

RIFLE CITY COUNCIL MEETING

Wednesday, October 6, 2010

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; Lisa Cain, City Clerk; Matt Sturgeon, Assistant City Manager; Mike Braaten, Government Affairs Coordinator; Jim Neu, City Attorney; Michael Churchill, Cable 10; Charlie Stevens, Utilities Director; Rod Hamilton, Public Works Director; Dick Deussen, City Engineer; Charles Kelty, Finance Director; Daryl Meisner, Police Chief; Kevin Kelley, Construction Inspector; Katie Mackley, Jim Rada, Cathy Pauley, Richard P. Bush.

CONSENT AGENDA - APPROVE THE FOLLOWING ITEMS: Minutes from the September 15, 2010 Regular Meeting; August Sales Tax Report; Accounts Payable

Councilor A. Lambert moved to approve the Consent Agenda; seconded by Councilor Thompson.

Roll Call: Yes – A. Lambert, Miller (abstaining as to Minutes from the September 15, 2010 Regular Meeting), Rice, Sanborn, Thompson, Winkler, K. Lambert

CITIZEN COMMENTS AND LIVE CALL-IN

There were no citizen comments or live call-ins.

REPORT FROM RIFLE COMMUNITY FOUNDATION

Katie Mackley, President, Rifle Community Foundation (RCF), explained that RCF is an organization dedicated to the distribution of charitable funds to community service, human service, and educational organizations. She thanked the City for its financial support of RCF and requested its continued support. Taking into consideration the budget cuts that the City has had to make, for 2011 RCF is going to decrease the amount it has traditionally requested from the City. The City Council thanked Ms. Mackley for the benefit that RCF provides to the community.

REPORT ON WATERSHED ACTIVITY

John Hier reported that City staff has investigated Cathy Pauley's concern, expressed at Council's September 15, 2010 meeting, about excavation taking place on Silt Mesa without the party performing the excavation obtaining a watershed protection district permit from the City. Staff requested that Jim Rada, Garfield County Public Health Environmental Health Manager, investigate the work. Mr. Rada determined that the work involved some grading and clearing on a small farm operation and that all the activity was in compliance with County and State regulations. Mr. Hier noted that the City could require a watershed protection permit for almost any kind of activity within the 5-mile radius of the Colorado River water intake. Historically the City has not attempted to enforce those types of provisions on small farm operations or for residential development. Additionally, in the event that the City did strictly enforce the watershed ordinance and require a permit for these types of activities, the activity would probably be classified as a non-impact to the watershed, and no conditions would apply.

Ms. Pauley said she lives adjacent to this farm operation, and the activities there are affecting her property negatively. She contended that the activities did require a watershed protection permit. She asked Council to direct staff to (1) require the landowner to apply for a permit and (2) seek a fine against the landowner for not applying previously for a permit.

Council informed Ms. Pauley that the Council and staff had planned to review the watershed ordinance, and Ms. Pauley's bringing this issue to the Council's attention has increased the urgency for doing so.

UPDATE ON STREET CONSTRUCTION PROJECTS (ACACIA AVENUE)

Dick Deussen reported on the status of the 2010 Capital Improvement Program (CIP) for streets. The CIP includes the overlay of Railroad Avenue from 16th Street to State Highway 13; overlay of 24th Street from Howard Avenue to Fairway Avenue; reconstruction of Acacia Avenue; and reconstruction of South 7th Street. Work has begun on Acacia Avenue, and paving has begun on South 7th Street.

Excavation of Acacia Avenue has revealed that the underlying soils (sub-grade) are less stable than anticipated. To stabilize the sub-grade and achieve a 35-year design life, it is necessary to remove certain areas of existing sub-grade and replace them with suitable soils. Additionally, a synthetic geo-grid fabric must be placed over the sub-grade area to enhance stability and protect the base and pavement layers from negative effects of groundwater. The cost of sub-grade replacement and geo-grid fabric installation is expected to be approximately \$45,000.

For the overall 2010 CIP, the approved amount for minor contract revisions (MCRs) was \$100,000. Due to previous and pending MCR approvals for replacing leaking water valves and additional saddles on Acacia Avenue, the remaining MCR amount is approximately \$66,000. After deducting \$45,000 from this amount for the cost of sub-grade replacement and geo-grid fabric installation on Acacia Avenue, there will be approximately \$21,000 for potential MCRs related to portions of the 2010 CIP yet to be constructed.

PRESENTATION OF DRAFT 2011 BUDGET

Colorado Revised Statutes Section 29-1-105 provides that no later than October 15 of each year, the person appointed to prepare the budget shall submit such budget to the governing body. Charles Kelty presented to Council the draft 2011 budget. Council and staff will review the budget in detail at a series of workshops, beginning with a workshop at the end of tonight's regular meeting.

ADMINISTRATIVE REPORTS

Mr. Hier reported on use of the Municipal Code's emergency procurement provisions for repair of a major water line break; the city employee picnic; a rate increase for employee health insurance premiums beginning June 2011; collection of overdue sales taxes from the Tastebudz Café; initial use of the City's electric vehicles; replacement of City Hall copier machines; the decision to discontinue receiving septage at the wastewater plant; and a recent meeting of all City employees.

Charlie Stevens reported on the major water line break under Government Creek near the intersection of Government Creek with Highway 13.

Daryl Meisner said the National Prescription Drug Take Back Day on September 25 was successful and will probably be repeated. He reported on Police Department staffing issues, including the recent award to the City of a Community Oriented Policing Services (COPS) grant to fund the hiring of a full-time officer.

COMMENTS FROM MAYOR AND COUNCIL

Councilor Winkler reported that the current phase of refurbishment of the Ute Theater is progressing well. He reminded the community of the Chili Cookoff that will take place October 14 at the fairgrounds.

Councilor A. Lambert complimented Councilor Sanborn for her use of diplomacy during Council meetings.

Councilor Rice read a letter from Rifle High School student Katelyn Jones. For her senior seminar, Ms. Jones is organizing a workshop on October 30 from 9:00 a.m. to 1:00 p.m. at the Rifle Fire Protection District to make no-sew fleece blankets for the Blankets of Belief program in support of U.S. soldiers. She is seeking donations of fleece, ribbon, scissors, cardstock, and funds to cover shipping costs. More information is available at www.soldiersangels.org, or by calling Ms. Jones at (970) 309-2688.

EXECUTIVE SESSIONS

EXECUTIVE SESSION FOR A CONFERENCE WITH THE CITY ATTORNEY FOR THE PURPOSE OF RECEIVING LEGAL ADVICE ON SPECIFIC LEGAL QUESTIONS UNDER CRS 24-6-402(4)(B), AND FOR THE PURPOSE OF DETERMINING POSITIONS RELATIVE TO MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, DEVELOPING STRATEGY FOR NEGOTIATIONS, AND/OR INSTRUCTING NEGOTIATORS, UNDER C.R.S. SECTION 24-6-402(4)(E)

EXECUTIVE SESSION FOR DISCUSSION OF A PERSONNEL MATTER 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 receive legal advice, discuss negotiations, and discuss personnel matters; seconded by Councilor Miller (8:27 p.m.).

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

Councilor Rice moved to adjourn from Executive Session; seconded by Councilor A. Lambert (9:05 p.m.).

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

Meeting adjourned at 9:06 p.m.

Lisa H. Cain
City Clerk

Keith Lambert
Mayor