

**RIFLE CITY COUNCIL MEETING**

Wednesday, May 2, 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:** Matt Sturgeon, Assistant City Manager/Director of Planning; Lisa Cain, City Clerk; Kristy Christensen, Deputy City Clerk; Karl Hanlon, City Attorney; Jim Bell, Channel 10 Manager; Michael Churchill, Channel 10 Assistant Manager; Rick Barth, City Engineer; Mike Braaten, Government Affairs Coordinator; Dick Deussen, Utilities Director; Charles Kelty, Finance Director; Daryl Meisner, Police Chief; Frank Shaw, Public Works Superintendent; Christy Hamrick; Mike McKibbin; and Rick Steffen.

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

- A. Minutes from the April 18, 2012 Regular Meeting
- B. Stipulation, Agreement, and Order with respect to liquor license of Wal-Mart Superstore
- C. Accept Findings of Fact, Conclusions of Law and Recommendation of the Hearing Officer, dated April 18, 2012, with respect to liquor license of Sports Corner
- D. Intergovernmental Agreement with Garfield County Regarding Mosquito Control
- E. Set public hearing for El Kora Mexican Restaurant liquor license transfer application
- F. Accounts Payable

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

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

**CITIZEN COMMENTS AND LIVE CALL-IN**

There were no citizen comments or live call-ins.

***PROCLAMATION – OLDER COLORADANS MONTH – MAY 2012***

Mayor Miller read aloud Governor Hickenlooper’s proclamation of May 2012 as Older Coloradans Month.

***CONSIDER AMENDMENT TO SCHOOL RESOURCE OFFICER AGREEMENT WITH GARFIELD RE-2 SCHOOL DISTRICT***

Christy Hamrick, Director of Finance, Garfield Re-2 School District, informed Council that because of budget limitations, the School District must reduce its share of the cost of a School Resource Officer (SRO) to 10 percent starting July 1, 2012. Police Chief Daryl Meisner recommended that Council approve an amendment to the City’s School Resource Officer (SRO) Agreement with Garfield Re-2 School District. The City currently pays 25 percent, and the School District 75 percent, of the cost of the SRO position. The amendment would result in the City paying \$35,550, instead of \$9,975, for the period from July 1 through the end of 2012.

Council suggested that by this time next year, staff conduct a cost-benefit analysis of the SRO program. They also noted that the proposed amendment ought to refer to Rifle High School, instead of Rifle Middle School.

Councilor K. Lambert moved to approve the School Resource Officer Agreement with the Garfield Re-2 School District, as corrected; seconded by Councilor Rice.

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

***CONSIDER ACCEPTING COLORADO RIVER DISTRICT GRANT***

City Engineer Rick Barth announced that the Colorado River District had awarded the City a grant to pay for up to 25 percent of the cost of last year’s repairs to the water intake pond dike. He recommended that Council accept this grant of \$30,000 to \$40,000.

Councilor Sanborn moved to accept a grant from the Colorado River District to pay for up to 25 percent of the cost of last year’s repairs to the water intake pond dike; seconded by Councilor Carter.

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

***RECEIVE REPORT ON HIGHWAY 13/RAILROAD AVENUE IMPROVEMENTS***

Mr. Barth updated Council on the improvements under construction on Highway 13 from Centennial Parkway to Whiteriver Avenue.

Rick Steffen, Western Regional Manager, Hudspeth & Associates, Inc., informed Council about construction that will begin May 8 to improve Railroad Avenue from Centennial Parkway to 2<sup>nd</sup> Street. Kum and Go will be reconstructing its store on 1<sup>st</sup> Street, and making these improvements was a condition of the City’s approval of the reconstruction.

***RECEIVE REPORT ON STREET OVERLAY IMPROVEMENTS***

Mr. Barth, Government Affairs Coordinator Mike Braaten, and Public Works Superintendent Frank Shaw identified potential street overlay projects for 2012:

<u>Location</u>	<u>Cost</u>
5 <sup>th</sup> Street from Whiteriver to Clarkson	\$300,000 – 350,000
East Avenue from 1 <sup>st</sup> to 3 <sup>rd</sup>	\$150,000
16 <sup>th</sup> Street near the Farm	\$95,000
Airport Road from roundabout to hospital entrance	\$150,000

The City has budgeted \$300,000 for street overlay projects in 2012. Possible additional sources of funding are the City’s Contingency Fund and a grant from the Garfield Federal Mineral Lease District.

Council’s consensus was that the 5<sup>th</sup> Street project was of highest priority. Staff will gather prices for all of the projects, and see if additional monies are available in the Contingency Fund and from the Garfield Federal Mineral Lease District.

***CONSIDER AUTHORIZING USE OF CONSULTANT FOR ENERGY INNOVATION CENTER***

Assistant City Manager/Director of Planning Matt Sturgeon recommended that the City hire Tetra Tech to determine the location of odors emanating from the CacaLoco composting facility and the City Wastewater Treatment Plant, identify the principal odor source(s), the probable cause of the odor(s), methods to reduce/eliminate the odor(s) and the approximate cost of the action required, for a cost of \$22,510.

Councilor K. Lambert moved to award a contract for odor control evaluation to Tetra Tech in an amount not to exceed \$22,510; seconded by Councilor A. Lambert. Roll Call: Yes - Carter, A. Lambert, K. Lambert, Rice, Sanborn, Winkler, Miller

***CONSIDER TAKING POSITION ON HB 1356 – LOCAL GOVERNMENT REGULATION / SEVERANCE TAX***

Mr. Braaten explained that HB 1356 would withhold the direct distribution of local government severance tax, as well as any grants awarded through the Energy Impact Assistance Fund, for any local government that “restricts or delays the ability of an oil and gas producer to exercise the producer's property right as a lessee or owner to extract oil and gas.” Literally, any local ordinance adopted related to oil and gas could be interpreted to “restrict or delay” an oil and gas producer from extracting oil and gas. This could include the City’s watershed protection ordinance.

Councilor K. Lambert moved to oppose HB 1356; seconded by Councilor Rice. Roll Call: Yes - Carter, A. Lambert, K. Lambert, Rice, Sanborn, Winkler, Miller

**ADMINISTRATIVE REPORTS**

Mr. Sturgeon reported to Council on the following issues: Spring Cleanup; workshop with Planning and Zoning Commission on May 9.

Mr. Braaten reported to Council about a pedestrian safety grant and conversion of a City vehicle to allow it to use compressed natural gas for fuel.

**COMMENTS FROM MAYOR AND COUNCIL**

Councilor Winkler thanked those who participated in the downtown cleanup and Alpine Bank for sponsoring the cleanup.

Councilor A. Lambert was happy to see reporter Mike McKibbin covering tonight’s meeting. He thanked west Rifle residents for their patience as the City works to solve odor problems there.

Councilor K. Lambert noted the 30<sup>th</sup> anniversary of Black Sunday, when Exxon closed its oil shale project near Parachute and set off a regional recession. He remarked that Rifle has survived, and he thanked those who remained in Rifle through this difficult time.

Mayor Miller urged citizens to attend upcoming public meetings on water treatment plant improvements.

***EXECUTIVE SESSION 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)***

Councilor Rice moved to adjourn to executive session to receive legal advice; seconded by Councilor A. Lambert (8:06 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 9:03 p.m.

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Lisa H. Cain  
City Clerk

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Jay D. Miller  
Mayor