

RIFLE CITY COUNCIL MEETING

Wednesday, February 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, Jen Sanborn, Jeanette Thompson, Randy Winkler, and Mayor Keith Lambert.

Councilor Lambert moved to excuse Councilors Jay Miller and Jonathan Rice from tonight's meeting; seconded by Councilor Thompson.

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

OTHERS PRESENT: John Hier, City Manager; Wanda Nelson, City Clerk; Karl Hanlon, City Attorney; Michael Churchill, Cable 10; Rod Hamilton, Public Works Director; Dick Deussen, Engineer; Charles Kelty, Finance Director; Aleks Briedis, Recreation Director; Tom Whitmore, Parks Director; Helen Rogers; Gil Frontella; Jeanice Freeman; Marc Jaffrey.

CONSENT AGENDA

MINUTES FROM THE FEBRUARY 3, 2010; DECEMBER SALES TAX REPORT; ACCOUNTS PAYABLE

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

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

CITIZEN COMMENTS AND LIVE CALL-IN

There were no citizen comments or live call-ins.

MUSEUM WALL MURAL RESTORATION

Helen Rogers, Jeanice Freeman, and Gil Frontella reported that the DDA approved a contribution of \$10,000 towards the restoration of the museum wall mural. Additionally, the VIF Board matched this contribution at their February 10th meeting. The original artist estimates it will cost \$19,845 to restore the wall. Councilor Thompson moved to approve the expenditure of \$10,000 each from the DDA and VIF, and noted that this award is being given to a sole-source provider; seconded by Councilor Lambert.

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

PARKS AND RECREATION NEEDS SURVEY RESULTS

Mr. Briedis noted that 6100 surveys were mailed to Rifle residents in the 81650 zip code, with over 368 received. This rate of return presents a 95% confidence level in the results. Mr. Briedis reviewed the results of the survey, and noted they will be posted on the City's website.

AWARD RIFLE CREEK TRAIL 13TH – 16TH CONSTRUCTION BID

Mr. Briedis stated that twelve bids were received for the construction contract for the Rifle Creek Trail Phase II. The concrete trail is from 16th Street along Rifle Creek to City Market, a distance of about 1000 feet. A concrete block wall with handrail is included for about 600 feet of the length. Staff recommends awarding the bid to Johnson Construction in the amount of \$213,358.50. Councilor Sanborn moved to award the Contract to Johnson Construction in an amount not to exceed \$213,345.50; seconded by Councilor Lambert.

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

AWARD DEERFIELD PARK COMPLETION PLAN PROPOSAL

Mr. Briedis noted that staff solicited bids for the Deerfield Completion Plan, and received 17 proposals. A selection committee was formed to review the bids, and recommends that the award go to Design Concepts of Lafayette, CO, with a bid of \$40,000. Since \$97,000 was budgeted for this project (\$55,000 GOCO Grant and \$42,000 P&R Fund), staff requests the authorization to negotiate with Design Concepts to expand the scope to include Construction Documents. Councilor Thompson moved to award

the Plan to Design Concepts and authorize staff to negotiate a contract to expand the scope in an amount not to exceed \$97,000; seconded by Councilor Sanborn.

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

APPROVE INVOICES FROM SGM ENGINEERING

Mr. Deussen noted staff is requesting City Council approval of invoices from SGM for construction engineering services at the new wastewater plant, to exceed the lump sum contract amount of \$1,038,340. SGM estimates they will spend an additional \$40,000 above the already expended amount of \$1,022,149.97 because the contractor Stanek did not complete the work within the specified time of 24 months. The City is due liquidated damages from Stanek for not completing the work on schedule and is presently holding over one million dollars in retention. Councilor Lambert moved to approve additional invoices from SGM in an amount of \$23,808, with a total authorized cost not to exceed \$1,063,148; seconded by Councilor Thompson.

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

APPROVE IMPROVEMENT TO ALLEY NORTH OF CITY HALL

As part of the work for the new library, the alley north of City Hall is to be improved from East Avenue to the east end of City Hall. Mr. Deussen requested a cost from the contractor to improve the remaining portion to Railroad Avenue in order to have an alley that drains correctly, has no failing sections, has improved aesthetics, and will last for years. Funds are available in the 2010 Public Works Street Improvements Fund, and payment would be made to Garfield County Library for completion of the work. Councilor Lambert moved to authorize an additional \$27,011 for the completion of this alley, payable to Garfield County Library; seconded by Councilor Winkler.

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

APPROVE LEASE OF PAC EQUIPMENT

Because of taste and odor issues caused by algae in the Rifle Pond, staff and consultants have been working on ways to improve the water quality for Rifle residents. The agreed upon solution is to use Power Activated Carbon at the water treatment plant until a bypass line can be built to obtain water directly from the river instead of Rifle Pond. Mr. Deussen stated Norit Americas Inc. can supply the PAC dosing equipment in an amount of \$25,050. Councilor Lambert moved to approve the lease with Norit in an amount not to exceed \$25,050; seconded by Councilor Thompson.

