

**RIFLE CITY COUNCIL MEETING**

Wednesday, August 18, 2010

REGULAR MEETING

7:00 p.m. \* Council Chambers

The regular meeting of the Rifle City Council was called to order at 7:03 p.m. by Mayor Keith Lambert.

**PRESENT ON ROLL CALL:** Councilors Alan Lambert, Jay Miller, Jonathan Rice, Jeanette Thompson, Randy Winkler, and Mayor Keith Lambert.

Councilor Lambert moved to excuse Councilor Jen Sanborn from tonight's meeting; seconded by Councilor Miller.

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

**OTHERS PRESENT:** John Hier, City Manager; Matt Sturgeon, Assistant City Manager; Kristy Christensen, Deputy City Clerk; Jim Neu, City Attorney; Michael Churchill, Cable 10; Mike Braaten, Government Affairs Coordinator; Daryl Meisner, Chief of Police; Michael Erion; Patty Lambert; Lynne Miller; John Savage; Sally Brands; Chris Manera; Ron Liston; Eric Brynildson; Jake Latham; Renata Busch; Bobbie Dungan; Irene Burgoon; Gary Miller; Jeff Giard; Tom Stuver.

**CONSENT AGENDA**

***MINUTES FROM THE AUGUST 4, 2010 REGULAR MEETING; LIQUOR LICENSE RENEWAL FOR MOOSE LODGE; JUNE FINANCIAL REPORT; ACCOUNTS PAYABLE***

Councilor Lambert moved to approve the Consent Agenda along with the addendum to the Accounts Payable for July Legal Fees; seconded by Councilor Miller.

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

**CITIZEN COMMENTS AND LIVE CALL-IN**

There were no citizen comments or live call-ins.

***PUBLIC HEARING: SPECIAL EVENT LIQUOR LICENSE APPLICATION CAYTON RANGER STATION FOUNDATION***

Councilor A. Lambert excused himself from this agenda item. Mayor Lambert opened the public hearing. Applicants Alan Lambert and Patty Lambert were sworn in. Council heard this item at its July 7<sup>th</sup> Council Meeting; however, GRHD does not have the documentation required by the State to receive a permit, so the Clayton Ranger Station Foundation agreed to be a co-applicant for the Permit. This event is for their Grand Wine Affair being held at the hospital on September 9th. Ms. Christensen stated that the hearing was properly noticed, the application is complete, and the fees have been paid. Councilor Rice moved to approve the Application; seconded by Councilor Thompson.

Roll Call: Yes – Miller, Rice, Thompson, Winkler, K. Lambert

***PUBLIC HEARING: SECOND AMENDMENT TO WATERSHED DISTRICT PERMIT NO. 1-99 (ENCANA OIL & GAS, USA, INC. BEAVER CREEK OPERATIONS)***

Mayor Lambert opened the public hearing. Applicants Renata Bush, Permit Coordinator, and Brian Whitely of EnCana were sworn in. EnCana Oil & Gas, USA, Inc. is requesting to extend Watershed District Permit No. 1-99 for its Beaver Creek Operations. Permit No. 1-99 was initially issued to Tom Brown, Inc., which EnCana purchased, and it contained a five year term expiring in 2004. Realizing the Permit expired and wanting to perform additional activities, EnCana requested in 2006 that the Permit be extended for another five years. Council granted the extension in the First Amendment to Permit No. 1-99 and EnCana mistakenly thought the five year term commenced in 2006 with the First Amendment, but in fact it commenced upon the expiration of the Permit in 2004, terminating in 2009. EnCana is now requesting that the term be eliminated altogether. Councilor A. Lambert moved to approve the Second Amendment to Watershed District Permit No 1-99; seconded by Councilor Rice.

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

**RESOLUTION 18-10: NORTH PASTURE, FILING NO. 5 MINOR SUBDIVISION**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIFLE, COLORADO, APPROVING THE FINAL PLAT OF NORTH PASTURE, FILING NO. 5 MINOR SUBDIVISION WITHIN THE CITY OF RIFLE**

John Savage and Ronal Liston were present, and reviewed their request regarding The North Pasture Subdivision. They are requesting a minor subdivision of Filing No. 5 into three lots as shown on the final plat. The SIA sets forth the terms and conditions of the subdivision and the construction of the public improvements. Resolution No. 18, Series of 2010 approves the minor subdivision and the SIA. Councilor A. Lambert moved to approve Resolution 18-10; seconded by Councilor Winkler.

