



RIFLE CITY COUNCIL

REGULAR MEETING

April 6, 2022

7:00 p.m.

202 Railroad Avenue, Rifle, CO

CALL TO ORDER & ROLL CALL

A regular meeting of the Rifle City Council was called to order at 7:00 p.m. by Mayor Ed Green.

Present at Roll Call:

Mayor Ed Green, Councilor Clint Hostettler, Councilor Alicia Gresley, Councilor Joe Carpenter, Councilor Chris Bornholdt and Councilor Sean Strode.

Councilor Sean Strode motioned to excuse Councilor Brian Condie; seconded by Councilor Clint Hostettler.

Roll Call: Yes - Alicia Gresley, Sean Strode, Chris Bornholdt, Clint Hostettler, Ed Green and Joe Carpenter. No - None.

Others Present:

City Manager Tommy Klein, City Clerk Misty Williams, City Attorney Jim Neu, Chief Debra Funston, Rifle Community Television (RCTV) Salvador Tovar-Guzman, Parks and Recreation Director Tom Whitmore, Recreation Program Manager Austin Rickstrew, Planning Director Patrick Waller, Planner Hannah Popp, DDA Manager Helen Rogers, Larry Anderson, Christie Anderson, John Savage, Philip Vaughan, Matthew Starr, Harold Martinez, Natalie Bowman and Debra Grizzle.

PUBLIC COMMENT

Comment was heard from Harold Martinez.

CONSENT AGENDA – CONSIDER APPROVING THE FOLLOWING ITEMS:

- A. Consider Minutes of the March 16, 2022, Regular Meeting
- B. Consider Liquor License Renewal for Western Slope Investments dba Wing Nutz Bar and Grill
- C. Consider Permanent Modification of Premises for Rolling Fork Grill, LLC dba Brickhouse Pizzeria
- D. Consider Buy Back of Cemetery Spaces
- E. Consider Letter of Support for Raise Grant – Rifle Park and Ride Relocation
- F. Consider 2022 Intergovernmental Agreement for Mosquito Control with Garfield County
- G. Consider Approving Resolution No. 5, Series of 2022 Authorizing the City Manager to enter into Revocable Lease Agreements for Third Street Parklets
- H. Pioneer Mesa Filing 2 – Rezoning and Subdivision Final Plan Request
 - i. Request to Rezone Pioneer Mesa Filing 2 from LDR – PUD to Estates Zone – PUD-Ordinance No. 1, Series of 2022 – 2nd Reading
 - ii. Consider Approval of Final Plan for Pioneer Mesa Filing 2 – Ordinance No. 2, Series of 2022 – 2nd Reading and Subdivision Improvement Agreement

Councilor Clint Hostettler moved to approve Consent Agenda Items A, B, C, D, E, F, G and H; seconded by Councilor Chris Bornholdt.

Roll Call: Yes - Sean Strode, Joe Carpenter, Chris Bornholdt, Clint Hostettler, Alicia Gresley and Ed Green.

PRESENTATION

Presentation on Monarch Butterflies and Supportive Planting Efforts

Presenter Larry Anderson shared information on Monarch Butterflies and a plan to plant more butterfly-supportive plant materials in selected Park locations and on City properties.

PUBLIC HEARING

Consider Request to Rezone the Farm Development from LDR-PUD, MDR-PUD, CS-PUD and PZ-PUD to Developing Resources – Ordinance No. 4, Series of 2022 – 1st Reading

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, REZONING THE FARM ANNEXATION FROM LOW DENSITY RESIDENTIAL PUD (“LDR – PUD”), MEDIUM DENSITY RESIDENTIAL PUD (“MDR – PUD”) COMMUNITY SERVICE BUSINESS PUD (“CS-PUD”), AND PUBLIC PUD (“PZ-PUD”) ZONE DISTRICTS TO DEVELOPING RESOURCES (“DR”) ZONE DISTRICT.

Mayor Ed Green opened the public hearing.

Applicant John Savage was sworn in.

Planning Director Patrick Waller provided presentation on request to Rezone the Farm Development for Developing Resources. Public Notice was filed and published properly. The applicant is requesting a rezone from LDR-PUD, MDR-PUD, CS-PUD and PZ-PUD to Developing Resources that would allow for one single family dwelling per lot and Agricultural uses limited to the raising of crops or orchards. Developing Resources Zone District has the same dimensional requirements as the Low Density Residential District as stated in Section 16-3-510 in the Rifle Municipal Code. The proposed rezone will also clarify that there are no entitlements on the property and any future development will require a full application review process with the City of Rifle.

