

RIFLE CITY COUNCIL MEETING

Wednesday, February 15, 2012

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 Jay Miller.

PRESENT ON ROLL CALL: Councilors Rich Carter, Alan Lambert, Keith Lambert, Jonathan Rice, Jen Sanborn, Randy Winkler, and Mayor Jay Miller.

OTHERS PRESENT: John Hier, City Manager; Lisa Cain, City Clerk; Jim Neu, City Attorney; Jim Bell, Channel 10 Manager; Michael Churchill, Channel 10 Assistant Manager; Daryl Meisner, Police Chief; William Jones, Police Detective; Dick Deussen, Utilities Director; Charles Kelty, Finance Director; Rick Barth, City Engineer; Aleks Briedis, Recreation Director; Mike Braaten, Government Affairs Coordinator; Vaughn Miles, Police Sergeant; Mike Kuper, Police Sergeant; Will Van Teylingen, Police Officer; Dewey Ryan, Police Officer; Jeremy Muxlow, Police Officer; Dustin Marantino, Police Officer; and Grant MacInnis.

CONSENT AGENDA - APPROVE THE FOLLOWING ITEMS:

- A. Minutes from the February 1, 2012 Regular Meeting
- B. Minutes from the February 6, 2012 Special Meeting
- C. Liquor License Renewals: Kum & Go #921; Kum & Go #4923; Kum & Go #4924
- D. Recreation Fee Schedule – Resolution No. 5, Series of 2012
- E. Sunset Townhomes Substantial Compliance – Resolution No. 7, Series of 2012
- F. Accounts Payable
- G. Designation of Representative to County Health Pool

Councilor A. Lambert moved to approve Consent Agenda Items A, B, C, D, E, F, and G; seconded by Councilor Rice.

Roll Call: Yes – Carter (abstaining as to Item F), Sanborn (abstaining as to Item A), A. Lambert, K. Lambert, Rice, Winkler, Miller

CITIZEN COMMENTS AND LIVE CALL-IN

There were no citizen comments or live call-ins.

HONOR WILLIAM JONES FOR HIS YEARS OF SERVICE TO THE CITY OF RIFLE - RESOLUTION NO. 6, SERIES OF 2012

Police Detective William Jones is retiring from the Police Department.

Councilor A. Lambert moved to approve Resolution No. 6, Series of 2012, acknowledging Police Detective William Jones' 22 years of service to the citizens of Rifle; seconded by Councilor Sanborn.

Roll Call: Yes – Carter, A. Lambert, K. Lambert, Rice, Sanborn, Winkler, Miller

Council presented a plaque to Det. Jones and expressed its deep appreciation to him.

CONSIDER AMENDMENT OF GE/ZENON MEMBRANE PROCUREMENT CONTRACT

City Manager John Hier and Utilities Director Dick Deussen reminded Council that the City had previously purchased reverse osmosis (RO) equipment in anticipation of using the equipment in a new water treatment plant. The equipment was used and thus available at a lower cost than new equipment. This equipment is not currently in use, but is in storage. GE/Zenon representative Grant MacInnis explained that in order for the City to use the equipment, GE/Zenon must perform additional services, including cataloging and inspecting what was purchased several years ago; evaluating the condition of the equipment; determining what other equipment must be purchased; determining what modifications are required for the equipment to function as intended; preparing layout/piping/electrical and instrumentation drawings; preparing an operations and maintenance manual; and preparing a report of power and chemical consumption. Staff recommends that Council amend the contract with GE/Zenon so that it can perform these services for \$139,500.

Councilor Rice moved to approve an amendment to the contract with GE/Zenon to purchase low pressure membranes, in the amount of \$139,500 for additional services for the reverse osmosis equipment previously purchased and in storage for use at the new Water Treatment Facility; seconded by Councilor Carter. Roll Call: Yes - Carter, A. Lambert, K. Lambert, Rice, Sanborn, Winkler, Miller

DISCUSS OPTIONS RELATED TO BOND COUNSEL

Finance Director Charles Kelty advised Council that, following Council's special meeting on February 6, he had learned that the State of Colorado was probably going to approve a loan of \$25 million to the City for construction of a new water treatment plant. The interest rate will probably be less than 2.5 percent. Hiring bond counsel for the City will be required in order for the City to receive the loan. Bond counsel will make sure the bonds are valid and binding, and will also verify the tax status of the debt. The City's Purchasing Code will allow selection of bond counsel by an open market process, since the value of these professional services will be less than \$25,000; the fees will probably be \$10,000 to \$15,000.

