

RIFLE CITY COUNCIL MEETING

Wednesday, September 19, 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, Alan Lambert, Keith Lambert, Jonathan Rice, Jen Sanborn, Randy Winkler, and Mayor Jay Miller.

OTHERS PRESENT: John Hier, City Manager; Matt Sturgeon, Assistant City Manager/Director of Planning; Kristy Christensen, Deputy City Clerk; Karl Hanlon, City Attorney; Jim Bell, Channel 10 Manager; Michael Churchill, Channel 10 Assistant Manager; John Dyer, Chief of Police; Tom Whitmore, Parks Director; Shelley Aibner; Helen Rogers; and Mike McKibbin.

CONSENT AGENDA - APPROVE THE FOLLOWING ITEMS:

- A. Minutes from the September 5, 2012 Regular Meeting
- B. Liquor License Renewal – Rifle Brewing Company
- C. Declare 2002 Dodge Ram 2500 a surplus vehicle
- D. Accounts Payable

Councilor K. Lambert moved to approve Consent Agenda Items A, B, C, and D; seconded by Councilor A. Lambert.

Roll Call: Yes – A. Lambert (abstaining as to Item A), Carter, K. Lambert, Rice, Sanborn, Winkler, Miller

CITIZEN COMMENTS AND LIVE CALL-IN

There were no citizen comments or live call-ins.

PUBLIC HEARING – SPECIAL EVENT LIQUOR PERMITS – NEW UTE THEATRE SOCIETY, INC.

Mayor Miller opened the public hearing and swore in Blair Bracken, Community Events Coordinator; Shelley Aibner, Program Marketing Director, New Ute Theatre Society, Inc. (“NUTS”); and Helen Rogers, President, NUTS. Ms. Bracken, Ms. Aibner, and Ms. Rogers presented NUTS' application for a special event permit to provide liquor service at Centennial Park on October 20, 2012, from noon to 4:30 p.m. during the Fall Festival and at the street dance on East 4th Street on October 20, 2012, from 5:00 p.m. to 10:30 p.m. during the Fall Festival. Deputy City Clerk Kristy Christensen stated that the hearing was properly noticed, the applications are complete, and the fees have been paid.

Ms. Aibner requested a change in the security plan that was submitted. The NUTS group would like to have only one security guard at the Special Event.

Ms. Bracken asked to be excused for the remaining discussion.

Ms. Rogers asked the Council to waive the application fee of \$100 each for both locations.

Councilor Winkler and Councilor Carter recused themselves because of a potential conflict of interest.

Councilor A. Lambert moved to approve the Special Event Liquor Permit for New Ute Theatre Society, Inc. at Centennial Park on October 20, 2012, from noon to 4:30 p.m., with the City paying the application fee out of Mayor and Council budget; seconded by Councilor Rice.

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

Councilor Sanborn moved to approve the Special Event Liquor Permit for New Ute Theatre Society, Inc. at the street dance on East 4th Street on October 20, 2012, from 5:00 p.m. to 10:30 p.m., with the City paying the application fee out of Mayor and Council budget; seconded by Councilor A. Lambert.

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

PUBLIC HEARING – SUNSET TOWNHOMES ANNEXATION - ORDINANCE NOS. 8 AND 9, SERIES OF 2012 (FIRST READING) AND RESOLUTION NOS. 9 AND 10, SERIES OF 2012

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO ANNEXING TO THE CITY OF RIFLE, COLORADO CERTAIN REAL PROPERTY KNOWN AS THE SUNSET TOWNHOMES ANNEXATION

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO ZONING CERTAIN REAL PROPERTY KNOWN AS THE SUNSET TOWNHOMES ANNEXATION AND REZONING LOT 1, MANUPELLA ADDITION TO THE CITY OF RIFLE DEVELOPING RESOURCE ZONE DISTRICT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIFLE, COLORADO, CONCERNING THE SUNSET TOWNHOMES ANNEXATION TO THE CITY OF RIFLE

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIFLE, COLORADO, APPROVING AN ANNEXATION PLAN FOR THE SUNSET TOWNHOMES ANNEXATION AS REQUIRED UNDER THE MUNICIPAL ANNEXATION ACT OF 1965, AS AMENDED

Mayor Miller continued the public hearing. City Attorney Karl Hanlon reminded Council that in January 2012, Sunset Townhomes, LLC filed a petition requesting that the City annex the Annexation Parcel and zone the Property Developing Resource (“DR”) Zone District. The Rifle Planning Commission on February 28, 2012 recommended DR zoning for the Property subject to the conditions of the Planning Department’s staff report. Ordinance No. 8, Series of 2012 would annex the Annexation Parcel to the City, and Ordinance No. 9, Series of 2012 would zone the Annexation Parcel and an adjacent parcel already within the City and also owned by Sunset Townhomes, LLC as Developing Resource. Resolution Nos. 9 and 10, Series of 2012 make the required statutory findings for annexation.

