

**RIFLE CITY COUNCIL MEETING**

Wednesday, August 17, 2016

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 Winkler.

**PRESENT AT ROLL CALL:** Councilors Barbara Clifton, Joe Elliott, Theresa Hamilton, Ed Green, Annick Pruet, Dana Wood, and Mayor Winkler.

**OTHERS PRESENT:** City Manager Matt Sturgeon, City Clerk Kristy Christensen, City Attorney Jim Neu, Assistant City Manager Kimberly Bullen, Rifle Community Television (RCTV) Assistant Salvador Tovar, Parks and Recreation Director Tom Whitmore, Public Works Director Rick Barth, Planning Director Nathan Lindquist, Planner Hannah Klausman, Chief of Police John Dyer, Police Sergeant Sam Stewart, Police Sergeant Mike Tyler, Police Officer Will VanTeylingen, Office Manager Robin Steffen, Detective John Miller, Police Officer Garrett Duncan, Ron Liston, George Strong, Jeff Parrington, and Ryan Hoffman.

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

- A. Minutes from the August 3, 2016 Regular Meeting
- B. Minutes from the July 20, 2016 Regular Meeting
- C. Garfield County Federal Mineral Lease District Traditional Grant Application for Reconstruction of West 5th – Resolution No. 14, Series of 2016
- D. Garfield County Federal Mineral Lease District Mini Grant application for purchase of a Police Department Patrol Vehicle - Resolution No. 13, Series of 2016
- E. Accounts Payable

Councilor Pruet moved to approve Consent Agenda Items A, B, C, D, and E; seconded by Councilor Wood. Roll Call: Yes – Clifton, Elliott, Green, Hamilton, Pruet, Wood, and Winkler

**CITIZEN COMMENTS**

Citizen comments were heard from George Strong and Jeff Parrington concerning expiration of the waiver of tap fees.

**RECOGNITION OF CHIEF DYER FOR HIS SERVICE TO THE CITY OF RIFLE**

City Manager Matt Sturgeon presented a plaque to Chief John Dyer and recognized him for his service to the City of Rifle and the community.

**CONSIDER RIFLE RETAIL VENTURES MINOR SUBDIVISION RESOLUTION NO. 15, SERIES OF 2016**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIFLE, COLORADO, APPROVING THE FINAL PLAT OF LOT 10C RRV MINOR SUBDIVISION IN THE CITY OF RIFLE

Ron Liston of Rifle Retail Ventures LLC and Tom Scott of High Country Engineering presented the application for a minor subdivision of Lot 10C in the Rifle Retail Ventures Subdivision.

Planner Hannah Klausman stated the applicant requests final plan approval of a minor subdivision of Lot 10C in the Rifle Retail Ventures Subdivision. The proposed subdivision will create two separate commercial lots in the Rifle Retail subdivision, the larger Lot 10C being approximately 16 acres, and the smaller Lot 10A, approximately 1 acre. The lots will be zoned Community Service (CS), consistent with the current zoning. The Subdivision Improvements Agreement sets forth the conditions of approval and development of the Property. Staff and Planning and Zoning Commission recommend approval of the application with the conditions listed.

Councilor Elliott moved to approve Resolution No. 15, series of 2016 with conditions; seconded by Councilor Green

Roll Call: Yes – Clifton, Elliott, Green, Hamilton, Pruet, Wood, and Winkler

**CONSIDER BOAT RAMP BID AWARD RECOMMENDATION**

Public Works Director Rick Barth explained the City of Rifle has requested and received bids for construction of the boat ramp project. The project entails the construction of a new ramp and parking area, with basic facilities, in a safer more usable location downstream of the current ramp. Staff recommends award of contract to Tamarrel, in the amount of \$234,663.10.

Councilor Green moved to approve the Boat Ramp bid award to Tamarrel in an amount not to exceed \$234,663.10; seconded by Councilor Hamilton.

Roll Call: Yes – Clifton, Elliott, Green, Hamilton, Pruett, Wood, and Winkler

**CONSIDER GENERAL PENALTY AND MUNICIPAL COURT FEES - ORDINANCE NO. 18, SERIES OF 2016 - 2ND READING**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO AMENDING SECTION 2-4-240 OF THE RIFLE MUNICIPAL CODE REGARDING MUNICIPAL COURT FEES AND COSTS AND SECTIONS OF THE RIFLE MUNICIPAL CODE INCREASING PENALTIES FROM A MAXIMUM OF \$1,000 TO \$2,000.

