

RIFLE CITY COUNCIL MEETING

Wednesday, December 5, 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 Rice moved to excuse Councilor Alan Lambert from tonight's meeting; seconded by Councilor Winkler. Roll Call: Yes – Carter, K. Lambert, Rice, Sanborn, Winkler, Miller.

OTHERS PRESENT: John Hier, City Manager; Matt Sturgeon, Assistant City Manager/Director of Planning; Lisa Cain, City Clerk; Jim Neu, City Attorney; Jim Bell, Channel 10 Manager; Michael Churchill, Channel 10 Assistant Manager; Dick Deussen, Utilities Director; John Dyer, Police Chief; Peter Hayes, Building Inspector; Charles Kelty, Finance Director; Bobby O'Dell, Public Works Superintendent; Jack Bryck; Barb Clifton; Garrick Frontella; Gil Frontella; Trudy Giard; Mike McKibbin; Jim Miller; Troy Phillips; Helen Rogers; Elizabeth Stuver; and Bayard Yang.

CONSENT AGENDA - APPROVE THE FOLLOWING ITEMS:

- A. Minutes from the November 19, 2012 Regular Meeting
- B. Liquor License Renewals: Shale Country Liquors; Rifle Lodge No. 2195
- C. Extend Domestic Animal Shelter and Impoundment Services Agreement with Friends of Rifle Animal Shelter (FRAS) through Dec. 31, 2013
- D. Accounts Payable

Councilor Carter moved to approve Consent Agenda Items A, B, C, and D; seconded by Councilor Rice. Roll Call: Yes – K. Lambert (abstained as to Item A), Sanborn (abstained as to Item A), Carter, Rice, Winkler, Miller.

CITIZEN COMMENTS AND LIVE CALL-IN

Troy Phillips reminded Council that at its November 19 meeting, he asked Council to reconsider the City's funding with reserves the refurbishment of the New Ute Theatre. At tonight's meeting, he clarified that his main concern was not that funding the theatre would keep the City from funding Deerfield Park improvements. His concerns were that the City would be spending beyond its means; that funding the theatre would reduce funds available for City employee salary raises; that there would be a lack of stability in funding for the theatre from outside sources; and that renovating an existing building might be more expensive than building an event center from scratch.

Councilors noted that funds for refurbishing the theatre would come from City capital funds, not from operational funds; that the New Ute Theatre Society had presented a budget that did not require the use of City funds for operations; and that even if the 2013 budget included funds for refurbishing the theatre, before refurbishment could take place, the Council would need to approve a contract or contracts for such work.

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

PUBLIC HEARING - BRENDEN RIFLE 7 THEATRES LIQUOR LICENSE APPLICATION

This application was not ready for Council action at tonight's meeting. Staff recommended that Council reschedule the public hearing to its meeting on December 19, 2012.

Councilor Sanborn moved to reschedule the public hearing on the liquor license application of Brenden Rifle 7 Theatres to December 19, 2012; seconded by Councilor Rice. Roll Call: Yes – Carter, K. Lambert, Rice, Sanborn, Winkler, Miller.

CONSIDER ADOPTING 2013 BUDGET

Councilor Carter recused himself from consideration of this matter, because of a potential conflict of interest.

City Manager John Hier and Finance Director Charles Kelty presented the following items connected to adopting the 2013 budget:

- Resolution No. 23, Series of 2012, adopts the 2013 Budget.
- Ordinance No. 22, Series of 2012, provides for the annual appropriation.
- Resolution No. 24, Series of 2012, certifies the mill levy.

Councilor K. Lambert moved to approve Resolution No. 23, Series of 2012; approve Ordinance No. 22, Series of 2012, as presented and order it to be published in full as required by Charter; and approve Resolution No. 24, Series of 2012; seconded by Councilor Winkler. Roll Call: Yes – K. Lambert, Rice, Sanborn, Winkler, Miller

CONSIDER APPROVING 2012 SUPPLEMENTAL BUDGET

Mr. Hier and Mr. Kelty presented the following items connected to approving a supplemental 2012 budget:

- Resolution No. 25, Series of 2012, amends the 2012 Budget.
- Ordinance No. 23, Series of 2012, approves a supplemental appropriation.

