

RIFLE CITY COUNCIL MEETING

Wednesday, April 1, 2020

REGULAR MEETING

7:00 p.m. * Council Chambers

A regular meeting of the Rifle City Council was called to order at 7:00 p.m. by Mayor Barb Clifton. This Rifle City Council meeting was posted as an electronic meeting and is being held as an electronic meeting.

PRESENT AT ROLL CALL PARTICIPATING FROM THE COUNCIL CHAMBERS:
Mayor Barb Clifton.

PRESENT AT ROLL CALL PARTICIPATING ELECTRONICALLY: Councilors Joe Carpenter, Brian Condie, Ed Green, Theresa Hamilton, and Sean Strode.

OTHERS PRESENT: City Manager Scott Hahn, City Clerk Kristy Doll, City Attorney Jim Neu, Rifle Community Television (RCTV) Michael Churchill, Chief of Police Tommy Klein, IT Director Kelly Thompson, Public Works Director Brian Prunty, Utilities Director Robert Burns, Court Administrator Kathy Pototsky, Finance Director Michelle Duran and Planning Director Nathan Lindquist.

CITIZEN COMMENTS

No citizen comments were heard.

CONSENT AGENDA – CONSIDER APPROVING THE FOLLOWING ITEMS:

- A. Minutes March 18, 2020, City Council Regular meeting
- B. (Acting as Liquor Licensing Authority) Liquor License Renewal for Western Slope Investments dba Wing Nutz Bar and Grill

Councilor Strode moved to approve Consent Agenda Items A and B; seconded by Councilor Elliott.

Roll Call: Yes – Carpenter, Condie, Elliott, Green, Hamilton, Strode and Clifton

ACTION, IF ANY, ON WORKSHOP ITEMS

Mayor Clifton explained tonight's Workshop included a discussion on 2020 Garfield County Senior Programs which includes the Traveler Services. Garfield County Senior Programs Manager requested Council consider approving a Continuing Resolution to make interim payments for participation in Garfield County Senior Program's Traveler Service until a meeting with the Board can be held to discuss the 7-Party Intergovernmental Agreement (IGA).

Councilor Elliott moved to approve to fund \$100,000 for the IGA for Garfield County Senior Programs for 2020 Traveler Services. Motion was withdrawn by Councilor Elliott.

Councilor Condie moved to authorize staff to prepare and IGA authorizing a payment for Traveler Services of 25,000 per quarter up to \$100,000 for the 2020 fiscal year.; seconded by Councilor Hamilton.

Roll Call: Yes – Carpenter, Condie, Elliott, Green, Hamilton, Strode and Clifton

CONSIDER PURCHASE OF LEFTOVER MATERIALS FROM 2019 WATER SYSTEM IMPROVEMENTS

Utilities Director Robert Burns explained that surplus waterline fittings from the 2019 Water Systems Improvement Project could be purchased from Johnson Construction for the cost of \$21,741.50. Since the original purchase date of these waterline parts, the price has increased over 25%; therefore, the parts included in this purchase request are less expensive than what could be purchased anywhere else. Staff recommends approval of the purchase of leftover materials from the 2019 Water System Improvements project from Johnson Construction in the amount of \$21,741.50.

Councilor Hamilton moved to approve the purchase of leftover materials from the 2019 Water System Improvements project from Johnson Construction in the amount of \$21,741.50; seconded by Councilor Strode.

Roll Call: Yes – Carpenter, Condie, Elliott, Green, Hamilton, Strode and Clifton

CONSIDER COLORADO RIVER ENGINEERING CHANGE ORDER NO. 1 FOR THE 3RD STREET AND RAILROAD AVENUE DESIGN & CONSTRUCTION MANAGEMENT

Public Works Director Brian Prunty stated Change Order No. 1 to the contract with Colorado River Engineering is for additional costs of design and construction management due to an expanded scope of work for the 3rd Street and Railroad Avenue project. The additional scope of work for this project was identified after the original contract was approved by Council in August of 2019. The amount of Change Order No. 1 is \$163,767. The original contract with Colorado River Engineering was for \$242,922 and with the Change Order No. 1, the total cost for design and construction management for this project will be \$406,659. Staff recommends the approval of Change Order No.1 to the Colorado River Engineering contract for design and construction management of 3rd Street and Railroad Avenue, in the amount of \$163,737.

Councilor Elliott moved to approve Change Order No. 1 to the contract with Colorado River Engineering for 3rd Street and Railroad Avenue design and construction management in the amount of \$163,737; seconded by Councilor Condie.

Roll Call: Yes – Carpenter, Condie, Elliott, Green, Hamilton, Strode and Clifton

CONSIDER AMENDING THE RIFLE MUNICIPAL CODE TO PROHIBIT THE SALE OR POSSESSION OF TOBACCO PRODUCTS OR NICOTINE PRODUCTS TO MINORS - ORDINANCE NO. 4, SERIES OF 2020 – 1ST READING

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO AMENDING CHAPTER 10, ARTICLE VII OF THE RIFLE MUNICIPAL CODE TO PROHIBIT THE FURNISHING OF CIGARETTES, TOBACCO PRODUCTS OR NICOTINE PRODUCTS TO INDIVIDUALS UNDER THE AGE OF 21 AND POSSESSION OF CIGARETTES AND TOBACCO PRODUCTS BY INDIVIDUALS UNDER THE AGE OF 21.

