

## RIFLE CITY COUNCIL MEETING

Wednesday, June 2, 2010

REGULAR MEETING

7:00 p.m. \* Council Chambers

The regular meeting of the Rifle City Council was called to order at 7:05 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; Wanda Nelson, City Clerk; Kristy Christensen, Deputy City Clerk; Jim Neu, City Attorney; Michael Churchill, Cable 10; Charlie Stevens, Utility Director; Rod Hamilton, Public Works Director; Dick Deussen, City Engineer; Mike Braaten, Government Affairs Coordinator; Michael Langhorne; Scott Becker.

### CONSENT AGENDA

***MINUTES FROM THE MAY 19, 2010 COUNCIL MEETING; MINUTES FROM THE MAY 12, 2010 SPECIAL MEETING; LIQUOR LICENSE RENEWALS: EL KORA, 6&13 QUICK MART; RED RIVER QUICK MART; ACCOUNTS PAYABLE***

Mayor Lambert excused himself from voting on the minutes. Councilor Lambert moved to approve the Consent Agenda; 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.

### ***RESOLUTION 10-10: ADOPTING PLACE BRAND***

#### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIFLE, COLORADO, ADOPTING A PLACE BRAND FOR THE CITY OF RIFLE

Michael Langhorne explained that the Place Branding Committee has been working on the Place Brand since receiving a grant from AGNC in 2009. Presentations to the Chamber of Commerce, City Council, VIF Advisory Board, and DDA garnered much support for this effort. Resolution 10-10 adopts the Brand of “Real. Western. Innovation.” Scott Becker was also present for this discussion. Councilor Thompson sits on the Place Branding Committee and excused herself from voting on this item. Councilor Lambert moved to approve Resolution 10-10; seconded by Councilor Sanborn.

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

### ***CONTRACT TO PURCHASE CLOUGH PROPERTY***

Mr. Neu noted that the City has been pursuing the purchase of approximately 36 acres along Hwy 6 & 24 owned by Genevieve Clough to construct a future water treatment facility. This property is referred to as the Clough Gravel Pit Property. The City had the Clough Gravel Pit Property appraised late last year and it was valued at \$280,000. The Clough Family has been very open to various purchase arrangements to help the City acquire the Property, but staff came to the conclusion that it makes the most sense to purchase the Property outright at this time. The Purchase Price has been reduced from the appraised value of \$280,000 to \$213,270 in the Real Estate Contract pursuant to two associated matters discussed below relating to properties owned by Clough family members. All three agreements have been negotiated together and are a package deal. The Clough Family has already reviewed and approved all of the agreements.

### ***MCKENZIE OUT-OF-CITY WATER UPGRADE REQUEST***

The City provides out-of-City water service to the Clough Family’s Homestead now owned by Ryan McKenzie (the “McKenzie Property”) at the City’s standard out-of-City rates which are double in-City rates. This water service has been provided for decades with no written agreement and has served a single family residence, certain outbuildings, and stock watering. The City is obligated to continue water service as it has historically been provided. Mr. McKenzie has requested that the historic service line be upgraded to a four inch (4”) service line to help with water pressure and meet the needs on the McKenzie Property. This upgrade requires City approval. In consideration for the City granting that upgraded service line, a \$50,000 credit has been provided towards the purchase of the Clough Gravel Pit Property. In addition, the cost of the 4” water meter of \$3,790 is also a credit towards the Purchase Price of the Clough Gravel Pit Property. Finally, additional credits were included towards the Purchase Price of the Clough Gravel Pit Property in this Agreement totaling \$12,940

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that are related to service to the Snyder Property, discussed below, for the out-of-City system improvement fee and reimbursed costs associated with drafting the agreements. The credits towards the Purchase Price of the Clough Gravel Pit Property total \$66,730. While negotiating and drafting the McKenzie Water Services Agreement, the opportunity was taken to memorialize the water service to the McKenzie Property based upon historic water records. Water service is limited to 700,000 gallons each year and no more than 285,000 gallons should be used in any given month. In the event these amounts are exceeded, that overage will be billed at four (4) times the City's in-City rates. In no event shall water use exceed 1,100,000 which is the highest annual use for the McKenzie Property in the City's recent records. There is no pre-annexation requirement in this Water Services Agreement because the McKenzie Property has been historically served by the City without a pre-annexation clause and this Agreement simply memorializes that service and sets forth the credits towards the purchase of the Clough property.

