

RIFLE CITY COUNCIL MEETING

Wednesday, March 20, 2013

REGULAR MEETING

7:00 p.m. * Council Chambers

A regular meeting of the Rifle City Council was called to order at 7:00 p.m. by Mayor Jay Miller.

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

Councilor A. Lambert moved to excuse Councilors Rich Carter and Jen Sanborn from tonight's meeting; seconded by Councilor K. Lambert. Roll Call: Yes – A. Lambert, K. Lambert, Rice, Winkler, Miller.

OTHERS PRESENT: John Hier, City Manager; Matt Sturgeon, Assistant City Manager/Director of Planning; Lisa Cain, City Clerk; Jim Neu, City Attorney; Jim Bell, Channel 10 Manager; Michael Churchill, Channel 10 Assistant Manager; JR Boulton, Police Lieutenant; Dick Deussen, Utilities Director; Charles Kelty, Finance Director; Nathan Lindquist, City Planner; Luis Arballo; Nancy Bayne; Eli Boone; Kellan Johnson; Brett Long; Adam McCabe; Mike McKibbin; Adam Rice; Jim Smith; Sean Strode; and Anthony Valdez.

CONSENT AGENDA - APPROVE THE FOLLOWING ITEMS:

- A. Minutes from the March 6, 2013 Regular Meeting
- B. Liquor License Renewal: Kum & Go #4923; Wing Nutz
- C. Parks and Recreation Board Appointment
- D. Planning and Zoning Commission Appointments
- E. Accounts Payable

Councilor K. Lambert moved to approve Consent Agenda Items A, B, C, D, and E; seconded by Councilor A. Lambert. Roll Call: Yes – A. Lambert, K. Lambert, Rice, Winkler, Miller.

CITIZEN COMMENTS AND LIVE CALL-IN

There were no citizen comments or live call-ins.

RECEIVE PRESENTATION FROM RIFLE HIGH SCHOOL STUDENTS ABOUT COLORADO CLOSE UP PROGRAM

Rifle High School seniors Adam Rice, Anthony Valdez, Kellan Johnson, Luis Arballo, and Eli Boone thanked the Rifle Community Foundation for funding a portion of the cost for them to attend the Colorado Close Up program.

CONSIDER SUPPORTING PURPLE STAR VETERANS AND FAMILIES – RESOLUTION NO. 4, SERIES OF 2013

Adam McCabe asked the Council to support the efforts of Purple Star Veterans and Families to support veterans and active duty personnel.

Councilor K. Lambert moved to approve Resolution No. 4, Series of 2013; seconded by Councilor Rice. Roll Call: Yes – A. Lambert, K. Lambert, Rice, Winkler, Miller.

PUBLIC HEARING – CONSIDER SPECIAL EVENT LIQUOR PERMIT APPLICATION – RIFLE ELKS LODGE – HUMANITARIAN AWARDS DINNER

Mayor Miller opened the public hearing and swore in Nancy Bayne, Secretary, BPOE Lodge – Rifle Elks Lodge No. 2195. Ms. Bayne presented the Lodge's application for a special event permit to provide liquor service at the Family Visitor Programs / Garfield County Humanitarians Awards Dinner on April 8, 2013, from 5 p.m. to 8:30 p.m., at 501 Airport Road. City Clerk Lisa Cain stated that the hearing was properly noticed, the application is complete, and the fees have been paid.

Councilor A. Lambert moved to approve the Special Event Liquor Permit for BPOE Lodge – Rifle Elks Lodge No. 2195 on April 8, 2013, from 5 p.m. to 8:30 p.m., at 501 Airport Road; seconded by Councilor Winkler. Roll Call: Yes - A. Lambert, K. Lambert, Rice, Winkler, Miller

PUBLIC HEARING – CONSIDER SPECIAL EVENT LIQUOR PERMIT APPLICATION – RIFLE ELKS LODGE – ENCANA WELCOME PARTY

Mayor Miller opened the public hearing and swore in Ms. Bayne, who presented the Lodge's application for a special event permit to provide liquor service at the Encana Welcome Party on April 30, 2013, from 6 p.m. to 8 p.m. at 1001 Railroad Avenue. Ms. Cain stated that the hearing was properly noticed, the application is complete, and the fees have been paid.

