

## RIFLE CITY COUNCIL MEETING

Wednesday, August 17, 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, Jonathan Rice, Jen Sanborn, Jeanette Thompson, Randy Winkler, and Mayor Keith 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; Daryl Meisner, Police Chief; Louis Beauchamp, Water Treatment Plant Operator; Charles Kelty, Finance Director; Marie George, Senior Center Director; David Keithley; Anita Beauchamp; Monique Krelovich; Suleiman Abuhalmeh; Clint Smith; Mandi Cooper; Helen Rogers; Gil Frontella; Don Van Devander; Herman Aardsma; Betty Fitzgibbon; Hilda Sykes; Irene Burgoon; Shirley Parks; and Heidi Rice.

### **CONSENT AGENDA - APPROVE THE FOLLOWING ITEMS:**

- A. Minutes from the August 3, 2011 Regular Meeting
- B. Liquor License Renewal: Loyal Order of Moose – Lodge #1345
- C. Appointment to Parks and Recreation Advisory Board
- D. Recreation Fee Schedule – Resolution No. 11, Series of 2011
- E. Memorandum of Understanding with the Rifle Regional Economic Development Corporation-Rifle Recreation and Fitness Center Project on Metro Park
- F. Appoint Election Judges
- G. VIF Recommendation for Expenditures
- H. Accounts Payable

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

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

With respect to the Liquor License Renewal for Loyal Order of Moose – Lodge #1345 (Consent Agenda Item B), Police Chief Daryl Meisner verified that his department had no record of previous Liquor Code violations by the applicant, other than a failed compliance check conducted by the Colorado Liquor Enforcement Division in October 2010. Councilor Miller moved to approve the Liquor License Renewal for Loyal Order of Moose – Lodge #1345; seconded by Councilor A. Lambert.

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

With respect to the Recreation Fee Schedule – Resolution No. 11, Series of 2011(Consent Agenda Item D), Councilor Miller noted that there were errors on the schedule that was included in the original packet for this

meeting. Council has since received a corrected schedule. Councilor Miller moved to approve the Recreation Fee Schedule – Resolution No. 11, Series of 2011; seconded by Councilor Sanborn.

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

**CITIZEN COMMENTS AND LIVE CALL-IN**

There were no citizen comments or live call-ins.

***PRESENTATION TO LOUIS BEAUCHAMP***

Louis Beauchamp, Lead Operator at the Water Treatment Plant, is leaving his employment to accept a position at a larger new plant in Wolf Point, Montana. This represents a significant promotion for Louis. Council presented a plaque to Mr. Beauchamp thanking him for his 13 years of service to the City and wished him well in his new endeavor.

***PUBLIC HEARING – TAVERN LIQUOR LICENSE APPLICATION BY MONIQUE C. KRELOVICH D/B/A X POINT***

Mayor Lambert opened the public hearing and swore in Monique C. Krelovich, who presented her application for a tavern liquor license while doing business as X Point at 139 West 3<sup>rd</sup> Street. 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 application for a tavern liquor license by Monique C. Krelovich doing business as X Point at 139 West 3<sup>rd</sup> Street; seconded by Councilor Sanborn.

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

***PUBLIC HEARING – APPLICATION TO TRANSFER TAVERN LIQUOR LICENSE FROM SULEIMAN ABUHALIMEH D/B/A CHEERMEISTER TO CHEERMEISTER CORPORATION***

Mayor Lambert opened the public hearing and swore in Suleiman Abuhalmeh and Clinton Smith, who presented the application to transfer the tavern liquor license at 401 Railroad Avenue from Suleiman Abuhalmeh doing business as Cheermeister to Cheermeister, a corporation. Mr. Abuhalmeh is President of Cheermeister, and Mr. Smith is Vice President. Ms. Cain stated that the hearing was properly noticed, the application is complete, and the fees have been paid. She informed Council that staff's investigation of Mr. Smith revealed recent criminal citations, and therefore, staff recommended that Council conduct this hearing to consider Mr. Smith's character in accordance with Rifle Municipal Code Section 6-5-80.

Mr. Smith said he had been cited for driving under the influence of alcohol on March 9, 2011 by the Garfield County Sheriff's Department, and on July 8, 2011 by the Rifle Police Department. Both citations have yet to be adjudicated. Mr. Smith noted that the tavern is now conducting fundraisers to benefit the community. Mr. Abuhalmeh vouched for Mr. Smith's good character. Mr. Smith added that he attended alcohol classes prior to 2000 and would be willing to attend additional classes to resolve his issues with alcohol. Council Members expressed concern about Mr. Smith's inability to consume alcohol responsibly.

Councilor Miller moved to disapprove the application to transfer the tavern liquor license at 401 Railroad Avenue from Suleiman Abuhalmeh doing business as Cheermeister to Cheermeister, a corporation; seconded by Councilor Rice.

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

***CONSIDER RECOMMENDATION OF VISITOR IMPROVEMENTS FUND ADVISORY BOARD CONCERNING ENGINEERING SERVICES FOR BOAT RAMP***

The Visitor Improvements Fund Advisory Board recommended the selection of Colorado River Engineering for the development of the Rifle Boat Ramp design for \$7,500.

