



RIFLE CITY COUNCIL

REGULAR MEETING

April 7, 2021

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 Barb Clifton.

Present at Roll Call:

Mayor Barbara Clifton, Councilor Theresa Hamilton, Councilor Joe Carpenter, Councilor Brian Condie, Councilor Ed Green, and Councilor Sean Strode.

Councilor Theresa Hamilton motioned to excuse Councilor Clint Hostettler, seconded by Councilor Sean Strode.

Roll Call: Yes - Barbara Clifton, Theresa Hamilton, Joe Carpenter, Brian Condie, Ed Green, Sean Strode;
No - None

Others Present:

Rifle City Manager Scott Hahn, City Clerk Kristy Doll, City Attorney Jim Neu, Rifle Community Television (RCTV) Michael Churchill, Chief of Police Tommy Klein, Court Administrator Kathy Pototsky, Public Works Director Brian Prunty, Civil Engineer Craig Spaulding, Planning Director Patrick Waller, Eric Brynildson, Scott Brynildson, Linda Brynildson, Tracy Trulove, Chuck Caron.

PUBLIC COMMENT

Citizen comments were heard from Marjorie Lear, Brett Lear, and Katie Mackley, who expressed their concerns regarding hate speech.

CONSENT AGENDA - CONSIDER APPROVING THE FOLLOWING ITEMS:

- A. Consider Minutes of the February 3, 2021, Regular Meeting
- B. Consider Minutes of the February 17, 2021, Regular Meeting
- C. Consider Liquor License Renewal for Thai Chili Bistro, LLC dba Thai Chili Bistro
- D. Consider Liquor License Renewal for Kum & Go, LC dba Kum & Go #921
- E. Consider Liquor License Renewal for Kum & Go, LC dba Kum & Go #4923
- F. Consider 2021 Intergovernmental Agreement for Mosquito Control with Garfield County

Councilor Theresa Hamilton moved to approve Consent Agenda Items A, B, C, D, E, and F; seconded by Councilor Sean Strode.

Roll Call: Yes - Barbara Clifton, Theresa Hamilton, Joe Carpenter, Brian Condie, Ed Green, Sean Strode;
No - None

PRESENTATION

Receive an Update on Downtown Project

City Engineer Craig Spaulding and Public Information Manager Tracy Trulove presented an update on the Downtown Railroad Avenue and Third Street Improvement Project.

REGULAR AGENDA

Consider Reappointment of Dustin Marantino, Marc Caldwell, Helen Rogers, and Treonna Villasenor to the Planning and Zoning Commission

Planning Director Patrick Waller explained that several of the Planning and Zoning Commission member's terms are expiring this month. Dustin Marantino, Marc Caldwell, Helen Rogers, and Treonna Villasenor have expressed the desire to continue serving on the Planning and Zoning Commission. Staff recommends reappointment of Dustin Marantino, Marc Caldwell, Helen Rogers, and Treonna Villasenor to the Planning and Zoning Commission for four (4) year terms.

Councilor Theresa Hamilton moved to reappoint Dustin Marantino, Marc Caldwell, Helen Rogers, and Treonna Villasenor as Planning Commission board members; seconded by Councilor Sean Strode.
Roll Call: Yes - Barbara Clifton, Theresa Hamilton, Joe Carpenter, Brian Condie, Ed Green, Sean Strode; No - None

Consider Recommendation to Construct Third Street in Concrete

Civil Engineer Craig Spaulding explained the benefits of constructing Third Street in concrete, versus asphalt. While the cost of constructing the roadway in concrete instead of asphalt is initially more expensive, the length of time between repairs is significantly more than that of asphalt, making it a more cost-effective, long-term solution. The concrete would extend from East Avenue to West Avenue on 3rd Street, and on Railroad Avenue, from 2nd Avenue to the alleyway between 4th and 5th Streets. Staff recommends the increase of concrete quantities and reduce asphalt quantities used in the construction project, in an amount not to exceed \$170,784.20

Councilor Ed Green moved to increase the Third and Railroad concrete quantities and reduce asphalt and road base quantities to construct Third Street and Railroad Ave out of concrete instead of asphalt for an amount not to exceed \$170,784.20.; seconded by Councilor Joe Carpenter.