The applicant answered questions from Council.

No public comments were heard.

Councilor Clint Hostettler moved to approve Request to Rezone The Farm Development from LDR-PUD, MDR-PUD, CS-PUD and PZ-PUD to Developing Resources - Ordinance No. 4, Series of 2022 – 1st Reading as presented and order it to be published as required by charter; seconded by Councilor Sean Strode.

Roll Call: Yes – Joe Carpenter, Alicia Gresley, Ed Green, Chris Bornholdt, Clint Hostettler and Sean Strode. No – None.

Consider Final Plan and Rezoning Request for North Pastures Filing 7

Planning Director Patrick Waller presented request of Final Plan and Rezoning Request for North Pastures Filing 6 & 7 located on the corner of Birch Avenue and East 16th Street. Applicant met all public notice requirements. Planning Director Waller explained applicants request of Final Plan and Rezoning application to subdivide two parcels into 25 lots, within the approximately 3.45 acre development for a density of 7.22 units per acre including rezoning of one of the parcels from Community Service Business District (CS) to Medium Density Residential (MDR). The proposed subdivision is known as North Pastures Filing 6 & 7. Staff recommends approval of Final Plan and Rezoning Request.

The applicant shared future plans and answered questions from Council.

Comments heard from Christie Anderson.

Mayor Ed Green closed the public hearing.

Consider Request to Rezone a Portion of North Pastures Filing 7 from Community Service to Medium Density Residential – Ordinance No. 5, Series of 2022 – 1st Reading

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, REZONING LOT CS-2A NORTH PASTURE SUBDIVISION, FILING 6, FROM COMMERCIAL SERVICES (CS) ZONE DISTRICT TO MEDIUM DENSITY RESIDENTIAL (MDR) ZONE DISTRICT.

Councilor Clint Hostettler moved to approve Request to Rezone a Portion of North Pastures Filing 7 from Community Service to Medium Density Residential – Ordinance No. 5, Series of 2022 – 1st Reading as presented and order it to be published as required by charter; seconded by Councilor Sean Strode.

Roll Call: Yes – Sean Strode, Chris Bornholdt, Clint Hostettler and Ed Green.

No – Alicia Gresley and Joe Carpenter.

Consider Request for Final Plan Approval for North Pastures Filing 7 – Ordinance No. 6, Series of 2022 – 1st Reading and Subdivision Improvements Agreement

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, APPROVING A FINAL SUBDIVISION PLAN AND FINAL SUBDIVISION PLAT FOR NORTH PASTURE SUBDIVISION, FILING 7

Councilor Clint Hostettler moved to approve request for Final Plan Approval for North Pastures Filing 7 – Ordinance No. 6, Series of 2022 – 1st Reading and Subdivision Improvements Agreement as presented and order it to be published as required by charter; seconded by Councilor Chris Bornholdt.

Roll Call: Yes – Joe Carpenter, Ed Green, Chris Bornholdt and Clint Hostettler.

No – Alicia Gresley and Sean Strode.

REGULAR AGENDA

Consider Rifle City Hall Phase 3 Construction Manager/General Contractor Firm

Parks and Recreation Director Tom Whitmore and Phil Vaughan with Vaughan Construction presented the City Hall Phase 3 Construction Manager/General Contractor Firm. Advertisements were placed in both the Citizen Telegram and Post Independent newspapers. Parks and Recreation Director Whitmore explained 2 firms submitted proposals; FCI Constructors, Inc. and PNCI Construction, Inc., both of Grand Junction, CO. Each proposal was reviewed and scored by a committee of 5 people. After reviewing and scoring of the proposals by the selection committee, staff recommends approval of PNCI Construction, Inc. as the CM/GC for pre-construction services and construction of Rifle City Hall Phase 3. Staff requests authorization to enter into a contract with PNCI Construction, Inc., pending satisfactory contract review by the City Attorney with pre-construction services in the amount of \$10,000.00 that will be expended from the budget amount of \$300,000.00 for 2022.

Councilor Alicia Gresley moved to approve PNCI Construction, Inc. as construction manager and general contractor for pre-construction services in construction of Rifle City Hall Phase 3 and authorizes to enter into a contract with PNCI Construction, Inc. pending satisfactory contract review with City Attorney with pre-construction services in the amount of \$10, 000.00; seconded by Councilor Sean Strode.

