

## RIFLE CITY COUNCIL MEETING

Wednesday, April 16, 2014

### 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 Randy Winkler.

**PRESENT ON ROLL CALL:** Councilors Rich Carter, Barb Clifton, Jay Miller, Dirk Myers, Hans Parkinson, and Mayor Randy Winkler.

Councilor Miller moved to excuse Councilor Jonathan Rice from tonight's meeting; seconded by Councilor Carter. Roll Call: Yes – Carter, Clifton, Miller, Myers, Parkinson, Winkler

**OTHERS PRESENT:** Matt Sturgeon, City Manager; Lisa Cain, City Clerk; Jim Neu, City Attorney; Jim Bell, Rifle Community Television Manager; Michael Churchill, Rifle Community Television Assistant Manager; John Dyer, Police Chief; Peter Hayes, Building Inspector; Nathan Lindquist, Planning Director; Tom Whitmore, Parks and Recreation Director; Don Andre; Ava Bowles; Alex Flores; Larry Gray; Valentin Hebert; Mike McKibbin; Greg Mullenax; Scott Robertson; Lou Rotella; and John Starr.

### CONSENT AGENDA - APPROVE THE FOLLOWING ITEMS:

- A. Minutes from the March 19, 2014 regular meeting
- B. Minutes from the April 2, 2014 regular meeting
- C. Amend Land Use Code for Seasonal Temporary Uses - Ordinance No. 6, Series of 2014 – 2nd reading
- D. Eliminate B.E.S.T. Test Requirement - Ordinance No. 7, Series of 2014 – 2nd reading
- E. Landscape and Snow Removal Contract
- F. February 2014 Sales Tax Report
- G. February 2014 Financial Report
- H. Accounts Payable

Councilor Miller moved to approve Consent Agenda Items A, B, C, E, F, G, and H; seconded by Councilor Carter. Roll Call: Yes – Carter, Clifton, Miller, Myers, Parkinson, Winkler

With respect to Consent Agenda Item D (2<sup>nd</sup> reading of Ordinance No. 7, Series of 2014, eliminating the B.E.S.T. test requirement), John Starr, Scott Robertson, Greg Mullenax, and Larry Gray opposed elimination of the test requirement, expressing concern that it would lead to unqualified contractors doing work in the City. Lou Rotella said that a contractor's possession of a B.E.S.T. card does not guarantee that the contractor will do quality work. Council discussed options for assuring that contractors do professional work.

Councilor Miller moved to approve Ordinance No. 7, Series of 2014, on second reading as presented and to order it to be published as required by Charter; seconded by Councilor Myers. Roll Call: Yes – Clifton, Miller, Myers, Winkler; no – Carter, Parkinson

## **CITIZEN COMMENTS**

Alex Flores introduced Valentin Hebert, an exchange student he was hosting. Mayor Winkler thanked Mr. Hebert for volunteering in the community.

There were no other citizen comments.

## **PUBLIC HEARING – CONSIDER APPLICATION BY RUEDI CREEK ENTERPRISES INC. D/B/A SAMMY’S FOR A HOTEL AND RESTAURANT LIQUOR LICENSE AT 412 PARK AVENUE**

Mayor Winkler opened the public hearing and swore in Don Andre, President, Ruedi Creek Enterprises Inc. Mr. Andre presented Ruedi Creek Enterprises Inc. d/b/a Sammy’s application for a Hotel and Restaurant Liquor License at 412 Park Avenue.

Mr. Andre explained the circumstances surrounding the offenses listed on his background check.

City Clerk Lisa Cain stated that the hearing was properly noticed, and the fees have been paid. She listed items that Mr. Andre needed to provide to make the application complete.

Staff recommended that if Council was satisfied that Mr. Andre is of good moral character, it approve the application with these conditions:

- Mr. Andre shall provide the items required to make this application complete.
- Required Building Department and Fire Department inspections shall take place before the applicant starts operations.

Councilor Parkinson moved to approve a Hotel and Restaurant Liquor License at 412 Park Avenue for Ruedi Creek Enterprises Inc. d/b/a Sammy’s with these conditions: (1) Mr. Andre shall provide the items required to make the application complete; and (2) required Building Department and Fire Department inspections shall take place before the applicant starts operations; seconded by Councilor Carter. Roll Call: Yes – Carter, Clifton, Miller, Myers, Parkinson, Winkler

## **PUBLIC HEARING - CONSIDER APPLICATION BY EAGLE SPRINGS ORGANIC D/B/A EAGLE SPRINGS MEATS AND FARM FRESH CAFE TO MODIFY PREMISES THAT HAVE AN EXISTING HOTEL AND RESTAURANT LIQUOR LICENSE AT 1733 RAILROAD AVENUE**

Mayor Winkler recused himself from consideration of this matter because of a potential conflict of interest. He left the Council Chamber.

Mayor Pro Tem Miller opened the public hearing and swore in Lou Rotella, Chief Financial Officer/Chief Operating Officer, Eagle Springs Organic LLC. Mr. Rotella presented Eagle Springs Organic LLC d/b/a Eagle Springs Meats and Farm Fresh Café’s (“Eagle Springs”) application to modify premises that have an existing Hotel and Restaurant Liquor License at 1733 Railroad Avenue.

Ms. Cain stated that the hearing was properly noticed, the application is complete, and the fees have been paid.

Council discussed the following issues with Mr. Rotella:

- Eagle Springs should have requested and received approval from Council and the State Liquor Enforcement Division before altering the premises.
- The addition of the large bar, the stage, and the dance floor will change the character of the establishment from a restaurant to a night club. The City expects Eagle Springs to serve alcohol in a responsible and lawful manner. The City also expects Eagle Springs to meet the Liquor Code's food service requirements. The City has the authority to conduct unannounced checks for compliance with state and city codes related to operation of liquor-licensed establishments.
- Mr. Rotella should register as manager of Eagle Springs immediately.

Councilor Carter moved to approve Eagle Springs Organic LLC d/b/a Eagle Springs Meats and Farm Fresh Café's application to modify premises that have an existing Hotel and Restaurant Liquor License at 1733 Railroad Avenue; seconded by Councilor Parkinson. Roll Call: Yes – Carter, Clifton, Miller, Myers, Parkinson

Mayor Winkler returned to the Council Chamber.

### **ADMINISTRATIVE REPORTS**

Ms. Cain encouraged members of the community to participate in Literacy Outreach's Spellebration fundraiser in 2015.

Police Chief John Dyer informed Council that the Police Department's strategic planning process is going well. He announced the addition of Abraham Ruiz as a Reserve Police Officer.

Mr. Sturgeon reported to Council on the following issues: water plant bid process; water line break in north Rifle; farewell to Cultural and Special Events Coordinator Blair Bracken; and Ute Theatre. He recommended that Council authorize Mayor Winkler to sign a letter opposing a House Bill that would change provisions related to urban renewal authorities. Council's consensus was to authorize this.

### **COMMENTS FROM MAYOR AND COUNCIL**

Councilor Miller announced that the Colorado Municipal League Policy Committee recommended no policy changes for this year.

Councilor Clifton encouraged citizens to participate in Spring Cleanup and the Strut Your Mutt fundraiser for the animal shelter.

Councilor Myers noted that carbon monoxide detectors are required in all residences. He wished all a Happy Easter.

Mayor Winkler announced that the Rotary Club is seeking hosts for exchange students.

Meeting adjourned at 8:31 p.m.

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Lisa H. Cain  
City Clerk

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Randy Winkler  
Mayor