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

**SECOND READING OF ORDINANCE 11-10: ADOPTION OF THE 2010 MODEL TRAFFIC CODE**

**AN ORDINANCE OF THE CITY OF RIFLE, COLORADO REPEALING AND REENACTING CHAPTER 8, ARTICLE I OF THE RIFLE MUNICIPAL CODE TO ADOPT BY REFERENCE THE 2010 EDITION OF THE MODEL TRAFFIC CODE FOR COLORADO; REPEALING ALL ORDINANCES OF THE CITY OF RIFLE, COLORADO, IN CONFLICT THEREWITH; AND PROVIDING PENALTIES FOR VIOLATION THEREOF.**

Mr. Neu explained that Chapter 8, Article I of the Rifle Municipal Code (“RMC”) currently incorporates by reference, with revisions, the 2003 Model Traffic Code. In 2010, the Colorado Department of Transportation issued a new Model Traffic Code (“MTC”) for adoption by Colorado communities. The 2010 MTC does not diverge sharply from the 2003 edition but has been updated to reflect evolving law enforcement and public works needs and concerns. Police Chief Daryl Meisner headed staff efforts to review and adopt City-specific revisions to the 2010 MTC, resulting in Ordinance No. 11, 2010. The 2010 MTC will be adopted by reference, which means that only the amendments and implementing measures are listed in the RMC. A copy of the full 2010 MTC is available for review or purchase at City Hall. State statute specifies that the Ordinance adopting a code by reference will be effective thirty days after passage, so the Police Department will continue to enforce the 2003 MTC until mid-September. Councilor Winkler moved to approve Ordinance 11-10 on second reading as presented and ordered it to be published by title as required by Charter; seconded by Councilor Rice.

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

**INTERGOVERNMENTAL AGREEMENT WITH GARFIELD SCHOOL DISTRICT NO. RE-2 FOR THE RANDOLPH AVENUE CONNECTION EASEMENT TO CENTENNIAL PARK**

Mr. Neu explained that the Centennial Park plan includes an access point from Randolph Avenue to provide pedestrian access from the west side of the City to the Park and to Rifle Middle School. To accomplish the Randolph Avenue Connection, the City negotiated an easement across property owned by Dale and Sherry Babcock. In consideration for their conveyance of the Easement to the City, the Babcocks wanted to acquire property adjacent to their property owned by the School District. The School District is willing to convey the property and participate in this three party trade to facilitate the additional pedestrian access to the Middle School and because the requested property is on the opposite side of Rifle Creek and of little use to it. To memorialize the transaction Council has before it and IGA with the School District, which has already been approved by its Board. Pursuant to the IGA, the District will convey the RE-2 Property to the City and the City will then convey it to the Babcocks in exchange for the Randolph Avenue Connection Easement. The City’s conveyance of the RE-2 Property to the Babcocks will include a deed restriction that no structures or sheds shall be constructed on the Property and no storage of materials of any kind shall occur on the Property. With the recent flooding of Rifle Creek, the need for this restriction is evident, and it will also benefit the aesthetics from the Park. Councilor Thompson moved to approve the Intergovernmental Agreement with Garfield School District No. Re-2 for the Randolph Avenue connection Easement to Centennial Park; seconded by Councilor Rice.

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

**FAIRWAY AVENUE ACCESS LINE BREAK DEEDS.**

Mr. Neu noted that the City approved a new Access Control Plan for Highway 13, which process resulted from the City’s request for an Access Line Break for the extension of Fairway Avenue. The Access Control Plan relocated the Fairway Avenue A-Line Break to the west and, as a condition of CDOT conveying the new A-Line Break to the City, the City needs to convey back to CDOT the current A-Line Break for Fairway Avenue. CDOT has already approved the new A-Line Break Deed to the City. Up for consideration is the approval of the Quit Claim Deed from the City conveying the old Fairway Avenue A-Line Break to CDOT and authorizing the Mayor to sign the Deed, and the acceptance of the conveyance of the new A-Line Break from CDOT to the City. Councilor Miller moved to approve the Fairway Avenue Access Line Break Deeds; seconded by Councilor A. Lambert.

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

**DOLA ADMINISTRATIVE GRANT REQUEST**

Mr. Braaten reported that, in recent discussions with Elyse Ackermann, DOLA Regional Manager, it was suggested the City apply for an Administrative Grant to the Department of Local Affairs Energy Impact fund for “planning-related” purposes/needs that are part of Rifle’s Sustainable Main Street Communities Initiative (SMSI). The DOLA Administrative Grants cannot exceed \$50,000, must include a fifty percent match, and can only be used for planning and engineering related purposes. The application process for the grant consists of a letter to DOLA explaining the proposed projects, which are Acoustical Engineering for the Ute Theater, and a Financial Feasibility plan for the proposed Health + Wellness Center. Councilor Rice moved to authorize staff to apply for the Grant; seconded by Councilor Miller.

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

**ADMINISTRATIVE REPORTS**

Mr. Hier reported on: 2011 Budget; June sales tax reports; City Hall Generator; upcoming Furlough Days. Chief Meisner remarked that WestFest was a positive event for the community.

**COMMENTS FROM MAYOR AND COUNCIL**

***THANK YOU***

Councilor Lambert thanked the volunteers and organizations who helped with WestFest, and gave a special thank you to Helen Rogers and the DDA for all of their efforts.

***CROSS WALK CONCERNS***

Councilor Lambert expressed his concerns over the crosswalk on Airport Road between Alpine Bank and Subway.

***WESTFEST***

Councilor Miller enjoyed WestFest and thought it was a good experience.

***KUDOS***

Mayor Lambert has received compliments from the public on the cleanliness of the City. Mayor Lambert thanked the staff for their efforts and hard work to keep the City clean.

Meeting adjourned at 8:29 p.m.

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Kristy Christensen  
Deputy City Clerk

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Keith Lambert  
Mayor