



RIFLE CITY COUNCIL

REGULAR MEETING

November 16, 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 Brian Condie and Councilor Joe Carpenter.

Councilor Alicia Gresley moved to excuse Councilor Chris Bornholdt, Councilor Sean Strode; seconded by Councilor Clint Hostettler.

Roll Call: Yes - Ed Green, Clint Hostettler, Alicia Gresley, Joe Carpenter and Brian Condie.

No - None.

Others Present:

City Manager Tommy Klein, City Clerk Misty Williams, City Attorney Jim Neu, Rifle Community Television (RCTV) Salvador Tovar-Guzman, Chief of Police Debra Funston, Parks and Recreation Director Austin Rickstrew, Public Works Director Brian Prunty, Planning Director Patrick Waller, Bryce Christensen, Kimley Horn, John Kuersten, Alice Kuersten, Dan Conrado, Katie Conrado, Kristine Coombs, Glenn Ault, Harold D. Martinez, Terry D. Davis, Gary Brownson, James Martinez, Tianna Davis, Connie Taylor, Elizabeth Waters, Bonnie McKenzie, Trish O'Grady, Fernando Argiro and Jeff Simonson.

PUBLIC COMMENT

Public comment was heard from Meeker Sand & Gravel, Inc. (MSG) Representatives Katie Conrado, Dan Conrado, and Kristine Coombs.

CONSENT AGENDA – CONSIDER APPROVING THE FOLLOWING ITEMS:

- A. Consider Minutes of the November 2, 2022, Regular Meeting
- B. Consider Changing Bulk Water Rates from \$10.00 to \$15.00 Per Thousand – Ordinance No. 20, Series of 2022 – 2nd Reading

Councilor Clint Hostettler moved to approve Consent Agenda Items A & B; seconded by Councilor Joe Carpenter.

Roll Call: Yes - Alicia Gresley, Brian Condie, Clint Hostettler, Ed Green, and Joe Carpenter.

No – None.

PUBLIC HEARING

Consider Planned Unit Development – Preliminary Development Plan for EcoDwellings – 14th Street PUD

Mayor Ed Green opened the hearing.

Planning Director Patrick Waller presented request to consider the planned unit development – preliminary development plan for EcoDwellings – 14th Street PUD. The applicant requests approval of a planned Unit Development to subdivide approximately 1.9 acres into 17 single-family lots. The applicant would like to develop 3,000 square foot lots with an approximately 900 square foot factory made residential unit. This will include an exterior storage shed and a 20 x 20 concrete parking pad for off-street parking. Applicant is proposing private streets, with City water and sewer. Notices have been completed as required by applicant. Planning Commission recommends City Council approval of the request for a CS - PUD with the following conditions.

1. All representations made by the Applicant in the application and during the public hearing shall be conditions of approval, unless specifically altered by Rifle City Council.
2. All Staff and referral agency comments (including comments from Mountain Cross Engineering, City of Rifle Public Works, City of Rifle Utilities, Colorado River Fire Rescue, and Xcel Energy) shall be incorporated into the Final Plat submittal as noted in referral comments attached to this Staff Report, including but not limited to: a. Floodplain issues b. Utility design c.

Turn Lane Warrant information on Railroad d. Storm water Detention Areas.
Access Road Information.

3. The applicant shall provide a maintenance and access agreement for the shared access to the development, for City Staff review, as part of the Final Plan application.
4. The applicant shall record an easement, identify cross section information, and provide maintenance information to the satisfaction of Colorado River Fire Rescue regarding the emergency access easement, prior to the recording of the Final Plat.
5. The applicant shall supply HOA documents for City Staff review, for maintenance of common areas as part of the Final Plat application.
6. The applicant's proposed PUD shall be amended as follows: a. Sidewalks shall be required to be 5' within the development b. Carports shall have a front yard setback of 10 feet. c. All properties shall be developed with a storage shed. d. Siding options and building footprints shall not be replicated on adjoining lots unless identified on the final PUD Plan. e. Sheds shall not be permitted in the front yard setback. f. The maximum height of structures in the zone district shall be 27'.
7. The applicant shall provide updated engineered plans that will be reviewed and accepted by referral agencies as part of the Final Plat application. The updated plans shall address comments, to the satisfaction of the referral agency, that were provided at Preliminary Plan. Additional modifications may be required as part of this review.
8. The applicant shall install a six foot privacy fence along the northern property boundary and along the southern boundary of lots 16, 17, and 18.

