

RIFLE CITY COUNCIL MEETING

Wednesday, January 21, 2009

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, Jeanette Thompson, and Mayor Keith Lambert.

Councilor Lambert moved to excuse Councilor Jennifer Sanborn from tonight's meeting; seconded by Councilor Bascom.

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

OTHERS PRESENT: John Hier, City Manager; Matt Sturgeon, Assistant City Manager; Wanda Nelson, City Clerk; Lee Leavenworth, City Attorney; Jim Bell, Cable 10; Michael Churchill, Cable 10; Rod Hamilton, Public Works Director; Charles Kelty, Finance Director; Mike Braaten, Government Affairs Coordinator; Aleks Briedis, Recreation Director; Carleton Hoffmeister; David Merritt; Michael Langhorne; Chris Manera; Doug Pratte; Mark Nieslanik; Thomas Todd; John Savage; Heidi Rice, *Citizen Telegram/Post Independent*; Don Marshall; Alfredo Salazar; Raude Salazar.

CONSENT AGENDA

MINUTES OF THE JANUARY 7, 2009 REGULAR MEETING; LIQUOR LICENSE RENEWAL; KUM & GO; PRAB APPOINTMENTS; 2008 AUDIT ENGAGEMENT LETTER; NOVEMBER SALES TAX REPORT; NOVEMBER 2008 FINANCIAL STATEMENT REPORT; RESOLUTION 2-09: QUEENS CROWN SUBSTANTIAL COMPLIANCE; LICENSE AGREEMENT WITH BOOKCLIFF COUNCIL ON ARTS AND HUMANITIES; ACCOUNTS PAYABLE

Councilor Thompson requested that the PRAB appointments be removed for separate consideration. Councilor Lambert moved to approve the remaining items on the Consent Agenda; seconded by Councilor Miller.

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

Councilor Thompson asked if more applicants had been received for the PRAB Board. Mr. Briedis explained that no more applications had been received. Councilor Thompson moved to approve the Appointments; seconded by Councilor Rice.

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

CITIZEN COMMENTS AND LIVE CALL-IN

There were no citizen comments or live call-ins.

RIFLE SNOWMOBILE CLUB PARKING FEE WAIVER REQUEST

Mr. Carleton Hoffmeister appeared before Council to request a waiver of parking fees at Huffman Gulch for the participants in the Rifle Snowmobile Club's annual fundraiser. The Poker Run will be held on February 15th. Councilor Bascom moved to approve the Fee Waiver Request; seconded by Councilor Thompson.

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

PUBLIC HEARING: ORDINANCE 2-09: TEMPORARY USE PERMITS

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, ADOPTING NEW SECTIONS 16-3-120, 16-5-150, AND 16-6-230 OF THE RIFLE MUNICIPAL CODE TO IMPLEMENT REGULATIONS FOR TEMPORARY USES IN THE CITY AND ADOPTING AN APPLICATION FEE FOR TEMPORARY USE PERMITS AT APPENDIX A OF THE CODE

Mayor Lambert opened the public hearing. Ordinance 2-09 enacts new regulations regarding temporary uses in the City as recommended by the Planning Department following referral to the Planning Commission. Mr. Lindquist stated that this ordinance adopts a definition for temporary uses in the zoning section of the City's Land Use Code, limits temporary uses to commercial zone districts only, and requires a permit following the submittal of an application and approval by City staff. The review criteria and conditions of approval for temporary use permit applications are adopted in Article 5 of Chapter 16 of the Code. Mr. Lindquist reviewed four options for the Council's consideration. Mr. Don Marshall was sworn in and asked questions regarding the permitting process. Councilor Lambert moved to continue the public hearing and directed staff to rewrite Ordinance 2-09 to encompass the addition of districts and allow temporary, permitted vendors having the first right of refusal before their permit is relinquished and issued to another vendor; seconded by Councilor Bascom.

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

Councilor Lambert left at 8:05 p.m.

