

RIFLE CITY COUNCIL MEETING

Wednesday, August 3, 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 Jay Miller, Jonathan Rice, Jeanette Thompson, Randy Winkler, and Mayor Keith Lambert.

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

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

OTHERS PRESENT: John Hier, City Manager; Matt Sturgeon, Assistant City Manager / Director of Planning; Lisa Cain, City Clerk; Jim Neu, City Attorney; Jim Bell, Channel 10 Manager; Michael Churchill, Channel 10 Assistant Manager; Dick Deussen, Utility Director; Mike Braaten, Government Affairs Coordinator; Daryl Meisner, Police Chief; Megan Gilman; Bob Lonergan; Keith Edquist; Judith Hayward; Patty Lambert; Lynne Miller; and Stanley Wailes.

CONSENT AGENDA - APPROVE THE FOLLOWING ITEMS:

- A. Minutes from the July 20, 2011 Regular Meeting
- B. Adopt 2012 Budget Calendar - Resolution No. 10, Series of 2011
- C. Set public hearing for liquor license transfer application from Suleiman Abuhlimeh d/b/a Cheermeister to Cheermeister (corporation)
- D. Approve Rifle Community Foundation expenditure
- E. June Sales Tax Report
- F. June Financial Statements
- G. Accounts Payable
- H. Award contract to purchase police car

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

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

PRESENTATION ON ENERGY PROCESS AUDIT AT WASTEWATER TREATMENT PLANT

Megan Gilman, Active Energies, Inc., and Bob Lonergan, Tetra Tech Inc., presented the results of the energy process audit that their companies conducted at the wastewater treatment plant. Phase 1 of the audit established a baseline of energy use at the facility, and Phase 2 identified conservation opportunities.

CITIZEN COMMENTS AND LIVE CALL-IN

Keith Edquist, Association Manager, Pioneer Mesa Filing 1, asked for City assistance in performing corrective work on Filing 2 improvements. Since the cost to do this work is not prohibitively expensive and can be recovered from the Filing 2 developer, Council directed staff to perform the work.

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John Scalzo called and thanked Council for improving the turning radius from northbound Railroad Avenue to eastbound 16th Street.

There were no other citizen comments or live call-ins.

PUBLIC HEARING – SPECIAL EVENT LIQUOR PERMIT – GRAND VALLEY HISTORICAL SOCIETY

Mayor Lambert opened the public hearing and swore in Judith Hayward, President, Grand Valley Historical Society, and Patty Lambert, Executive Assistant, Grand River Hospital District. Ms. Hayward and Ms. Lambert presented the Society's application for a special event liquor permit to provide liquor service at the Grand Wine Affair on September 22, 2011, at Grand River Hospital's Conference Center. City Clerk Lisa Cain stated that the hearing was properly noticed, the application is complete, and the fees have been paid.

Councilor Rice moved to approve the Special Event Liquor Permit Application for Grand Valley Historical Society on September 22, 2011 at Grand River Hospital's Conference Center; seconded by Councilor Thompson.

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

CONSIDER TAKING ACTION ON PROPOSAL BY HYLAND ENTERPRISES, INC. RELATED TO AGREEMENT FOR BULK WATER USE

Stanley Wailes, Operations Manager, Hyland Enterprises, Inc. - Rifle Terminal, was present. Hyland had requested that the City consider amending its Agreement for Bulk Water Use with Hyland. City Manager John Hier reminded Council that Hyland had entered into an agreement with the City in 2006 to pay "out of City" rates for bulk water sales. In doing so, they avoided having to pay tap fees which would have been in excess of \$363,000 in 2006. Staff suggested that to receive "in City" rates of the present time, Hyland purchase the taps now (number of taps required is estimated to be 85). At 2011 prices these taps would cost more than \$463,000. Hyland countered this proposal by suggesting that if they purchase the taps now, the City credit them for the extra water charges they have paid in the form of "out of City" rates. Staff felt this was a fair request and calculated that credit to be \$262,790, thereby giving them a cost for purchase of the taps of approximately \$200,858.

Staff has reexamined all billings for the company since 2006, and presently believes the previously calculated credit was low and that the cost to purchase the taps should be approximately \$100,000.

Hyland submitted 2 counterproposals:

- In exchange for an agreement amendment to purchase water at "in City" rates, Hyland would purchase the taps by making an additional monthly payment of \$3,000 for 36 months, resulting in a purchase price of \$108,000 for the taps.
- Hyland would forgo purchasing the taps and would pay an "in City" rate plus \$1 per 1,000 gallons for all water used. This would result in a rate of about \$4.63/1,000 gallons.

Staff recommended that the City accept the latter counterproposal with the following provision included: Hyland would pay for at least 600,000 gallons per month, even if it used less than that amount, and it would pay for any amount exceeding 600,000 gallons. Mr. Wailes believed this would be acceptable to Hyland. Staff will work with Hyland to formalize this agreement and bring it back to Council for its consideration.

