



City Council  
Barbara Clifton, Mayor  
Theresa Hamilton, Mayor Pro Tem  
Joe Carpenter, Councilor  
Joe Elliott, Councilor  
Ed Green, Councilor  
Annick Pruetz, Councilor  
Sean Strode, Councilor

City Hall  
City Council Chambers  
202 Railroad Avenue  
Rifle, CO

Cablecast Live on  
Comcast Channel 10

Streamed Live at RifleNOW.org

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**REGULAR MEETING  
April 4, 2018**

**WORKSHOP 5:30 P.M.  
CONFERENCE ROOM**

5:30 p.m. Update on City Manager Process  
6:00 p.m. Swimming Pool Project Update  
6:30 p.m. Project Priorities Discussion

**REGULAR MEETING 7:00 P.M.  
COUNCIL CHAMBERS**

*The City Council may take action on any of the following agenda items as presented or modified prior to or during the meeting, and items necessary or convenient to effectuate the agenda items.*

- 7:00 p.m. 1. Regular Meeting Call to Order, Pledge of Allegiance, and Roll Call
- 7:03 p.m. 2. Citizen Comments  
(For items not listed as public hearings on the agenda. Please limit comments to 3 minutes.)
- 7:10 p.m. 3. Consent Agenda – consider approving the following items:  
A. Minutes from the February 7, 2018 Regular Meeting  
B. Designating Persons Authorized to Sign Checks – Resolution No. 8, Series of 2018
- 7:15 p.m. 4. Action, if any, on Workshop Items (Mayor Clifton)
- 7:20 p.m. 5. Consider Extending the Temporary Moratorium on New Marijuana Business Licenses – Ordinance No. 3, Series of 2018 – 1<sup>st</sup> reading (Kristy Christensen)

- 7:35 p.m. 6. Consider Appointing Garrick Frontella as Visitor Improvement Fund Advisory Board member (Nathan Lindquist)
- 7:40 p.m. 7. Administrative Reports
- 7:50 p.m. 8. Comments from Mayor and Council
- 8:00 p.m. 9. Executive Session for a conference with the City Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402(4)(b) – Contract Negotiations

*The order and times of agenda items listed above are approximate and intended as a guideline for the City Council.*

***Next Regular Meeting of Council: April 18, 2018 at 7:00 p.m.***



**RIFLE CITY COUNCIL MEETING**

Wednesday, February 7, 2018

**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 Barbara Clifton.

**PRESENT AT ROLL CALL:** Councilors Joe Elliott, Ed Green, Theresa Hamilton, Annick Pruett, Sean Strode, and Mayor Barbara Clifton.

Councilor Elliott moved to excuse Councilor Carpenter from tonight’s meeting; seconded by Councilor Hamilton.

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

**OTHERS PRESENT:** City Manager James Nichols, City Clerk Kristy Christensen, City Attorney Jim Neu, Rifle Community Television (RCTV) Salvador Tovar, Chief of Police Tommy Klein, Parks and Recreation Director Tom Whitmore, Public Works Director Rick Barth, Planning Director Nathan Lindquist, Sergeant Wilson, Jessica Wilson, James Wilson, Sergeant Cornejo, Sergeant Tyler, Sergeant Kuper, Susan Lang, Katelynn Lang, Kyle Lang, Kimber Lang, Kolton Lang, Judge Pototsky, Kathy Pototsky, Angela Roff, Officer Lara, Officer Straw, Officer Ryan, Kimberly Klein, Philip Vaughan, Officer Bartunek and family.

**CITIZEN COMMENTS**

Citizen comments were heard from Melissa Burrows expressing her concerns with the traffic congestion on the intersection of Birch and 16<sup>th</sup> Street and Whiteriver and 16<sup>th</sup> Street.

**CONSENT AGENDA - APPROVE THE FOLLOWING ITEMS:**

- A. Minutes from the December 20, 2017 Regular Meeting

Councilor Hamilton moved to approve Consent Agenda Item A; seconded by Councilor Strode.

Roll Call: Yes - Elliott, Green, Hamilton, Pruett, Strode and Clifton

**CHIEF TOMMY KLEIN TO ADMINISTER OATH TO OFFICE TO BILL LANG**

City Clerk Kristy Christensen administered the Oath to office to Officer Bill Lang.

**CONSIDER SUPPORTING REAUTHORIZATION OF LOTTERY DIVISION – RESOLUTION NO. 4, SERIES OF 2018**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIFLE, COLORADO, SUPPORTING THE REAUTHORIZATION BY THE GENERAL ASSEMBLY OF COLORADO OF THE COLORADO LOTTERY DIVISION

Parks and Recreation Director Tom Whitmore stated the Colorado Lottery Division is set to expire unless it is reauthorized by the Colorado General Assembly. Reauthorization of the Lottery Division

during the 2018 Colorado Legislative session will ensure that the opportunity to obtain additional funding continues for Rifle and other Colorado communities. Staff recommends approval of the reauthorization of Lottery Division.