Councilor Rice moved to approve the Special Event Liquor Permit for BPOE Lodge – Rifle Elks Lodge No. 2195 on April 30, 2013, from 6 p.m. to 8 p.m. at 1001 Railroad Avenue; seconded by Councilor A. Lambert. Roll Call: Yes - A. Lambert, K. Lambert, Rice, Winkler, Miller

PUBLIC HEARING – CONSIDER SPECIAL EVENT LIQUOR PERMIT APPLICATION –DUCKS UNLIMITED ANNUAL BANQUET

Mayor Miller opened the public hearing and swore in Brett Long, Committee Chairman, Rifle Ducks Unlimited. Mr. Long presented Rifle Ducks Unlimited's application for a special event permit to provide liquor service at its annual banquet on April 20, 2013, from 5 p.m. to 11 p.m., at 501 Airport Road. Ms. Cain stated that the hearing was properly noticed, the application is complete, and the fees have been paid.

Councilor Winkler moved to approve the Special Event Liquor Permit for Rifle Ducks Unlimited on April 20, 2013, from 5 p.m. to 11 p.m., at 501 Airport Road; seconded by Councilor Rice. Roll Call: Yes - A. Lambert, K. Lambert, Rice, Winkler, Miller

PUBLIC HEARING – CONSIDER APPROVING MAP AMENDMENT 2013-2 HOWARD AVENUE REZONING – ORDINANCE NO. 6, SERIES OF 2013 – 1ST READING

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, REZONING LOT 3, WINCHESTER WEST SUBDIVISION FROM MEDIUM DENSITY RESIDENTIAL (MDR) TO COMMUNITY SERVICE (CS) ZONE DISTRICT

Mayor Miller opened the public hearing and swore in Jim Smith, Property Manager for Robert and Carol Christensen. City Planner Nathan Lindquist explained that the City received a request from Robert and Carol Christensen to rezone Lot 3, Winchester West Subdivision, located at 1701 Howard Avenue and containing 1.4 acres, from Medium Density Residential (MDR) to Community Service (CS) Zone District. The owners want to develop storage units on the property. Other uses permitted in that zone, such as gas stations, warehouses, or retail, would be permitted on the property. The Planning Commission recommended that the City Council rezone the property to CS Zone District. Proposed Ordinance No. 6, Series of 2013, would accomplish that.

Councilor A. Lambert moved to approve Ordinance No. 6, Series of 2013, on first reading as presented and to order it to be published by title as required by Charter; seconded by Councilor K. Lambert. Roll Call: Yes - A. Lambert, K. Lambert, Rice, Winkler, Miller

CONSIDER CITY MANAGER CONTRACT

City Attorney Jim Neu reviewed a proposed Employment Agreement between the City and Matt Sturgeon as City Manager.

Councilor K. Lambert moved to approve the Employment Agreement between the City and Matt Sturgeon as City Manager; seconded by Councilor Rice. Roll Call: Yes – A. Lambert, K. Lambert, Rice, Winkler, Miller.

CONSIDER REFINANCING 2003 SALES TAX STREET IMPROVEMENT BONDS

Finance Director Charles Kelty reminded Council that during its March 6 workshop, it reviewed information related to refinancing the 2003 Sales Tax Street Improvement Bond Issue. Interest rates have decreased over the past several years. It is anticipated that refinancing these bonds will provide a cost savings to the City of approximately \$200,000 to \$260,000 through 2018. Mr. Kelty recommended that Council approve engagement letters with RBC Capital Markets LLC to provide underwriting services, and with Kutak Rock LLP to provide bond counsel services.

Councilor K. Lambert moved to approve engaging RBC Capital Markets LLC to provide underwriting services, and engaging Kutak Rock LLP to provide bond counsel services; seconded by Councilor Rice. Roll Call: Yes – A. Lambert, K. Lambert, Rice, Winkler, Miller.

