

RIFLE CITY COUNCIL MEETING

Wednesday, March 17, 2010

REGULAR MEETING

7:00 p.m. * Council Chambers

The regular meeting of the Rifle City Council was called to order at 7:03 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; Wanda Nelson, City Clerk; Jim Neu, City Attorney; Michael Churchill, Cable 10; Rod Hamilton, Public Works Director; Dick Deussen, Engineer; Charles Kelty, Finance Director; Mike Braaten, Government Affairs; Daryl Meisner, Chief of Police; Aleks Briedis, Recreation Director; Jimmy Smith; Annick Pruet; David Ebeler; Ty Morgan; Rachel Mussen; Hogan Peterson; Kiffin Irmin; Jordan Copeland; Jorge Renova; Daisy Herrera; Angelica Nguyen; Kimberly Nguyen.

CONSENT AGENDA

MINUTES FROM THE MARCH 3, 2010 COUNCIL MEETING; JANUARY 2010 SALES TAX REPORT; LIQUOR LICENSE RENEWALS: BASE CAMP, EL BURRITO LOCO; ACCOUNTS PAYABLE

Councilor Sanborn excused herself from voting on the minutes. Councilor Lambert moved to approve the Consent Agenda; seconded by Councilor Rice.

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

CITIZEN COMMENTS AND LIVE CALL-IN

Craig called in to congratulate Channel 10 for airing the story about water treatment nationwide. He encouraged Council to support Channel 10 wherever possible.

WESTFEST CELEBRATION

Mayor Lambert reported that a workshop was held on March 10 with the Council and Chamber of Commerce. At the workshop, representatives from the Fairboard and Westfest were present to discuss their event. Jimmy Smith and Ty Morgan reported that Westfest is an event that celebrates old west traditions.

COLORADO CLOSE-UP

Councilor Rice and several Rifle High School students participate in the program *Colorado Close-up*, whereby school students visit the Capital in Denver and listen to some debate on the floor. The students outlined their trip and were especially thankful to have had breakfast with Al White.

FIRST READING OF ORDINANCE 5-10: TRAIL CONSTRUCTION EASEMENT

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, APPROVING THE VACATION OF THE ALLEY BETWEEN LOT 7 AND LOT 8, BLOCK B, NORTH RIFLE ADDITION WITHIN THE CITY.

Mr. Briedis explained that the City is commencing construction of a portion of the Rifle Creek Trail between 16th Street to the City Market parking lot. As the construction plans were finalized it became obvious the City could use additional land outside of the Shoup Avenue right-of-way for the trail. The needed easement would encumber Lot 8, Block B, North Rifle Addition owned by Clyde Christianson who also owns several adjacent lots. In negotiations with Mr. Christianson, he indicated that there is a platted alley between two of his lots that has not been developed and never will be because it runs into Rifle Creek. The lots, streets and alleys in the North Rifle Addition were platted without reference to Rifle Creek and the City has vacated various portions of the right-of-ways in this area. As an aside, in 2004, the City vacated a portion of Shoup Avenue that runs right through the City Market store in exchange for City Market granting the necessary easements for the Rifle Creek Trail now being constructed. The alley Mr. Christianson requested that the City vacate is between Lots 7 and 8, Block B, North Rifle Addition on the opposite side of Rifle Creek from where the easement will be conveyed and Ordinance No. 5, Series of 2010 makes the required findings to vacate the alley. As a condition of the vacation, Mr. Christianson will grant the easement needed for the Rifle Creek Trail, which is attached to

the Ordinance. Councilor Miller moved to approve Ordinance 5-10 on first reading as presented and ordered it to be published by title as required by Charter; seconded by Councilor Lambert.

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

APPROVE PURCHASE OF SITE FURNISHINGS FOR CENTENNIAL PARK

Included in the budget for Centennial Park are costs for benches, trash cans, and bike racks. Mr. Briedis explained that this purchase is considered a single source bid so that the furnishings match those purchased by the DDA several years ago. Councilor Lambert moved to approve the purchase of 25 benches, 18 trash cans, and 3 bike racks from Keystone Ridge in an amount not to exceed \$41,819.94 as a sole source purchase; seconded by Councilor Sanborn.

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

APPROVE DESIGN CONCEPTS CONTRACT

Mr. Briedis noted that Council directed staff to negotiate with Design Concepts for the construction documents for Deerfield Park. At present time, the contractor needs the design first before moving forward with final documents. Councilor Miller moved to award Design Concept \$43,372 to complete the Deerfield Park Completion Plan through schematic design; seconded by Councilor Rice.

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

SECOND READING OF ORDINANCE 3-10: FRONT SECURITY SYSTEMS IN CENTRAL BUSINESS DISTRICT

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING SECTION 16-7-30 OF THE RIFLE MUNICIPAL CODE TO PROHIBIT THE USE OF PHYSICAL SECURITY SYSTEMS ON BUILDING EXTERIORS IN THE CITY'S CENTRAL BUSINESS DISTRICT.

