

RIFLE CITY COUNCIL MEETING

Wednesday, April 20, 2011

REGULAR MEETING

7:00 p.m. * Council Chambers

The regular meeting of the Rifle City Council was called to order at 7:09 p.m. by Mayor Keith Lambert.

PRESENT ON ROLL CALL: Councilors Alan Lambert, Jay Miller, Jeanette Thompson, Randy Winkler, and Mayor Keith Lambert.

Councilor A. Lambert moved to excuse Councilors Jonathan Rice and Jen Sanborn from attending tonight's meeting; seconded by Councilor Miller.

Roll Call: Yes – A. Lambert, Miller, Thompson, Winkler, K. Lambert

OTHERS PRESENT: John Hier, City Manager; Lisa Cain, City Clerk; Matt Sturgeon, Assistant City Manager / Director of Planning; Jim Neu, City Attorney; Michael Churchill, Cable 10 Assistant Manager; Aleks Briedis, Recreation Director; Mike Braaten, Government Affairs Coordinator; Bill Jones, Police Detective; Nancy Bayne; Michael Langhorne; Jim Duke; Robert Porter; Herman Aardsma and other staff from Mountain Roll-Offs, Inc.; Aron Diaz and other staff from Waste Management; and Russ Cohen.

CONSENT AGENDA - APPROVE THE FOLLOWING ITEMS:

- A. Minutes from the April 13, 2011 Special Meeting
- B. Intergovernmental Agreement for mosquito control
- C. February Financial Report
- D. Accounts Payable

Councilor A. Lambert moved to approve Consent Agenda Items A, B, C, and D; seconded by Councilor Miller.

Roll Call: Yes – A. Lambert, Miller (abstaining as to Item A), Thompson (abstaining as to Item A), Winkler, K. Lambert

CITIZEN COMMENTS AND LIVE CALL-IN

There were no citizen comments or live call-ins.

Councilor Rice arrived at 7:13 p.m.

PUBLIC HEARING – SPECIAL EVENT LIQUOR PERMIT – BPOE ELKS LODGE #2195

Mayor Lambert opened the public hearing and swore in Ms. Nancy Bayne, representing BPOE Elks Lodge #2195, who presented the Lodge's application for a special event liquor permit to provide liquor service at the Encana Open House on May 3, 2011 at the Garfield County Fairgrounds. City Clerk Lisa Cain stated that the hearing was properly noticed, the application is complete, and the fees have been paid.

Councilor Winkler moved to approve the Special Event Liquor Permit Application for BPOE Elks Lodge #2195; seconded by Councilor A. Lambert.

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

CONSIDER AWARDING CONTRACT FOR PURCHASE OF FITNESS EQUIPMENT

Recreation Director Aleks Briedis reported that staff received 5 proposals for fitness equipment for the new Rifle Fitness Center. He recommended awarding the contract to Advanced Exercise Equipment with a 3-year lease subject to appropriation in the amount of \$1672.98 per month.

Councilor Winkler moved to award a contract to Advanced Exercise Equipment for fitness equipment for the Rifle Fitness Center with a 3-year lease subject to appropriation in the amount of \$1672.98 per month; seconded by Councilor Thompson.

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

CONSIDER APPROVING COUNTRY ATTIC LAND SWAP

Michael Langhorne, President, Rifle Regional Economic Development Corporation (RREDC), explained that the former Valley Lumber site and the Country Attic Parcel have a triangle configuration where they adjoin. The RREDC has negotiated with Country Attic to square off the properties by exchanging portions of each so each

property is more developable. In addition, Country Attic's covered deck encroaches into the City's 2nd Street right-of-way by 6 feet. The proposed License to Encroach Agreement provides for a license for that encroachment.

Councilor A. Lambert moved to approve the Property Exchange and Redevelopment Agreement between the City, RREDC, and the owners of Country Attic, authorizing the Mayor to sign the Deed conveying the City Parcel and to sign the License to Encroach Agreement; seconded by Councilor Rice.

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

CONSIDER ADOPTING FORMAL DEVELOPMENT NAME FOR FORMER VALLEY LUMBER SITE
Council's consensus was to adopt "Rifle Creek Plaza" as the formal development name for the former Valley Lumber site.

CONSIDER AMENDING CACALOCO LEASE

Assistant City Manager / Director of Planning Matt Sturgeon reminded Council that in early 2010, Cacaloco Enterprises, Inc. leased 5 acres from the City for its compost operation at the Energy Innovation Center located on the West UMTRA Site. Cacaloco has been proceeding through the state's regulations and, therefore, the commencement of its operations has been delayed for one year. Rent under the Lease is calculated as a percentage of revenue and to assist with start-up costs, the City provided an initial incentive to Cacaloco in the Lease by not requiring rent to be paid until it reached \$100,000 of revenue. That incentive expired December 31, 2010. Cacaloco requested that the Lease be amended to allow it the benefit of this incentive with an extension to December 31, 2011. Cacaloco also asked if the Base Term of the Lease could be extended by one year. Staff supports both requests.

