

# RIFLE CITY COUNCIL MEETING

Wednesday, March 4, 2009

REGULAR MEETING

7:00 p.m. \* Council Chambers

The regular meeting of the Rifle City Council was called to order at 7:01 p.m. by Mayor Keith Lambert.

**PRESENT ON ROLL CALL:** Councilors Alan Lambert, Jay Miller, Jonathan Rice, Jennifer Sanborn, Jeanette Thompson, and Mayor Keith Lambert.

Councilor A. Lambert moved to excuse Councilor Bascom from tonight's meeting, seconded by Councilor Thompson.

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

Councilor Sanborn introduced her son, Cole Firmin, to the Council. He is joining us tonight for practice for Student Council at Highlands Elementary School.

**OTHERS PRESENT:** John Hier, City Manager; Matt Sturgeon, Assistant City Manager; Erin Sims, Deputy City Clerk; Jim Neu, Assistant City Attorney; Jim Bell, Cable 10; Michael Churchill, Cable 10; Rod Hamilton, Public Works Director; Kevin Kelley, Construction Inspector; Lynda Simpson, Code Enforcement Officer; Charles Kelty, Finance Director; Charlie Stevens, Utility Director; Maurice Brown; James Julian; John Scalzo; Shari Neuroth; Stephen Isom; David Young; Mary Elder; Annick Pruitt; Sher Long; Chris Manera; Ryan Ribhan; Tanner Wilcox; John Goodman.

## CONSENT AGENDA

***MINUTES OF THE FEBRUARY 18, 2009 REGULAR MEETING; SENIOR HOUSING BOARD APPOINTMENT; ENERGY ADVISORY BOARD APPOINTMENT; PARKS BUILDING SEWER MAIN COST SHARING AGREEMENT; RESOLUTION 5-09: CREATION OF WATER SERVICES ADVISORY BOARD; LIQUOR LICENSE RENEWAL: BASE CAMP; ACCOUNTS PAYABLE***

Councilor Miller excused himself from voting on the minutes from February 18th. Councilor A. Lambert moved to approve the Consent Agenda with an addition to Accounts Payable, a bill from DDA in the amount of \$21,548.50; seconded by Councilor Thompson

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

## CITIZEN COMMENTS AND LIVE CALL-IN

Gary Miller is in support of the City Council purchasing a new street sweeper, preferably one that vacuums the dust from the street.

## ***PUBLIC HEARING: MI RANCHITO LIQUOR LICENSE APPLICATION***

Mayor Lambert opened the public hearing. Public notice was met for this hearing. At this time, the Mi Ranchito application is incomplete. Staff anticipates the needed items will be returned in time for the March 18, 2009 Council meeting. Councilor Miller moved to continue the Public Hearing to March 18; seconded by Councilor Sanborn.

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

***SECOND READING OF ORDINANCE 3-09: MUD AND DEBRIS ON CITY RIGHTS OF WAY***

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING SECTION 7-2-20 OF THE RIFLE MUNICIPAL CODE BY SPECIFICALLY ENUMERATING AS A NUISANCE "MUD OR DEBRIS" DEPOSITED ON CITY RIGHTS-OF-WAY.

Mr. Hamilton noted that the City of Rifle continues to experience constant and continuous construction activity associated with various types of public and private development. Staff has noted substantial mud and debris being tracked onto the City's public street system, creating a nuisance. Mr. Neu explained that Ordinance 3-09 enumerates mud and debris as a nuisance. To allay concerns that muddy vehicles causing no harm to the City's streets will face prosecution for simply being muddy, Mr. Neu suggested amending a recital clarifying that it is mud and debris being tracked directly onto the City's streets that is the subject of the legislation. Councilor Rice moved to approve Ordinance 3-09 as amended and ordered it to be published in full as required by Charter; seconded by Councilor A. Lambert.

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

***PUBLIC HEARING: QUEEN'S CROWN ANNEXATION***

***FIRST READING OF ORDINANCE 6-09: ANNEXATION***

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, ANNEXING TO THE CITY OF RIFLE, COLORADO CERTAIN REAL PROPERTY KNOWN AS THE QUEEN'S CROWN ANNEXATION

***FIRST READING OF ORDINANCE 7-09: ZONING***

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, ZONING CERTAIN REAL PROPERTY KNOWN AS THE QUEEN'S CROWN ANNEXATION LIGHT INDUSTRIAL ("LI"), MEDIUM DENSITY RESIDENTIAL ("MDR"), DEVELOPING RESOURCE ("DR"), AND OPEN SPACE ("OS") ZONE DISTRICTS.

