

**RIFLE CITY COUNCIL MEETING**

Wednesday, May 16, 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, Jen Sanborn, Randy Winkler, and Mayor Jay Miller.

Councilor A. Lambert moved to excuse Councilor Jonathan Rice from tonight’s meeting; seconded by Councilor Carter. Roll Call: Yes – Carter, A. Lambert, K. Lambert, Sanborn, Winkler, Miller

**OTHERS PRESENT:** John Hier, City Manager; Matt Sturgeon, Assistant City Manager/Director of Planning; Lisa Cain, City Clerk; Jim Neu, City Attorney; Michael Churchill, Channel 10 Assistant Manager; Daryl Meisner, Police Chief; Gil Frontella; Dick Hewitt; Judy Hewitt; David Ling; Mike McKibbin; Dick Rhoades; John Steele; Phil Vaughan; Louise Wilkins; and Leon Wooley.

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

- A. Minutes from the May 2, 2012 Regular Meeting
- B. Minutes from the May 9, 2012 Special Meeting
- C. Consider purchase of one patrol vehicle
- D. Appointment to Parks and Recreation Advisory Board
- E. February and March 2012 Financial Report
- F. March 2012 Sales Tax Report
- G. Accounts Payable

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

Roll Call: Yes – Carter (abstaining as to Item G), K. Lambert (abstaining as to Item B), A. Lambert, Sanborn, Winkler, Miller

**CITIZEN COMMENTS AND LIVE CALL-IN**

David Ling and John Steele urged Council to reassess its decision to borrow funds to construct a new water plant. Staff noted that on May 30, the first of a series of public meetings will take place, and the purposes of those meetings will be to provide information and seek citizen input on the water treatment plant.

Dick Hewitt and Leon Wooley requested and received an update on the City’s actions with respect to mitigating odors at the CacaLoco composting operation.

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

***CONSIDER HIRING PHIL VAUGHAN CONSTRUCTION MANAGEMENT, INC. TO DEVELOP CONSTRUCTION ESTIMATE FOR THE RENOVATION OF THE NEW UTE THEATRE***

City Manager John Hier and Councilor Carter recommended hiring an independent cost estimator to develop an estimate of the cost for renovation of the New Ute Theatre. Within the next month, the engineers that were hired several months ago will complete the final plans for renovation of the theatre. These include plumbing, electrical, structural, and mechanical plans. An experienced construction estimator can utilize these plans to develop a renovation cost estimate. Mr. Hier and Councilor Carter recommended hiring Phil Vaughan Construction Management, Inc. for these services. Phil Vaughan is not a general contractor and is not associated with any company that may be expected to bid on the project.

Councilor A. Lambert moved to hire Phil Vaughan Construction Management, Inc. to develop a construction estimate for the renovation of the New Ute Theatre for an amount not to exceed \$6,500; seconded by Councilor Sanborn.

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

***CONSIDER GARFIELD COUNTY INTERGOVERNMENTAL AGREEMENT (IGA) FOR RIFLE ENERGY INNOVATION CENTER INFRASTRUCTURE***

City Attorney Jim Neu reported that Garfield County has awarded the City \$700,000 from the County's Oil and Gas Mitigation Fund to be used by the City to make infrastructure improvements at the City's Energy Innovation Center (a/k/a the West UMTRA site) located at 2515 West Centennial Parkway. He recommended that Council approve the IGA with the County for Energy Innovation Center Infrastructure Improvements.

Councilor Carter moved to approve the Intergovernmental Agreement between Garfield County and the City of Rifle for Energy Innovation Center Infrastructure Improvements; seconded by Councilor Winkler.

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

***CONSIDER GARFIELD COUNTY RECYCLE CENTER IGA***

Mr. Neu reminded Council that when the City began curbside recycling last year, it closed its recycling center. County residents had been using the recycling center, so Garfield County wishes to operate a recycling center on the City's West UMTRA site. He recommended that Council approve the IGA with the County for Lease of Comingled Recycling Facility.

Councilors expressed concern that the County did not plan to monitor the facility, which could lead to problems with litter and unsightliness. Council directed Mr. Neu to continue negotiating with the County with respect to this issue.