Court Administrator Kathy Pototsky stated Ordinance No. 4 Series of 2020, amends Rifle Municipal Code to prohibit the possession or sale of tobacco or nicotine products to individuals under the age of 21. This ordinance will allow Rifle Police Officers to write municipal tickets for these offenses. The possession offense would be a Class C Misdemeanor and the sale of tobacco products or nicotine products would be a Class A Misdemeanor. Staff recommends approval of Ordinance No. 4, Series of 2020, to prohibit the sale or possession of tobacco products or nicotine products to individuals under the age of 21.

Councilor Elliott moved to approve Ordinance No. 4, Series of 2020 on first reading, as amended, and order it to be published as required by Charter; seconded by Councilor Carpenter.

Roll Call: Yes – Carpenter, Condie, Elliott, Green, Hamilton, Strode and Clifton

CONSIDER AMENDING THE RIFLE MUNICIPAL CODE TO PROHIBIT THE UNLAWFUL USE OF A CONTROLLED SUBSTANCE - ORDINANCE NO. 5, SERIES OF 2020 – 1ST READING

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO AMENDING CHAPTER 10, ARTICLE VIII OF THE RIFLE MUNICIPAL CODE TO PROHIBIT THE UNLAWFUL USE OF A CONTROLLED SUBSTANCE

Court Administrator Kathy Pototsky explained that last year the Colorado Legislature decided to reclassify most drug offenses; so many offenses which had previously been felonies are now misdemeanors. Ordinance No. 5, Series of 2020 amends the Rifle Municipal Code to prohibit the unlawful use of a controlled substance and allows these cases to be held in Municipal Court. Staff recommends approval of Ordinance No. 5, Series of 2020, to prohibit the unlawful use of a controlled substance.

Councilor Strode moved to approve Ordinance No. 5, Series of 2020, on first reading, as presented, and order it to be published as required by Charter; seconded by Councilor Green. Roll Call: Yes – Carpenter, Condie, Elliott, Green, Hamilton, Strode and Clifton

DISCUSSION OF MARIJUANA TAX SET ASIDE

Councilor Green noted that during the 2020 budget process, Council allocating a portion of the revenue from the Retail Marijuana Stores 5% tax received for grants to support organizations that manage marijuana impacts. During the 2020 budget process, \$27,500 was allocated for community grants. The 2019 and 4th quarter finance reports are complete and the revenue received from the Retail Marijuana stores 5% sales tax in 2019 was \$82,000. Councilor Green proposed \$41,000 be allocated for grants instead of the \$27,500 that was adopted in the budget.

Councilor Green moved to distribute \$41,000 to the Rifle Community Foundation for grant funds for organizations engaging in addressing the impacts of marijuana use; seconded by Councilor Hamilton.

Roll Call: Yes – Carpenter, Condie, Elliott, Green, Hamilton, Strode and Clifton

CONSIDER EMERGENCY ORDER TERMINATING RFTA SERVICE IN RIFLE – RESOLUTION NO. 8, SERIES OF 2020

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIFLE, COLORADO, TEMPORARILY SUSPENDING ROARING FORK TRANSPORTATION AUTHORITY SERVICE IN THE CITY OF RIFLE DURING THE COVID-19 OUTBREAK.

Mayor Clifton explained Roaring Fork Transportation Authority (RFTA) held a Special Meeting to vote on suspending bus service, but the vote to suspend bus service did not pass by a supermajority. Resolution No. 8, Series of 2020, temporarily suspends Roaring Fork Transportation Authority Service in the City of Rifle commencing on April 3, 2020, at 11:59 p.m through May 6, 2020, when the City Council shall reevaluate the status.

Councilor Elliott moved to approve Resolution No. 8, Series of 2020, as presented; seconded by Councilor Green.

Roll Call: Yes – Carpenter, Elliott, Green, and Clifton

No - Condie, Hamilton, Strode

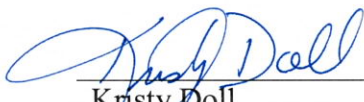
ADMINISTRATIVE REPORTS

Comments were heard from: City Manager Scott Hahn, City Clerk Kristy Doll, City Attorney Jim Neu, Chief of Police Tommy Klein, Public Works Director Brian Prunty, Planning Director Nathan Lindquist, and Rifle Community Television (RCTV) Michael Churchill.

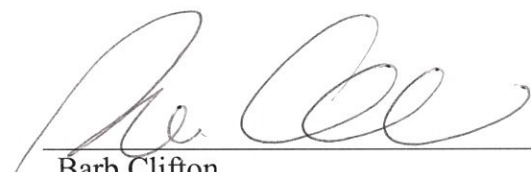
COMMENTS FROM MAYOR AND COUNCIL

Comments were heard from Councilor Condie, Councilor Elliott, Councilor Strode, Councilor Carpenter, Councilor Hamilton, and Mayor Clifton.

Meeting adjourned at 8:54 p.m.


Kristy Doll
City Clerk




Barb Clifton
Mayor