

RIFLE CITY COUNCIL MEETING

Wednesday, August 1, 2012

REGULAR MEETING

7:00 p.m. * Council Chambers

A regular meeting of the Rifle City Council was called to order at 7:00 p.m. by Mayor Jay Miller.

PRESENT ON ROLL CALL: Councilors Rich Carter, Keith Lambert, Jonathan Rice, Jen Sanborn, Randy Winkler, and Mayor Jay Miller.

Councilor K. Lambert moved to excuse Councilor Alan Lambert from tonight’s meeting; seconded by Councilor Carter. Roll Call: Yes – Carter, K. Lambert, Rice, Sanborn, Winkler, Miller

OTHERS PRESENT: John Hier, City Manager; Lisa Cain, City Clerk; Jim Neu, City Attorney; Jim Bell, Channel 10 Manager; Michael Churchill, Channel 10 Assistant Manager; Blair Bracken, Community Events Coordinator; Mike Braaten, Government Affairs Coordinator; Aleks Briedis, Recreation Director; Dick Deussen, Utility Director; Charles Kelty, Finance Director; Nathan Lindquist, City Planner; Dustin Marantino, Police Officer; and John Scalzo.

CONSENT AGENDA - APPROVE THE FOLLOWING ITEMS:

- A. Minutes from the July 18, 2012 Regular Meeting
- B. June 2012 Sales Tax Report
- C. June 2012 Financial Report
- D. Adopt Budget Calendar – Resolution No. 15, Series of 2012
- E. Accounts Payable

Councilor Rice moved to approve Consent Agenda Items A, B, C, and E; seconded by Councilor Sanborn.

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

With respect to Item D, Mayor Miller noted that the budget workshop scheduled for October 10 will not occur, because Council will be hosting the Colorado Municipal League District 11 meeting that evening.

Councilor Rice moved to approve Resolution No. 15, Series of 2012, as amended; seconded by Councilor K. Lambert.

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

CITIZEN COMMENTS AND LIVE CALL-IN

Community Events Coordinator Blair Bracken presented Council a “Rifle is Broncos Country” flag. Broncos representatives were supposed to present the flag to the City during last month’s Garfield County Air Show, but adverse weather caused the presentation to be cancelled.

There were no other citizen comments or live call-ins.

CONSIDER ADOPTING MULTI-JURISDICTIONAL NATURAL HAZARD MITIGATION PLAN FOR GARFIELD COUNTY - RESOLUTION NO. 17, SERIES OF 2012

City Planner Nathan Lindquist recommended that Council adopt the Multi-Jurisdictional Natural Hazard Mitigation Plan for Garfield County. Adopting the plan does not mandate Rifle to complete a specific project; however, an adopted plan would make participants eligible for future Federal Emergency Management Agency grants to mitigate items mentioned within the plan. Council suggested amending the resolution to specify that execution of the plan's actions would be subject to the City's financial discretion.

Councilor Carter moved to approve Resolution No. 17, Series of 2012, adopting the Multi-Jurisdictional Natural Hazard Mitigation Plan for Garfield County, as amended; seconded by Councilor Rice.

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

CONSIDER AMENDING RIFLE MUNICIPAL CODE TO REQUIRE FILING OF FINAL PLATS WITHIN ONE YEAR – ORDINANCE NO. 17, SERIES OF 2012 – FIRST READING

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO AMENDING SECTIONS 16-5-440 AND 16-11-70 OF THE RIFLE MUNICIPAL CODE REGARDING THE RECORDING OF FINAL SUBDIVISION PLATS

Mr. Lindquist reported that the Planning Commission recommended that Council approve proposed Ordinance No. 17, Series of 2012, requiring final plats to be recorded within one year of Council's approval. Approved subdivisions without recorded final plats potentially result in clouds to title, unclear vested rights, and administrative burden.

Councilor Winkler moved to approve Ordinance No. 17, Series of 2012, on first reading as presented and to order it to be published by title as required by Charter; seconded by Councilor Sanborn.

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

CONSIDER AUTHORIZING APPLICATION FOR GREAT OUTDOORS COLORADO GRANT FOR DEERFIELD PARK – RESOLUTION NO. 16, SERIES OF 2012

Recreation Director Aleks Briedis informed Council that staff is completing a \$350,000 grant request to Great Outdoors Colorado (GOCO) for Deerfield Regional Park Completion – Phase 1 for a restroom, plaza, landscaping, bleachers and in-ground dugouts by Cooper Field and landscaping and lighting in the parking lot. The Re-2 School District will be partnering with the City on this project, contributing \$600,000.

Design Concepts is working on updating the construction drawing set for this current phase. Cost estimates will be completed in the next couple of weeks to include with the grant application.

Applications are due on August 29. Grants will be awarded and announced on December 11. If the City is awarded the grant, staff expects to go to bid in early 2013 with construction beginning in the spring of 2013.

Staff recommends approval of Resolution No. 16, Series of 2012, supporting the project.

Councilor Rice moved to approve Resolution No. 16, Series of 2012, authorizing a grant application for Deerfield Regional Park Completion - Phase 1; seconded by Councilor Carter.

