

**RIFLE CITY COUNCIL MEETING**

Monday, July 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:** Matt Sturgeon, City Manager; Lisa Cain, City Clerk; Jim Neu, City Attorney; Jim Bell, Channel 10 Manager; Michael Churchill, Channel 10 Assistant Manager; Kimberly Bullen, Government Affairs Coordinator; Dick Deussen, Utilities Director; John Dyer, Police Chief; Charles Kelty, Finance Director; Dawn Neely, Community Services Officer; Tom Whitmore, Parks and Recreation Director; Tim Mayberry; Heather McGregor; Mike McKibbin; and Erica Sparhawk.

**CONSENT AGENDA - APPROVE THE FOLLOWING ITEMS:**

- A. Minutes from the June 17, 2013 Special Meeting
- B. Minutes from the June 17, 2013 Regular Meeting
- C. Liquor License Renewals: Kum & Go #921, Kum & Go #922, Red River Quick Mart; Sports Corner; 6&13 Quick Mart
- D. Agreement with Synergy Gymnastics Academy
- E. May Sales Tax Report
- F. May Financial Report
- G. Accounts Payable

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

**CITIZEN COMMENTS AND LIVE CALL-IN**

There were no citizen comments or live call-ins.

***CONSIDER ACCEPTING AUDIT OF 2012 FINANCIAL RECORDS***

Finance Director Charles Kelty and Tim Mayberry, representing Johnson, Holscher & Company, P.C., presented an audit of the City's 2012 financial records. Councilor K. Lambert moved to accept the audit of the City's 2012 financial records; seconded by Councilor A. Lambert. Roll Call: Yes – Carter, A. Lambert, K. Lambert, Rice, Sanborn, Winkler, Miller.

***CONSIDER SETTING AN ACTIVE ENERGY MANAGEMENT POLICY – RESOLUTION NO. 7, SERIES OF 2013***

Heather McGregor, Garfield Clean Energy Administrative Manager/Technical Writer, and Erica Sparhawk, Garfield Clean Energy Program Manager, presented proposed Resolution No. 7, Series of 2013, which would set an active energy management policy for the City.

Councilor A. Lambert moved to approve Resolution No. 7, Series of 2013; seconded by Councilor Rice. Roll Call: Yes – Carter, A. Lambert, K. Lambert, Rice, Sanborn, Winkler, Miller.

***CONSIDER AUTHORIZING XCEL ENERGY AGREEMENT FOR WATER TREATMENT PLANT***

Utilities Director Dick Deussen recommended that Council approve an agreement with Xcel Energy and authorize the payment of \$27,035 to Xcel Energy to connect gas and electric utilities to the new water treatment plant.

Councilor K. Lambert moved to approve an agreement with Xcel Energy and authorize the payment of \$27,035 to Xcel Energy to connect gas and electric utilities to the Rifle Regional Water Purification Facility; seconded by Councilor Carter. Roll Call: Yes – Carter, A. Lambert, K. Lambert, Rice, Sanborn, Winkler, Miller.

***CONSIDER SETTING BALLOT QUESTION FOR CHARTER AMENDMENT FOR BUDGET CALENDAR – ORDINANCE NO. 12, 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 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

City Attorney Jim 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 a 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 second reading as presented and to order it to be published in full as required by Charter; seconded by Councilor Rice. Roll Call: Yes – Carter, A. Lambert, K. Lambert, Rice, Sanborn, Winkler, Miller.

***CONSIDER AUTHORIZING JULY 3 CITY FIREWORKS DISPLAY***

City Manager Matt Sturgeon asked Council to grant a variance from Rifle Municipal Code Section 10-10-40 and permit the vendor retained by the Rifle Parks and Recreation Department to launch fireworks from the Rifle Middle School football field on the evening of July 3, 2013. Police Chief John Dyer described the safety precautions that would be taken.

Councilor A. Lambert moved to grant a variance from Rifle Municipal Code Section 10-10-40 and permit the vendor retained by the Rifle Parks and Recreation Department to launch fireworks from the Rifle Middle School football field on the evening of July 3, 2013; seconded by Councilor Winkler. Roll Call: Yes – Carter, A. Lambert, K. Lambert, Rice, Sanborn, Winkler, Miller.

**CONSIDER ORDINANCE NO. 13, SERIES OF 2013, AMENDING RMC SECTION 10-11-90(C) REGARDING EXCESSIVE IDLING – FIRST READING**

**AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING CHAPTER 10, ARTICLE 11, SECTION 90 OF THE RIFLE MUNICIPAL CODE TO PROHIBIT EXCESSIVE IDLING IN DESIGNATED AREAS**

Mr. Neu and Police Chief Dyer presented staff’s recommendation to resolve complaints the City has received regarding excessive idling in certain areas of the City. Currently, the Rifle Municipal Code in Section 10-11-90(c) prohibits excessive idling only near residential zone areas. The recommendation is to amend the Code to include areas specifically designated and signed “no idling.” Proposed Ordinance No. 13, Series of 2013 would make that amendment. The Police Department can then respond to complaints in specific areas, designate them with no idling signs, and enforce as needed.

Councilor Carter moved to approve Ordinance No. 13, Series of 2013, on first reading as presented and to order it to be published by title as required by Charter; seconded by Councilor K. Lambert. Roll Call: Yes - Carter, A. Lambert, K. Lambert, Rice, Sanborn, Winkler, Miller

**ADMINISTRATIVE REPORTS**

Mr. Sturgeon introduced Government Affairs Coordinator Kimberly Bullen. He reported to Council on the following items: water restrictions; Rifle Mountain Park fire restrictions; and Rifle Correctional Center.

City Clerk Lisa Cain announced that Sara Brainard, Barbara Clifton, Steven Fuller, Dirk Myers, Wilma Paddock, Hans Parkinson, and Randy Winkler were candidates for the 4 Council seats up for election in September.

Police Chief Dyer informed Council about fire restrictions. He introduced Community Service Officer Dawn Neely.

Parks and Recreation Director Tom Whitmore reported to Council about these issues: raw water usage in parks; vandalism at Centennial Park; Deerfield Regional Park improvements; and Climbers Coalition event at Rifle Mountain Park.

**COMMENTS FROM MAYOR AND COUNCIL**

Mayor Miller encouraged citizens to attend the Independence Day festivities in Centennial Park on July 3.

***EXECUTIVE SESSION FOR A CONFERENCE WITH THE CITY ATTORNEY FOR THE PURPOSE OF RECEIVING LEGAL ADVICE ON SPECIFIC LEGAL QUESTIONS UNDER CRS SECTION 24-6-402(4)(B); AND FOR THE PURPOSE OF DETERMINING POSITIONS RELATIVE TO MATTERS THAT MAY BE SUBJECT TO NEGOTIATIONS, DEVELOPING STRATEGY FOR NEGOTIATIONS, AND/OR INSTRUCTING NEGOTIATORS, UNDER CRS 24-6-402(4)(E)***

Councilor A. Lambert moved to adjourn to executive session to receive legal advice and discuss negotiations; seconded by Councilor Rice (7:59 p.m.). Roll Call: Yes - Carter, A. Lambert, K. Lambert, Rice, Sanborn, Winkler, Miller.

Upon return to open session following conclusion of the executive session, meeting adjourned at 8:30 p.m.

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Lisa H. Cain  
City Clerk

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Jay D. Miller  
Mayor