

RIFLE CITY COUNCIL MEETING

Wednesday, June 4, 2008

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 Beth Bascom, Alan Lambert, Jay Miller, Jonathan Rice, Jennifer Sanborn, Jeanette Thompson, and Mayor Keith Lambert.

OTHERS PRESENT: John Hier, City Manager; Matt Sturgeon, Assistant City Manager; Wanda Nelson, City Clerk; Jim Neu, Assistant City Attorney; Michael Churchill, Cable 10; Tom Whitmore, Parks Director; Nathan Lindquist, Planner; Robert Mansolillo, Planner; Judy Martin; Lynn Renick; Jim Atkinson; Zoe Schierenberg; Dick Rhoades; Liz Stinson; Mike Vanderpol; John Scalzo; Marie George, Senior Center Director; Hilda Sykes; JoAnn Duffy; Sunny Linn; Jeff Odor; Mickey Neal; Lin Stickler; John Savage; Robert Vincent; Tisha Schuller; Scott Hall; Michael Erion; Bryan ??; Clint Warfel.

Clerk's Note: Some signature were illegible.

CONSENT AGENDA

MINUTES OF THE MAY 21, 2008, REGULAR MEETING; MINUTES OF THE MAY 14, 2008 SPECIAL MEETING; ACCOUNTS PAYABLE; APRIL SALES TAX REPORT; LIQUOR LICENSE RENEWAL: WINCHESTER NITE-CLUB; PARK'S DEPARTMENT PURCHASE OF USED VEHICLE

Councilors Sanborn and Rice excused themselves from voting on the minutes from the Special Meeting. Councilor Lambert moved to approve the consent agenda; seconded by Councilor Bascom.

ROLL CALL: Yes - Bascom, A. Lambert, Miller, Rice, Thompson, Sanborn, K. Lambert

CITIZEN COMMENTS AND LIVE CALL-IN

Liz Stinson with Rifle Liquor reported that access to her business was blocked for several days because of the Roundabout construction, and is requesting reimbursement for lost income. Mr. Hier will look into the matter further and report back to Council. John Scalzo comments that it is elm tree season.

SENIOR CENTER STAFFING

Mr. Hier noted that the Senior Center staff is requesting the addition of a maintenance/kitchen worker. Their staffing needs have increased since the Honor Camp Workers were pulled in February. Councilor Lambert moved to approve the addition of one full-

time employee, at a rate commiserate with the City's recently adopted pay plan; seconded by Councilor Bascom.

ROLL CALL: Yes - Bascom, A. Lambert, Miller, Rice, Thompson, Sanborn, K. Lambert

SENIOR CITIZEN PROGRAM IGA

Mr. Hier noted that the Garfield County Task Force on Senior Nutrition and Transportation programs has developed a proposal which addresses the continuation of nutrition, volunteer, and transportation services. CMC has traditionally administered these programs; however, it announced in June of 2007 that it would no longer administer these programs beyond 2008. The communities of Rifle, New Castle, Silt, Glenwood Springs, Parachute, and Carbondale have been meeting to explore ways to continue the service, and Garfield County has agreed to administer the programs, with each community contributing its proportional amount. The IGA formalized the proposed plan and established guidelines for administration and funding of these programs. All communities which desire to participate in the senior nutrition, transportation, and volunteer programs are urged to approve the IGA. Councilor Lambert moved to approve the IGA; seconded by Councilor Rice.

ROLL CALL: Yes - Bascom, A. Lambert, Miller, Rice, Thompson, Sanborn, K. Lambert

RESOLUTION 21-08: FIRE BAN

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIFLE, COLORADO, PROHIBITING CERTAIN OPEN-BURNING FIRES AND THE USE AND SALE OF ALL FIREWORKS IN THE CITY OF RIFLE, AND PROHIBITING CERTAIN OPEN-BURNING FIRES AND THE USE, SALE, AND POSSESSION OF ALL FIREWORKS IN THE RIFLE MOUNTAIN PARK.

As in past summers, the Police Chief recommends passage of the ban effective immediately due to hot, dry weather conditions and a state-wide heightened fire alert. A county-wide fire ban went into effect last week. Resolution No. 21, Series of 2008 bans open-burning fires in the City of Rifle and Rifle Mountain Park and the use and possession of fireworks in the Rifle Mountain Park. Ordinance No. 19, Series of 2002 authorized the City Council to implement at any time by resolution such a ban. Chief Meisner suggested the addition to the resolution to include a paragraph allowing the City Manager, in consultation with the Police Chief and Fire Chief, to lift the ban if conditions permit. Councilor Bascom moved to approve Resolution 21-08 as amended with the aforementioned suggestion; seconded by Councilor Miller.

