

RIFLE CITY COUNCIL MEETING

Wednesday, June 5, 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, Randy Winkler, and Mayor Jay Miller.

Councilor A. Lambert moved to excuse Councilors Jonathan Rice and Jen Sanborn from tonight's meeting; seconded by Councilor K. Lambert. Roll Call: Yes – Carter, A. Lambert, K. Lambert, Winkler, Miller.

OTHERS PRESENT: Matt Sturgeon, City Manager; Lisa Cain, City Clerk; Jim Neu, City Attorney; Michael Churchill, Channel 10 Assistant Manager; Dick Deussen, Utilities Director; John Dyer, Police Chief; Diego Piña, Police Sergeant; Kim Wisdom, Court Administrator; Scott Aibner; Shelley Aibner; Dan Alvis; Dave Campbell; Paula Campbell; Gil Frontella; Lanny Grant; Dana Ingram; Thomas Ingram; David Keithley; Michael Langhorne; Ryan Mackley; Jeff Maynard; Nikki Maynard; Mike McKibbin; Susan Nichols; Marilyn Oden; T. J. Oden; Judy Ortiz; Maria Piña; Bob Rensberry; Helen Rogers; Kathy Rossilli; Liz Stinson; Angela Strode; Sean Strode; and Sandy Vaccaro.

CONSENT AGENDA - APPROVE THE FOLLOWING ITEMS:

- A. Minutes from the May 15, 2013 Regular Meeting
- B. Special Event Liquor Permits
 - Rifle Regional Economic Development Corporation (approve permit; cancel public hearing listed as Item 5 on agenda)
 - Loyal Order of Moose – Lodge #1345 (approve use of Centennial Park; approve permit; cancel public hearing listed as Item 6 on agenda)
- C. Designate persons authorized to sign City checks – Resolution No. 6, Series of 2013
- D. Reschedule July 3, 2013 Council meeting to July 1, 2013
- E. April 2013 Sales Tax Report
- F. April 2013 Financial Report
- G. Accounts Payable

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

PRESENTATION TO COURT ADMINISTRATOR KIM WISDOM

Court Administrator Kim Wisdom will leave her position later this month. Mayor Miller presented a plaque to Ms. Wisdom in appreciation for her thirteen years of service to the City.

CITIZEN COMMENTS AND LIVE CALL-IN

Dan Alvis asked about the applicability of the Taxpayer Bill of Rights (TABOR) to citizen initiatives.

Jeff Maynard stated his opposition to increased taxes, Recreation Center project timing, and paying for reverse osmosis water to use on his lawn.

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Bob Rensberry stated his opposition to the Recreation Center, citing tax dollar mismanagement by the City.

Susan Nichols spoke on behalf of several citizens opposed to placing a Recreation Center funding issue on the ballot, citing the depressed economy, overextension of the City budget, rising costs of other goods and services, and “no” votes on previous recreation center ballot issues. Other concerns were that Rifle’s sales tax rate would become the highest in the county, and that few Rifle residents would support a recreation center by buying memberships. Ms. Nichols also asked Councilor Carter to recuse himself from future discussions of a recreation center because of a conflict of interest.

Angela Strode, Co-Chair, Committee for a Rifle Community and Recreation Center, stated her support for placing a Recreation Center funding issue on the ballot, citing citizen support for construction of a center.

Kathy Rossilli asked Council to place a Recreation Center funding issue on the ballot, so voters could decide.

Michael Langhorne, President, Rifle Regional Economic Development Corporation (RREDC), invited citizens to ask him about RREDC projects.

Shelley Aibner, Co-Chair, Committee for a Rifle Community and Recreation Center, invited the public to an informational meeting about the Recreation Center on June 12.

Ryan Mackley stated his support for a Recreation Center as a means of economic development of the City.

Liz Stinson said the question is not whether to build a Recreation Center, but how to fund its construction and operation. She urged Council to find a way to do so other than by raising taxes.

Sandy Vaccaro stated his support for a Recreation Center. He noted that voters approved a pool tax increase in 1987, when the economy was depressed.

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

CONSIDER CONTRACT WITH GARFIELD RE-2 SCHOOL DISTRICT FOR SCHOOL RESOURCE OFFICER

Police Chief John Dyer explained that the City’s current contract with Garfield RE-2 School District for a School Resource Officer (SRO) provides that the City pays 90 percent of the cost of the SRO, while the School District pays 10 percent of the cost. The proposed contract would set the City’s share at 75 percent and the School District’s share at 25 percent.

Councilor K. Lambert moved to approve a School Resource Officer Agreement with Garfield RE-2 School District; seconded by Councilor Carter.

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

CONSIDER BOAT RAMP LEASE

Helen Rogers, Project Manager, Downtown Development Authority, and Gil Frontella, Chair, Visitor Improvement Fund Advisory Board, presented a proposed lease by the City from the Colorado Department of Transportation (CDOT) of land for development of a new boat ramp on the Colorado River. The lease provides for phased completion of restroom facilities, the boat ramp, and a pedestrian trail. Entering into the lease would not obligate the City to make these improvements. Constructing these improvements would remain subject to availability of funding.

Councilor Winkler moved to authorize the City Manager to sign the Lease Agreement with the Colorado Department of Transportation; seconded by Councilor A. Lambert.

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

CONSIDER AWARDING CONTRACT FOR ACACIA AVENUE WATER LINE

Utilities Director Dick Deussen recommended that Council award a contract to Johnson Construction, Inc. in the amount of \$123,996 for construction of a waterline loop connection from Acacia Avenue to Whiteriver Avenue.

Councilor Carter moved to award a contract to Johnson Construction, Inc. in the amount of \$123,996 for construction of a waterline loop connection from Acacia Avenue to Whiteriver Avenue; seconded by Councilor K. Lambert.