The Mayor opened a public hearing on the Annexation. Mr. Lindquist stated that the City received a petition to annex approximately 56 acres north of the Highway 13 Bypass and east of Favert Reservoir last year. Staff has been working with the property owner regarding the development proposal and the extension of Fairway Avenue through the Property. This development instigated the Access Control Plan on which the City has been working with CDOT to allow an intersection for Fairway Avenue onto Highway 13. The Access Control Plan is almost complete and the draft Plan envisions an intersection as depicted on the development proposal for Queens Crown. The proposed development is mostly light industrial but does contain four zone districts: LI with 18 lots, MDR with approximately 10 units on the northeast corner of the property, two OS parcels and one parcel zoned DR. The DR Parcel requires significant access improvements and the enclosed Annexation agreement prohibits any development or use of this parcel until it is re-zoned with a development proposal that includes access improvements. The Annexation Agreement is the City's standard form with the usual requirements. Applicants Steve Iseman, Chris Manera and John Goodman were sworn in and reviewed their project. Councilor A. Lambert moved to approve Ordinances 6-09 and 7-09 on first reading as presented and ordered them to be published by title as required by Charter; seconded by Councilor Rice.

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

***FIRST READING OF ORDINANCE 4-09: ADOPTING AN OPEN SPACE ZONE DISTRICT***

**AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING CHAPTER 16 OF THE RIFLE MUNICIPAL CODE BY ADOPTING AN OPEN SPACE ZONE DISTRICT.**

Mr. Neu briefed Council on Ordinance No. 4, Series of 2009, which adopts an Open Space Zone District in the City's Land Use Code. The City has several pending applications that contain open space parcels and a specific zone district will ensure they remain open space. In the past, open space parcels were designated on final plats, but the underlying zone district was the zoning of the subdivision, typically Low Density Residential. Having a separate zoning designation for these parcels further restricts and more appropriately dictates the allowable uses on such parcels. Ordinance No. 4 outlines the permitted and conditional uses for the new zone district and provides a classification for areas that are intended to remain primarily as they exist as public or private undeveloped open spaces. This is essentially a housekeeping measure that provides the City a zone district to apply to proposed open space in subdivisions. A public hearing on this text amendment will be held on second reading on March 18<sup>th</sup>. Councilor Rice moved to approve Ordinance 4-09 on first reading as presented and ordered it to be published by title as required by Charter; seconded by Councilor Miller.

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

***FIRST READING OF ORDINANCE 5-09: ADMINISTRATIVE CITATIONS FOR ZONING AND CODE VIOLATIONS***

**AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING CHAPTERS 7 AND 16 OF THE RIFLE MUNICIPAL CODE REGARDING ADMINISTRATION AND ABATEMENT OF NUISANCES AND ENACTING ADMINISTRATIVE PENALTIES FOR ZONING AND CODE VIOLATIONS.**

Mr. Sturgeon explained that the Planning Department has been working on making the enforcement of the City's Code more efficient and effective. Currently, there is a need to bring an action in municipal court to enforce a Code violation, which takes tremendous resources and time. Staff has researched several jurisdictions and examined how they enforced code violations, and the most efficient system was the issuance of administrative citations- essentially a ticket. Ordinance No. 5, Series of 2009 adopts a procedure for Administrative Citations for zoning and Code violations in RMC §16-1-170. Councilor A. Lambert moved to approve Ordinance 5-09 on first reading as presented, and ordered it to be published by title as required by Charter; seconded by Councilor Rice.

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

***2009 SUPPLEMENTAL WATER TREATMENT PLANT CONTRACT***

Mr. Stevens requested that the City Council approve this short term investment expenditure for delivery, set-up, mobilization, demobilization, loading of media, installation supervision, start-up and monthly rental of Siemens Supplemental Water Filtration Trailer Unit. Councilor Miller moved to approve the contract in an amount not to exceed \$195,959; seconded by Councilor Thompson.

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

### **ADMINISTRATIVE REPORTS**

Mr. Hier reviewed the following items: The annual City Managers Meeting was productive; The Scott Pit Watershed application was approved; City employee health insurance benefits will only be increased by 6%, and the City will not have to pay the premiums for the month of December 2009; City staff are still working on an investment policy for City funds, this policy will be presented to Council for consideration at a later date; Ongoing City projects include: pot-hole patching, street sweeping, and the new Parks facility; Staff are monitoring sales tax revenues closely and will keep Council apprised on any trends that arise.

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

#### ***WATER RESTRICTIONS***

Councilor Sanborn expresses her concern about the water treatment plant contract the Council approved. In her opinion, we need to be responsible and accountable for the tax dollars we spend on water improvements when we have no solid plans to enforce water restrictions this summer. She asks that staff talk to Council in the near future about the prospect of water restrictions over the summer months.

#### ***THANK YOU!***

Councilor Lambert thanked Linda Trujillo (Rocky Mountain Liquors) for her “thank you” letter to the Rifle Police Department.

#### ***LETTER FROM GOVERNOR RITTER***

Mayor Lambert addressed the Governor’s letter to the City of Rifle, thanking us for taking such an active role in keeping the Rifle Correctional Center open. The community outpour was directly related to the decision to keep the center open.

Meeting adjourned at 8:39 p.m.

---

Erin Sims  
Deputy City Clerk

---

Keith Lambert  
Mayor