

RIFLE CITY COUNCIL MEETING

Wednesday, May 1, 2013

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; Lisa Cain, City Clerk; Jim Neu, City Attorney; Jim Bell, Channel 10 Manager; Michael Churchill, Channel 10 Assistant Manager; JR Boulton, Police Lieutenant; Aleks Briedis, Recreation Director; Kristy Christensen, Deputy City Clerk; Dick Deussen, Utilities Director; John Dyer, Police Chief; Charles Kelty, Finance Director; Nathan Lindquist, City Planner; Jim Miller, Resident Engineer; Bobby O'Dell, Public Works Superintendent; Ken Plum, Planning and Zoning Commissioner; Brian Prunty, Construction Inspector; Charlotte Squires, Planning Technician; Tom Whitmore, Parks Director; Shelley Aibner; Garrick Frontella; Gil Frontella; Melissa Hier; Frank Ladd; Mike McKibbin; Helen Rogers; Angeline Roles; Sean Strode; Kelly Thompson; and Phil Vaughan.

CONSENT AGENDA - APPROVE THE FOLLOWING ITEMS:

- A. Minutes from the April 17, 2013 Regular Meeting
- B. Liquor License Renewals: Kum & Go #4924; Thai Chili Bistro; Choice Liquors
- C. March 2013 Sales Tax Report
- D. February 2013 Financial Report
- E. Accounts Payable

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

CITIZEN COMMENTS AND LIVE CALL-IN

There were no citizen comments or live call-ins.

PRESENTATION TO RETIRING CITY MANAGER JOHN HIER FROM RIFLE AREA CHAMBER OF COMMERCE

Rifle Area Chamber of Commerce President/Chief Executive Officer Frank Ladd presented a plaque of recognition to retiring City Manager John Hier.

PRESENTATION TO MR. HIER FROM CITY COUNCIL

Mayor Miller presented a plaque to Mr. Hier in appreciation for his nine years of service to the City and the community as City Manager.

ACKNOWLEDGE KEN PLUM'S YEARS OF SERVICE TO PLANNING AND ZONING COMMISSION

Mayor Miller presented a plaque to retiring Planning and Zoning Commissioner Ken Plum in appreciation for his sixteen years of service on the Commission.

PROCLAMATION – NATIONAL NURSING HOME WEEK

Angeline Roles, Director of Marketing, Colorado State Veteran's Home-Rifle, was present. Mayor Miller read a proclamation designating the week of May 12-18, 2013 as National Nursing Home Week.

Councilor K. Lambert moved to approve the proclamation; seconded by Councilor A. Lambert. Roll Call: Yes – Carter, A. Lambert, K. Lambert, Rice, Sanborn, Winkler, Miller.

CONSIDER AWARDING CONTRACT FOR UTE EVENT CENTER CONSTRUCTION

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

Assistant City Manager/Director of Planning Matt Sturgeon explained that City Council appropriated \$1,985,947 in the Capital Fund for the construction of the Ute Event Center. This appropriation was made with the understanding that revenues to the Capital Fund for this project would include \$428,000 in grants. Committed grant revenues total \$363,000, a shortfall of \$65,000. All outside funding has been secured. The total project cost, excluding the retractable seating, will not exceed \$2,069,080. This exceeds funds currently appropriated within the Capital Fund by \$83,133. Moving forward with this project will require City Council appropriate this additional amount via a supplemental appropriation.

The Owner's Representative (architect of record) prequalified six construction companies. Five of the six companies submitted bids to remodel the subject structure. Low bidder was PNCI, with a bid of \$1,691,436 (excluding retractable seating).

The City received a \$25,000 grant from the Boettcher Foundation to help fund the renovation of the Ute Event Center. The Boettcher Foundation requires the City enter into a contract that sets specific terms for the use of the funds as well as the future use of the structure.

Mr. Sturgeon summarized possible action by Council as follows:

- To move forward requires City Council reauthorize the expenditure of \$1,985,947 from the Capital Fund, understanding that this expenditure is occurring less \$65,000 in anticipated grant revenues. Additionally, Council must agree to appropriate additional funds to offset a potential \$83,133 project shortfall. Staff recommends this appropriation occur within the Capital Fund.
- Staff recommends City Council award the bid to complete the renovation of the Ute Event Center to PNCI for an amount not to exceed \$1,691,436. The bid award will not include the retractable seating. The bid should only be awarded if City Council appropriates the additional funds necessary to ensure completion of the project. Otherwise, all bids should be rejected for lack of funding.
- Staff recommends City Council approve entering into the contract with the Boettcher Foundation, if the construction contract is awarded.

Councilor Winkler moved to appropriate \$83,133, for a total of \$2,069,080, from the Capital Fund for renovation of the Ute Event Center; seconded by Councilor Sanborn. Roll Call: Yes – A. Lambert, K. Lambert, Rice, Sanborn, Winkler, Miller.

Councilor K. Lambert moved to award the bid to complete the renovation of the Ute Event Center to PNCI for an amount not to exceed \$1,691,436; seconded by Councilor A. Lambert. Roll Call: Yes – A. Lambert, K. Lambert, Rice, Sanborn, Winkler, Miller.

Councilor A. Lambert moved to authorize the City Manager to sign a contract with the Boettcher Foundation in order to accept a \$25,000 grant from the Foundation to help fund the renovation of the Ute Event Center; seconded by Councilor Rice. Roll Call: Yes – A. Lambert, K. Lambert, Rice, Sanborn, Winkler, Miller.

