



# RIFLE CITY COUNCIL

## REGULAR MEETING

August 16, 2023  
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:

Councilor Chris Bornholdt, Councilor Alicia Gresley, Mayor Ed Green, Councilor Brian Condie, Councilor Clint Hostettler and Councilor Sean Strode.

Councilor Clint Hostettler moved to excuse Councilor Joe Carpenter from meeting; seconded by Councilor Chris Bornholdt.

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

No – None.

#### Others Present:

City Manager Tommy Klein, City Clerk Misty Williams, City Attorney Jim Neu, Rifle Cable 10 Manager (RCTV) Michael Churchill, Chief of Police Debra Funston, Lieutenant Mike Kuper, Corporal Diego Pina, CSO Dawn Neely, CSO Alan Lambert, Sargent Carlos Cornejo, Police Officer Ariel Herrera, Police Department Executive Assistant Angela Mills, Systems Administrator I Brenda Maes, Planning Director Patrick Waller, Parks and Recreation Director Austin Rickstrew, Trish O’Grady, Pine West Development Representative Tyler West and Land Studio Planner Doug Pratt.

### PUBLIC COMMENT

Public comment was heard from Trish O’Grady.

### CONSENT AGENDA – CONSIDER THE FOLLOWING ITEMS:

- A. Consider Intergovernmental Agreement with Garfield County Clerk & Recorder for Election Services
- B. Consider 6<sup>th</sup> Amendment to Rifle Heights Subdivision Improvement Agreement – Whiteriver Avenue Fees Extension

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

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

No – None.

### PRESENTATION

#### Swearing In Officer Ariel Herrera

Chief of Police Debra Funston provided a brief summary of the training process Ariel Herrera started in 2022. Officer Ariel Herrera completed his field training with the Rifle Police Department on August 6<sup>th</sup>, 2023.

City Clerk Misty Williams administered Oath of Office to New Police Officer Ariel Herrera.

Badge pin was placed by Mr. Herrera’s wife.

## **PUBLIC HEARING**

### **Consider Annexation Request for Highway 6 and Swallow Lane Commercial Project**

Mayor Ed Green opened public hearing.

Planning Director Patrick Waller presented an annexation request for Highway 6 and Swallow Lane Commercial Project. The applicant Caerus Piceance, LLC is requesting to annex 35.95-acre property into the City of Rifle with Tourist Commercial zoning and a sketch plan. This property is located to the north and east of the West Rifle interchange and accessed from Highway 6. The applicant tends to develop a mixed-use commercial project across the 35.95-acre parcel in two phases. The first phase is anticipated to consist of a travel center with a large convenience store, fuel sales, and dedicated fueling lanes for diesel trucks. It is also anticipated to have two fast food restaurants with drive-thru, a truck maintenance/repair facility, and a sit-down restaurant. The second phase is more conceptual, but at this time the applicant is considering the development of a sit-down restaurant, fast food restaurants, hotel, self-storage facilities, and auto part sales. Public Notice requirements were met.

Applicant Caerus Piceance, LLC / Pine West Development, LLC. Representative Tyler West and The Land Studio, Inc. Planner Doug Pratt provided presentation on application submitted and answered questions for Council.

Councilor Clint Hostettler moved to approve annexation request for Highway 6 and Swallow Lane Commercial Project; seconded by Councilor Chris Bornholdt.

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

No – None.

### **Ordinance No. 18, Series of 2023 - Annexation – 1st Reading**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO ANNEXING TO THE CITY OF RIFLE, COLORADO CERTAIN REAL PROPERTY KNOWN AS THE HIGHWAY 6 AND SWALLOW LANE ANNEXATION.

Councilor Clint Hostettler moved to approve Ordinance No. 18, Series of 2023 – Annexation on its first reading as presented and order it to be published as required by Charter; seconded by Councilor Chris Bornholdt.

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

No – None.

### **Ordinance No. 19, Series of 2023 - Zoning – 1st Reading**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO ZONING CERTAIN REAL PROPERTY KNOWN AS THE HIGHWAY 6 AND SWALLOW LANE ANNEXATION TOURIST COMMERCIAL PLANNED UNIT DEVELOPMENT (TC-PUD) ZONE DISTRICT

Councilor Clint Hostettler moved to approve Ordinance No. 19, Series of 2023 – Zoning on its first reading as presented and order it to be published as required by Charter; seconded by Councilor Chris Bornholdt.

