existing 14<sup>th</sup> Street Marketplace PUD. The proposal is to create four lots on the site. The southeast lot would permit a gas station. The other three lots would be available for commercial or residential uses that meet the amended PUD standards. Proposed Ordinance No. 6 would approve the amended PUD zoning and PUD Guidebook. Proposed Ordinance No. 7 would approve the final subdivision plat and Subdivision Improvements Agreement, both superseding the prior PUD approval.

Councilor Rice moved to approve Ordinance Nos. 6 and 7, Series of 2011, on first reading as amended and to order them to be published by title as required by Charter; seconded by Councilor Sanborn.

Roll Call: Yes – A. Lambert, Rice, Sanborn, Winkler, K. Lambert

***CONSIDER APPROVING LICENSE TO ENCROACH INTO THE RIGHT-OF-WAY NEAR INTERSECTION OF RAILROAD AVENUE AND 5TH STREET***

City Planner Nathan Lindquist explained that Dick and Karen Rhoades propose to construct a short decorative wrought iron fence at the corner of 5<sup>th</sup> Street and Railroad Avenue. The fence would be on public right-of-way and thus requires a license to encroach into the right-of-way. A barrier of some kind is needed to protect pedestrians from the drainage feature that is behind the sidewalk at that corner. Staff will ensure that the fence meets the 30” height limit to avoid impediments to drivers’ field of vision.

Councilor A. Lambert moved to approve the License to Encroach Agreement with Venture One; seconded by Councilor Winkler.

Roll Call: Yes – A. Lambert, Rice, Sanborn, Winkler, K. Lambert

***CONSIDER APPROVING PROPERTY EXCHANGE WITH ED AND ANNETTE ARNOLD***

Rifle Regional Economic Development Corporation (RREDC) President Michael Langhorne informed Council that RREDC has negotiated another property exchange to benefit the development of Rifle Creek Plaza. Ed and Annette Arnold own two properties located at 201 West Avenue and 216 West 2<sup>nd</sup> Street that abut Rifle Creek Plaza and the alley between West 2<sup>nd</sup> Street and 3<sup>rd</sup> Street. That alley can be better utilized by exchanging the properties identified in the proposed Property Exchange Agreement between the City, the RREDC and the Arnolds.

Councilor A. Lambert moved to approve the Property Exchange Agreement between the City, Rifle Regional Economic Development Corporation, and Ed and Annette Arnold as amended; seconded by Councilor Winkler.

Roll Call: Yes – A. Lambert, Rice, Sanborn, Winkler, K. Lambert

**CONSIDER AMENDING SECTIONS 16-3-90 AND 16-5-150 OF RIFLE MUNICIPAL CODE REGARDING TEMPORARY USES/MOBILE VENDING**

*and*

**CONSIDER ADOPTING SUPPLEMENTAL RULES AND REGULATIONS FOR MOBILE VENDING IN CITY PARKS**

Mr. Lindquist said that Sections 16-3-90 and 16-5-150 of the Rifle Municipal Code govern temporary uses. The regulations were adopted in 2009, and since that time staff has worked with the Downtown Development Authority (DDA) to refine mobile vendor zoning and operational restrictions with the goal of promoting a vibrant pedestrian atmosphere in the City's downtown area. Proposed Ordinance No. 8 would adopt the revisions proposed by staff. Most of the changes affect prepared food temporary uses, i.e., vending carts, but the ordinance also limits temporary produce sales to a permitted use in the Community Service (CS) and Tourist Commercial (TC) zone districts. The permitting regime for prepared food temporary uses establishes four geographic districts where such sales are permitted, including the Central Business District, which is a zone district as well as a permitting district. No more than three mobile vending carts will be permitted in the Central Business District each year.

Recreation Director Aleks Briedis said that as a corollary to the mobile vending revisions proposed in Ordinance No. 8, the Parks Department is proposing that supplemental rules and regulations be adopted for food and merchandise mobile vending in City parks. Proposed Resolution No. 9 adopts detailed conditions for obtaining an annual Rifle Parks Vendor Permit, including the number of permits to be issued, application fees, and placement of vending equipment. The Parks and Recreation Advisory Board reviewed the policy at its June 6, 2011 meeting and recommended that Council approve it.

Councilor Winkler moved to approve Ordinance No. 8, Series of 2011, on first reading as amended and to order it to be published by title as required by Charter, and to approve Resolution No. 9, Series of 2011; seconded by Councilor Sanborn.

Roll Call: Yes – A. Lambert, Rice, Sanborn, Winkler, K. Lambert

**ADMINISTRATIVE REPORTS**

Mr. Sturgeon and Mr. Neu reported to Council on flooding response efforts.

City Clerk Lisa Cain reported on September 2011 election matters.

Mr. Lindquist announced that the RREDC, the DDA, and the Sonoran Institute will offer a workshop at the Rifle library on June 27 on *The Value of our Downtowns: A Capital Investment for our Community*.

**COMMENTS FROM MAYOR AND COUNCIL**

Councilor Winkler encouraged citizens to celebrate Father's Day on June 19.

Councilor Sanborn indicated that downtown business owners are interested in encouraging customers to reduce idling of their vehicles.

Councilor A. Lambert thanked Mayor Lambert for representing Rifle successfully during an interview that aired on Denver's Channel 9 about the solar array at the Rifle airport.

Mayor Lambert expressed sorrow at the passing of Elmer Blackmore.

Meeting adjourned at 8:32 p.m.

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Lisa H. Cain  
City Clerk

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Keith Lambert  
Mayor