CONSIDER AWARDING RIFLE CREEK PLAZA CONSTRUCTION CONTRACT

Director of Planning Matt Sturgeon and Utility Director Dick Deussen recommended awarding the construction contract for the Rifle Creek Plaza improvements to Johnson Construction Co., the low bidder with a \$617,000 bid amount. Staff is requesting authorization to award Johnson Construction a contract not to exceed \$632,000. This amount exceeds Johnson's bid of \$617,000 to complete all remaining site improvements excluding the plaza,

storm water detention basin, and landscaping. The \$15,000 additional dollars staff is requesting be added to Johnson's bid covers items not properly identified on the bid set critical to the project. These items are: 1) a section of sidewalk, 2) replacing planter/sidewalk area existing along West Avenue with new concrete, 3) two additional tree grates, and 4) new concrete necessary to provide access to Country Attic's south entrance.

Councilor Winkler moved to award the construction contract for the Rifle Creek Plaza improvements to Johnson Construction Co. for an amount not to exceed \$632,000; seconded by Councilor Rice.

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

CONSIDER TEXT AMENDMENT TO TITLE 16 OF THE RIFLE MUNICIPAL CODE (ZONING AND SUBDIVISION) THAT WOULD REQUIRE FILLING STATION (AKA GAS STATION) SITES BEING DISCONTINUED TO REMOVE ALL EQUIPMENT RELATED TO ITS OPERATION INCLUDING, BUT NOT LIMITED TO, CANOPIES, PUMPS, TANKS, AND SIGNAGE - ORDINANCE NO. 9, SERIES OF 2011 – SECOND READING

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO ADOPTING A NEW SECTION 16-3-105 OF THE RIFLE MUNICIPAL CODE REGARDING ABANDONED FILLING (GAS) STATIONS

Mr. Sturgeon informed Council that the Planning and Zoning Commission recommended that Council approve proposed Ordinance No. 9, Series of 2011, which would amend Section 16 of the Rifle Municipal Code to require the removal of filling station (a/k/a gas station) infrastructure and certain building materials upon closure of a facility. The purpose of the amendment is to avoid abandoned gas stations within the City of Rifle.

Councilor Miller moved to approve Ordinance No. 9, Series of 2011, on second reading as amended and to order it to be published in full as required by Charter; seconded by Councilor Thompson.

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

CONSIDER TEXT AMENDMENT TO TITLE 16 OF THE RIFLE MUNICIPAL CODE (ZONING AND SUBDIVISION) THAT WOULD AMEND LANDSCAPE REQUIREMENTS FOR LIGHT INDUSTRIAL PROPERTIES ON AIRPORT ROAD - ORDINANCE NO. 10, SERIES OF 2011 – SECOND READING

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING SECTION 16-13-100 OF THE RIFLE MUNICIPAL CODE REGARDING LANDSCAPING REGULATIONS FOR LIGHT INDUSTRIAL USES AND SECTION 16-13-170 AND APPENDIX C REGARDING ASPEN TREES

Mr. Sturgeon explained that proposed Ordinance No. 10, Series of 2011, would increase the requirement for screening along Airport Road while decreasing landscaping requirements for properties that are adjacent to streets that do not receive through traffic (such as Buckhorn Drive and Blacktail Drive). In addition, for all land uses in Rifle, aspen trees would be permitted but would not count towards required tree numbers. The intent is to provide trees that at maturity create large, shaded canopies. The Planning and Zoning Commission recommended that Council approve this ordinance.

Councilor Miller moved to approve Ordinance No. 10, Series of 2011, on second reading as presented and to order it to be published in full as required by Charter; seconded by Councilor Rice.

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

CONSIDER APPOINTING STAFF MEMBER AS ALTERNATE REPRESENTATIVE TO SENIOR ADVISORY BOARD

Councilor Miller is the City of Rifle's Representative on the County Senior Advisory Board. The City has not designated an Alternate Representative, but it might be advisable to do so. Judy Martin, Manager, Garfield County Senior Programs, has advised staff that the alternate could be an elected official, a City staff member, or a member of the community. In accordance with Council's direction earlier this year, staff advertised for letters from community members interested in appointment to this position. No community members responded. Council's consensus was to appoint Mr. Hier as Alternate Representative to the Senior Advisory Board.

ADMINISTRATIVE REPORTS

Mr. Hier reported to Council on the following issues: wastewater treatment plant discharge permit; code enforcement; street improvements; mid-year budget review; compressed natural gas City vehicles; Cacaloco operations; economic development analysis; and solid waste collection.

Ms. Cain informed Council about its August 10 workshop and September 2011 election matters.

Mr. Deussen thanked Operations and Maintenance Technicians Roger Cooper, Drew Taylor, and Mitch Walpole for their work in improving the turning radius from northbound Railroad Avenue to eastbound 16th Street.

COMMENTS FROM MAYOR AND COUNCIL

Councilor Rice announced that the Rifle Bears football camp would begin next week.

Councilor Miller encouraged citizens to attend the Garfield County Fair this week and to purchase tickets for the Rotary Ball Drop fundraiser for the Raising a Reader program.

Meeting adjourned at 8:49 p.m.

Lisa H. Cain
City Clerk

Keith Lambert
Mayor