CONSIDER AMENDING RIFLE MUNICIPAL CODE WITH RESPECT TO ABANDONED PROPERTY – ORDINANCE NO. 5, SERIES OF 2012 (FIRST READING)

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO REPEALING AND REENACTING CHAPTER 1, ARTICLE VIII OF THE RIFLE MUNICIPAL CODE REGARDING DISPOSITION OF ABANDONED PERSONAL PROPERTY

City Attorney Jim Neu and Police Chief Daryl Meisner explained that currently, Rifle Municipal Code (RMC) Section 1-8-30 requires the City to send written notice to all known owners of unclaimed property greater than \$50.00 in value prior to disposition and to publish notice in the paper prior to disposition of any unclaimed property less than \$50.00 in value or property with no ascertainable owner. Most of the unclaimed property in the Police Department's custody is of nominal value and are articles not reclaimed by prisoners transported to Garfield County Jail. Staff proposes adopting a more streamlined process to dispose of these items, requiring mailed or published notice, depending on whether ownership is known, only for articles of \$100.00 or more in value. Abandoned articles of less than \$100.00 in value would be subject to disposition at the custodian's discretion without notice. Further, the amendments to RMC Chapter 1, Article VIII include procedures for the disposition of weapons and criminal instruments that were not previously included in the RMC.

Councilor K. Lambert moved to approve Ordinance No. 5, Series of 2012, on first reading as presented and to order it to be published by title as required by Charter; seconded by Councilor Rice. Roll Call: Yes - Carter, A. Lambert, K. Lambert, Rice, Sanborn, Winkler, Miller

RECEIVE REPORT ON WATER INTAKE REPAIRS

City Engineer Rick Barth reported that repairs to the water intake dike were nearly complete. The repairs appear to have been successful. He thanked Aqua Terra Services, Water Resource Consultants, Sierra Excavating, Public Works Superintendent Frank Shaw, Operations & Maintenance (O & M) Crew Leader Bobby O’Dell, O & M Technician Rob Campbell, O & M Technician Mike Altman, O & M Technician Larry Matlock, the Savage family, Johnson Construction, United Companies, LaFarge, and the Army Corps of Engineers.

CONSIDER REQUEST THAT FUNDS BE USED FROM ENERGY EFFICIENCY FUND FOR ENERGY EFFICIENCY UPGRADES

Recreation Director Aleks Briedis reported that the City had received a bid of \$16,676 to perform energy efficiency upgrades at the Rifle Fitness Center. The Recreation Department is seeking rebates from Xcel Energy and contributions from Garfield Clean Energy and Rifle Regional Economic Development Corporation that would offset \$9,000 of the cost of the upgrades. The upgrades would result in an estimated annual energy cost savings of \$2,987. This means the net cost to the City would be repaid in 34 months.

Councilor Carter moved to approve the use of \$16,676 from the Energy Efficiency Fund for energy efficiency upgrades to the Rifle Fitness Center; seconded by Councilor A. Lambert. Roll Call: Yes - Carter, A. Lambert, K. Lambert, Rice, Sanborn, Winkler, Miller

CONSIDER PURCHASE OF CHEMICALS FOR WATER TREATMENT PLANT

Mr. Hier informed Council that the Utility Department must purchase chemicals for use at the Graham Mesa Water Treatment Plant. These chemicals would supply the plant for the entire year:

Coarse salt for chlorine generation	\$11,000
Polymers, coagulants and filtration aids	\$28,000
Aluminum Sulfate	\$40,000
Powder Activated Carbon	\$87,500
TOTAL	\$166,500

Councilor A. Lambert moved to approve the purchase of chemicals for use at the Graham Mesa Water Treatment Plant in an amount not to exceed \$166,500; seconded by Councilor Rice. Roll Call: Yes - Carter, A. Lambert, K. Lambert, Rice, Sanborn, Winkler, Miller

GARFIELD COUNTY AIRPORT RUNWAY EXTENSION ANNEXATION

A. Ordinance Nos. 1 and 2, Series of 2012 (second reading) (Garfield County Airport Runway Extension Annexation and Zoning).