ROLL CALL: Yes - Bascom, A. Lambert, Miller, Rice, Thompson, Sanborn, K. Lambert

PUBLIC HEARING: SCALZO PUD SUBDIVISION

SECOND READING OF ORDINANCE 7-08: REZONING

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, RE-ZONING PROPERTY KNOWN AS SCALZO RANCH FROM MEDIUM DENSITY RESIDENTIAL (MDR) TO MEDIUM DENSITY RESIDENTIAL PLANNED UNIT DEVELOPMENT (MDR PUD)

SECOND READING OF ORDINANCE 8-08: FINAL PLAT

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, APPROVING A PUD FINAL DEVELOPMENT PLAN AND FINAL SUBDIVISION PLAT FOR SCALZO RANCH PLANNED UNIT DEVELOPMENT

Mayor Lambert opened the public hearing. Councilor Sanborn excused herself from this item. Jeff Odor was sworn in and answered questions from Council. This application consists of the development of 28 town homes to be constructed on a 2.87-acre parcel between Whiteriver Avenue and Munroe Avenue, north of 10th Street and south of the Rifle Heights subdivision. Councilor Rice moved to approve Ordinances 7-08 and 8-08 on second reading as presented and ordered them to be published in full as required by Charter; seconded by Councilor Thompson.

ROLL CALL: Yes - Bascom, A. Lambert, Miller, Rice, Thompson, K. Lambert

SECOND READING OF ORDINANCE 9-08: UMTRA OVERLAY ZONE DISTRICT

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, CREATING THE UMTRA OVERLAY ZONE DISTRICT AND INCLUDING WITHIN THE DISTRICT THE CITY'S EAST AND WEST UMTRA SITES

Mayor Lambert opened the public hearing. Mr. Lindquist noted that, due to the presence of residual contaminants on the City-owned East and West UMTRA sites, city staff has worked with the DOE to develop protocols regarding these sites. In order to codify these protocols and ensure that they are properly followed in the future, staff proposes that the City create an UMTRA Overlay Zoning District that will include restrictions on the site, and standard operating procedures (SOP's) that govern development activity on the site. An overlay zoning district adds additional standards on top of the standards already imposed by the underlying zoning district. Councilor Lambert moved to approve Ordinance 9-08 as presented and ordered it to be published in full as required by Charter; seconded by Councilor Bascom.

ROLL CALL: Yes - Bascom, A. Lambert, Miller, Rice, Thompson, Sanborn, K. Lambert

PUBLIC HEARING: THE SHOPPES AT RIFLE ANNEXATION

FIRST READING OF ORDINANCE 10-08: ANNEXATION

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, ANNEXING TO THE CITY OF RIFLE, COLORADO CERTAIN REAL PROPERTY KNOWN AS THE SHOPPES AT RIFLE ANNEXATION.

FIRST READING OF ORDINANCE 11-08: ZONING

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, ZONING CERTAIN REAL PROPERTY KNOWN AS THE SHOPPES AT RIFLE ANNEXATION COMMUNITY SERVICE (“CS”) AND DEVELOPING RESOURCES (“DR”) ZONE DISTRICTS.

Mayor Lambert opened the public hearing. Public notice requirements were met for this hearing. The applicant’s representative Jim Atkinson was sworn in. The City received an application to annex approximately 9.97 acres along Airport Road and across from Wal-Mart and zone it Community Services and Developing Resource Zone Districts. The Applicant intends to subdivide the Property into three (3) lots, two of which border Airport Road, and the third which is behind the northern two lots. The eastern Lot 1 is proposed to be zoned CS and will be developed with a commercial retail center. The western Lot 2 contains a single family residence to be zoned DR that will remain as currently developed with the driveway off of Airport Road eliminated. Lot 3 is proposed to be zoned DR for future development. Any re-zoning or development of the DR lots will require the payment of annexation impact fees and dedications to mitigate that future development. The Annexation Agreement requires various dedications of rights-of-way for the orderly development of adjacent streets, and sets forth the usual terms and conditions associated with a development of this type. Ordinance No. 10 annexes the Property and Ordinance No. 11 zones the Property as requested by the Applicant. Councilor Rice moved to approve Ordinance 10-08 and 11-08 as presented and ordered them to be published by title as required by Charter; seconded by Councilor Lambert.

ROLL CALL: Yes - Bascom, A. Lambert, Miller, Rice, Thompson, Sanborn, K. Lambert

PUBLIC HEARING: THE SMITH ADDITION TO THE FARM ANNEXATION

FIRST READING OF ORDINANCE 12-08: ANNEXATION

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, ANNEXING TO THE CITY OF RIFLE, COLORADO CERTAIN REAL PROPERTY KNOWN AS THE SMITH ADDITION TO THE FARM ANNEXATION.