CONSIDER APPOINTING PARKS AND RECREATION ADVISORY BOARD ALTERNATE MEMBER

Parks Director Tom Whitmore informed Council that John Dyer and Judy Ortiz had expressed interest in serving in the alternate position on the Parks and Recreation Advisory Board. Council will interview the applicants, before considering making the appointment.

CONSIDER PURCHASING OPERATIONS & MAINTENANCE DEPARTMENT TRUCK

Public Works Superintendent Bobby O'Dell recommended that Council award a contract to purchase a new Operations and Maintenance Department truck to Berthod Motors, which submitted the lowest bid of \$22,587.

Councilor Carter moved to approve the purchase of a new Operations and Maintenance Department truck from Berthod Motors for \$22,587; seconded by Councilor Sanborn. Roll Call: Yes – Carter, A. Lambert, K. Lambert, Rice, Sanborn, Winkler, Miller.

RIFLE REGIONAL WATER PURIFICATION FACILITY (NEW WATER TREATMENT PLANT)

A. CONSIDER REQUEST TO REALLOCATE CONSTRUCTION ADMINISTRATION FUNDS

B. CONSIDER BIDDING METHOD

Resident Engineer Jim Miller and Utilities Director Dick Deussen recommended that Council increase the fee of the water treatment plant engineering consultant Malcolm Pirnie by \$50,000. The purpose of the increase is to improve quality control by Malcolm Pirnie and to have Malcolm Pirnie more actively manage the project schedule. Funds for the fee increase would come from reallocating \$50,000 from the amount already authorized for Malcolm Pirnie/Arcadis for construction administration services. This request was not generated by Malcolm Pirnie. Owner's Advisor Phil Vaughan expressed his support for the request.

Councilor Sanborn moved to increase the design review fee of water treatment plant engineering consultant Malcolm Pirnie by \$50,000 by reallocating funds from the amount already authorized for construction administration services; seconded by Councilor Rice. Roll Call: Yes – Carter, A. Lambert, K. Lambert, Rice, Sanborn, Winkler, Miller.

Mr. Miller and Mr. Deussen also recommended that Council waive the low bid requirement of the City Purchasing Code and allow the City to make the award of the contract for construction of the water treatment plant on a best value basis.

Councilor Carter moved to evaluate bidding criteria for construction of the water treatment plant using best value; seconded by Councilor Sanborn. Roll Call: Yes – Carter, A. Lambert, K. Lambert, Rice, Sanborn, Winkler, Miller.

CONSIDER AMENDING CHAPTER 16 TO ADOPT COLORADO WATER CONSERVATION BOARD FLOOD REGULATIONS - ORDINANCE NO. 7, SERIES OF 2013 – 2ND READING

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING CHAPTER 16 ARTICLE 12 OF THE RIFLE MUNICIPAL CODE TO INCORPORATE THE RULES AND REGULATIONS FOR REGULATORY FLOODPLAINS IN COLORADO AS PROMULGATED BY THE COLORADO WATER CONSERVATION BOARD

City Attorney Jim Neu informed Council that staff was still looking at possible amendments to the Colorado Water Conservation Board Rules. Council will consider this item at its meeting of May 15, 2013.

**CONSIDER REFINANCING STREET IMPROVEMENT BONDS – ORDINANCE NO. 8, SERIES OF 2013
– 2ND READING**

AN ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF RIFLE, COLORADO, SALES AND
USE TAX REFUNDING REVENUE BONDS, SERIES 2013

Finance Director Charles Kelty reminded Council that during its March 6 workshop, it reviewed information related to refinancing the 2003 Sales Tax Street Improvement Bond Issue. Interest rates have decreased over the past several years. It is anticipated that refinancing these bonds will provide a cost savings to the City of approximately \$80,000 annually through 2018. Mr. Neu explained that proposed Ordinance No. 8, Series of 2013, would authorize the refinancing of the bonds.

Councilor A. Lambert moved to approve Ordinance No. 8, Series of 2013, on second reading as presented and to order it to be published in full as required by Charter; seconded by Councilor Carter. Roll Call: Yes – Carter, A. Lambert, K. Lambert, Rice, Sanborn, Winkler, Miller.

CONSIDER ADOPTING VISION, MISSION, GOALS, STRATEGIC PLAN

Mr. Hier presented a draft of the revised Strategic Plan, which includes the City's Vision Statement, Mission Statement, and Goals. He recommended that Council adopt the plan.

Councilor Rice moved to adopt the revised Strategic Plan; seconded by Councilor A. Lambert. Roll Call: Yes – Carter, A. Lambert, K. Lambert, Rice, Sanborn, Winkler, Miller.

ADMINISTRATIVE REPORTS

Mr. Hier reported to Council on the following issues: personnel; senior discount on utility rates; and spring projects.

City Clerk Lisa Cain reminded Council that it would meet in a workshop session with the Parks and Recreation Advisory Board on May 8 at 6:00 PM.

Mr. Sturgeon thanked City staff, Garfield County, and the Rifle Correctional Center for their contributions to a successful Spring Cleanup. He reported to Council about murals for the exterior of the parking garage.

Mr. Neu expressed his appreciation to Mr. Hier and wished him well in his retirement.

Chief Dyer informed Council about the recent arrest of several members of a ring of drug dealers.

COMMENTS FROM MAYOR AND COUNCIL

The Councilors and the Mayor thanked Mr. and Ms. Hier for all that they had done for the community and wished them a successful retirement.

Meeting adjourned at 8:32 p.m.

Lisa H. Cain
City Clerk

Jay D. Miller
Mayor