Attorney Jim Neu, Planning Director Patrick Waller, Eco Dwelling Owner Fernando Argiro, Kuersten Construction Owner John Kuersten, and Jeff Simonson answered questions for Council.

Mayor Ed Green closed the hearing.

Councilor Brian Condie moved to approve Preliminary Development Plan for EcoDwellings – 14th Street PUD along with Planning Commission recommendations No.1- 8 excluding No. 9.; seconded by Councilor Clint Hostettler.

Roll Call: Yes - Brian Condie, Clint Hostettler, and Alicia Gresley.
No – Joe Carpenter and Ed Green.

REGULAR AGENDA

Consider Appointing Tami Sours to the Senior Programs Advisory Board

Councilor Clint Hostettler moved to approve the appointment of Tami Sours to the Garfield County Senior Programs Advisory Board by replacing a Council Member position; seconded by Councilor Joe Carpenter.

Roll Call: Yes - Ed Green, Alicia Gresley, Clint Hostettler, Brian Condie, and Joe Carpenter.
No – None.

Consider Declaring Equipment as a Surplus

Parks and Recreation Director Austin Rickstrew presented request to declare a 2004 Polaris Ranger, a 2003 John Deere 1600D, and a 2005 Toro Groundsmaster 3500D as surplus following Rifle Municipal Code Sec. 4-3-610 procedures. If approved we would like to donate the Polaris Ranger to the Rifle Housing Authority and send the other two pieces of equipment to an auction. Staff with the Housing Authority is aware of the ranger's condition.

Councilor Clint Hostettler moved to approve and declare the 2004 Polaris Ranger, 2003 John Deere 1600D, 2005 Toro Groundsmaster 3500 D as Surplus to be sold as is and to donate the Polaris to the Ranger of the Rifle Housing Authority; seconded by Councilor Brian Condie.

Roll Call: Yes - Brian Condie, Joe Carpenter, Alicia Gresley, Ed Green, and Clint Hostettler.
No – None.

Consider Appointing Michael Clancy to the Parks and Recreation Advisory Board

Parks and Recreation Director Austin Rickstrew presented request to appoint Michal Clancy to the Parks and Recreation Advisory Board. Staff solicited applications and had two interested candidates, but only received 1 application. PRAB has reviewed the application and conducted an interview. PRAB recommends Michael Clancy for appointment to the vacant alternate board seat.

Councilor Clint Hostettler moved to approve the appointment of Michael Clancy to the Parks and Recreation Advisory Board; seconded by Alicia Gresley.

Roll Call: Yes - Alicia Gresley, Clint Hostettler, Ed Green, Joe Carpenter, and Brian Condie.

No – None.

Consider Adopting the 2023 Budget – Resolution No. 16, Series of 2022

City Attorney Jim Neu presented request to adopt the 2023 Budget – Resolution No. 16, Series of 2022. The Public Hearing was conducted on November 2nd, 2022. Adopting the 2023 Budget Resolution No. 16, Series of 2022 will provide the legal authority to spend funds necessary to ensure the delivery of expected services to the citizens of the City of Rifle.

Councilor Alicia Gresley moved to approve Resolution No. 16, Series of 2022 – Adopting the Annual Budget for the 2023 Fiscal Year; seconded by Brian Condie.

Roll Call: Yes – Joe Carpenter, Alicia Gresley, Ed Green, Brian Condie, and Clint Hostettler.

No – None.

