

RIFLE CITY COUNCIL MEETING

Wednesday, March 3, 2010

REGULAR MEETING

7:00 p.m. * Council Chambers

The regular meeting of the Rifle City Council was called to order at 7:02 p.m. by Mayor Keith Lambert.

PRESENT ON ROLL CALL: Councilors Alan Lambert, Jay Miller, Jonathan Rice, Jeanette Thompson, Randy Winkler, and Mayor Keith Lambert.

Councilor Lambert moved to excuse Councilor Jen Sanborn from tonight's meeting; seconded by Councilor Thompson.

Roll Call: Yes – A. Lambert, Miller, Rice, Thompson, Winkler, K. 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; Annick Pruett, Chamber of Commerce; Jerry Long, Building Official; Peter Hayes, Building Inspector; Kevin Kelley, Construction Inspector; Gil Frontella; Judy Martin; Mildred Alsdorf; Amanda White; Virginia White; Doug White; Richard Carter; Kurt Demann; Ada Goodman; Zoey Loya; Nicole Manera; Lyliah Powers; Heidi Pankow; Ashlin Quniger; Kaitlyn DeLage; Michael Langhorne; Chris Manera; Aria Mitchell; Annick Pruett; Cathy Goodman; Low White; Sally Brands.

CONSENT AGENDA

MINUTES FROM THE FEBRUARY 17, 2010; TRANSFER OF LIQUOR LICENSE: EL POLLO DORADO; ACCOUNTS PAYABLE

Councilors Rice and Miller excused themselves from voting on the Minutes. Councilor Lambert moved to approve the Consent Agenda; seconded by Councilor Winkler.

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

CITIZEN COMMENTS AND LIVE CALL-IN

There were no citizen comments or live call-ins.

PROCLAMATIONS

GIRL SCOUT WEEK

Mayor Lambert read the Proclamation aloud, which proclaims March 7 – 13 as Girl Scout Week. Councilor Miller moved to approve the Proclamation; seconded by Councilor Rice.

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

The Mayor presented the signed proclamation to the girls in attendance.

BOY SCOUT 100TH ANNIVERSARY

This proclamation honors the 100th Anniversary of the Boy Scouts, and was read aloud by the Mayor. Councilor Lambert moved to approve the Proclamation; seconded by Councilor Miller.

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

BIRCH COURT WATER CONCERNS

Mr. Hier reported that there have been water problems in the Birch Court neighborhood. Residents expressed concern over discolored water. Several measures have been taken to remedy the discolored water, including increased flushing and changing valves. While attempting to solve the problem, staff discovered increased levels of manganese in the water. The Water Superintendent determined that injecting chlorine into the water supply helps remove the manganese, which is considered harmless. Staff will continue to monitor this situation.

REPORT ON SENIOR MATTERS

Judy Martin and Mildred Alsdorf reported on the senior meal program and the traveler. Ms. Martin commended the Rifle Senior Center for their wonderful meals and cooperation with county-wide programs.

NEW UTE THEATRE SOCIETY (NUTS) FUNDING REQUEST

Councilor Winkler stepped down from this item. The NUTS is requesting that the City authorize the application of a Historic Renovation Grant for the renovation of the theatre façade, replacement of the roof, and renovation of the lobby. The work could exceed \$300,000, and the Grant requires a 25% local match. Michael Langhorne, Gil Frontella, and Rich Carter were present for this discussion. Councilor Lambert moved to authorize the submission of the grant application; seconded by Councilor Thompson.

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

PUBLIC HEARING: FIRST 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.

Mayor Lambert opened the public hearing. 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 Lambert moved to approve Ordinance 3-10 as presented and ordered it to be published by title as required by Charter; seconded by Councilor Miller.

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

FIRST 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 Winkler moved to approve Ordinance 4-10 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, Thompson, Winkler, K. Lambert

RESOLUTION 4-10: AMENDING SECTION 457 DEFERRED COMPENSATION PLAN TO PERMIT LOANS

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIFLE, COLORADO, AMENDING SECTION 457 DEFERRED COMPENSATION PLAN TO PERMIT LOANS

Ms. Nelson reported that several City employees would like to take loans against their 457 retirement plan. Resolution 4-10 authorizes this activity. Several items to note include that only one loan can be taken out per calendar year, the loan must be repaid in five years, loans can be repaid through payroll deductions or electronic withdrawal from an employee's bank account, and the loan amount must be between \$1,000 - \$50,000. Councilor Lambert moved to approve Resolution 4-10; seconded by Councilor Rice.

