

RIFLE CITY COUNCIL MEETING

Wednesday, April 2, 2014

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 Randy Winkler.

PRESENT ON ROLL CALL: Councilors Rich Carter, Barb Clifton, Jay Miller, Dirk Myers, Hans Parkinson, Jonathan Rice, and Mayor Randy Winkler.

OTHERS PRESENT: Matt Sturgeon, City Manager; Lisa Cain, City Clerk; Jim Neu, City Attorney; Jim Bell, Rifle Community Television Manager; Kristy Christensen, Deputy City Clerk; Dick Deussen, Utilities Director; John Dyer, Police Chief; Sara Flores, Code Enforcement Officer; Nathan Lindquist, Planning Director; Tom Whitmore, Parks and Recreation Director; Ava Bowles; Mike Davis; Mike McKibbin; Lou Rotella; Ken Sack; and Dana Wood.

CONSENT AGENDA - APPROVE THE FOLLOWING ITEMS:

- A. Set public hearing on application for modification of premise by Eagle Springs Organic d/b/a Eagle Springs Meats and Farm Fresh Cafe
- B. Powdered Activated Carbon lease agreement
- C. January 2014 Financial Report
- D. Accounts Payable
- E. Proclamation – Municipal Clerks Week
- F. Proclamation – Arbor Day

Councilor Carter moved to approve Consent Agenda Items A, B, C, D, E, and F; seconded by Councilor Rice. Roll Call: Yes – Carter, Clifton, Miller, Myers, Parkinson, Rice, Winkler

CITIZEN COMMENTS

Lou Rotella, Chief Financial Officer, Eagle Springs Organic, asked why a public hearing was necessary before Council took action on the modification of premises application. City Clerk Lisa Cain explained that staff's position is that Council should review this application in a public hearing before taking action.

There were no other citizen comments.

PROCLAMATION – MUNICIPAL CLERKS WEEK

Mayor Winkler read a proclamation declaring May 4 through May 10, 2014 as Municipal Clerks Week.

PROCLAMATION – ARBOR DAY

Mayor Winkler read a proclamation declaring April 26, 2014 as Arbor Day.

RECEIVE UPDATE FROM LIVEWELL GARFIELD COUNTY AND GET MOVIN' CHALLENGE

Dana Wood, Community Coordinator, LiveWell Garfield County, provided an update on LiveWell activities and the Get Movin' Challenge.

***PUBLIC HEARING – CONSIDER AMENDING LAND USE CODE FOR SEASONAL TEMPORARY USES
ORDINANCE NO. 6, SERIES OF 2014 – 1ST READING***

**AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING SECTION 16-3-90 OF THE
RIFLE MUNICIPAL CODE TO PROVIDE FOR LIMITED SEASONAL FOOD SALES AS A
TEMPORARY USE IN THE COMMUNITY SERVICE AND TOURIST COMERCIAL ZONE DISTRICTS
AND TO PROVIDE ADDITIONAL TEMPORARY USE STANDARDS RELATING TO SIGNAGE**

Mayor Winkler opened the public hearing. Planning Director Nathan Lindquist noted that City Council directed staff to initiate a text amendment to Chapter 16 of the Rifle Municipal Code to allow seasonal temporary uses as an exception to the City’s temporary uses permit process contained in Section 16-3-90. Given the amount of thought that went into creating the temporary use regulations in 2009, Mr. Lindquist did not recommend re-opening a discussion on the overall number of vendors allowed. A simple solution could be to create a different category for the vending of “seasonal items” such as snowcones, lemonade, or ice cream, not to exceed five months in a calendar year. “Seasonal vending” would be permitted separately from vendors that serve entrée items such as burritos, hot dogs, or other “meal” items. He recommended the following regulations on seasonal vending:

- Code requirements for temporary uses such as being located in a paved parking lot, having the appropriate health licenses, and locating in a commercially zoned area would also apply to seasonal mobile vendors.
- Time limits on the amount of time the seasonal vending operation can be on-site (5 months recommended). The trailer would need to be removed from the site for the remainder of the year.
- Size limits on seasonal vending trailers (15’ X 10’ maximum).
- Permit costs shall be \$25, and permits shall be good for one year.

Additionally, staff received a request from a citizen that the temporary use code be amended to allow mobile vendors with a downtown permit to have an a-frame sign (sidewalk sign) of the same type that downtown restaurants and retailers have. Staff has no objection to this request.

These text amendments are contained in proposed Ordinance No. 6, Series of 2014. The City’s Planning Commission considered the proposed ordinance at a public hearing at its March 25, 2014 meeting and recommended that the City Council adopt these amendments to the Code.

Councilor Carter moved to approve Ordinance No. 6, Series of 2014, on first reading as presented and to order it to be published as required by Charter; seconded by Councilor Miller. Roll Call: Yes – Carter, Clifton, Miller, Myers, Parkinson, Rice, Winkler

CONSIDER STREET CLOSURES FOR BIKE RACE

Mr. Lindquist explained that The Bicycle Racing Association of Colorado (BRAC) had requested a change in the route for the Memorial Day Bike Race. Council previously approved street closures for East Avenue, 3rd Street, Whiteriver Avenue, and 9th Street for the race to take place on Monday, May 26th. The new route and time is proposed to be on Sunday, May 25th, using Railroad Avenue, 3rd Street, East Avenue, and 8th Street. The street closures would be in effect from 7 a.m. to 2 p.m.