CONSIDER ENACTING TEMPORARY BAN ON RETAIL RECREATIONAL MARIJUANA BUSINESSES – ORDINANCE NO. 4, SERIES OF 2013 – 2ND READING

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, ADOPTING A TEMPORARY BAN ON MARIJUANA ESTABLISHMENTS IN THE CITY PURSUANT TO THE NEWLY ENACTED SECTION 16 OF ARTICLE XVIII OF THE COLORADO CONSTITUTION (AMENDMENT 64)

Mr. Neu noted that the passage of Amendment 64 at the last general election authorizes the personal use and regulation of marijuana. The Colorado Department of Revenue is charged with issuing regulations for marijuana establishments by July 1, 2013 and to start accepting and processing applications on October 1, 2013. Local jurisdictions have the ability to adopt their own regulations not in conflict with the state regulations or to prohibit marijuana establishments. Council expressed interest at its February 20 workshop in considering a temporary ban on marijuana establishments until October 1, 2013 to evaluate the regulations adopted by the Department of Revenue, study the effects of such marijuana establishments, consider the City's existing land use regulations, and gather information on this matter. Proposed Ordinance No. 4, Series of 2013 would enact that temporary ban. Staff will keep Council informed as the state adopts its regulations.

Councilor Rice moved to approve Ordinance No. 4, Series of 2013, 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, K. Lambert, Rice, Winkler, Miller

CONSIDER AMENDING RIFLE MUNICIPAL CODE TO RECONCILE WITH AMENDMENT 64 – ORDINANCE NO. 5, SERIES OF 2013 – 2ND READING

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING SECTIONS 10-8-20 AND 10-8-130 OF THE RIFLE MUNICIPAL CODE TO RECONCILE THE RIFLE MUNICIPAL CODE WITH THE

NEWLY ENACTED SECTION 16 OF ARTICLE XVIII OF THE COLORADO CONSTITUTION
(AMENDMENT 64)

Mr. Neu noted that with the passage of Amendment 64, it is necessary to amend the Rifle Municipal Code General Offenses to conform the Code to the new rights allowed under Amendment 64. Proposed Ordinance No. 5, Series of 2013 would update and add definitions to the Code related to marijuana; add provisions mirroring what is authorized by Amendment 64 (namely the possession of one ounce of marijuana by an individual 21 or older); and clearly prohibit the public use of marijuana and anyone under 21 from possessing any amount of marijuana.

Councilor A. Lambert moved to approve Ordinance No. 5, Series of 2013, on second reading as presented and to order it to be published in full as required by Charter; seconded by Councilor Rice. Roll Call: Yes - A. Lambert, K. Lambert, Rice, Winkler, Miller

ADMINISTRATIVE REPORTS

Mr. Hier reported to Council on the following issues: personnel changes; water treatment plant; New Ute Theatre; reorganization of Parks and Recreation Department; 2nd Street lot cleanup; safety training; study of sludge treatment at wastewater treatment plant; Federal Mineral Lease District Grants; and Department of Local Affairs Grant.

Ms. Cain noted that the Council would meet in a workshop session with the Garfield County Commissioners on April 10 starting at 6 p.m.

Mr. Sturgeon reported that Johnson Construction had resumed construction of Energy Innovation Center improvements.

Mr. Lindquist and Councilor K. Lambert informed the Council that City Engineer Rick Barth and Rifle community representatives met recently with the U.S. Housing and Urban Development Region 8 Director and representatives of several state agencies regarding Rifle's Transportation-Oriented Development Plan. Rifle was recognized as a leader in this area. This is likely to lead to other opportunities for grant funding.

Utilities Director Dick Deussen updated Council on the biosolids action plan and the new water treatment plant.

COMMENTS FROM MAYOR AND COUNCIL

Councilor A. Lambert and Mayor Miller congratulated Mr. Sturgeon on his appointment and thanked Mr. Hier for his service.

The Lions Club Easter Egg Hunt will take place at Deerfield Park on March 30 from 10 a.m. to 10:30 a.m.

Councilor Winkler and Mayor Miller emphasized the need for the community to support Purple Star Veterans and Families.

Councilor K. Lambert informed staff that the City is eligible to apply for grants from not only the Garfield County Federal Mineral Lease District, but also other Federal Mineral Lease Districts.

Meeting adjourned at 8:24 p.m.

Lisa H. Cain

Jay D. Miller

City Clerk

Mayor