Councilor Elliot moved to approve the Resolution No. 4, Series of 2018 as presented; seconded by Councilor Pruett.

Roll Call: Yes - Elliott, Green, Hamilton, Pruett, Strode and Clifton

### **CONSIDER 2018 WATER PROJECT CONSULTANT CONTRACT NEGOTIATION**

Public Works Director Rick Barth stated staff requests authorization to negotiate with SGM for the 2018 consulting services to address some of our remaining critical and significant water infrastructure upgrades. Staff recommends authorization to negotiate a contract for consultation & construction management services for the 2018 Waterline Projects with SGM for an amount not to exceed \$230,000.

Councilor Elliott moved to approve the contract negotiation with SGM in an amount not to exceed \$230,000; seconded by Councilor Pruett.

Roll Call: Yes - Elliott, Green, Hamilton, Pruett, Strode and Clifton

### **CONSIDER FINAL BILLING FOR WATERLINE CONSTRUCTION**

Public Works Director Rick Barth noted the final billing for the waterline construction contract amount with Johnson Construction is \$1,836,665.39. This contract adjustment is due to the significant changes and delays on the 2017 South Waterline project. This is approximately \$400,000 higher than contract, and \$300,000 higher than consulting engineer's estimate. Major elements causing the increased costs and delay were boring under the I-70 ramps via hand tunnel and the pipe hanger systems which required an extreme amount of field customization and significantly slowed installation. The Water Department budget from 2017 does have the available funds without any supplemental request being necessary. This is a vital waterline to serve the south side of the City. Staff recommends a motion to approve the contract amount with Johnson Construction to \$1,836,665.39.

Councilor Elliott moved to approve the final billing for the waterline construction to Johnson Construction in the amount of \$1,836,665.39; seconded by Councilor Strode.

Roll Call: Yes - Elliott, Green, Hamilton, Pruett, Strode and Clifton

### **CONSIDER AGREEMENT WITH RIFLE HOUSING AUTHORITY**

Planning Director Nathan Lindquist noted the Cost Reimbursement Agreement with the Rifle Housing Authority will reimburse up to \$10,000 in legal fees associated with the City Hall/Affordable Housing Project. The Rifle Housing Authority Board does not have the revenue nor the budget for the legal counsel to assist them with the new City Hall/Affordable Housing Project. Because the Housing Authority will be a limited partner in the project and a signatory to every major financial aspect, they will need an attorney's review and advice. Staff recommends approval of a cost reimbursement agreement with the Rifle Housing Authority for an amount up to \$10,000.

Councilor Green moved to approve the cost reimbursement agreement with the Rifle Housing Authority as presented; seconded by Councilor Pruett.

Roll Call: Yes - Elliott, Green, Hamilton (Abstained), Pruett, Strode and Clifton

**CONSIDER CONTRACT FOR PRECONSTRUCTION SERVICES FOR CITY HALL WITH PHIL VAUGHN**

Planning Director Nathan Lindquist noted the City approved a Professional Services Agreement with Phil Vaughan Construction Management, Inc. last fall. This contract is for preconstruction services with Phil Vaughan Construction Management, Inc. for the new City Hall/Affordable Housing project in an amount of \$71,875. As project manager, Phil Vaughan will coordinate the work of the project team, prepare a DOLA grant application due on April 1st, and prepare a CHFA application due on June 1st. The full amount of the contract would only be spent if Council decides to go forward with the City Hall/Affordable Housing project.

Councilor Elliott moved to approve the preconstruction services contract with Phil Vaughan Construction Management, Inc. for an amount not to exceed \$71,875; seconded by Councilor Strode. Roll Call: Yes - Elliott, Green, Hamilton, Pruett, Strode and Clifton

**CONSIDER STREET IMPACT FEES**

Planning Director Nathan Lindquist requested approval of off-site Street Impact Fees at \$7,094.37 per single-family unit and \$4,354.82 per multi-family unit. Staff will provide Resolution for Council to consider the street impact fees at the next meeting on the consent agenda.

**ADMINISTRATIVE REPORTS**

Administrative Reports were heard from City Manager James Nichols on the following items: Public Open House for City Hall/Affordable Housing project on Feb 27<sup>th</sup>, new street signs on Railroad Avenue, Patrol Office position; Code Enforcement letters, and the Annual Snowmobile Poker Run cancelled.