#### ***SNYDER OUT- OF- CITY WATER REQUEST***

The property adjacent to the McKenzie Property is owned by Danny and Lori Snyder (the "Snyder Property"). The Snyders requested out-of-City water service from the City in 2007, which request was denied. Resolution No. 3, Series of 1996 provides the City guidance on when to approve out-of-City water service. The City found that the Snyder request did not satisfy the requirements of Resolution No. 3-96 and the Snyders drilled a water well for their house. The water quality of the well is not satisfactory and the Snyders still would like to receive water service from the City. The Snyder Water Services Agreement grants that request as part of the Clough Gravel Pit Property acquisition. Because the Clough Gravel Pit Property will be used for the City's new water treatment plant enhancing the City's operation of its water system, Item No. 4 of Resolution No. 3-96 is now satisfied. As a compromise related to this package of agreements, there is no pre-annexation requirement in the Snyder Agreement either, which staff has no objection to looking at the location of the Snyder Property in relation to the Clough Family's land holdings and future development patterns. In addition, because the residence is in existence already, the "lettered" requirements of Resolution No. 3-96 do not apply. The Snyder's will pay out-of-City water rates and otherwise comply with the Rifle Municipal Code related to water service.

Councilor Miller moved to approve: 1) the Contract to purchase the Clough Property; 2) the McKenzie out of City Water Upgrade Request; and 3) Snyder out of City Water Request; seconded by Councilor Thompson.

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

#### ***AWARD OF 2010 BIOSOLIDS PROJECT***

Mr. Stevens stated that proposals were mailed to eight firms for the removal of Biosolids from the existing North Wastewater Treatment Facility. Only one firm, Parker Ag Services Inc., submitted a proposal with three options available. Staff recommends awarding the contract to Parker Ag Services Inc. for their blended process of land-application and composting with Cacaloco. Councilor Miller moved to award the Project to Parker Ag Services Inc. in an amount not to exceed \$643,000, with the alternate option selected; seconded by Councilor Lambert.

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

#### ***RESOLUTION 9-10: EFFICIENT FLEET POLICIES***

##### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIFLE, COLORADO, SUPPORTING THE DEVELOPMENT OF A COMPREHENSIVE EFFICIENT FLEET POLICY FOR THE CITY OF RIFLE.**

Mr. Braaten stated that this issue was presented during a workshop in May, and Council expressed interest to move forward with efficient fleet policies. Resolution 9-10 supports the development of a comprehensive efficient fleet policy for the City. Councilor Lambert moved to approve Resolution 9-10; seconded by Councilor Winkler.

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

#### ***UPDATE ON HB 10-1284 REGARDING MEDICAL MARIJUANA DISPENSARIES***

Mr. Braaten explained that two pieces of legislation were adopted that deal with medical marijuana during the legislative session, one dealing with the doctor-patient relationship, and the second dealing with dispensaries. The City passed an ordinance in 2009 that provides guidelines for dispensaries and cultivation operations. The State will be promulgating rules to address the mandates outlined in HB 10-1284. Staff will meet next week with owners to discuss the new State regulations and how they affect the City's licensing process.

#### ***ADMINISTRATIVE REPORTS***

Mr. Hier reported on: spring maintenance programs; new parking garage; City furlough days and layoffs; Centennial Park; HB 10-1284; RFP's for Prosecutorial Services; local purchasing preference; reverse osmosis equipment and storage; PAC system; fueling station at Garfield County Fairgrounds; City Hall renovation; mid-year financial review. Ms. Nelson noted that a workshop has been scheduled for June 9<sup>th</sup> between Council and the

DDA. She also welcomed Kristy Christensen as the City's new Deputy City Clerk. Mr. Stevens stated that the PAC system appears to be helping the taste of the water. Mr. Deussen discussed the Airport Road alignment, and noted that three RFP's were received for work at the Energy Innovation Center.

**COMMENTS FROM MAYOR AND COUNCIL**

***WELCOME***

Councilor Lambert and Mayor Lambert welcomed Ms. Christensen to the team.

Meeting adjourned at 8:43 p.m.

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Wanda Nelson  
City Clerk

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Keith Lambert  
Mayor