City Attorney Jim Neu stated recent legislation at the state level has expanded potential penalties in municipal courts from maximum fines of \$1,000 up to \$2,650. The Municipal Court Staff believes that a local cap of \$2,000 for Code violations is appropriate given common practices. Furthermore, review of the Court's fee schedule revealed that a number of fees were either unnecessary given advancements in technology (e.g. fax fee) or no longer required by the state. The fees have been adjusted or removed from the Code to reflect current best practices. Following first reading of Ordinance No. 18, several more references in the Code to the \$1,000 general penalty for specific violations of those sections were found. For second reading, staff proposes amending Ordinance No. 18 to change those sections to \$2,000 to remain consistent.

Councilor Clifton moved to approve Ordinance No. 18, Series of 2016 on second reading as presented with amendments and order the ordinance to be published as required by Charter; seconded by Councilor Wood.  
Roll Call: Yes – Clifton, Elliott, Green, Hamilton, Pruett, Wood, and Winkler

**CONSIDER MARIJUANA REGULATIONS - RIFLE MUNICIPAL CODE CHAPTER 6, ARTICLES VIII AND IX - ORDINANCE NO. 19, SERIES OF 2016 – 2ND READING**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO AMENDING CHAPTER 6, ARTICLES VIII AND IX OF THE RIFLE MUNICIPAL CODE REGARDING THE REGULATION OF MARIJUANA.

City Attorney Jim Neu stated the main changes relate to preserving the status quo and prohibiting additional licenses. Therefore, only 5 medical marijuana center licenses, 4 medical marijuana optional premises cultivation operation licenses, and 4 retail marijuana cultivation facility licenses shall be available in the City. Because there is a dual-operation requirement for cultivation operations whereby both a medical and a retail cultivation license must be issued to the same facility, only 4 cultivation facilities in total are allowed in the City. Ordinance No. 19 also contains amendments on second reading allowing Medical Marijuana Centers (stores) in the Light Industrial Zone District and LI PUD Zone District, tiered enforcement approach to the odor regulations for cultivation operations, and other non-substantive clean-up items.

Councilor Hamilton moved to approve Ordinance No. 19, Series of 2016 on second reading as presented with amendments and order the ordinance to be published as required by Charter; seconded by Councilor Clifton.  
Roll Call: Yes – Clifton, Elliott, Green, Hamilton, Pruett, Wood, and Winkler

**CONSIDER ADOPTING THE 2017 BUDGET CALENDAR – RESOLUTION NO. 16, SERIES OF 2016**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIFLE, COLORADO, ADOPTING THE CALENDAR FOR THE 2017 BUDGET.

City Manager Matt Sturgeon noted Rifle City Council adopts a schedule consistent with state law for the following year's budget calendar. Resolution No. 16, series of 2016 is the calendar for the 2017 Budget process. The Council wished to change the date of October 11th listed in the Resolution to October 12th.

Councilor Clifton moved to approve Resolution No. 16, Series of 2016; as amended moving the meeting from October 11th to October 12th; seconded by Councilor Green.

Roll Call: Yes – Clifton, Elliott, Green, Hamilton, Pruett, Wood, and Winkler

**CONSIDER UTE THEATRE RETRACTABLE SEATING (MATT STURGEON)**

City Manager Matt Sturgeon explained the New Ute Theater Society (NUTS) approached the City of Rifle about partnering to fund and install retractable event seating in the Ute Theater. NUTS successfully partnered with other non-profits and raised approximately \$98,000 in funding. Staff is recommending City Council award the bid to the contractor originally tasked with designing and installing the retractable seating, Norcon of New Mexico, in an amount not to exceed \$111,000. The City will contribute approximately \$13,000 to the retractable seating.

Councilor Elliott moved to approve the Ute Theatre Retractable Seating at a cost not to exceed \$13,000; seconded by Councilor Pruett.

Roll Call: Yes – Clifton, Elliott, Green, Hamilton, Pruett, Wood, and Winkler

**ADMINISTRATIVE REPORTS**

City Manager Matt Sturgeon reported on the following items: waiver of tap fees.

Chief of Police John Dyer stated the Garfield County Fair was very successful and he thanked the other agencies for the mutual aid they provided. He also announced Sergeant Sam Stewart will be the Interim Chief of Police.

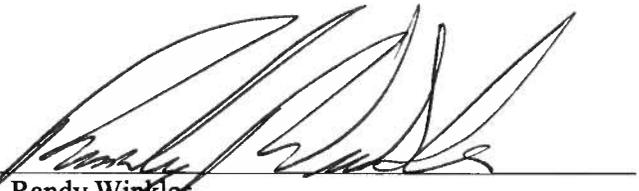
**COMMENTS FROM MAYOR AND COUNCIL**

Comments were heard from Councilor Hamilton, Councilor Green, Councilor Clifton, Councilor Elliott, Councilor Pruett, and Mayor Winkler.

Meeting adjourned at 8:03 p.m.

  
Kristy Christensen  
City Clerk



  
Randy Winkler  
Mayor