PUBLIC HEARING: ORDINANCE 1-09: RIGHT OF WAY ENCROACHMENT PERMITS AND A-FRAME SIGNS

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING CHAPTER 11, ARTICLE II OF THE RIFLE MUNICIPAL CODE BY ENACTING A PERMIT PROCESS FOR ENCROACHMENTS IN PUBLIC RIGHT OF WAY AND AMENDING CERTAIN PROVISIONS IN CHAPTER 16, ARTICLE VIII, THE CITY'S SIGN CODE, REGARDING PLACEMENT OF A-FRAME SIGNS IN THE PUBLIC RIGHT-OF-WAY.

Mayor Lambert opened the public hearing. Mr. Lindquist noted that City staff has been working on regulations for A-Frame Signs (sandwich board signs) that are placed on a sidewalk to draw attention to an adjacent business. The City currently does not have any specific regulations regarding A-Frame Signs. Because these signs are placed on City-owned right-of-way, a license to encroach must be obtained from the City. Ordinance 1-09 overhauls the City's encroachment permit regulations contained in Article 2 of Chapter 11 of the Rifle Municipal Code. The City Manager or his designee has the authority to issue an Encroachment Permit or refer the application to the Planning Commission or City Council if the application merits such review. Councilor Bascom moved to approve Ordinance 1-09 as amended to include the requirement that permitted businesses must keep the sign permit on the premise, and ordered it to be published by title as required by Charter; seconded by Councilor Thompson.

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

TYBAR RANCH WATER SERVICES AGREEMENT AND CONSERVATION EASEMENT

In January 2005, the City received a request to provide water service to approximately 700 acres of land located east of the City's boundaries near the City's northeast water storage tank known as TyBar Ranch. The Property recently received subdivision approval from Garfield County using the Rural Land Development Exemption Option in the Garfield County Land Use Regulations. The Option requires that a majority of the Property be preserved by a conservation easement, and TyBar had requested that the City accept a 40-year conservation easement burdening approximately 600 acres of the Property. The remaining 100 acres of the Property is proposed to be subdivided into 27 lots with single family residences and potential accessory dwelling units (ADUs) on each lot. The City agreed in 2005 to accept the Conservation Easement and provide water service to the 27 lots subject to finalizing the necessary documents. The applicants Mark Nieslanik, Doug Pratte, Michael Langhorne, and Chris Manera were present and reviewed their request. Councilor Bascom moved to approve the Agreement and Easement, subject to staff's conditions; seconded by Councilor Rice.

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

ADMINISTRATIVE REPORTS

Mr. Hier reviewed the following items: activity levels in December; recent snow storm; branding of City water; Centennial Park; Planning policies and procedures; progress on the new wastewater plant; 2009 work schedule; 2008 accomplishments; roundabout artwork. Mr. Sturgeon reported that there is a meeting with the library district next week to discuss their plans for expansion. An open house to review the access control plan will be held on February 10. Mr. Braaten reviewed pending legislation. Mr. Stevens discussed: recent Committee meeting; construction at the new wastewater plant; pending legislation for the Federal stimulus package; EPA requirements.

COMMENTS FROM MAYOR AND COUNCIL

INAUGURATION CEREMONY

Councilor Rice commented on the recent inauguration of President Obama, and how wonderful it is to live in a country where the transfer of power is a peaceful process.

KUDOS

Councilors Bascom and Miller thanked staff for their hard work.

EXECUTIVE SESSION: LEGAL ADVICE AND NEGOTIATIONS

Councilor Rice moved to adjourn to Executive Session for the purpose of discussing Legal advice under CRS Section 24-6-402(2)(b); seconded by Councilor Miller (9:10 p.m.).

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

Councilor Rice moved to adjourn from Executive Session: seconded by Councilor Miller (9:39 p.m.).

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

Meeting adjourned at 9:40 p.m.

Wanda Nelson
City Clerk

Keith Lambert
Mayor