FIRST READING OF ORDINANCE 13-08: ZONING

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, ZONING CERTAIN REAL PROPERTY KNOWN AS THE SMITH ADDITION TO THE FARM ANNEXATION LOW DENSITY RESIDENTIAL PUD (“LDR PUD”) AND DEVELOPING RESOURCES PUD (“DR PUD”) ZONE DISTRICTS AND INCORPORATED INTO THE FARM AT RIFLE PUD

Mayor Lambert opened the public hearing. Applicant John Savage was sworn in, and provided proof that public notice requirements were met. The City received an annexation petition to annex approximately 8 acres adjacent to and in the southwest corner of The Farm at Rifle PUD. The developers of The Farm intend to incorporate the Property into The Farm PUD

and utilize it for wetlands, detention basins, utility easements and right-of-way, and approximately 3.2 acres will remain a single family residence for the current owner of the Property. The Planning Commission recommended approval of the annexation and the incorporation of the Property into The Farm PUD. Ordinance No. 12, Series of 2008 annexes the Property and Ordinance No. 13, Series of 2008 zones the Property LDR PUD and DR PUD and incorporates it into The Farm PUD. The Annexation Agreement subjects the Property to all of the terms and conditions contained in The Farm Annexation Agreement and the First Amendment to The Farm Annexation Agreement. Future applications for The Farm PUD will include the Property. The lot that will contain single family residence will be zoned Developing Resources PUD which allows the City to analyze any future development impacts and negotiate mitigation measures at the time of rezoning or redevelopment of that lot. Councilor Lambert moved to approve Ordinance 12-08 and 13-08 as presented and ordered them to be published by title as required by Charter; seconded by Councilor Bascom.

ROLL CALL: Yes - Bascom, A. Lambert, Miller, Rice, Thompson, Sanborn, K. Lambert

PUBLIC HEARING: WATERSHED DISTRICT PERMIT 1-08 (BLACK DIAMOND MINERALS, LLC)

Mayor Lambert opened the public hearing. The Code requires a public hearing on watershed district permits, and public notice has been published as required. The City received an application from Black Diamond Minerals, LLC for a Watershed District Permit to construct one exploratory natural gas well pad with multiple wells, associated production facilities, and road improvements located in the City's Beaver Creek Watershed. Representatives Tisha Schuller, Scott Hall, and Robert Vincent with Black Diamond Minerals were sworn in. Engineer Michael Erion noted this activity is considered to have a minor impact on the City's watershed, and outlined his conditions for approval. Councilor Bascom moved to approve Watershed Permit 1-08, and to require a closed loop system if it is technologically feasible, as amended; seconded by Councilor Rice.

ROLL CALL: Yes - Bascom, A. Lambert, Miller, Rice, Thompson, K. Lambert
No - Sanborn

HIGHWAY 13 ACCESS CONTROL PLAN

Mr. Sturgeon stated that the Colorado Department of Transportation (CDOT) requests the City participate with them in preparing an Access Control Plan for Highway 13 for the entire length of the by-pass and north to the bowling alley together with Highway 6 between west Rifle interchange and the by-pass. The Highway 13 study is necessary if the City is going to succeed in obtaining a Fairway Avenue connection to the by-pass. This process allows the State to consider variances to spacing requirements, but the State wants to identify all intersection needs before committing to specific variances. Councilor Lambert moved to approve the Plan; seconded by Councilor Bascom.

ROLL CALL: Yes - Bascom, A. Lambert, Miller, Rice, Thompson, Sanborn, K. Lambert

APPROVAL OF PURCHASE: SUSPENDED TENNIS COURT SURFACE

Mr. Whitmore noted that two bids were received for the asphalt court at Metro Park. On-site visits were conducted with company representatives, and staff recommends awarding the bid to Snap Sports for their Duracourt product. Mr. Whitmore provided samples of the surface. Councilor Sanborn moved to award the bid to Snap Sports in an amount not to exceed \$40,289.70; seconded by Councilor Lambert.

ROLL CALL: Yes - Bascom, A. Lambert, Miller, Rice, Thompson, Sanborn, K. Lambert

THIRD AMENDMENT TO PUBLIC SAFETY COMPLEX IGA

Mr. Neu noted this amendment to the IGA with Garfield County covers office furnishings and network wiring. Coordinating these purchases will help achieve cost efficiencies. Councilor Miller moved to approve the IGA; seconded by Councilor Bascom.

ROLL CALL: Yes - Bascom, A. Lambert, Miller, Rice, Thompson, Sanborn, K. Lambert

ADMINISTRATIVE REPORTS

Mr. Hier reported on: projects in Rifle, including the 3rd Street Bridge and the Roundabouts; personnel openings; Wamsley Elementary odor problem; future water treatment facilities. Ms. Nelson stated that there will be a workshop with Council and the RE-2 School Board on June 11 at 7 p.m.

COMMENTS FROM MAYOR AND COUNCIL

BEAUTIFICATION OF DOWNTOWN

Councilor Sanborn commended the DDA and volunteers for planting and trees flowers in the downtown.

HAPPY BIRTHDAY!

Councilor Bascom wished her grandson a very Happy Birthday!

CONCRETE BARRIERS

Councilor Lambert voiced a concern regarding concrete barriers in place at the upper end of King's Crown. Mr. Sturgeon will contact the fire department with this concern.

CLOUGH SCHOLARSHIP FUND

Mayor Lambert thanked the Clough family for establishing a scholarship fund that will allow approximately 70 area students to attend college in the fall.

The meeting adjourned at 10:25 p.m.

Wanda Nelson
City Clerk

Keith Lambert
Mayor