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

AWARD CONTRACT FOR ENVIRONMENTAL ASSESSMENT

Mr. Deussen explained that an EA is required by the granting agency before the above-mentioned bypass line can be built. Malcolm Pirnie Inc. can provide this preliminary documentation, which could lead to an EPA exemption for the work, which includes one or two bores under the railroad and US 6. Funds for this contract are available from the Water Fund. Councilor Sanborn moved to award the contract to Malcolm Pirnie Inc. in an amount not to exceed \$19,500; seconded by Councilor Winkler.

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

SECOND READING OF ORDINANCE 1-10: UTILITY DELINQUENCY NOTICE AMENDMENTS

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING SECTIONS 13-1-430 AND 13-1-440 OF THE RIFLE MUNICIPAL CODE REGARDING NOTICE OF SUSPENSION OF WATER AND SEWER SERVICE AND ADOPTING A FEE FOR PROCESSING AND PREPARATION OF DELINQUENCY AND SHUT-OFF NOTICES IN APPENDIX A TO THE CODE

Mr. Hanlon explained the need to update the Rifle Municipal Code provisions related to notices for delinquent utility accounts. It is recommended that the time period before delinquency and shut off notices are mailed to customers be shortened so delinquent amounts do not become too large and burdensome. Ordinance No. 1, Series of 2010 amends Sections 13-1-430 and 440 so that when a water and/or sewer bill remains unpaid for thirty days a delinquency notice is mailed. A tiered delinquency schedule is included in the ordinance. Councilor Sanborn moved to approve Ordinance 1-10 as amended and ordered it to be published in full as required by Charter; seconded by Councilor Thompson.

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

SECOND READING OF ORDINANCE 2-10: WATER AND SEWER SERVICE FEE START DATE

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING SECTION 13-1-380 OF THE RIFLE MUNICIPAL CODE REGARDING COMPUTATION OF WATER RATES AND CHARGES PRIOR TO CERTIFICATE OF OCCUPANCY.

Mr. Hanlon explained that, as a result of the current economic climate, there are several residential units in the City that remain partially built with no plans for their completion this year. Pursuant to the Rifle Municipal Code, utility service fees commence upon the issuance of a building permit to account for any use of the City's utilities during the construction phase. To address this issue yet remain fiscally responsible and receive payments for services utilized, staff proposes amending the Code so that utility service fees start at the issuance of a certificate of occupancy, and at that time the meters are read to record the actual use during the construction phase. That use will be billed at that City's bulk water rate which is 400% the normal rate and must be paid as a condition of receiving a C.O. With this change, the City will be compensated for services supplied and those units not utilizing the services will not have to pay. Councilor Sanborn moved to approve Ordinance 2-10 as amended and ordered it to be published in full as required by Charter; seconded by Councilor Lambert.

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

ADMINISTRATIVE REPORTS

Mr. Hier reported on: prosecutor scope of services; personnel changes at the Water Plant and Police Department; budget review; Theatre agreement; follow-up issues from the workshop with Garfield County; composting; report about heavy metals in the wastewater system; maps of the City's watershed; STAG grant requirements. Ms. Nelson pointed out the invitation from Garfield County regarding their discussion on March 1st regarding their Comp Plan. Mr. Hamilton will attend a meeting on March 1st regarding the Grand Tunnel Ditch.

COMMENTS FROM MAYOR AND COUNCIL

UPCOMING EVENTS

Councilor Thompson reported on two upcoming events: the Garden School's production of *Narnia*, and a performance by the Symphony in the Valley.

PEDESTRIAN CROSSING AT RAILROAD AVENUE AND 4TH STREET

Councilor Lambert expressed concern that vehicles are not yielding to pedestrians at this intersection. Mr. Hier will discuss this with the Chief to explore enforcement remedies.

ICE CAVES AT RIFLE MOUNTAIN PARK (RMP)

Councilor Sanborn encouraged everyone to visit the Ice Caves at RMP as they are especially beautiful this year.

CML SEMINAR

Councilor Winkler attended a "Newly Elected Officials: seminar sponsored by the Colorado Municipal League in Denver, and thought it contained valuable information.

COLORADO ENERGY JOBS SUMMIT

Mayor Lambert will be attending this Summit as a panelist, along with other distinguished guests such as Senator Udall.

EXECUTIVE SESSION: FOR DISCUSSION OF A PERSONNEL MATTER UNDER CRS SECTION 24-6-402(4)(B) AND NOT INVOLVING ANY SPECIFIC EMPLOYEES WHO HAVE REQUESTED DISCUSSION OF THE MATTER IN OPEN SESSION

Councilor Thompson moved to adjourn to Executive Session; seconded by Councilor Sanborn (8:50 p.m.).

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

Councilor Lambert moved to adjourn from Executive Session; seconded by Councilor Thompson (9:40 p.m.).

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

Meeting adjourned at 9:40 p.m.

Wanda Nelson
City Clerk

Keith Lambert
Mayor