

RIFLE CITY COUNCIL MEETING

Monday, June 17, 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, Keith Lambert, Jen Sanborn, Randy Winkler, and Mayor Jay Miller.

Councilor Sanborn moved to excuse Councilors Alan Lambert and Jonathan Rice from tonight’s meeting; seconded by Councilor Winkler. Roll Call: Yes – Carter, K. Lambert, Sanborn, 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; Nathan Lindquist, Planning Director; Dan Alvis; Dave Campbell; Paula Campbell; Mike McKibbin; Susan Nichols; Jerri Ann Renner; Matthew Renner; and Sean Strode.

CONSENT AGENDA - APPROVE THE FOLLOWING ITEMS:

- A. Minutes from the June 5, 2013 Regular Meeting
- B. Accounts Payable

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

CITIZEN COMMENTS AND LIVE CALL-IN

There were no citizen comments or live call-ins.

CONSIDER SETTING BALLOT QUESTIONS

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

City Attorney Jim 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.”

Councilor K. Lambert moved to approve Ordinance No. 9, Series of 2013, on second reading as presented and to order it to be published in full as required by Charter; seconded by Councilor Sanborn. Roll Call: Yes – Carter, K. Lambert, Sanborn, Winkler, Miller.

B. Consider setting Ballot Question for Charter Amendment for Strategic Planning - Ordinance No. 10, Series of 2013 – second 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 Carter moved to approve Ordinance No. 10, Series of 2013, on second reading as presented and to order it to be published in full as required by Charter; seconded by Councilor Sanborn. Roll Call: Yes – Carter, K. Lambert, Sanborn, Winkler, Miller.

C. Consider setting Ballot Question for Charter Amendment for Budget Calendar - Ordinance No. 12, 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 9.2 OF THE CITY CHARTER SHALL BE AMENDED SO THE DATE THE ANNUAL BUDGET IS SUBMITTED TO THE CITY COUNCIL COINCIDES WITH THE LOCAL GOVERNMENT BUDGET LAW OF COLORADO

Mr. Neu explained that Section 9.2 of the City Charter requires the City Manager to submit an annual budget to the City Council by September 20 of each year in order to have adequate time to certify the property tax mill levy. Since the Charter was adopted in 1963, state statutes have changed the timing of the property assessed valuation and mill levy certification. The City annually passes a resolution as part of its budget process to evidence these changed dates. Staff has identified this as another proposed Charter Amendment to clean up Section 9.2 to concur with the Local Government Budget Law of Colorado. Proposed Ordinance No. 12, Series of 2013 would submit this ballot question to voters.

Councilor Carter moved to approve Ordinance No. 12, 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, K. Lambert, Sanborn, Winkler, Miller.

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

Mr. Neu remarked that following the request of Rifle citizens who have been working on a plan to construct a recreation/health and wellness 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 million to finance the construction of the recreation/health and wellness 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/health and wellness center. Proposed Ordinance No. 11, Series 2013 contains the necessary Taxpayer Bill of Rights (TABOR) ballot question language. At Council's first reading of Ordinance No. 11, citizens requested that the ballot language be broadened to include the words "health and wellness and community" center to accurately describe the project proposed. Those amendments were made to the Ordinance on second reading.

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

Jerri Ann Renner hoped that grant funds could help fund this project and, as a result, reduce the time that the tax increase would be in place.

Susan Nichols said citizens' perception was that Council was in support of this tax increase. She also pointed out a low response rate to the 2009 survey that the proponents cite. She said that many people have moved from Rifle since 2009.

Dave Campbell said a citizen petition should have been required to put this issue on the ballot. He expressed concern about raising taxes 2 years in a row.

Councilor Winkler moved to approve Ordinance No. 11, Series of 2013, on second reading as amended and to order it to be published in full as required by Charter; seconded by Councilor K. Lambert.

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

CONSIDER CONTRACT TO PROVIDE SERVICES AND PRE-ANNEXATION AGREEMENT FOR MATTHEW AND JERRI ANN RENNER

Matthew and Jerri Ann Renner requested that Council approve an Out-of-City Water Request and Pre-Annexation Agreement for their single-family residence at 130 County Road 332. Their well goes dry every year before the spring thaw, and the well water has an undesirable amount of minerals in it.

Planning Director Nathan Lindquist and Utilities Director Dick Deussen noted that staff favors the request due to the need for revenue to fund operation of the water system.

Councilor Sanborn moved to approve the Contract to Provide Services and Pre-Annexation Agreement with Matthew and Jerri Ann Renner; seconded by Councilor Carter. Roll Call: Yes – Carter, K. Lambert, Sanborn, Winkler, Miller.

UPDATE ON RIFLE NOW

City Manager Matt Sturgeon updated Council on the Rifle Now portal website and the Engage Rifle community voice website.

ADMINISTRATIVE REPORTS

Mr. Sturgeon reported to Council on the following items: Ward Gulch Fire; Ute Theatre; Government Affairs Coordinator; and City applications for Colorado Department of Transportation Responsible Acceleration of Maintenance and Partnerships (RAMP) funding for capital projects.

Ms. Cain reminded Council that its first meeting in July would take place July 1, instead of July 3.

Police Chief John Dyer updated Council on traffic management issues.

COMMENTS FROM MAYOR AND COUNCIL

Councilor Winkler announced that the Rifle Rotary Club was selling tickets for its ball drop fundraiser.

Mayor Miller encouraged proponents and opponents of the Recreation/Health and Wellness/Community Center ballot issue to inform voters about their views.

Meeting adjourned at 8:02 p.m.

Lisa H. Cain
City Clerk

Jay D. Miller
Mayor