Roll Call: Yes - Barbara Clifton, Theresa Hamilton, Joe Carpenter, Brian Condie, Ed Green, Sean Strode; No - None

Consider awarding contract to CKC Operations, LLC for the 2021 Crack Sealing

Civil Engineer Craig Spaulding and Public Works Director Brian Prunty explained that starting in 2019, streets located in the City of Rifle have received annual surveys to assess both the condition and remaining service life. Crack sealing offers a cost-effective method of repair to help maintain the street and extend its service life. In 2019 the average remaining service life (RSL) of Rifle's streets was 7.95 years. In the Spring of 2021, the remaining service life is 8.44 years. Bids for the 2021 crack sealing project were posted on March 3, 2021, and were received on March 19, 2021. Six qualified bids were considered, of which CKC Operations, LLC was the lowest bid, and submitted the necessary documentation to assure that the project would be executed correctly. Staff recommends approval of the contract with CKC Operations, LLC in the amount not to exceed \$42,282 for 2021 Crack Sealing.

Councilor Theresa Hamilton moved to award the 2021 Crack Sealing contract to CKC Operations, LLC in the amount of \$42,282; seconded by Councilor Sean Strode.

Roll Call: Yes - Barbara Clifton, Theresa Hamilton, Joe Carpenter, Brian Condie, Ed Green, Sean Strode; No - None

Consider Purchase of Medium Duty Snowplow Truck

This item was postponed to the next City Council meeting.

Consider requiring confirmation a Liquor License Renewal Applicant is current with sales tax obligations - Ordinance No. 4, Series of 2021 - 1st reading

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING SECTION 6-5-60 OF THE RIFLE MUNICIPAL CODE REGARDING LIQUOR LICENSE RENEWAL APPLICATION REQUIREMENTS

City Clerk Kristy Doll explained the Colorado Liquor Code, sections 44-3-101 and Liquor Rules, 1 CCR 203-2 prohibit "persons" from holding a license who is not of character or record satisfactory to the state licensing authority by virtue of their failure to pay state or local business taxes. State agencies made a coordinated effort and developed a process for ensuring liquor licenses are issued to those in good standing with their tax reporting and payments. This ordinance would align the City of Rifle's requirements with that of the State of Colorado, by ensuring that liquor license applicants are current with their local taxes as well. Staff recommends approval of Ordinance No. 4, Series of 2021, on first reading.

Councilor Sean Strode moved to approve Ordinance No. 4, Series of 2021 on first reading as presented and order it to be published by title as required by Charter; seconded by Councilor Theresa Hamilton

Roll Call: Yes - Barbara Clifton, Theresa Hamilton, Joe Carpenter, Brian Condie, Ed Green, Sean

Strode; No - None

Consider amending Rifle Municipal Code to reference the Uniform Election Code in Title 1, C.R.S. for Coordinated Elections - Ordinance No. 5, Series of 2021 - 1st reading

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING SECTION 2-1-10 OF THE RIFLE MUNICIPAL CODE PERTAINING TO THE CONDUCT OF MUNICIPAL ELECTIONS

City Clerk Kristy Doll stated during the 2019 Municipal Election, citizens voted to hold the Regular Municipal Election in November in odd-numbered years which would coordinate Rifle Municipal Election with county and state elections. Section 2-1-10 of the Rifle Municipal Code pertaining to the conduct of municipal elections needs to be amended to align with the requirements of a coordinated election with Garfield County. Staff recommends the approval of Ordinance No. 5, Series of 2021, on first reading.

Councilor Sean Strode moved to approve Ordinance No. 5, Series of 2021 on first reading as presented and order it to be published by title as required by Charter; seconded by Councilor Theresa Hamilton

Roll Call: Yes - Barbara Clifton, Theresa Hamilton, Joe Carpenter, Brian Condie, Ed Green, Sean Strode; No - None

Consider Authorizing the Purchase of Real Estate - Resolution No. 3, Series of 2021

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIFLE, COLORADO AUTHORIZING THE CITY MANAGER TO TAKE ALL ACTIONS NECESSARY TO PURCHASE TWO PARCELS OF LAND COLLECTIVELY KNOWN AS PARADISE ISLAND

City Attorney Jim Neu explained the resolution authorizing the City Manager to take all actions necessary to purchase two parcels of land collectively known as Paradise Island. He explained the status of the negotiations with the two sellers involved with the land sale, as well as a timeline for a land appraisal, which will be completed in May. The purchase price for the land remains at \$400,000, with the City providing \$20,000 in earnest money. In the event that the appraisal does not meet the purchase price, the contract contains an appraisal objection deadline of June 1, 2021. The closing is scheduled for August 31, 2021. The City would like to submit an application in the next round of Great Outdoor Colorado (GoCo) grants, but the program is currently being restructured and the application and award dates are unknown. If grant dates are published, and the City wants to submit an application, the contract to purchase Paradise Island contains an option for the City to extend closing up to December 31, 2021, to apply for that money. However, to exercise that option, the City would need to increase the Earnest Money to a total of \$100,000 which becomes non-refundable if the City does not close for any reason except Seller's default. Resolution No. 3, Series of 2021 does not commit the City of Rifle to the purchase of the land but rather confirms the authorization needed in order to move forward with the purchase of the land. Staff recommends approval of Resolution No. 3, Series of 2021.