The new route and time may have some advantages over the original proposal. The new route would affect fewer residences and churches and would take place at a time on Sunday morning when most businesses are closed. The businesses that would be open (gas station on 5th, Gateway Lodge, Shooter’s Grill, Base Camp Café) have been contacted and have no objections to the race. The affected businesses will have the opportunity to put free advertising or coupons in the race packet as a thank you from the race organizers. The finish line is expected to be near 3rd Street which should draw a crowd downtown.

Staff will ensure that the race organizers place electronic signage at the entrance into downtown, and north of downtown, to advise motorists of detour routes on Park Avenue and Whiteriver Avenue. Whiteriver Avenue will be accessible from 9th Street and from Highway 6.

Councilor Parkinson moved to close these streets from 7 a.m. to 2 p.m. on Sunday, May 25, 2014 for the 2014 Colorado Mini Classic Bicycle Race:

- Railroad Avenue between 3rd Street and 8th Street
- 3rd Street between Railroad Avenue and East Avenue
- East Avenue between 3rd Street and 8th Street
- 8th Street between East Avenue and Railroad Avenue

Motion seconded by Councilor Rice. Roll Call: Yes - Carter, Clifton, Miller, Myers, Parkinson, Rice, Winkler

CONSIDER PENWILL EASEMENT DEED AND AGREEMENT

City Attorney Jim Neu reported that staff has been negotiating with the owner of property north of the new Rifle Water Purification Facility to expand the scope of an existing 30-foot easement containing a 24-inch water main. The existing easement is expressly limited to the water main and the City cannot install additional utilities without the property owner granting an easement for those additional utilities. The new water plant requires a natural gas line and a sewer line, both of which need to be installed in the existing easement. To obtain an easement for these additional utilities, staff has negotiated an easement agreement with the property owner, Charlie Penwill. The City will compensate Mr. Penwill for the easement in the amount of \$10,000.

Councilor Miller moved to approve the Easement Deed and Agreement between the City and The Charles R. Penwill Revocable Trust; seconded by Councilor Myers. Roll Call: Yes – Carter, Clifton, Miller, Myers, Parkinson, Rice, Winkler

CONSIDER BUILDING CODE AMENDMENTS ELIMINATING B.E.S.T. TEST REQUIREMENT - ORDINANCE NO. 7, SERIES OF 2014 – 1ST READING

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING SECTION 18-14-10 OF THE RIFLE MUNICIPAL CODE TO ELIMINATE COMPLETION AND PASSAGE OF THE BOARD OF EXAMINERS FOR STANDARDIZED TESTING EXAMINATION AS A PREREQUISITE TO ISSUANCE OF A CITY OF RIFLE CONTRACTOR'S LICENSE

Mr. Lindquist noted that at a recent workshop, staff discussed with the City Council an amendment to Chapter 18 of the Rifle Municipal Code to eliminate the requirement that individuals who want to obtain a contractor's license take and pass the Board of Examiners of Standardized Testing examination, the so-called B.E.S.T. Test, as a prerequisite to the City issuing a contractor's license. Proposed Ordinance No. 7, Series of 2014 would amend the Code to effect the elimination of this requirement because it is more burdensome to potential licensees than it is beneficial to the City.

Councilor Carter moved to approve Ordinance No. 7, Series of 2014, on first reading as presented and to order it to be published as required by Charter; seconded by Councilor Miller. Roll Call: Yes – Carter, Clifton, Miller, Myers, Parkinson, Rice, Winkler

ADMINISTRATIVE REPORTS

Ms. Cain invited citizens to attend Literacy Outreach's Spellebration fundraiser on April 4 at 6 PM at the Hotel Colorado in Glenwood Springs. She will compete on a team with her daughter, Carly Cain, and Court Administrator Kathy Pototsky. The team's sponsor is Nichols Insurance Agency in Rifle.

Police Chief John Dyer introduced Code Enforcement Officer Sara Flores.

Mr. Neu noted that his office will update the Council on water rights at a future workshop.

Mr. Sturgeon reported to Council on the following issues: citizen tours of City water sources; Spring Cleanup; tube settlers at Graham Mesa Water Treatment Plant; West 5th Street parking; and building fees.

COMMENTS FROM MAYOR AND COUNCIL

Councilor Carter wished Ms. Cain, her daughter, and Ms. Pototsky good luck at Spellebration.

Councilor Clifton invited citizens to participate in the Grand River Gallop run/walk on April 5 at 9:00 a.m. at Grand River Hospital. Proceeds benefit the Meals on Wheels program.

At Councilor Myers' request, Mr. Sturgeon provided details about the Powdered Activated Carbon lease. Councilor Myers announced the Energy Advisory Board meeting on April 3 at 5:30 PM at the Parachute Library. He congratulated the new Mayor and Trustees in Silt and Carbondale. He suggested the Council examine representation on the Visitor Improvements Fund Advisory Board at a future workshop.

The Council congratulated Ms. Cain and Deputy City Clerk Kristy Christensen on Municipal Clerks Week and thanked them for all that they do.

Meeting adjourned at 8:00 p.m.

Lisa H. Cain
City Clerk

Randy Winkler
Mayor