

RIFLE CITY COUNCIL MEETING

Wednesday, June 5, 2019

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.

PRESENT AT ROLL CALL: Councilors Joe Carpenter, Joe Elliott, Ed Green, Theresa Hamilton, Clint Hostettler, Sean Strode and Mayor Barb Clifton.

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, Planning Director Nathan Lindquist, Main Street Manager Kim Burner, Wayne Edgeton, Tom Scott and Ron Liston.

CITIZEN COMMENTS

Citizen comments were heard from Wayne Edgeton concerning the shade structure at the splash park.

CONSENT AGENDA - APPROVE THE FOLLOWING ITEMS:

Consent Agenda – consider approving the following items:

- A. Minutes from the May 1, 2019 Regular Meeting
- B. (Acting as Liquor Licensing Authority) Liquor License Renewals for Western Slope Chicken, LLC dba Wingchesters, Chamos LTD dba Chamos Restaurante and TEDREX, Inc. dba Choice Liquors
- C. (Acting as Liquor Licensing Authority) Modification of Premises for Flying K, Inc. dba The Texan Bar

Councilor Hamilton moved to approve Consent Agenda Items A, B, and C; seconded by Councilor Strode.

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

CONSIDER APPOINTING SAMM YOUNG AND EVIN SARTIN TO THE VISITOR IMPROVEMENT FUND BOARD

Main Street Manager Kim Burner noted the Visitor Improvement Fund Advisory (VIF) Board currently has two vacant board seats. The VIF Board interviewed candidates and recommends appointing Evin Sartin to the VIF Advisory Board.

Councilor Elliott moved appoint Evin Sartin to the Visitors Improvement Fund Advisory Board; seconded by Councilor Carpenter.

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

CONSIDER AMENDING RIFLE MUNICIPAL CODE REGARDING CITY COUNCIL ORGANIZATIONAL MEETING - ORDINANCE NO. 4, SERIES OF 2019 - 1st READING

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING THE RIFLE MUNICIPAL CODE TO ESTABLISH THE TIME AND DATE OF THE CITY COUNCIL ORGANIZATIONAL MEETING AND MOVING THE DATE OF THE SECOND REGULAR COUNCIL MEETING IN THE MONTH OF ANY REGULAR MUNICIPAL ELECTION.

City Clerk Kristy Doll stated during the 2017 Regular Municipal Election the Rifle voters approved a Charter amendment allowing the City Council to set the date of the City Council Organizational Meeting by Ordinance. The Charter previously specified the Organizational Meeting was to occur on the first Monday following the election which did not conform to new State election requirements. Ordinance No. 4, Series of 2019 sets the date of the Organizational Meeting to the second Monday following the regular municipal election, which will provided the City Clerk the required 10 days to certify the election results. The change in the date of the Organizational Meeting will also make it

necessary to change the date of the second regular monthly meeting following a municipal election in September to the fourth Wednesday, so that it occurs after the Organizational Meeting.

Councilor Elliott moved to approve Ordinance No. 4, Series of 2019 on its first reading, as presented, and order it to be published as required by Charter; seconded by Councilor Green.

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

CONSIDER BALLOT QUESTION FOR CHARTER AMENDMENT REGARDING COMMENCEMENT OF CITY COUNCIL TERMS OF OFFICE - ORDINANCE NO. 5, SERIES OF 2019 – 1st READING

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, REFERRING TO THE REGISTERED ELECTORS OF THE CITY OF RIFLE, AT THE REGULAR MUNICIPAL ELECTION TO BE HELD ON TUESDAY, SEPTEMBER 10, 2019, A QUESTION WHETHER SECTION 3.4 OF THE CITY CHARTER SHALL BE AMENDED TO ACCURATELY REFLECT THE COMMENCEMENT OF NEWLY ELECTED COUNCILMEMBERS TERMS OF OFFICE AS THE ORGANIZATIONAL MEETING OF THE CITY COUNCIL.

City Clerk Kristy Doll explained the Charter Section 3.4 currently states terms of the newly elected Councilmen shall commence on the first Monday following an election which does not conform to State Election deadlines in Title 31. During the 2017 Regular Municipal Election, the Rifle voters approved a Charter amendment to Section 3.8 allowing the City Council to set the Organizational Meeting of the Council by Ordinance. To remedy this inconsistency of the Charter Section 3.4 and Section 3.8 and to align with current State election laws, Ordinance No. 5, Series of 2019 places a ballot question on the September 10, 2019 Regular Municipal Election to amend the Charter stating Councilmembers terms of office commence at the Organizational Meeting of the City Council. Since the Organizational meeting can be set by Ordinance, even if state election laws change, the City can easily evolve with those changes.