***CONSIDER ORDINANCE NO. 12, SERIES OF 2012 (FIRST READING) - VICTIMS AND WITNESSES ASSISTANCE AND LAW ENFORCEMENT ("VALE") PROGRAM***

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO ADOPTING A NEW ARTICLE XIV TO CHAPTER 2 OF THE RIFLE MUNICIPAL CODE TO ESTABLISH A VICTIMS AND WITNESSES ASSISTANCE AND LAW ENFORCEMENT PROGRAM AND AMENDING SECTION 2-4-240 OF THE RIFLE MUNICIPAL CODE TO INCLUDE COURT FEES ALTERED OR OMITTED BY CODIFICATION ERROR

Police Chief Daryl Meisner and Mr. Neu informed Council that the City currently participates in the Garfield County Sheriff's Office victim's rights program funded in part by the County's Victims and Witnesses Assistance and Law Enforcement ("VALE") Fund, but the receipt of such funds is not guaranteed. In order to build a fund

for City VALE services and information in the event that Garfield County discontinues its funding of the program, staff proposes in Ordinance No. 12, Series of 2012, adopting a 10 percent surcharge on the costs of municipal court infractions dedicated to a City VALE Fund. Ordinance No. 12 also establishes a VALE Board, to be comprised of five members appointed by the City Council. The VALE Board will be responsible for administering VALE funds. Ordinance No. 12 also corrects a codification error in Rifle Municipal Code Section 2-4-240 related to several municipal court surcharges.

Councilor Winkler moved to approve Ordinance No. 12, Series of 2012, on first reading as presented and to order it to be published by title as required by Charter; seconded by Councilor A. Lambert.

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

***CONSIDER ORDINANCE NO. 13, SERIES OF 2012 (FIRST READING) - REPEALING AND REENACTING RIFLE MUNICIPAL CODE CHAPTER 7, ARTICLE VI, "ANIMALS"***

**AN ORDINANCE OF THE CITY OF RIFLE, COLORADO REPEALING AND REENACTING CHAPTER 7, ARTICLE VI OF THE RIFLE MUNICIPAL CODE, "ANIMALS."**

Chief Meisner and Mr. Neu presented proposed Ordinance No. 13, Series of 2012, to revise the City's animal regulations. The new Article VI maintains many of the City's existing policies but provides staff, particularly the Police Department, with a consistent approach to animal control and impoundment, rabies control, quarantines, and vaccinations that comply with state law as well as best practices used by veterinarians and other animal care providers.

Council discussed policy issues surrounding a ban of wolf hybrids; creation of a "potentially dangerous animal" category at a level below "vicious animal;" and restricting the numbers of potbellied pigs, rabbits, dogs, cats, exotic animals, or domestic animals allowable per household in the City.

Councilor Sanborn moved to approve Ordinance No. 13, Series of 2012, on first reading as amended and to order it to be published by title as required by Charter; seconded by Councilor A. Lambert.

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

***CONSIDER HIRING SHERYL BARTO, COMMUNICATION SPECIALIST, TO ASSIST CITY STAFF WITH WATER TREATMENT PLANT COMMUNITY TOWN HALL MEETINGS***

Mr. Hier requested that Council authorize the expenditure of up to \$12,000 for assistance with the community outreach meetings on the water plant. The purpose of these meetings will be to communicate information and promote dialogue on the project. These meetings are not intended to promote the project or the proposed ½-cent sales tax, only to disseminate information. Included in the \$12,000 would be the hiring of Ms. Sheryl Barto of O Communications.

Councilor K. Lambert moved to authorize the expenditure of up to \$12,000 for purposes of disseminating information about the water treatment plant; seconded by Councilor Sanborn.

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

***CONSIDER PURCHASE OF MIND MIXER PROGRAM AND SOFTWARE***

Council had discussed this issue in its workshop prior to tonight's regular meeting. Staff will continue to gather information about using this program to improve the city's community outreach and public engagement.

**ADMINISTRATIVE REPORTS**

Mr. Hier reported to Council on the following issues: CacaLoco; water treatment plant community outreach meetings; and Police Chief recruitment.

Meeting adjourned at 8:55 p.m.

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Lisa H. Cain  
City Clerk

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Jay D. Miller  
Mayor