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

AWARD FINAL DESIGN AND CONSTRUCTION OF PAC SYSTEM

Mr. Deussen explained that, to improve water taste during the summer months, staff proposes installing a temporary Powdered Activated Carbon system at the Graham Mesa Water Treatment Plant until a bypass pipeline at Rifle Pond is constructed. Funds for construction are available in the 2010 budget. Three proposals were received for this work. Councilor Miller moved to award the design to Malcolm Pirnie in an amount not to exceed \$35,315, and the construction to Gould Construction in an amount not to exceed \$67,800; seconded by Councilor Thompson.

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

APPROVE DESIGN OF IMPROVEMENTS UNDER STAG GRANT

Mr. Stevens noted this request is for design improvements at Rifle Pond as part of the STAG grant. Design work includes hydrographic survey, land survey, geotechnical investigation, permitting, final plans and specs, and engineering services. The project involves a bypass pipeline from the Colorado River intake directly to the raw water pump station. Councilor Rice moved to authorize Malcolm Pirnie to design improvements on a time and expense basis, not to exceed \$65,874; seconded by Councilor Thompson.

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

EXTENDING IN-HOUSE TEMPORARY CONSTRUCTION INSPECTION SERVICES

Mr. Hamilton noted that construction inspection services are needed for pending projects: Centennial Park and Rifle Creek Trail. This work can either be conducted by an outside consultant, or completed in-house by our temporary construction inspector. While staff concluded the City remains in difficult economic times, the aforementioned projects must proceed forward due to the grant monies already awarded for their completion. In-house construction inspection services will be more efficient and less costly. Councilor Miller moved to authorize the extended employment of our temporary construction inspector, with an ending date no later than October 31, 2010; seconded by Councilor Rice.

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

ADMINISTRATIVE REPORTS

Mr. Hier reported on: disinfection by-products at water plant; County landfill fees; Environmental Assessment of the theatre; Chamber banquet; increase in health insurance premium; local purchasing preference; map of Colorado River; grand opening ceremonies at new wastewater plant and park maintenance facility. Ms. Nelson stated that there will be a workshop with Council and the Chamber of Commerce on March 10. Garfield County is inviting citizens to participate in focus groups regarding the development of the Airport. Staff will be arranging for a "Public Official's Liability" seminar for Council and P&Z Members. Mr. Sturgeon is working with the recreation department on a fall festival. He has also been working with the consultants designing the one-way traffic loop in Rifle. Staff is working on the composting site near the new wastewater plant, and new software is being tested that helps address land-use issues. Mr. Stevens discussed a recent sewer backup. Mr. Braaten reviewed bills that are being considered by the legislature.

COMMENTS FROM MAYOR AND COUNCIL

KUDOS

Councilor Winkler thanked Mr. Braaten for providing the legislative update. He also congratulated the Girl Scouts and Boy Scouts and thanked them for attending the meeting. Councilor

Thompson congratulated the participants in the play *Narnia* and the musicians who performed in *Symphony in the Valley* for successful events.

TRAFFIC LIGHTS ON RAILROAD

Councilor Lambert pointed out a citizen’s concern regarding the traffic lights on Railroad Avenue. Perhaps the signals could be better synced with traffic, as a green turning arrow comes on when there are no cars present.

GRAND TUNNEL DITCH

Councilor Lambert recently attended a meeting regarding the Grand Tunnel Ditch. Concerns were expressed about the ditch breaking in spots or overflowing. Engineering staff will assist the ditch company as needed with technical advice to mitigate any problems.

ATTENDANCE AT SONORAN INSTITUTE

Councilor Miller attended a three-day seminar sponsored by the Sonoran Institute. Energy efficiency was the main topic of the seminar, with specific assistance being offered to Rifle to further the Energy Village concept.

COLORADO CLOSE-UP

Councilor Rice took Rifle High School students to visit the State Capital as part of the “Colorado Close-up” program. The students will attend the next Council meeting to discuss their experiences.

RHS GIRLS BASKETBALL TEAM

Councilor Rice noted the RHS girls basketball team got into the top sixteen this year.

COMMUNITY CHEER LEADER

Mayor Lambert has been a cheer leader for the community while participating in recent events. He was the only locally elected official invited to participate in the Colorado Energy Summit, which was also attended by Senator Udall, Governor Ritter, Senator Bennett, and Secretary Chu. Mayor Lambert attended the CML Legislative Workshop, and was recently interviewed by Colorado Public Radio, where he discussed Rifle’s Energy Village.

Meeting adjourned at 10:00 p.m.

Wanda Nelson
City Clerk

Keith Lambert
Mayor