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

No – None.

### **Resolution No. 23, Series of 2023 – Annexation Findings**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIFLE, COLORADO, CONCERNING THE HIGHWAY 6 AND SWALLOW LANE ANNEXATION TO THE CITY OF RIFLE.

Councilor Clint Hostettler moved to approve Resolution No. 23, Series of 2023 – Annexation Findings; seconded by Councilor Chris Bornholdt.

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

No – None.

## **Resolution No. 24, Series of 2023 – Annexation Plan**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIFLE, COLORADO, APPROVING AN ANNEXATION PLAN FOR THE HIGHWAY 6 AND SWALLOW LANE ANNEXATION AS REQUIRED UNDER THE MUNICIPAL ANNEXATION ACT OF 1965, AS AMENDED.

Councilor Clint Hostettler moved to approve Resolution No. 24, Series of 2023 – Annexation Plan; seconded by Councilor Chris Bornholdt.

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

No – None.

### **Highway 6 and Swallow Lane Annexation Agreement**

Caerus Piceance, LLC, submitted an application to request City of Rifle Council to annex a tract of land located in the County of Garfield, State of Colorado, known as the Highway 6 and Swallow Lane Annexation. The purpose of this document, as an annexation agreement is to set forth the terms and conditions of the annexation of the property. Agreement is to be signed by both parties.

Councilor Clint Hostettler moved to approve the Annexation Agreement for Highway 6 and Swallow Lane; seconded by Councilor Chris Bornholdt.

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

No – None.

## **REGULAR AGENDA**

### **Consider Proposal from Browns Hill Engineering & Controls for Virtual SCADA**

City Manager Tommy Klein presented a request to consider proposal from Browns Hill Engineering & Controls for Virtual Supervisory Control and Data Acquisition (SCADA). The Water and Waste Water treatment plants run on SCADA software with servers on site that host this program. This upgrade provides more security and ease of access for repairs/upgrades as they will have the ability to control the program with their phones at any point in time; 24 hours. Most of the hardware for the system will be located off-site at Brown's Hill headquarters. This will help with maintenance, timeliness of repairs and cost of maintenance. Staff recommends proposal from Browns Hill Engineering & Controls for Virtual SCADA in the amount of \$338,502.00 to be paid over the next five years.

Councilor Alicia Gresley moved to approve proposal from Browns Hill Engineering and Controls for Virtual SCADA in the amount of \$338,502.00 paid over five years; seconded by Councilor Clint Hostettler.

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

No – None.

### **Consider Ordinance No. 17, Series of 2023 – Street Sales Tax Ballot Question – 1<sup>st</sup> Reading**

City Manager Tommy Klein presented a request to consider Ordinance No. 17, Series of 2023 – Street Sales Tax Ballot Question – 1<sup>st</sup> Reading. This Ordinance is to increase the street sales tax to exclusively repair the City of Rifle's streets. Sales tax is paid by residents and nonresidents who purchase any type of goods in the City of Rifle. The current rate of .50% was adopted in 1987 and no increase has been done since. The current Street Improvement Fund (SIF) cannot continue with the spending deficit on repairs and maintenance costs at the current rate.

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, TO PROVIDE FOR AN INCREASE IN SALES AND USE TAX BY 0.45% TO FUND IMPROVEMENTS TO STREETS, CURBS AND SIDEWALKS AND SUBMITTING THIS ORDINANCE FOR APPROVAL OF THE REGISTERED VOTERS OF THE CITY OF RIFLE AT THE NOVEMBER 7, 2023 GENERAL ELECTION.

Councilor Clint Hostettler moved to approve Ordinance No. 17, Series of 2023-Street Sales Tax Ballot Question on its first reading as presented and order it to be published as required by Charter; seconded by Councilor Chris Bornholdt.

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

No – None.

**Report to City Manager**

Reports were heard from City Manager Tommy Klein, Civil Engineer Craig Spaulding, Chief Debra Funston and City Clerk Misty Williams.

**Comments from Mayor and Council**

Comments were heard from Councilor Alicia Gresley, Councilor Sean Strode, Councilor Brian Condie, Councilor Clint Hostettler, and Mayor Ed Green.

**Adjournment**

Meeting adjourned at 8:11 p.m.

  
Misty Williams  
City Clerk



  
Ed Green  
Mayor