

RIFLE CITY COUNCIL MEETING

Wednesday, July 6, 2011

REGULAR MEETING

7:00 p.m. * Council Chambers

The regular meeting of the Rifle City Council was called to order at 7:00 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 Thompson.

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

OTHERS PRESENT: John Hier, City Manager; Lisa Cain, City Clerk; Jim Neu, City Attorney; Michael Churchill, Channel 10 Assistant Manager; Mike Braaten, Government Affairs Coordinator; Kim Goodwin; Alan Hill; Nancy Bayne; Nathan Lindquist, City Planner; Sally Allen Potvin; Dick Deussen, City Engineer; Daryl Meisner, Police Chief; and Heidi Rice.

CONSENT AGENDA - APPROVE THE FOLLOWING ITEMS:

- A. Minutes from the June 15, 2011 Regular Meeting
- B. Liquor license renewals – City Market; Plaza Liquors; The Texan Bar
- C. TRIDENT vehicle lease
- D. May Sales Tax Report
- E. May Financial Statements
- F. Accounts Payable
- G. Visitor Improvement Fund (VIF) Recommendation for Expenditure

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

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

With respect to Item G, the Visitor Improvement Fund (VIF) Recommendation for Expenditure, Councilors noted that VIF revenues were 5 percent less than anticipated to date, while expenditures were 13 percent more than anticipated. Councilors cautioned VIF to avoid deficit spending. Councilor A. Lambert moved to approve Consent Agenda Item G; seconded by Councilor Winkler.

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

CITIZEN COMMENTS AND LIVE CALL-IN

There were no citizen comments or live call-ins.

CONSIDERATION OF FUNDING FOR PERFORMANCE CONTRACTING AND ENNOVATE CONTRACT

Ennovate Corporation's Business Development Representative Kim Goodwin, Ennovate's Senior Energy Engineer Alan Hill, and Government Affairs Coordinator Mike Braaten informed Council that the proposed Energy Performance Contract with Ennovate Corporation includes energy efficient upgrades for City Hall, the Senior Center, Justice Center, Parks and Recreation Maintenance Building and the Public Works O&M shop. The estimated timeframe to complete the process is about nine months. Ennovate has estimated that the payback on the scope of work would occur in less than 7 years. To provide funds for the contract cost of \$335,485, staff is recommending \$20,000 be appropriated from the parks and recreation reserve, \$50,000 from the Energy Efficiency Fund, \$50,000 from the grant received from EnCana and the remaining funds, \$215,485.00, from the General Fund Reserve.

Councilor Rice arrived at 7:13 p.m.

Councilor Miller moved to approve the Energy Performance Contract with Ennovate Corporation for a cost not to exceed \$335,485; seconded by Councilor Thompson.

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

PUBLIC HEARING – SPECIAL EVENT LIQUOR PERMIT – BPOE RIFLE ELKS LODGE #2195 / GARFIELD COUNTY FAIR

Mayor Lambert opened the public hearing and swore in 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 Garfield County Fair on August 4, 5, and 6, 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 A. Lambert moved to approve the Special Event Liquor Permit Application for BPOE Elks Lodge #2195; seconded by Councilor Winkler.

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

CONSIDER APPROVING 14TH STREET MARKETPLACE PUD AND PLAT AMENDMENT

Sally Allen Potvin requested Preliminary/Final Plan approval for an Amended Planned Unit Development (PUD) at the site of the currently existing 14th Street Marketplace PUD. City Planner Nathan Lindquist noted that the proposal is to create four lots on the site. The southeast lot would permit a gas station. The other three lots would be available for commercial or residential uses that meet the amended PUD standards. Proposed Ordinance No. 6 would approve the amended PUD zoning and PUD Guidebook. Proposed Ordinance No. 7 would approve the final subdivision plat and Subdivision Improvements Agreement, both superseding the prior PUD approval.

Councilor Winkler moved to approve Ordinance Nos. 6 and 7, Series of 2011, on second reading as presented and to order them to be published by title as required by Charter; seconded by Councilor Rice.

