



RIFLE CITY COUNCIL

REGULAR MEETING

December 7, 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, Councilor Joe Carpenter and Christ Bornholdt, and Councilor Sean Strode.

Roll Call: Yes - Ed Green, Clint Hostettler, Alicia Gresley, Joe Carpenter, Chris Bornholdt, Sean Strode 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, Finance Director Scott Rust, IT Director Kelly Thompson and Planning Director Patrick Waller.

PUBLIC COMMENT

No public comment was heard.

CONSENT AGENDA – CONSIDER APPROVING THE FOLLOWING ITEMS:

- A. Consider Liquor License Renewal for Jalisco Grill, LLC dba Jalisco Grill
- B. Consider Change of Owner for Ted Rex, Inc. dba Choice Liquors

Councilor Sean Strode moved to approve Consent Agenda Items A & B; seconded by Councilor Alicia Gresley.

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

No – None.

PUBLIC HEARING

Consider Amending the 2022 Budget – Supplemental Appropriations #1

Mayor Ed Green opened the hearing.

Finance Director Scott Rust presented request to consider the amendment of the 2022 Budget – Supplemental Appropriations #1. The request to amend the 2022 budget will ensure sufficient appropriations are available in each individual fund to cover the necessary expenses of the City of Rifle. Supplemental appropriations are required when the adopted budget is not sufficient to cover anticipated costs. Throughout 2022, significant inflationary pressure and other economic realities have substantially increased the costs to provide critical services to the citizens of the City of Rifle. Also, additional projects which were not originally included in the 2022 budget were requested by staff and subsequently authorized by the Council. Therefore, supplemental appropriations are necessary to cover these additional costs. A supplemental appropriation summary table is provided in the attached agenda documentation. The budget must be amended and supplemental appropriations authorized to cover these additional costs to remain in compliance with governmental accounting standards and state law. Public notice requirements have been met.

Mayor Ed Green closed the hearing.

Consider Ordinance No. 22, Series of 2022 – First Reading – Text Amendment Package to Article 16 of the Rifle Municipal Code regarding Two-Unit Dwellings, Multi-Unit Dwellings in Commercial Areas, Minimum Residential Lots Sizes in Commercial Areas, Accessory Dwelling Unit Fees, Tow Yards, Accessory Storage Structures for Commercial Uses, Principal Uses on Residential Property and Food Trucks

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO AMENDING CHAPTER 16 OF THE RIFLE MUNICIPAL CODE TO PROVIDE FOR THE REGULATION OF VARIOUS LAND USES AND PLANNING

Planning Director Patrick Waller presented request to consider Ordinance No. 22, Series of 2022. This Ordinance will amend Chapter 16 of the Rifle Municipal Code to provide for the regulation of various land uses and planning. Staff provided a number of text amendments for consideration, in the attached agenda documentation.

Planning Director Patrick Waller answered questions for Council.

Councilor Brian Condie moved to approve Ordinance No. 22, Series of 2022 on first reading as presented and order it to be published as required by charter with amendment of food truck 10 days to 12 days; seconded by Councilor Sean Strode.

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

No – None.

REGULAR AGENDA

Consider 2022 Mill Levy Certification for the 2023 Fiscal Year – Resolution No. 17, Series of 2022

A RESOLUTION OF THE CITY OF RIFLE, COLORADO LEVYING GENERAL PROPERTY TAXES TO HELP DEFRAY THE COST OF GOVERNMENT FOR THE CITY OF RIFLE FOR THE 2023 BUDGET YEAR

Finance Director Scott Rust presented the request to consider the 2022 Mill Levy Certification for the 2023 Fiscal Year – Resolution No. 17, Series of 2022. The certification of the mill levy for the City of Rifle and Downtown Development Authority will allow each entity to levy property taxes within each entity’s taxing jurisdiction. The property tax revenue collected is a critical revenue source that allows each entity to provide critical services to citizens. The City of Rifle will certify and assess 5.261 mills which is estimated to generate \$669,952 and the DDA will certify and assess 3.774 mills which is estimated to generate \$46,407.00. This is a result of a slight decrease in assesses values in the taxing jurisdiction as mill levy rates remain unchanged year over year.

Councilor Clint Hostettler moved to approve Resolution No. 17, Series of 2022 to certify the 2022 Mill Levy for the City of Rifle and DDA with the Garfield County; seconded by Councilor Chris Bornholdt.

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

No – None.

Consider Amending the 2022 Budget – Resolution No. 18, Series of 2022

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIFLE, COLORADO, AMENDING THE CITY’S BUDGET FOR THE YEAR ENDING DECEMBER 31, 2022

Councilor Clint Hostettler moved to approve Resolution No. 18, Series of 2022; seconded by Councilor Chris Bornholdt.

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

No – None.