These items would amend the following funds: General Fund, Economic Development Fund, Capital Fund, Information Center Fund, Energy Efficiency Fund, Fleet Fund, and Information Technology Fund.

Councilor Rice moved to approve Resolution No. 25, Series of 2012; and approve Ordinance No. 23, Series of 2012, as presented and order it to be published in full as required by Charter; seconded by Councilor K. Lambert. Roll Call: Yes – Carter, K. Lambert, Rice, Sanborn, Winkler, Miller

CONSIDER AMENDING SECTION R313.2 OF THE 2009 INTERNATIONAL RESIDENTIAL CODE (IRC) REMOVING THE REQUIREMENT FOR AUTOMATIC RESIDENTIAL FIRE SPRINKLERS – ORDINANCE NO. 21, SERIES OF 2012 – SECOND READING

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING SECTION 18-3-30 OF THE RIFLE MUNICIPAL CODE REGARDING RESIDENTIAL SPRINKLER SYSTEMS

Assistant City Manager/Director of Planning Matt Sturgeon reported that proposed Ordinance No. 21, Series of 2012, would amend Section 18-3-30 of the Rifle Municipal Code by striking the requirement that new construction of 1- and 2-family homes include fire sprinkler systems beginning Jan. 1, 2013.

The ordinance requires that a 2-family unit (duplex) shall separate each unit with a 2-hour rated firewall.

The ordinance also require that unfinished basements shall protect I-joists using type x 5/8" sheetrock. The purpose of protecting I-joists – placing sheetrock on the ceiling of the basement level – is to protect the passage ways on the main living floor in the event a fire starts in the basement; this helps protect against residents and public safety responders from falling through the floor. The current code would have required sprinklers in the

basement areas. Councilor Carter recommended amending the ordinance to require protection of wood-framed floor systems, not merely I-joists.

Councilor Winkler moved to approve Ordinance No. 21, Series of 2012, on second reading as amended and to order it to be published in full as required by Charter; seconded by Councilor Carter. Roll Call: Yes - Carter, K. Lambert, Rice, Sanborn, Winkler, Miller

CONSIDER MODIFICATIONS TO CONTRACT WITH CONSULTING ENGINEER FOR WATER PLANT
Utilities Director Dick Deussen reminded Council that the 2009 contract with Malcolm Pirnie awarded design and construction management for the Rifle Regional Water Purification Facility. The cost for construction management was to be based upon standard rates, but the not-to-exceed price was not determined. During a workshop on December 19, Council will discuss with Malcolm Pirnie representatives the scope of those design and construction management services that will be required during the 2-year construction period of the facility.

Bayard Yang, Project Manager, and Jack Bryck, Principal in Charge, Malcolm Pirnie, requested additional engineering design funds in the amount of \$229,500 because of an increase in the design scope of work and delays beyond its control.

Councilor K. Lambert moved to authorize an increase in engineering design funds payable to Malcolm Pirnie in the amount of \$229,500; seconded by Councilor Rice. Roll Call: Yes - Carter, K. Lambert, Rice, Sanborn, Winkler, Miller

Council's consensus was that the City should hire a Resident Engineer as a City employee to oversee the observation of construction of the Rifle Regional Water Purification Facility.

ADMINISTRATIVE REPORTS

Mr. Hier reported to Council on the following issues: City budget; water rates; year-end financial review; request for proposals for design of North I-70 Roundabout.

City Clerk Lisa Cain informed Council about upcoming training opportunities, and the 2013 strategic planning retreat.

COMMENTS FROM MAYOR AND COUNCIL

Mayor Miller congratulated the Rifle Bears football team on a great season.

Councilor Winkler congratulated Councilor K. Lambert on becoming a grandfather, and he announced that he will soon be a grandfather, too.

Councilor Sanborn reminded citizens that the purpose of Rifle Bucks is support of local businesses.

Councilor Rice felt that funding refurbishment of the Ute Theatre was not a question of taking funds away from another project. He also expressed gratitude for the tremendous support of the football team by the community.

Meeting adjourned at 8:22 p.m.

Lisa H. Cain
City Clerk

Jay D. Miller
Mayor