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

CONSIDER SETTING BALLOT QUESTIONS

A. Consider setting Ballot Question for Charter Amendment Regarding Definition of Publication - Ordinance No. 9, Series of 2013 – first reading

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, PROVIDING FOR THE SUBMITTAL FOR APPROVAL OF THE REGISTERED VOTERS OF THE CITY OF RIFLE AT THE 2013 REGULAR MUNICIPAL ELECTION A QUESTION WHETHER SECTION 13.17(D) OF THE CITY CHARTER SHALL BE AMENDED TO ALLOW THE DEFINITION OF PUBLICATION TO BE DEFINED BY THE CITY COUNCIL BY ORDINANCE

Mr. Neu explained that proposed Ordinance No. 9, Series of 2013, would set a ballot question for the municipal election to be held September 10, 2013. The question would be whether to amend Section 13.17(d) of the Charter, which defines “publication” to mean in a newspaper of general circulation within the City. The amendment would allow Council the flexibility to determine by ordinance the most effective way to inform the residents. This would keep the City modern and meet the needs of the City into the future. Publishing ordinances in full in a newspaper is very costly to the City and publishing ordinances by title with notice that the entire ordinance is available in full on the City’s website is a more fiscally responsible and still effective method to inform the public. If the ballot question proposed in Ordinance No. 9, Series of 2013 passes and the Charter is amended accordingly, the Rifle Municipal Code would be amended to define publication to mean “ordinances shall be published by title in a newspaper of general circulation within the City and contain a notice that the entire ordinance is available in full on the City’s website, which website shall contain such ordinances in full for a minimum of sixty (60) days following final passage.”

Stephanie Schafer, Publisher, Citizen Telegram, expressed concern that citizens without access to a computer, or without the ability to come to City Hall, would no longer be able to read ordinances in the newspaper, if this charter amendment were approved.

Councilor A. Lambert moved to approve Ordinance No. 9, Series of 2013, on first reading as presented and to order it to be published by title as required by Charter; seconded by Councilor Winkler.

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

B. Consider setting Ballot Question for Charter Amendment for Strategic Planning - Ordinance No. 10, Series of 2013 – first reading

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, PROVIDING FOR THE SUBMITTAL FOR APPROVAL OF THE REGISTERED VOTERS OF THE CITY OF RIFLE AT THE 2013 REGULAR MUNICIPAL ELECTION A QUESTION WHETHER A NEW SECTION 3.12 OF THE CITY CHARTER SHALL BE ADOPTED REQUIRING THE CITY COUNCIL TO HOLD A STRATEGIC PLANNING SESSION ANNUALLY

Mr. Neu noted that since 2002, Council has annually held strategic planning sessions with department heads and key employees to develop, confirm and modify a vision statement, mission statement and goals for the City. At its last strategic planning session, Council instructed staff to prepare a ballot question to amend the City's Charter to require Council to annually hold strategic planning sessions because of the benefits the City has garnered through these sessions. Proposed Ordinance No. 10, Series of 2013, would set that ballot question.

Councilor K. Lambert moved to approve Ordinance No. 10, Series of 2013, on first reading as presented and to order it to be published by title as required by Charter; seconded by Councilor A. Lambert.

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

CONSIDER SETTING BALLOT QUESTION FOR .74% SALES TAX INCREASE AND DEBT INCREASE FOR RECREATION CENTER - ORDINANCE NO. 11, SERIES OF 2013 – FIRST READING

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, PROVIDING FOR THE SUBMITTAL FOR APPROVAL OF THE REGISTERED VOTERS OF THE CITY OF RIFLE AT THE 2013 MUNICIPAL ELECTION A QUESTION WHETHER THE CITY SHOULD ISSUE SALES AND USE TAX REVENUE BONDS FOR THE PURPOSE OF FINANCING THE COST OF CONSTRUCTION OF A RECREATION CENTER WITH AN INCREASE IN SALES AND USE TAX BY .74% TO PAY THE PRINCIPAL OF AND INTEREST ON SUCH BONDS AND OPERATION OF SUCH RECREATION CENTER

Mr. Neu remarked that following the request of Rifle citizens who have been working on a plan to construct a recreation center for the City, Council instructed staff to prepare a ballot question for the electorate's consideration to increase the City's sales and use tax by 0.74% and authorize the issuance of revenue bonds up to \$21,000,000 to finance the construction of the recreation center. If passed, a special fund would be created in which the revenues of the Recreation Center Sales Tax would be deposited to repay the revenue bonds issued and operate the recreation center. Proposed Ordinance No. 11, Series 2013 contains the necessary TABOR ballot question language.

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

Mr. Langhorne requested that the name of the facility include "also known as Health and Wellness Center," because of representations made during earlier fundraising efforts for the facility.

Ms. Aibner asked that the name of the facility include "Community."

Council will consider facility name changes when it considers this ordinance on second reading.

Ms. Nichols asked about the maximum length of the tax and the bond issue.

Councilor Winkler moved to approve Ordinance No. 11, Series of 2013, on first reading as presented and to order it to be published by title as required by Charter; seconded by Councilor A. Lambert.

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

ADMINISTRATIVE REPORTS

Mr. Sturgeon reported to Council on water line breaks, personnel changes, and New Ute Theatre renovation.

City Clerk Lisa Cain announced municipal election key dates.

COMMENTS FROM MAYOR AND COUNCIL

Councilor K. Lambert congratulated Mayor Miller and Norma Miller on their 50th wedding anniversary.

Meeting adjourned at 8:25 p.m.

Lisa H. Cain
City Clerk

Jay D. Miller
Mayor