Consider Adopting the Annual Appropriation Ordinance for the 2023 Budget – Ordinance No. 23, Series of 2022

City Attorney Jim Neu presented request to adopt Annual Appropriation Ordinance for the 2023 Budget – Ordinance No. 23, Series of 2022. Public Hearing was conducted on November 2nd, 2022. Adopting the Annual Appropriation Ordinance for the 2023 Budget – Ordinance No. 23, Series of 2022 will provide the legal authority to spend funds necessary to ensure the delivery of expected services to the citizens of the City of Rifle.

Councilor Alicia Gresley moved to approve Ordinance No. 23, Series of 2022 for the 2023 budget appropriations on its first and only reading as presented, and order it to be published in full as required by Charter; seconded by Brian Condie.

Roll Call: Yes – Ed Green, Brian Condie, Clint Hostettler, Alicia Gresley, and Joe Carpenter.

No – None.

Consider Resolution No. 15, Series of 2022 – Resolution of Substantial Compliance for Proposed Maverick Annexation

City Attorney Jim Neu presented Resolution No. 15, Series of 2022 – Resolution of Substantial Compliance for Proposed Maverick Annexation. The applicant is applying for annexation into the City of Rifle. The Resolution of Substantial Compliance is required by Colorado State Statute to begin the annexation process. This Resolution only provides a representation from the applicant that they meet State Statute requirements to request an annexation into the City. The subject property is located at the south east corner of Interstate 70 and Highway 6 & 24, immediately adjacent to the Rifle Supercenter Minor Subdivision and Lot 3 of Lacy Park Subdivision. The planning commission public hearing to consider the annexation and rezoning request is scheduled for December 13, 2022. The council public hearing for review of the annexation will be scheduled on January 4, 2023.

Councilor Clint Hostettler moved to approve Resolution No. 15, Series of 2022 – Resolution of Substantial Compliance for Proposed Maverick Annexation; seconded by Alicia Gresley.

Roll Call: Yes – Brian Condie, Joe Carpenter, Clint Hostettler, Alicia Gresley and Ed Green.

No – None.

Consider Amending Article 18 of the Rifle Municipal Code to require Electrical Charging Capacity for Electric Vehicles in New Residential Construction – Ordinance No. 19, Series of 2022 – 2nd Reading

City Attorney Jim Neu clarified motion process to consider amending Article 18 of the Rifle Municipal Code to require Electrical Charging Capacity for Electric Vehicles in New Residential Construction – Ordinance No. 19, Series of 2022 – 1st & 2nd Reading. This Building Code Amendment would require all new residential construction to be Electrical Vehicle charging ready. This requires some minor additional electrical work as part of the construction process. Approximate additional cost to new construction would be \$150.00. Installation of the required wiring after initial construction could cost anywhere between \$500.00 and \$800.00. The amendment is proposed to be implemented on January 1, 2023. Public Notice was completed as required for a Public Hearing.

Comments were heard from Councilor Brian Condie.

Councilor Alicia Gresley moved to approve Electrical Charging Capacity for Electric Vehicles in New Residential Construction Ordinance No. 19, Series of 2022 on second reading; seconded by Brian Condie.

Roll Call: Yes – Alicia Gresley.
No – Brian Condie, Ed Green and Joe Carpenter.
Recused – Clint Hostettler.

Vote was 3 - 1 against; Motion Failed.

Report to City Manager

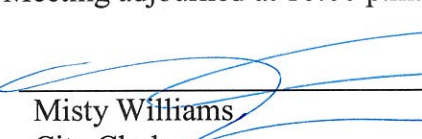
Reports were heard from City Clerk Misty Williams, City Attorney Jim Neu and Planning Director Patrick Waller.

Comments from Mayor and Council

Comments were heard from Councilor Alicia Gresley, Councilor Brian Condie, Mayor Ed Green, and Councilor Joe Carpenter.

Adjournment

Meeting adjourned at 10:00 p.m.


Misty Williams
City Clerk




Ed Green
Mayor