Councilor Miller moved to approve the First Amendment to Commercial Land Lease with Cacaloco Enterprises, Inc.; seconded by Councilor Thompson.

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

CONSIDER ACCEPTING GATES FAMILY FOUNDATION GRANT

Government Affairs Coordinator Mike Braaten informed Council that staff worked with members of the New Ute Theatre Society (NUTS) to submit to the Gates Family Foundation in January an initial grant request of \$40,000. After the City received grant funding to complete the asbestos remediation work at the Theatre, NUTS revised the budget to incorporate additional costs required due to ceiling, duct work, and some wall removal as a result of the asbestos abatement work. Additionally, Gates suggested that NUTS include all costs to complete the theatre, which resulted in the addition of audio/visual equipment costs, sprinkler system installation and modular seating and tables, among other items. The revised request to Gates was \$50,000. Gates has awarded a grant of \$80,000 for the Ute Theatre renovation for two phases: \$50,000 for the interior renovation and \$30,000 for the acoustical engineering and A/V system improvements.

Councilor Miller moved to accept the Gates Family Foundation grant for renovation of the Ute Theatre and authorize the Mayor to sign the Agreement with Grant Recipient; seconded by Councilor A. Lambert.

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

CONSIDER FUNDING CONSTRUCTION OF BANNER POLES

City Manager John Hier reported that staff recommended installation of sets of banner/Christmas light poles at these locations: (1) South Railroad Avenue in an area north of the entrance to the Parking Garage; (2) North Railroad Avenue in an area near the Alpine Bank alley; (3) East 3rd Street at the intersection of East Avenue; and (4) West 3rd Street at the intersection of West Avenue. Cost of the poles including installation is estimated to range from \$16,000 to \$24,000. The Visitor Improvement Fund budget includes \$7,500 for banner poles. The Downtown Development Authority has recommended an expenditure of \$7,500 from their budget for the poles. Mr. Hier recommended that \$10,000 be allocated from the Information Fund Reserve for this project.

Councilor A. Lambert moved to allocate \$10,000 from the Information Fund Reserve for banner/Christmas light poles; seconded by Councilor Rice.

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

CONSIDER AUTHORIZING STAFF TO NEGOTIATE WITH RESPECT TO PROPOSALS FOR SOLID WASTE COLLECTION SERVICES

Mr. Hier sought direction from Council concerning how to proceed with the proposals for solid waste collection services.

Councilor Winkler moved to authorize staff to negotiate with Mountain Roll-Offs, Inc. (MRI) for solid waste collection services; seconded by Councilor Thompson. Roll Call: Yes –Miller, Thompson, Winkler. No – A. Lambert, Rice, K. Lambert. Motion failed.

Councilor Winkler moved to authorize staff to negotiate with MRI and Waste Management (WM) for solid waste collection services; seconded by Councilor Thompson. Roll Call: Yes –Thompson, Winkler. No – A. Lambert, Miller, Rice, K. Lambert. Motion failed.

Councilor Miller moved that the City privatize solid waste collection services; seconded by Councilor Rice. Roll Call: Yes –Miller, Rice, Thompson, Winkler, K. Lambert. No - A. Lambert. Motion carried.

Councilor Rice moved to authorize staff to negotiate with WM for solid waste collection services; seconded by Councilor Thompson. Roll Call: Yes – Rice, Thompson, K. Lambert. No – A. Lambert, Miller, Winkler. Motion failed.

Councilor A. Lambert moved to authorize staff to negotiate with MRI for solid waste collection services; seconded by Councilor Winkler. Roll Call: Yes – A. Lambert, Miller, Thompson, Winkler. No –Rice, K. Lambert. Motion carried.

ADMINISTRATIVE REPORTS

Mr. Hier reported to Council on the following issues: hiring of Pat Lake as Wastewater Treatment Plant Operator; progress in hiring a Utility Director; structuring of an employee health benefits plan; proposed intergovernmental agreement to use economic development monies set aside by Garfield County for development of Rifle Creek Plaza and the Energy Innovation Center; and utility projects.

Mr. Sturgeon gave a progress report to Council on development of Rifle Creek Plaza.

Mr. Braaten reported to Council on the following issues: public comment period for Bureau of Land Management scoping on oil shale and tar sands development regulations; legislative redistricting; extending the policy of using \$3.5 million of federal mineral leasing funds for state wildfire mitigation; and Ennovate’s Technical Energy Audit.

COMMENTS FROM MAYOR AND COUNCIL

Councilor A. Lambert reminded the community that restoration of the Cayton Ranger Station is continuing and donations to the Cayton Ranger Station Foundation are welcome.

Councilor Winkler complimented all Councilors, particularly Councilor A. Lambert, for their perseverance in providing direction to staff on the solid waste collection proposals.

Mayor Lambert expressed the City of Rifle’s condolences to Police Chief Daryl Meisner and his family on the passing of his father, Bud Meisner, who served as Rifle’s Mayor in the 1970s and was a generous contributor to the community.

Meeting adjourned at 8:27 p.m.

Lisa H. Cain
City Clerk

Keith Lambert
Mayor