**COMMENTS FROM MAYOR AND COUNCIL**

Comments were heard from: Councilors Joe Elliott, Theresa Hamilton, Annick Pruett, and Mayor Barbara Clifton.

Meeting adjourned at 8:04 p.m.

\_\_\_\_\_  
Kristy Christensen  
City Clerk

\_\_\_\_\_  
Barbara Clifton  
Mayor



**Rifle City Council**  
**Agenda Action Form**

<b>Title:</b>	Consider approval of Resolution No. 8, Series of 2018		
<b>Prepared by:</b>	Michelle Duran		
<b>Meeting Date:</b>	04/04/18	<b>Time Needed:</b>	5 minutes
<b>Agenda:</b>	Consent Agenda	<b>Agenda #:</b>	3C
<b>Recommended Motion:</b>	Approval of Resolution No. 8, Series of 2018, designating persons authorized to sign City checks		
<b>Financial Impact:</b>	None	<b>Approval:</b>	<i>Michelle Duran</i>
<b>Operational Impact:</b> <small>CHECK BOX ONLY IF DEPARTMENT REVIEW IS REQUIRED</small>	None	IT	<input type="checkbox"/>
		PUBLIC WORKS	<input type="checkbox"/>
		POLICE DEPARTMENT	<input type="checkbox"/>
		UTILITIES	<input type="checkbox"/>
		PARKS / RECREATION	<input type="checkbox"/>
		PLANNING	<input type="checkbox"/>
<b>Legal Review:</b>	Resolution submitted in packet		
<b>City Manager Authorization:</b>	<i>Davis Duran</i>		
<b>Background Information:</b>			
Resolution No. 8, Series of 2018 designates four individuals authorized to sign City checks. These individuals are determined by the office or position they hold at the City.			

**CITY OF RIFLE, COLORADO  
RESOLUTION NO. 8  
SERIES OF 2018**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIFLE,  
DESIGNATING PERSONS AUTHORIZED TO SIGN CITY CHECKS

WHEREAS, the City of Rifle has traditionally required three signatures on City checks;  
and

WHEREAS, the City Council desires to designate those individuals authorized to sign  
City checks.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Rifle that  
the following four persons, by reasons of their office, are authorized signatories on all City  
checks:

Barbara Clifton \_\_\_\_\_  
Mayor

Davis Farrar \_\_\_\_\_  
Interim City Manager

Kristy Christensen \_\_\_\_\_  
City Clerk

Michelle Duran \_\_\_\_\_  
Finance Director

THIS RESOLUTION was read, passed, and adopted by the Rifle City Council at the  
Regular City Council Meeting held this 4<sup>th</sup> day of April, 2018.

CITY OF RIFLE, COLORADO

By \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



**Rifle City Council**  
**Agenda Action Form**

<b>Title:</b>	Consider Extending the Temporary Moratorium on New Marijuana Business Licenses		
<b>Prepared by:</b>	Kristy Christensen, City Clerk		
<b>Meeting Date:</b>	04/04/18	<b>Time Needed:</b>	10
<b>Agenda:</b>	Regular Agenda	<b>Agenda #:</b>	
<b>Recommended Motion:</b>	Approve Ordinance No. 3, Series of 2018 on first reading as presented and to order it to be published as required by Charter.		
<b>Financial Impact:</b>	<b>Approval:</b>		
	None		
<b>Operational Impact:</b> <small>CHECK BOX ONLY IF DEPARTMENT REVIEW IS REQUIRED</small>	None		
	IT	<input type="checkbox"/>	
	PUBLIC WORKS	<input type="checkbox"/>	
	POLICE DEPARTMENT	<input type="checkbox"/>	
	UTILITIES	<input type="checkbox"/>	
	PARKS / RECREATION	<input type="checkbox"/>	
	PLANNING	<input type="checkbox"/>	
<b>Legal Review:</b>	Ordinance submitted in packet		
<b>City Manager Authorization:</b>	<i>Jaime Lujan</i>		
<b>Background Information:</b>			
<p>Council desires a moratorium on the issuance of any further medical marijuana business licenses or retail marijuana business licenses that may become available under the current provisions in the Rifle Municipal Code. Ordinance No. 3, Series of 2018 extends a temporary ban on acceptance, processing, and approval of applications for any new marijuana business license through August 31, 2018. We can always shorten the ban if regulations are adopted, but I wanted to make sure you have time to vet this complicated issue.</p>			



**CITY OF RIFLE, COLORADO  
ORDINANCE NO. 3  
SERIES OF 2018**

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, EXTENDING THE  
TEMPORARY MORATORIUM ON THE LICENSING AND LOCATION OF  
MARIJUANA BUSINESSES IN THE CITY.