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

CONSIDER AMENDING SECTIONS 16-3-90 AND 16-5-150 OF RIFLE MUNICIPAL CODE REGARDING TEMPORARY USES/MOBILE VENDING

Mr. Lindquist said that Sections 16-3-90 and 16-5-150 of the Rifle Municipal Code govern temporary uses. The regulations were adopted in 2009, and since that time staff has worked with the Downtown Development Authority (DDA) to refine mobile vendor zoning and operational restrictions with the goal of promoting a vibrant

pedestrian atmosphere in the City's downtown area. Proposed Ordinance No. 8 would adopt the revisions proposed by staff. Most of the changes affect prepared food temporary uses, i.e., vending carts, but the ordinance also limits temporary produce sales to a permitted use in the Community Service (CS) and Tourist Commercial (TC) zone districts. The permitting regime for prepared food temporary uses establishes four geographic districts where such sales are permitted, including the Central Business District, which is a zone district as well as a permitting district. No more than three mobile vending carts will be permitted in the Central Business District each year.

Councilor Miller moved to approve Ordinance No. 8, Series of 2011, on second reading as amended and to order it to be published by title as required by Charter; seconded by Councilor A. Lambert.

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

CONSIDER APPROPRIATING FUNDS FOR COMMUNITY SURVEY

Mr. Braaten explained that no funding has been appropriated to complete a community survey, as the request from Council to conduct the survey occurred after the 2011 budget was completed. Staff requests that Council appropriate \$4,110 from the Contingency Fund to complete the survey.

Councilor Rice moved to appropriate \$4,110 from the Contingency Fund to complete a community survey, provided that the City receive bids from both local printers; seconded by Councilor Miller.

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

CONSIDER AUTHORIZING PURCHASE OF MIXING SYSTEM FOR 3 MILLION GALLON WATER TANK

City Engineer Dick Deussen requested Council to authorize the purchase of a submersible tank mixing system for the City's 3 million gallon tank from Utility Service Company in the amount of \$49,725. Funds are available from the Water Fund. The system would eliminate degradation of the chlorine residual over time. It would also reduce the amount of flushing at the tank substantially, thus saving the City the cost of producing water lost during the flushing action.

Councilor Miller moved to authorize the purchase of a submersible tank mixing system for the City's 3 million gallon tank from Utility Service Company in the amount of \$49,725; seconded by Councilor Rice.

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

ADMINISTRATIVE REPORTS

City Manager John Hier reported to Council on the following issues: flooding response efforts, Rifle Creek Plaza, solid waste collection contract, Hyland Trucking, banner poles, water usage, wastewater plant odor, lagoon sludge, city employee health insurance, Ute Theatre, midyear budget and financial review, supervisor training, and Utility Director recruitment.

City Clerk Lisa Cain reported on September 2011 election matters.

City Attorney Jim Neu told Council that the City's engineering firm was reviewing gravel pits to make sure they are in compliance with regulations.

Mr. Deussen announced that there would be a pre-bid meeting on July 7 on 2011 street improvements. Bids for the improvements are due July 15.

COMMENTS FROM MAYOR AND COUNCIL

Councilor Winkler called attention to the new sculpture at the entrance to the fairgrounds. It was funded by Community Newspapers of Colorado, which has funded other sculptures in the City.

Councilor A. Lambert thanked Garfield County for the landscaping work it did at the entrance to the fairgrounds, and for the work it is doing on 18th Street. He welcomed Citizen Telegram reporter Heidi Rice to the meeting.

Councilor Miller noted that he and other Councilors attended the Colorado Municipal League annual conference in June. The conference was very informative and helpful.

Councilor Rice enjoyed the concert in Centennial Park on July 3.

Councilor Thompson thanked the Rifle Fire Protection District and the Rifle Police Department for extinguishing a recent power pole fire.

Mayor Lambert was looking forward to a visit by City of Grand Junction department managers. The City of Rifle will provide meeting space for the managers, and Mr. Braaten will present information to them about energy-related projects with which Rifle has been involved.

EXECUTIVE SESSION

EXECUTIVE SESSION 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 Miller moved to adjourn to executive session to discuss personnel matters; seconded by Councilor A. Lambert (8:09 p.m.).

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

Councilor Thompson moved to adjourn from Executive Session; seconded by Councilor A. Lambert (8:26 p.m.).

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

Meeting adjourned at 8:26 p.m.

Lisa H. Cain
City Clerk

Keith Lambert
Mayor