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, ANNEXING TO THE CITY OF RIFLE, COLORADO CERTAIN REAL PROPERTY KNOWN AS THE GARFIELD COUNTY AIRPORT RUNWAY EXTENSION PROPERTY

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, ZONING CERTAIN REAL PROPERTY KNOWN AS THE GARFIELD COUNTY AIRPORT RUNWAY EXTENSION PROPERTY ANNEXATION PUBLIC ZONE DISTRICT

B. Ordinance No. 3, Series of 2012 (second reading) (Garfield County Airport Safety Zone Disconnection).

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO APPROVING THE DISCONNECTION OF CERTAIN TERRITORIES ADJOINING THE GARFIELD COUNTY REGIONAL AIRPORT COMMONLY REFERRED TO AS THE SAFETY ZONE DISCONNECTION

C. Ordinance No. 4, Series of 2012 (second reading) (Garfield County Airport Runway Extension Right-of-Way Vacation)

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, APPROVING THE VACATION OF A PORTION OF AIRPORT ROAD WITHIN THE CITY

Because of a failure of the Glenwood Post Independent to publish Ordinances 1, 2, 3, and 4, second reading of the ordinances must be postponed to Council's March 7 meeting.

ADMINISTRATIVE REPORTS

Mr. Hier reported to Council on the following issues: water treatment plant financing plan; spring work plans; and Ute Theatre renovation.

City Clerk Lisa Cain notified Council of planned enforcement actions against liquor licensees.

Government Affairs Coordinator Mike Braaten discussed these issues with Council: State Highway 13 bridge; native grass lawn program; SB 75 (medical marijuana financial cooperative); HB 1062 (state-mandated Peace Officers Bill of Rights); SB 63 (severance tax reallocation to rural higher education); and SB 88 (preemption of local authorities to regulate oil and gas operations)

COMMENTS FROM MAYOR AND COUNCIL

Councilor Sanborn asked about "per unit" utility billing.

EXECUTIVE SESSIONS

- **FOR A CONFERENCE WITH THE CITY ATTORNEY FOR THE PURPOSE OF RECEIVING LEGAL ADVICE ON SPECIFIC LEGAL QUESTIONS UNDER CRS SECTION 24-6-402(4)(B); AND TO DISCUSS THE PURCHASE, ACQUISITION, LEASE, TRANSFER, OR SALE OF REAL, PERSONAL, OR OTHER PROPERTY INTEREST UNDER CRS SECTION 24-6-402(4)(A)**
- **TO DISCUSS PERSONNEL MATTERS UNDER CRS 24-6-402(2)(F) AND NOT INVOLVING: (1) ANY SPECIFIC EMPLOYEES WHO HAVE REQUESTED DISCUSSION OF THE MATTER IN OPEN SESSION; (2) ANY MEMBER OF THIS BODY OR ANY ELECTED OFFICIAL; (3) THE APPOINTMENT OF ANY PERSON TO FILL AN OFFICE OF THIS BODY OR OF AN ELECTED OFFICIAL; OR (4) PERSONNEL POLICIES THAT DO NOT REQUIRE THE DISCUSSION OF MATTERS PERSONAL TO PARTICULAR EMPLOYEES**

Councilor Rice moved to adjourn to executive sessions to receive legal advice; to discuss property interests; and to discuss personnel matters; seconded by Councilor A.Lambert (8:35 p.m.).

Roll Call: Yes – Carter, A. Lambert, K. Lambert, Rice, Sanborn, Winkler, Miller

Upon return to open session following conclusion of the executive session, meeting adjourned at 9:17 p.m.

Lisa H. Cain
City Clerk

Jay D. Miller
Mayor