On April 4, the Council, at the request of the applicants, continued the public hearing on the annexation to the June 18, 2012 City Council meeting rather than take action. The continuance was intended to permit the applicants and staff additional time to discuss the terms and conditions of the proposed Annexation Agreement, including the construction of the Taughenbaugh Boulevard and Last Chance Drive extension. On June 18, the applicants requested another continuance until September 19 to provide additional time to find solutions to the funding of the Taughenbaugh Boulevard connection.

The applicant has withdrawn the Petition and Application. Mayor Miller closed the public hearing without the Council taking any action.

CONSIDER PRE-ANNEXATION AGREEMENT WITH UMETCO MINERALS CORPORATION

Assistant City Manager/Director of Planning Matt Sturgeon explained that staff has been working with UMETCO Minerals Corporation, which owns the property to the west of the City’s Energy Innovation Center (“EIC”), to coordinate the public improvements slated for construction this fall. To allow future development of the UMETCO Property, the City is extending the roads and utilities to the EIC property boundary. In consideration for the construction of these improvements, staff has negotiated a proposed Pre-Annexation Agreement with UMETCO that includes UMETCO’s dedication of 25 feet of right-of-way along the property line so that a future road connection can be made between the two access roads. UMETCO currently possesses an undefined access easement across the EIC property and with the construction of these access roads, UMETCO will vacate that historic easement. UMETCO will also provide the necessary temporary construction easements needed by the City to construct the improvements.

In the Pre-Annexation Agreement, UMETCO is acknowledging that it will need to construct a sewer lift station to serve its property and that annexation will be required for it to connect any utilities and be served by the City. At that time, a formal annexation agreement will be negotiated. UMETCO has generally approved of all of these documents but they have not cleared all of UMETCO’s hierarchy to date, so there may be some minor changes to the documents. Because of the tight construction schedule of the improvements, staff recommends approval of the Pre-Annexation Agreement with UMETCO Minerals Corporation with some flexibility given to staff to approve minor amendments if requested by UMETCO. If any substantive amendments are requested by UMETCO, staff will bring this item back before the City Council for approval.

Councilor Carter moved to approve the Pre-Annexation Agreement with UMETCO Minerals Corporation, and to authorize staff to approve minor amendments to the agreement if requested by UMETCO; seconded by Councilor Rice.

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

CONSIDER PURCHASE OF PUMP STATION FILTRATION AT DEERFIELD PARK

Parks Director Tom Whitmore informed Council that raw water sediments decrease the life of the sprinkler heads and components at Deerfield Regional Park (“DRP”) and thus require a significant amount of time and money each year dealing with repairs. Staff solicited formal bids for the purchase and installation of raw water filtration equipment at the DRP Irrigation Pump Station. Staff recommends that Council award the contract to the low bidder, Golf Enviro Systems/Freedom Pump, in the amount of \$21,782.11. This purchase would be funded completely by Garfield Re-2 School District’s \$22,500.00 contribution. In exchange for this contribution, the School District uses the pump station and raw water irrigation at Wamsley Elementary School. They also contribute an annual amount for repair and maintenance of the pump station.

Councilor A. Lambert moved to award a contract for the purchase and installation of raw water filtration equipment at the Deerfield Regional Park Irrigation Pump Station to Golf Enviro Systems/Freedom Pump, in the amount of \$21,782.11; seconded by Councilor Rice.

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

ADMINISTRATIVE REPORTS

Mr. Hier reported to Council on the following issues: 2013 budget, Airport Road street improvements, 12th Street culvert repairs, public works projects, Information Technology projects, Worker’s Compensation insurance, Federal Mineral Lease District grant, and water budget for 2013.

Mr. Sturgeon reported to Council on the redundancy water line across Airport Road, 12th Street culvert repairs, and UMTRA site.

COMMENTS FROM MAYOR AND COUNCIL

Councilor Sanborn noted the first day of autumn is this week.

Councilor A. Lambert welcomed John Dyer as Police Chief.

Mayor Miller welcomed Chief Dyer and noted the City is in good hands.

Meeting adjourned at 7:54 p.m.

Kristy Christensen
Deputy City Clerk

Jay D. Miller
Mayor