WHEREAS, the City of Rifle (“Rifle” or the “City”) is a home-rule municipality organized under Article XX of the Colorado Constitution and with the authority of the Rifle Home Rule Charter; and

WHEREAS, pursuant to Article XVIII, Sections 14 and 16 of the Colorado Constitution, the use of medical and retail marijuana has been authorized within the State of Colorado subject to state regulation and the right of local control; and

WHEREAS, by Ordinance Nos. 33, Series of 2009, and Ordinance No. 19, Series of 2013, as amended, the City set forth criteria for the administration and regulation of permitted classes of medical and retail marijuana businesses in the City in Articles 8 and 9 of Chapter 6 of the Rifle Municipal Code; and

WHEREAS, pursuant to Article XVIII, Section 14 of the Colorado Constitution and C.R.S. § 12-43.3-106, the City has the authority to prohibit the licensing of new medical marijuana businesses within the City; and

WHEREAS, pursuant to Article XVIII, § 16(5)(f) of the Colorado Constitution, the City may “prohibit the operation of marijuana cultivation facilities, marijuana product manufacturing facilities, marijuana testing facilities, or retail marijuana stores through the enactment of an ordinance”; and

WHEREAS, by Ordinance No. 28, Series of 2017, the Rifle City Council adopted a temporary moratorium on the licensing and location of marijuana businesses in the City; and

WHEREAS, while the City continues to consider the manner of regulation of marijuana businesses and the extent to which additional marijuana business should be allowed in the City, the Rifle City Council finds and determines that it is in the best interest of the public health, safety, and welfare for the City to extend the terms of Ordinance No. 28, Series of 2017 for the temporary ban on the location of marijuana businesses in the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIFLE, COLORADO, THAT:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The temporary ban on the licensing and location of marijuana businesses in the City of Rifle first set forth in Ordinance No. 28, Series of 2017 is hereby extended through August 31, 2018, unless later repealed, amended, or extended by the Rifle City Council.

Section 3. The moratorium extends to the acceptance, processing, and approval of applications for business licenses pursuant to Sections 6-8-10 *et seq.* and 6-9-10 *et seq.* of the Rifle Municipal Code pertaining to medical and retail marijuana businesses. During the term of this moratorium, no new marijuana-related businesses, as authorized under Article XVIII, Section 14 and 16 of the Colorado Constitution, shall be permitted to locate within the City.

Section 3. The City hereby finds, determines, and declares that it has the power to adopt this Ordinance pursuant to the Article XX of the Colorado Constitution, the Home Rule Charter of the City of Rifle and the Local Government Land Use Control Enabling Act, Article 20 of Title 29, C.R.S. Section 31-15-401, C.R.S. (concerning municipal police powers), and Section 31-15-501 (concerning municipal power to regulate businesses).

Section 5. If any part, section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Ordinance; and the City Council hereby declares it would have passed this Ordinance, and each part, section, subsection, sentence, clause or phrase thereof, regardless of the fact that any one or more parts, sections, subsections, sentences, clauses or phrases be declared invalid.

INTRODUCED on April 4, 2018, read by title, passed on first reading with amendment, and ordered published as required by the Charter.

INTRODUCED a second time at a regular meeting of the Council of the City of Rifle, Colorado, held on April 18, 2018, passed without amendment, approved and ordered published in full as required by Charter.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2018.

CITY OF RIFLE, COLORADO

BY \_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



## Rifle City Council Agenda Action Form

<b>Title:</b>	<b>Consider Appointment of Garrick Frontella to the VIF Advisory Board</b>		
<b>Prepared by:</b>	Nathan Lindquist		
<b>Meeting Date:</b>	04/04/18	<b>Time Needed:</b>	10
<b>Agenda:</b>	Regular Agenda	<b>Agenda #:</b>	
<b>Recommended Motion:</b>	Appoint Garrick Frontella to the VIF Advisory Board		
<b>Financial Impact:</b>	none	<b>Approval:</b>	
<b>Operational Impact:</b> <small>CHECK BOX ONLY IF DEPARTMENT REVIEW IS REQUIRED</small>	none	IT <input type="checkbox"/> PUBLIC WORKS <input type="checkbox"/> POLICE DEPARTMENT <input type="checkbox"/> UTILITIES <input type="checkbox"/> PARKS / RECREATION <input type="checkbox"/> PLANNING <input type="checkbox"/>	
<b>Legal Review:</b>	none required		
<b>City Manager Authorization:</b>	<i>Jane Moran</i>		
<b>Background Information:</b>			
<p>VIF interviewed two candidates for the at-large position (not designated to a partner board). Garrick was selected because he owns a hotel and VIF desires to have at least one member in the hotel industry.</p>			