Roll Call: Yes - Carter, K. Lambert, Rice, Sanborn, Winkler, Miller

CONSIDER CALLING FOR ELECTION TO INCREASE SALES AND USE TAX BY .5% TO FUND WATER ENTERPRISE AND NEW WATER TREATMENT PLANT – ORDINANCE NO. 18, SERIES OF 2012 – FIRST READING

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, TO PROVIDE FOR AN INCREASE IN SALES AND USE TAX BY ONE-HALF PERCENT (0.5%) TO FUND THE CONSTRUCTION OF NEW WATER TREATMENT FACILITIES AND SUBMITTING THIS ORDINANCE FOR APPROVAL OF THE REGISTERED VOTERS OF THE CITY OF RIFLE AT THE NOVEMBER 2012 GENERAL ELECTION.

City Attorney Jim Neu noted that Council has been discussing placing a sales tax ballot question at the November general election to assist the City's water customers with financing the construction of the new water treatment plant. Ordinance No. 18, Series of 2012 would put that question before the electorate and if approved, amend the Rifle Municipal Code accordingly. The Ordinance would increase the City's sales and use tax by one-half percent effective on January 1, 2013 and it would terminate upon the repayment of the indebtedness that is financing the new treatment plant.

John Scalzo suggested asking for a 1 percent increase in sales tax to reduce the need to increase water rates.

Councilor Sanborn moved to approve Ordinance No. 18, Series of 2012, on first reading, amended to provide for an increase in sales and use tax by three-quarters percent (0.75%), and to order it to be published by title as required by Charter; seconded by Councilor Rice.

Roll Call: Yes - K. Lambert, Rice, Sanborn, Miller. No – Carter, Winkler.

CONSIDER AUTHORIZING EXPENDITURE OF CAPITAL FUND MONIES FOR COUNTY GRANT MATCH FOR ENERGY INNOVATION PARK

City Manager John Hier explained that the City entered into an Intergovernmental Agreement (IGA) with Garfield County on May 16, 2012, to form a multi-jurisdictional partnership to complete west UMTRA (a/k/a Energy Innovation Center) infrastructure improvements. This IGA identifies total costs being approximately \$870,000 with the City's portion being \$170,000.

At the May 16 meeting it was discussed and understood the City's funds would come from the Capital Fund where Council budgeted \$300,000 as contingency for FY2012. Action taken by Council on May 16 did not expressly include a motion to apply dollars from the Capital Fund. Therefore, staff is requesting that Council take action to direct the use of \$170,000 from the Capital Fund to complete engineering and build infrastructure on the west UMTRA site.

Councilor K. Lambert moved to authorize the expenditure of \$170,000 from the Capital Fund to complete engineering and build infrastructure on the west UMTRA site; seconded by Councilor Carter.

Roll Call: Yes - Carter, K. Lambert, Rice, Sanborn, Winkler, Miller

CONSIDER AUTHORIZING EMERGENCY EXPENDITURE FOR WEST 12TH STREET BRIDGE

Mr. Hier noted that the recent flood in Hubbard Gulch destroyed portions of the culverts and road surface at 12th Street and Park Avenue. Staff is currently developing an estimate of the cost of repairs and will present the estimate to Council for consideration at a future meeting.

CONSIDER APPOINTING REPRESENTATIVES TO COLORADO MUNICIPAL LEAGUE POLICY COMMITTEE

Currently, Mayor Miller is a voting member of the Colorado Municipal League’s Policy Committee, and Government Affairs Coordinator Mike Braaten is an alternate member. Council’s consensus was for Mayor Miller and Mr. Braaten to continue serving in these appointed positions.

ADMINISTRATIVE REPORTS

Mr. Hier reported to Council on the following issues: flash flood on July 22; West UMTRA (Energy Innovation Center) infrastructure improvements; wastewater plant sludge; incoming Police Chief John Dyer; newly-hired Utility Technician Charles Dye; sales tax rates in neighboring jurisdictions; sewer jet truck; fire restrictions; and watering restrictions.

COMMENTS FROM MAYOR AND COUNCIL

Councilor Winkler encouraged people to purchase tickets for the Great Rifle Rotary Ball Drop taking place on August 4. Proceeds benefit the “Raising a Reader” program.

Councilor K. Lambert encouraged people to attend the County Fair.

EXECUTIVE SESSION FOR CONFERENCE WITH CITY ATTORNEY FOR THE PURPOSE OF RECEIVING LEGAL ADVICE ON SPECIFIC LEGAL QUESTIONS UNDER CRS 24-6-402(4)(B); FOR THE PURPOSE OF DETERMINING POSITIONS RELATIVE TO MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, DEVELOPING STRATEGY FOR NEGOTIATIONS, AND/OR INSTRUCTING NEGOTIATORS, UNDER CRS 24-6-402(4)(E); AND TO DISCUSS THE PURCHASE, ACQUISITION, LEASE, TRANSFER, OR SALE OF REAL, PERSONAL, OR OTHER PROPERTY INTEREST UNDER CRS 24-6-402(4)(A)

Councilor Rice moved to adjourn to executive session to receive legal advice, discuss negotiations, and discuss real estate matters; seconded by Councilor Sanborn (8:15 p.m.).

Roll Call: Yes - Carter, K. Lambert, Rice, Sanborn, Winkler, Miller

Upon return to open session following conclusion of the executive session, meeting adjourned at 8:49 p.m.

Lisa H. Cain
City Clerk

Jay D. Miller
Mayor