Councilor Sanborn moved to award a contract for design of the Rifle Boat Ramp to Colorado River Engineering for an amount not to exceed \$7,500; seconded by Councilor Rice.

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

***CONSIDER FINANCIAL ADVISORY SERVICES ENGAGEMENT FOR WATER TREATMENT PLANT***

Finance Director Charles Kelty requested that Council approve the engagement of BLX Group LLC to provide financing consulting services related to a new water treatment plant. BLX Group LLC would receive a retainer of \$900 per quarter during the term of the engagement, plus a transaction fee ranging from \$12,500 to \$39,500 at closing of financing, depending on the amount issued in the financing.

Councilor Miller moved to engage BLX Group LLC to provide financing consulting services related to a new water treatment plant for a retainer of \$900 per quarter, not to exceed \$1,800; seconded by Councilor A. Lambert.

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

***CONSIDER AUTHORIZING PURCHASE OF USED DUMP TRUCK***

City Manager John Hier asked Council to authorize the purchase of a used dump truck to haul sludge from the wastewater treatment plant to the Cacaloco composting operation. Staff is currently using a borrowed trailer to haul the sludge. The estimated cost of an older used dump truck is \$6,000 to \$8,000. This item was not included in the 2011 budget, but there are adequate funds available in the fleet revolving loan fund.

Councilor A. Lambert moved to authorize the purchase of a used dump truck for an amount not to exceed \$8,000; seconded by Councilor Miller.

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

***CONSIDER AWARDING CONTRACT FOR SOLID WASTE COLLECTION SERVICES TO MOUNTAIN ROLLOFFS, INC.***

Don Van Devander, General Manager, and Herman Aardsma, Operations Director, Mountain Roll-Offs, Inc. (MRI), were present. Mr. Hier informed Council that staff has been negotiating with MRI to take over the City's solid waste removal services and provide curbside recycling to Rifle residents. These are the key provisions of the proposed Solid Waste Removal and Recyclables Collection Agreement:

- MRI will have the exclusive right to serve the City's residential trash customers. It will serve any commercial customers currently handled by the City.
- The City will continue to bill the customers on their utility bill, but MRI will handle all other aspects of solid waste removal and recyclables collection, including customer service.
- The fees that MRI will charge the City will not require the City to raise the fees it charges its customers.
- MRI will reduce its fees by 20% for residential services to Senior Citizens above 65 years in age.
- MRI may petition the City for rate adjustments at reasonable times on the basis of unusual changes in the cost of doing business.
- The term of the Agreement is for 5 years subject to annual appropriations.
- MRI will follow the same collection routes, on the same days, and during the same times during the day, as on the City's current schedule. MRI observes fewer holidays than the City; those holidays will cause a 1-day delay on the regular pick up schedule.

- MRI will continue to utilize the City containers currently in use.
- MRI will pick up all of the City's buildings and facilities' solid waste at no cost to the City.
- Customers will have 2 separate recycling bins: one for comingled recyclables and one for compost materials that will assist CacaLoco with its composting endeavor. Recycling will occur the same day as solid waste collection. MRI will be required to provide educational materials and information regarding recycling.
- MRI will continue to provide the same special pickups and on the same schedule that the City performs today.
- MRI will hire the City's current collection truck driver with similar benefits and pay rate.

Council asked Messrs. Van Devander and Aardsma to appear at its September 7, 2011 meeting with answers to these questions:

- Plastics 1 through 7 are transported to the Eagle County recycling facility. That facility is able to market Plastics 1 and 2. What does the facility do with Plastics 3 through 7?
- What percentage of collected Plastics 1 through 7 do Plastics 1 and 2 comprise?

### **ADMINISTRATIVE REPORTS**

Mr. Hier reported to Council on the following issues: personnel changes; street work; compost operation; budget; and city survey.

Ms. Cain updated Council on the September 13 municipal election.

Assistant City Manager / Director of Planning Matt Sturgeon provided an update on Rifle Creek Plaza development.

### **COMMENTS FROM MAYOR AND COUNCIL**

Councilor Sanborn visited other communities during a recent vacation, but none compare to Rifle.

Councilor A. Lambert jokingly warned citizens to lock their doors during zucchini season.

Councilor Miller asked citizens to vote for him for Council.

Councilor Rice noted that today was the first day of the 2011-2012 school year.

Councilor Thompson's family enjoyed a reunion at Rifle Mountain Park.

Mayor K. Lambert encouraged citizens to watch the Council Candidate Forum that Channel 10 will show again on August 23 and 24. He said the Rifle Fitness Center is open and will celebrate its grand opening on August 27.

### **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 Rice moved to adjourn to executive session to discuss personnel matters; seconded by Councilor Miller (9:00 p.m.).

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

Councilor Sanborn moved to adjourn from Executive Session; seconded by Councilor Rice (9:53 p.m.).

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

Meeting adjourned at 9:53 p.m.

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Lisa H. Cain  
City Clerk

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Keith Lambert  
Mayor