Roll Call: Yes - Ed Green, Alicia Gresley, Joe Carpenter, Chris Bornholdt and Sean Strode.

Recused – Clint Hostettler.

Consider Landscape Maintenance / Snow Removal Contractor for City of Rifle and DDA Areas

Park & Recreation Director Tom Whitmore and DDA Manager Helen Rogers presented request for Landscape Maintenance/ Snow Removal Contractor for City of Rifle and DDA Areas. Proposals were received from two vendors, Daly Property Services, Inc. and All Around Property Maintenance, Inc. Proposals were evaluated and scored by a committee of 5. Staff recommends approval of All Around Property Maintenance, Inc. and authorize expenditure of up to \$88,425.00 for Landscape and Snow removal per year, for three years, with the option to renew for two additional years, for DDA, Grounds and Facilities and Parks, subject to annual appropriation and authorize staff to enter into an agreement with All Around Property Maintenance, Inc. pending review by the City Attorney.

Councilor Sean Strode moved to approve the All Around Property Maintenance, Inc. Contractor for City of Rifle and DDA areas and authorize \$88,425.00 expenditure per year for the next 3 years; seconded by Councilor Alicia Gresley.

Roll Call: Yes - Sean Strode, Joe Carpenter, Chris Bornholdt, Clint Hostettler, Alicia Gresley and Ed Green. No - None.

Consider Appointments to the Parks and Recreation Advisory Board

Parks and Recreation Director Tom Whitmore explained the Parks and Recreation Advisory Board vacancies. The Parks and Recreation Advisory Board (PRAB) consist of 8 Board members, 7 regular members and 1 alternate member. The Parks and Recreation Advisory Board received applications from two community members who desire to be Board members. PRAB has reviewed applications and conducted interviews and recommends Ken Blatter and Brian Dow for appointment to two vacant Board seats. These candidates will fill the 2 regular Board seats while the alternate seat is still vacant.

Councilor Clint Hostettler moved to appoint Ken Blatter & Brian Dow to the Rifle Parks & Recreation Advisory Board; seconded by Councilor Joe Carpenter.

Roll Call: Yes - Ed Green, Alicia Gresley, Sean Strode, Joe Carpenter, Chris Bornholdt and Clint Hostettler. No – None.

Consider Appointing Amy Tonozzi, Larry Stewart and Raquel Mendizabal to the Downtown Development Authority (DDA) Board

DDA Manager Helen Rogers presented request to appoint Amy Tonozzi, Larry Stewart and Raquel Mendizabal to the Downtown Development Authority (DDA) Board for a period of four years.

Councilor Clint Hostettler moved to appoint Amy Tonozzi, Larry Stewart and Raquel Mendizabal to the Downtown Development Authority Board for a period of four years; seconded by Councilor Joe Carpenter.

Roll Call: Yes - Ed Green, Sean Strode, Alicia Gresley, Clint Hostettler, Chris Bornholdt and Joe Carpenter. No - None.

Consider Approving CMC Signage

City Manager Tommy Klein and CMC Rifle Campus Dean Tinker Duclo presented request to install CMC banners that would include pictures of Rifle's graduates and CMC Logos on the light poles that run along Railroad Avenue beginning at HWY 6 as a way to market the school and promote the relationship between CMC and the City of Rifle.

CMC Rifle Campus Dean Duclo answered questions from Council.

Council determined that further information was necessary before any decisions could be made regarding this request – Information requested: Size of Banners, Timeframe, and streetlight locations around City of Rifle.

Consider the Appointment of Debra Grizzle to the Rifle Housing Authority Board

Executive Director Rifle Housing Authority Natalie Bowman presented request to appoint Debra Grizzle to the Rifle Housing Authority Board.

Councilor Alicia Gresley moved to appoint Debra Grizzle to the Rifle Housing Authority Board; seconded by Councilor Sean Strode.

Roll Call: Yes - Alicia Gresley, Sean Strode, Chris Bornholdt, Clint Hostettler, Ed Green and Joe Carpenter. No - None.

Consider Approving Resolution No. 4, Series of 2022 – Authorizing the City Manager to Take All Actions Necessary to Sell the Property Formally Occupied by the Rifle Animal Shelter

City Attorney Jim Neu provided update on the old Rifle Animal Shelter property located at 569 County Road 26 Rifle, CO. City Attorney Neu stated property has been listed with a realtor and Resolution No. 4, Series of 2022 is needed to grant the City Manager permission to take action on necessary procedures to sell the property formally occupied by the Rifle Animal Shelter.