Consider Adopting Supplemental Appropriations for the 2022 Budget – Ordinance No. 25, Series of 2022

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, PROVIDING FOR
A SUPPLEMENTAL APPROPRIATION FOR THE BUDGET YEAR ENDING
DECEMBER 31, 2022

Councilor Clint Hostettler moved to approve Ordinance No. 25, Series of 2022 on its first and only reading as presented and order it to be published in full as required by Charter; seconded by Sean Strode.

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

No – None.

Consider 2023 Contract with Sustainable Strategies

City Manager Tommy Klein presented the request to consider the 2023 Contract with Sustainable Strategies. Sustainable Strategies searches for grant opportunities, writes grants, and submits the grants on our behalf. In 2022, they were instrumental in acquiring approximately 1.54 million dollars in direct funding. The company also assisted in obtaining 1.8 million dollars in funding for the White river and HWY 6 intersection updates. The company worked with CDOT and RFTA to obtain a RAISE grant for our new Park and Ride, which will provide approximately 1.9 million to complete that project. The company also applied for Congressionally Directed Spending to update body-worn and in-car cameras. The CDS will provide approximately 270k to the City and will be available if Congress passes a budget. Staff recommends approval as significant amount of staff time will be saved since the company will write our grants. The 2023 Contract with Sustainable Strategies and their services is for \$66,000.00.

City Manager Tommy Klein answered questions for Council.

Councilor Sean Strode moved to approve the 2023 contract with Sustainable Strategies and the associated expenditure in the amount of \$66,000.00; seconded by Councilor Joe Carpenter.

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

No – None.

Consider Purchase Request for Toilet at Grand Hogback Trailhead

Planning Director Patrick Waller presented the request to purchase a Toilet for the Grand Hogback Trailhead. The City of Rifle received a CPW Non-motorized trails grant earlier this year (June 2022) for the further development of the Grand Hogback Trail System. This grant included a budget of \$30,000.00 for a toilet at the trailhead. The bid was for \$32,190.00. Following City of Rifle procurement requirements, the bid was advertised on Bid Net. Staff received one bid, for \$32,190.00, from UBC Precast. The bid was reviewed by the Bureau of Land Management and the toilet system meets their requirements. While Staff only received one formal bid for the project, the BLM did previously reach-out to two other toilet suppliers earlier this year. Both suppliers provided quotes of \$34,000.00 and \$35,000.00. Based on the proposed construction requirements and the other quotes the proposed bid represents a good value for the development of the trailhead toilet system. Staff recommends that the difference of \$2,190.00 be covered by Conservation Trust Fund.

Councilor Clint Hostettler moved to approve the purchase request in the amount of \$32,190.00 to UBC precast for a toilet at the Grand Hogback Trailhead; seconded by Sean Strode.

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

No – None.

Consider Ordinance No. 24, Series of 2022 – First Reading – Plastic Bag Fee Remittance

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING
CHAPTER 4 OF THE RIFLE MUNICIPAL CODE TO PROVIDE FOR THE
CLARIFICATION OF THE REMITTANCE SCHEDULE OF THE BAG FEE
IMPOSED BY THE STATE OF COLORADO

City Attorney Jim Neu presented the request to consider Ordinance No. 24, Series of 2022 – First Reading – Plastic Bag Fee Remittance. In 2021, the General Assembly adopted and the Governor signed HB 21-1162, the Management of Plastic Products Act. Among other things, this bill imposed a \$0.10 fee on bags provided by retailers at point of sale, of which \$0.06 cents will go to the City. Earlier this year, by Ordinance No. 16, Series of 2022, Council exempted this fee from an additional sales tax levy. However, upon further review, there was an error discovered and confirmed by Colorado Municipal League during the amendment process that resulted in the fee not being remitted until April 1, 2024. January 1, 2023 to April 1, 2024 is an unnecessarily long period of time for retailers to be required to hold onto this fee prior to remittance, we are proposing this ordinance, exercising the City’s home rule authority, to correct the remittance date to 2023 and follow the sales and use tax remittance schedule already in place.

Councilor Clint Hostettler moved to approve Ordinance No. 24, Series of 2022 on first reading as presented and order it to be published as required by Charter; seconded by Chris Bornholdt.
Roll Call: Yes – Brian Condie, Ed Green, Alicia Gresley, Sean Strode, Joe Carpenter, Chris Bornholdt, and Clint Hostettler.
No – None.

Report to City Manager

Reports were heard from City Manager Tommy Klein and City Clerk Misty Williams.

Comments from Mayor and Council

Comments were heard from Councilor Alicia Gresley, Councilor Sean Strode and Councilor Joe Carpenter.

Adjournment

Meeting adjourned at 8:14 p.m.


Misty Williams
City Clerk




Ed Green
Mayor