Mr. Sturgeon explained that, by Ordinance No. 36, Series of 2009, the City Council imposed a 120 day moratorium on the installation of physical security systems in the Central Business District, such as burglar bars, roll down security gates and the like, so that the issue could be analyzed and appropriate regulations proposed. The Planning Commission recommended at its January meeting that the City Council prohibit such devices in the Downtown Business District because they detract from the image of downtown Rifle, significantly alter the visual landscape, and create a hostile environment for visitors and residents. Ordinance No. 3, Series of 2010 amends Section 16-7-230 of the Rifle Municipal Code with the addition of a new subsection (a)(6) that prohibits physical security devices on building exteriors in the Downtown Business District. Section 16-5-420 of the Rifle Municipal Code requires the City Council to hold a public hearing on text amendments and the Planning Department published the required public notice. Councilor Winkler moved to approve Ordinance 3-10 as amended and ordered it to be published in full as required by Charter; seconded by Councilor Miller.

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

SECOND READING OF ORDINANCE 4-10: SYSTEM IMPROVEMENT FEE SURCHARGE OPTION FOR NON-RESIDENTIAL USES

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING SECTION 13-4-20 OF THE RIFLE MUNICIPAL CODE TO CREATE A WATER AND SEWER SYSTEMS IMPROVEMENT FEE SURCHARGE OPTION FOR NONRESIDENTIAL PROJECTS

Mr. Sturgeon explained that the Planning Department has analyzed various ways to assist with the economic viability of new commercial developments to help them succeed. One measure that has come up often is a payment plan for water and sewer tap fees, officially known as system improvement fees. Several communities have been looking at this issue which decreases the up-front costs of a development or venture. Because the City relies on service fees for the operation of its utilities and tap fees are used for capital improvements, the tap fees are not necessarily needed up front with the development. What is important is that the City eventually gets paid on a reasonable schedule and is protected in the event of a default. Ordinance No. 4, Series of 2010 creates the option to pay system improvement fees for non-residential uses through a system improvement fee surcharge. The surcharge is the total tap fees due divided by 36 and payable through monthly interest-free installments. The surcharge payments commence upon the issuance of the building permit and will be billed on the monthly utility statement. All enforcement provisions contained in the Utility Code pertain to the surcharge including the application of interest on delinquent amounts, suspension of service and a lien on the premises served. If the surcharge is not paid for twelve consecutive months, the customer loses all of the

EQRs subject to the surcharge, in which case the perpetual lien for that amount will go away. The system improvement fee surcharge option contained in Ordinance No. 4 sunsets in two years at which time Council can determine if the option is worth continuing. Councilor Lambert moved to approve Ordinance 4-10 as amended and ordered it to be published in full as required by Charter; seconded by Councilor Thompson.

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

ADMINISTRATIVE REPORTS

Mr. Hier reported on: street cleaning; activities of the Colorado General Assembly; historic renovation grant of the Ute Theatre; Council updates; 4th Street crosswalk; personnel changes; Rifle Creek Trail construction; Everbridge Communication System. Mr. Meisner noted that the Annual “Cops N Council” event will be held on April 7th, with more details to follow. Mr. Stevens stated that his recent trip to D.C. with the Mayor was very fruitful. A dvd of the construction at the Wastewater plant is available for public viewing, thanks to the efforts of Channel 10.

COMMENTS FROM MAYOR AND COUNCIL

KUDOS TO CHANNEL 10

Councilors Thompson and Rice thanked Jim and Michael with Channel 10 for all their contributions to the community.

INSTRUCTIONS FROM THE UTILITY DEPARTMENT

Councilor Rice thanked the Utility Staff for their recent insert discussing what not to put down a sink drain.

WESTFEST

Councilor Lambert thanked the Fairboard for all their efforts to bring Westfest to Rifle.

ROARING FORK LEADERSHIP

Councilor Sanborn recently met with classmates of the Roaring Fork Leadership class. Improving communication in the Valley was one topic of discussion.

CHAMBER OF COMMERCE ANNUAL DINNER

Councilor Winkler congratulated the Chamber on a successful dinner. He also congratulated June Renfro, Sally Brands, and Grand River Hospital District for receiving awards.

TRIP TO D.C.

Mayor Lambert stated that he and Mr. Stevens had the opportunity to meet with Congressional staff regarding Rifle’s water issues.

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 for Legal Advice; seconded by Councilor Thompson (8:26 p.m.).

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

Councilor Lambert moved to adjourn from Executive Session; seconded by Councilor Miller (8:41 p.m.).

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

Meeting adjourned at 8:41 p.m.

Wanda Nelson
City Clerk

Keith Lambert
Mayor