

RIFLE CITY COUNCIL MEETING

Wednesday, December 18, 2009

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 Pro Tem Jay Miller.

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

Councilor Lambert moved to excuse Mayor Keith Lambert from tonight's meeting; seconded by Councilor Rice.

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

OTHERS PRESENT: John Hier, City Manager; Matt Sturgeon, Assistant City Manager; Wanda Nelson, City Clerk; Jim Neu, Assistant City Attorney; Jim Bell, Cable 10; Michael Churchill, Cable 10; Tom Whitmore, Parks Director; Charles Kely, Finance Director; Rod Hamilton, Public Works Director; Peter Hayes, Building Inspector; Nathan Lindquist, Planner; Gary Miller; Steve Isam; Chris Manera; Amelia Shelley.

CONSENT AGENDA

MINUTES FROM THE DECEMBER 2, 2009 REGULAR MEETING; OCTOBER SALES TAX REPORT; OCTOBER FINANCIAL REPORT; GARFIELD COUNTY LIBRARY DISTRICT PURCHASE ORDER REQUEST; ACCOUNTS PAYABLE

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

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

CITIZEN COMMENTS AND LIVE CALL-IN

Amelia Shelley, Executive Director for Garfield County Library District, asked for feedback on their construction project. Gary Miller requested that the Rifle Bucks program be advertised one more time in the newspaper. Council directed staff to advertise the program in Monday's newspaper.

RESOLUTION 28-09: QUEEN'S CROWN PRELIMINARY PLAN AND PHASING PLAN

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIFLE, COLORADO, APPROVING A PRELIMINARY PLAN FOR QUEENS CROWN SUBDIVISION.

The applicants Steve Isam and Chris Manera provided an overview of the project. The Rifle Municipal Code requires the Council to approve Preliminary Plans of major subdivisions comprising of five industrial or commercial lots that propose phased development. Queen's Crown Subdivision contains approximately 57 acres and was annexed by the City earlier this year. The Planning Commission approved the Plan in September, and the developers have decided to phase its development. Resolution 28-08 approves the Plan. Councilor Rice moved to approve Resolution 28-09; seconded by Councilor Lambert.

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

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2009 SUPPLEMENTAL BUDGET

RESOLUTION 29-09: 2009 BUDGET AMENDMENT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIFLE, COLORADO, AMENDING THE CITY'S BUDGET FOR THE YEAR ENDING DECEMBER 31, 2009

ORDINANCE 39-09: SUPPLEMENTAL APPROPRIATION

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, PROVIDING FOR A SUPPLEMENTAL APPROPRIATION FOR THE YEAR ENDING DECEMBER 31, 2009

Mr. Kelty noted that the Resolution amends the 2009 budget, and Ordinance 39-09 provides for a supplemental appropriation. Theatre repairs, the Spring Clean-Up, and snow removal are among expenditures that require these actions. Councilor Lambert moved to approve Resolution 29-09 and Ordinance 39-09 as presented and ordered it to be published in full as required by Charter; seconded by Councilor Thompson.

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

SECOND READING OF ORDINANCE 38-09: TECHNICAL AMENDMENTS TO THE PUBLIC WORKS MANUAL

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING SECTION 16-1-130 OF THE RIFLE MUNICIPAL CODE REGARDING REVISIONS TO THE CITY'S PUBLIC WORKS MANUAL

Mr. Hamilton stated this Ordinance permits staff to make technical changes to the Public Works manual. Councilor Lambert moved to approve Ordinance 38-09 as amended and ordered it to be published in full as required by Charter; seconded by Councilor Rice.

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

CLOSURE OF A PORTION OF CR 296 (DOKE'S LANE)

Mr. Whitmore noted that a workshop was held with Council in May of 2008 to discuss the possibility of closing a segment of 296 Road that lies between East 30th Street and CR 291, adjacent to the new Park Maintenance Facility. The described segment, known as Doke's Lane, was recently annexed by the City, and staff is now requesting that the issue of whether the road should be closed to public vehicles be discussed. Council directed staff to advertise for a public hearing to discuss the issue of closure and allow the public the opportunity to voice their opinion.

CONSIDERATION OF REBATES FOR WATER EFFICIENT APPLIANCES

This item has been removed from the agenda.

APPROVAL OF UNI-DIRECTIONAL FLUSHING PROGRAM DESIGN AND IMPLEMENTATION

This item has been tabled until the next Council meeting.

AFFIDAVIT OF DEFAULT PIONEER MESA SUBDIVISION FILINGS 1 AND 2

Mr. Neu stated that the City has been working to cure several defaults related to Pioneer Mesa Subdivision over the past few years. PM, LLC did not complete all of the required public and private improvements, namely West 2nd Street/County Road 264 intersection improvements, satisfaction of CDOT Access Permit Requirements and certain park improvements. One primary remedy of default of the City's standard form Annexation Agreement and Subdivision Improvements Agreement is the recording of an Affidavit of Default with the County Clerk and Recorder stating that there has been a breach of the development agreement and that no further land use approvals will be processed on the property and no more sales may occur. The City has approximately \$30,000 on deposit

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securing the public improvements for Filing 1, however this amount is not enough to cure all of the defaults and reimburse the City for outside professional work related to this project. Staff proposes utilizing a portion of the cash deposit to re-seed the park in Filing 1 next spring which will greatly improve the situation for those residents living in Filing 1. The road improvements for Filing 1 are not an immediate safety issue and can be deferred until Filing 2 develops, whenever that may be. The remaining cash deposit will be used to partially reimburse the City the monies it is due. The development agreements require that staff inform Council when an Affidavit of Default is recorded, but there is no action that Council specifically needs to take on this matter.

RESOLUTION 27-09: PERSONNEL MANUAL REVISIONS

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIFLE, COLORADO,
AMENDING SECTION 5.4 AND 6.10 OF THE CITY'S PERSONNEL MANNUAL
REGARDING COMPUTATION OF OVERTIME, AND HOLIDAYS.**

Mr. Hier noted that this request is to permit the non-exempt sworn police officers to have all their holidays be considered "floating holidays." They would like to have ten ten-hour holidays (presently, all City staff have eight regular holidays and three floating holidays). This request was presented as a way to permit the City to save money and allow flexibility in the officers' schedules. The amendment also removes vacation time being considered as "hours worked," and therefore will not be considered in overtime calculations. Councilor Rice moved to approve Resolution 27-09; seconded by Councilor Sanborn.

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

ADMINISTRATIVE REPORTS

Mr. Hier reported on: snow removal; yearend review/report/ 2010 work schedule; training by City employees on Incident Command; local vendor preference ordinance; Beaver Creek Watershed letter from Resource Engineering.

COMMENTS FROM MAYOR AND COUNCIL

LET IT SNOW!

Councilor Thompson noted that her family is enjoying the amount of snow we've recently received, as her kids built an igloo in their backyard. Councilors Rice and Winkler thanked the crews for their efforts in the snow removal process.

VOLUNTEERING

Councilor Lambert and Mayor Pro Tem Miller thanked everyone for their volunteer service and encouraged others to sign up for a service organization.

UTILITY BILL FORMAT

Councilor Sanborn thanked the Finance Department for the new format of the utility bill.

ICE FISHING TOURNAMENT

Councilor Winkler reported that the Chamber is hosting its annual Ice Fishing Tournament in January.

MERRY CHRISTMAS AND HAPPY NEW YEAR

Council wished everyone a very happy holiday season.

Meeting adjourned at 8:27 p.m.

Wanda Nelson
City Clerk

Jay Miller
Mayor Pro Tem

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