Councilor Hamilton moved to approve Ordinance No. 5, Series of 2019 on its first reading, as presented, and order it to be published as required by Charter; seconded by Councilor Elliott.

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

CONSIDER BALLOT QUESTION FOR CHARTER AMENDMENT REGARDING REGULAR MUNICIPAL ELECTION - ORDINANCE NO. 6, SERIES OF 2019 - 1ST READING

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, REFERRING TO THE REGISTERED ELECTORS OF THE CITY OF RIFLE, AT THE REGULAR MUNICIPAL ELECTION TO BE HELD ON TUESDAY, SEPTEMBER 10, 2019, A QUESTION WHETHER SECTION 2.3 OF THE CITY CHARTER SHALL BE AMENDED TO CHANGE THE REGULAR MUNICIPAL ELECTION TO THE STATE OF COLORADO COORDINATED ELECTION IN NOVEMBER IN ODD NUMBERED YEARS.

City Clerk Kristy Doll noted the Rifle Home Rule Charter Section 2.3 states the City's Regular Municipal Election shall be held on the second Tuesday of September of each odd numbered year which is unique compared to other Colorado municipalities who hold their elections in April or November. If Rifle moves their Regular Municipal Election to November in odd years, this would allow the City to coordinate with Garfield County that holds elections in November. Coordinating Municipal Election with the County would save the City money and staff resources that are expended to conduct its own election. In addition, the Colorado Secretary of State provides assistance with election calendars, deadlines and forms, and access to SCORE for coordinated elections. Ordinance No. 6, Series of 2019 sets that ballot question for the voters to decide if they want to move the date of the Rifle Regular Municipal Election to the State of Colorado Coordinated Election in November in odd numbered years. If Ordinance No. 6 is passed by the City Council and the Charter amendment approved by the Rifle voter, the terms of the City Councilmembers then sitting shall be extended to the next Regular Municipal Election in November 2021.

Councilor Elliott moved to approve Ordinance No. 6, Series of 2019 on its first reading, as presented, and order it to be published as required by Charter; seconded by Councilor Green.

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

CONSIDER RIFLE RETAIL VENTURES LOT 10C MINOR SUBDIVISION FINAL PLAT – RESOLUTION NO. 10, SERIES OF 2019

The applicant representatives Ron Liston and Tom Scott requests Final Plat approval of a Minor
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Subdivision of Lot 10C of the Rifle Retail Ventures Subdivision 5th Amended Plat.

Planning Director Nathan Lindquist explained this is the last remaining property of the original Rifle Retail Ventures development, originally platted in 2002. Lot 10C currently consists of approximately 15.549 acres and is vacant. According to the Preliminary Plan, the eventual subdivision of Lot 10C will create up to eight commercial lots, with the potential for up to 115,500 square feet of commercial development. In the meantime, this Minor Subdivision has been filed for the creation of Lot 10B within this development (Lot 10C) and anticipated to become the site of Culver’s Restaurant. The Sketch Plan has already been approved by City Council; so a Plat may be consider for this minor subdivision.

Councilor Hamilton moved to approve the final plat for Rifle Retail Ventures Lot 10C Minor Subdivision – Resolution No 10, 2019; seconded by Councilor Strode.

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

CONSIDER CELL TOWER LEASE AGREEMENT WITH NEW CINGULAR WIRELESS PCS, LLC

Planning Director Nathan Lindquist noted Planning and Zoning Commission granted New Cingular Wireless PCS, LLC a Conditional Use Permit for a new cell tower on private land adjacent to the Graham Mesa Water Tanks conditional upon receiving a license agreement from the City for access to their property. The license agreement with New Cingular Wireless PCS, LLC is an agreement to allow New Cingular Wireless PCS, LLC to use the Graham Mesa Water Tank Access Road which is on city-owned property to access their telecommunications tower. It will also permit New Cingular Wireless PCS, LLC to install fiber optic lines and electrical power lines in the access road in a location approved by the City. Staff recommends approval of the License Agreement with New Cingular Wireless PCS, LLC.

Councilor Hostettler moved to approve the cell tower lease agreement with New Cingular Wireless PCS, LLC; seconded by Councilor Hamilton.

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

ADMINISTRATIVE REPORTS

Administrative reports were given by City Clerk Kristy Doll, City Manager Scott Hahn, Planning Director Nathan Lindquist, and Chief of Police Tommy Klein.

COMMENTS FROM MAYOR AND COUNCIL

Comments were heard from Councilors Joe Elliott, Theresa Hamilton, Clint Hostettler, Sean Strode, and Mayor Barb Clifton.

Meeting adjourned at 8:04 p.m.



Kristy Doll
City Clerk





Barbara Clifton
Mayor