Councilor Clint Hostettler moved to approve Resolution No. 4, Series of 2022 – Authorizing the City Manager to Take All Actions Necessary to Sell the Property Formally Occupied by the Rifle Animal Shelter; seconded by Councilor Sean Strode.

Roll Call: Yes - Clint Hostettler, Sean Strode, Joe Carpenter, Chris Bornholdt, Alicia Gresley and Ed Green. No - None.

Consider Funding for Rifle Community Foundation

City Manager Tommy Klein presented request to consider grant funding disbursement of \$36,000.00 to the Rifle Community Foundation. The City has consistently funded the Rifle Community Foundation to support local nonprofits that provide services from the DeBeque Canyon to the South Canyon. The Rifle Community Foundation is a nonprofit 501 (c) and the Board of Directors makes decisions on which applicants receive funding. The mission of the organization is to, "enhance the lives of the people of the Colorado River Valley from South Canyon to De Beque Canyon by providing an avenue for donors to invest in legacy projects and worthy activities benefiting area citizens."

Councilor Alicia Gresley moved to approve payment in the amount of \$36,000.00 to the Rifle Community Foundation; seconded by Councilor Clint Hostettler.

Roll Call: Yes - Ed Green, Sean Strode, Alicia Gresley, Clint Hostettler, Chris Bornholdt and Joe Carpenter. No - None.

Consider Funding for Rifle Community Foundation – Marijuana Funds

City Manager Tommy Klein presented request to consider funding for the Rifle Community Foundation using marijuana funds. City Manager Klein explained proceeds given to the Rifle Community Foundation in prior years. City Manager Klein request direction from Council on funding the Rifle Community Foundation using Community Wellness funds in the amount of \$40,000 to be used for Drug and Alcohol programs.

Councilor Alicia Gresley moved to approve Funding for the Rifle Community Foundation rising Community Wellness in the amount of \$40,000.00 to be used for Drug & Alcohol programs; seconded by Councilor Clint Hostettler.

Roll Call: Yes - Joe Carpenter, Alicia Gresley, Ed Green, Chris Bornholdt, Clint Hostettler and Sean Strode. No - None.

Consider Approving Water Rights Lease with Rifle Gap Land Company for Rifle Creek Golf Course

City Attorney Jim Neu presented Water Rights Lease with Rifle Gap Land Company for Rifle Creek Golf Course. City Attorney Neu noted that in 1989 the City entered into a water lease agreement with Rifle Gap Land Company with an automatic renewal every ten years for a thirty-year term. The agreement leased the City's water rights on the Rifle Creek Canyon Ditch to the Rifle Gap Land Company to irrigate the golf course. A First Amendment to Golf Course Water Rights Lease was approved on August 8, 2009, extending the term until August 8, 2019. The City has been leasing water rights on an annual basis since 2019. The 2022 lease was updated with the following reasonable conditions in the event the City needs to use the water rights - If the City determines in its sole discretion that it needs the Water Rights to provide water service within the City's water

service area, the City may suspend the Lease and Rifle Gap shall cease all use of the Water Rights. The City shall give notice of its intent to suspend the lease and the duration of the suspension to Rifle Gap a minimum of thirty (30) days prior to any lease suspension. In any year when the Lease is suspended, the Lease Price shall be prorated for that year. The lease is for a period of ten (10) irrigation seasons, ending on October 31, 2031. The 2022 Lease Price is of \$3,000.00 and shall be paid to the City by June 30, 2022.

Councilor Clint Hostettler moved to approve the Rifle Creek Golf Course water rights lease with Rifle Gap Land Company expiring October 31, 2031 with lease fee of \$3,000.00 for 2022; seconded by Councilor Chris Bornholdt.

Roll Call: Yes - Ed Green, Sean Strode, Alicia Gresley, Clint Hostettler, Chris Bornholdt and Joe Carpenter. No - None.

Report to City Manager

Reports were heard from City Manager Tommy Klein, City Clerk Misty Williams, Parks and Recreation Director Tom Whitmore, Recreation Manager Austin Rickstrew and Rifle Community Television (RCTV) Salvador Tovar-Guzman.

Comments from Mayor and Council

Comments were heard from Councilor Alicia Gresley, Councilor Clint Hostettler and Mayor Ed Green.

Adjournment

Meeting adjourned at 9:25 p.m.

 Misty Williams City Clerk		 Ed Green Mayor
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