Comments were heard from Scott Bryndilson and Chuck Caron.

Councilor Sean Strode moved to approve Resolution No. 3, Series of 2021 with the addition of the first right of refusal; seconded by Councilor Theresa Hamilton.

Roll Call: Yes - Barbara Clifton, Theresa Hamilton, Ed Green, Sean Strode; No - Joe Carpenter, Brian Condie

Consider Extending Development Impact Fee Waivers - Ordinance No. 3, Series of 2021 - 1st Reading

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, EXTENDING TEMPORARY DEVELOPMENT FEE WAIVERS TO STIMULATE GROWTH AND ECONOMIC DEVELOPMENT IN THE CITY

City Attorney Jim Neu explained that Ordinance No. 3, Series of 2021 will extend the Development Fee Waivers until December 31, 2021, or until repealed with the adoption of revised development fees. Staff recommends approval of Ordinance No. 3, Series of 2021, on first reading.

Councilor Theresa Hamilton move to approve Ordinance No. 3, Series of 2021 on first reading as presented, and order it to be published by title as required by Charter; seconded by Councilor Ed Green
Roll Call: Yes - Barbara Clifton, Theresa Hamilton, Joe Carpenter, Ed Green; No - Brian Condie, Sean Strode

Consider amending Chapter 7, Article VI of the Rifle Municipal Code Regarding Impounded Animals - Ordinance No. 2, Series of 2021 - 1st reading

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO AMENDING CHAPTER 7, ARTICLE VI OF THE RIFLE MUNICIPAL CODE REGARDING IMPOUNDED ANIMALS

Court Administrator and Public Information Officer Kathy Pototsky explained the amendments that Ordinance No. 2, Series of 2021 would make to Chapter 7, Article VI of the Rifle Municipal Code regarding impounded animals. Currently, the code offers very few options pertaining to the outcome of impounded animals. Ordinance No. 2 will amend Chapter 7, Article VI of the Rifle Municipal code, allowing for the adoption of impounded animals to new homes, rather than being euthanized if a solution cannot be found regarding the current owners. The Rifle Animal Shelter will be assisting in the facilitation of these amendments, by handling the adoption process for these animals. Staff recommends approval of Ordinance No. 2, Series of 2021, on first reading.

Councilor Theresa Hamilton move to approve Ordinance No. 2, Series of 2021 on first reading as presented, and order it to be published by title as required by Charter; seconded by Councilor Joe Carpenter

Roll Call: Yes - Barbara Clifton, Theresa Hamilton, Joe Carpenter, Brian Condie, Ed Green, Sean Strode; No - None

Consider Designation of Multiple Fleet Vehicles as Surplus

Public Works Director Brian Prunty explained that several vehicles in our fleet are at the end of their useful life and need to be designated as surplus. In accordance with the Rifle Municipal Code [Sec. 4-3-130], these vehicles must be designated at surplus before they can be disposed of, sold at auction, or sold for salvage. Staff recommends approval to designate vehicle units 974, 368, 238, 792, 865, 1304, 559, 978, 1302, 1501, 979, 830, 424, 670, & 346 as surplus.

Mayor Pro Tem Theresa Hamilton moved to designate vehicle units 974, 368, 238, 792, 865, 1304, 559, 978, 1302, 1501, 979, 830, 424, 670, & 346 listed as surplus; seconded by Councilor Sean Strode.

Roll Call: Yes - Barbara Clifton, Theresa Hamilton, Joe Carpenter, Brian Condie, Ed Green, Sean Strode; No - None

Administrative Reports

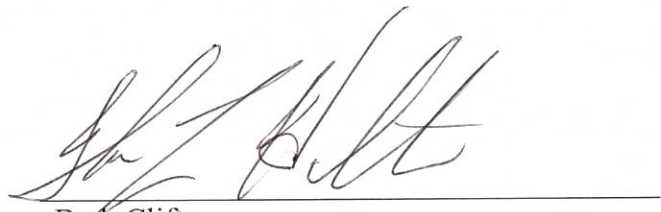
Administrative reports were heard from City Manager Scott Hahn and Chief of Police Tommy Klein.

Comments from Mayor and Council

Comments were heard from Mayor Clifton and Councilor Theresa Hamilton.

Adjournment

Meeting adjourned at 9:10 p.m.


Misty Williams
Interim City Clerk
Barb Clifton
Mayor