

RIFLE CITY COUNCIL MEETING

Wednesday, March 19, 2008

REGULAR MEETING

7:00 p.m. * Council Chambers

The regular meeting of the Rifle City Council was called to order at 7:04 p.m. by Mayor Keith Lambert.

PRESENT ON ROLL CALL: Councilors Beth Bascom, Alan Lambert, Jay Miller, Jonathan Rice, Jeanette Thompson, and Mayor Keith Lambert.

Councilor Lambert moved to excuse Councilor Jennifer Sanborn from tonight's meeting; seconded by Councilor Bascom.

ROLL CALL: Yes - Bascom, A. Lambert, Miller, Rice, Thompson, K. Lambert

OTHERS PRESENT: John Hier, City Manager; Wanda Nelson, City Clerk; Jim Neu, Assistant City Attorney; Daryl Meisner, Chief of Police; Mike Braaten, Government Affairs Coordinator; Michael Churchill, Cable 10; Charles Kelty, Finance Director; Charlie Stevens, Utility Director; Tom Whitmore, Parks Director; Aleks Briedis, Recreation Director; Nathan Lindquist, Planner; David Watkins; David Smith; Tim Galkowski; John Sandquist; Michael Papale; Jean Kohler; Louis Beauchamp; Joanne Fischer; Al Fischer; Casity Carter; Jeff & Heidi Wright; David Bottroff; Keven Whelan, RFPD; Jim Gyrlaff; Roger Ramirez; Paul Positer; Ansley Dennis; Cindy Winschell; Jeff ??; Victoria Coolidge; Carol Coolidge; Jeff Seastone; MaryAnn Lucero; Bob Hawkins; Sandy Peterson; David Watkins; Tina Francis.

Clerk's note: Several signatures on the *Attendance List* were illegible.

CONSENT AGENDA

MINUTES OF THE MARCH 5, 2008, REGULAR MEETING; ACCOUNTS PAYABLE; JANUARY SALES TAX REPORT; JANUARY FINANCIAL STATEMENT; LIQUOR LICENSE TRANSFER: DOC'S BREWING COMPANY; LIQUOR LICENSE RENEWAL: BASE CAMP; RESOLUTION 12-08: WESTSIDE MOBILE HOME COURT ANNEXATION SUBSTANTIAL COMPLIANCE

Councilor Lambert moved to approve the Consent Agenda; seconded by Councilor Miller.

ROLL CALL: Yes - Bascom, A. Lambert, Miller, Rice, Thompson, K. Lambert

CITIZEN COMMENTS AND LIVE CALL-IN

John Scalzo called to ask about the content of the workshops that are held before the Council meeting. Mayor Lambert and Mr. Scalzo will meet to discuss this issue. Councilor Rice

reported he took six Rifle High School students to the State Capital, and one student, Kevin Turner, was present at the meeting to describe his experience.

ITEMS ON THE AGENDA

OIL SHALE PROGRAMMATIC ENVIRONMENTAL IMPACT STATEMENT (PEIS)

Mr. Braaten noted that the City of Rifle has drafted a letter to the BLM in opposition of the proposed oil shale leasing. The BLM has requested that the City, as a cooperating agency, submit its comments. Councilor Bascom moved to approve the letter; seconded by Councilor Rice.

ROLL CALL: Yes - Bascom, A. Lambert, Miller, Rice, Thompson, K. Lambert

DEERFIELD NEIGHBORHOOD PARKING

Mr. Hier noted that, at a previous Council meeting, Council and the HOA of Deerfield Neighborhood discussed proposed solutions to on-street parking in the neighborhood. The HOA's covenants prohibit parking on the street, and they were looking to Council to address this problem. Council directed staff to draft an agreement allowing the HOA to post signs and ticket offenders. Residents of the Deerfield neighborhood have submitted letters to Council in opposition of the HOA's request. Kevin Whelan with the Rifle Fire Protection District stated that the fire code requires 20 feet of unobstructed width on the streets. Jeff Wright stated that the neighborhood has tried to work with the HOA on this issue without success. The HOA Board (John Sandquist, Patty Marshal, Tim Galkowski, and David Smith) was present to discuss the process they have gone through. The following residents of Deerfield Neighborhood stated they do not want Council to sign the agreement with the HOA: Jean Kohler, Jim Gyrlaff, Jessie Carter, Elden Fischer, Mike Papale, MaryAnne Lucero, Victoria Coolidge, Bob Hawkins, Joanne Fisher, Ansley Dennis. Residents stated they have not been receiving notices of HOA meetings. Council stated their desire to see the HOA and the residents work together to work out their differences. Mayor Lambert asked the homeowners if they could resolve this issue by May 7, 2008, and all agreed this timeframe was acceptable.

PARK HOLLOW PRELIMINARY PUD

The applicant, David Watkins, was present for this discussion and noted he is seeking to construct seven homes on Park Avenue. Councilor Rice moved to approve the PUD with conditions noted in staff's memo; seconded by Councilor Thompson.

ROLL CALL: Yes - Bascom, A. Lambert, Miller, Rice, Thompson, K. Lambert

ORDINANCE 4-08: PARKS MAINTENANCE BUILDING FINANCING

FOR AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A SITE LEASE BETWEEN THE CITY AS LESSOR AND A LESSEE TO BE SELECTED BY THE CITY, WITH RESPECT TO CERTAIN REAL PROPERTY AND, IN CONNECTION THEREWITH, A LEASE PURCHASE AGREEMENT BETWEEN THE CITY, AS LESSEE, AND A LESSOR TO BE SELECTED BY THE CITY, WITH RESPECT TO CERTAIN REAL AND

PERSONAL PROPERTY TO BE USED BY THE CITY AS A PARKS MAINTENANCE FACILITY; AUTHORIZING OFFICIALS OF THE CITY TO TAKE ALL ACTION NECESSARY TO CARRY OUT THE TRANSACTIONS CONTEMPLATED HEREBY; AND PROVIDING FOR RELATED MATTERS

Mr. Kelty explained that the City is exploring a Lease Purchase Financing arrangement to fund a portion of the Parks Maintenance Building. Ordinance No. 4, Series of 2008 authorizes the City to negotiate a Lease Purchase Agreement with a respondent to the request for proposals issued by the City. This "parameters" ordinance authorizes the City to enter into a Lease Purchase Agreement not to exceed \$2,700,000 with an interest rate not to exceed 5.5%. The Lease Term cannot exceed past December 31, 2018, and the annual rentals due under the Lease cannot exceed \$360,000. It is necessary to pass this ordinance now prior to having a final Lease Purchase Agreement negotiated with a respondent to stay on track with the construction schedule assumed for the Parks Maintenance Building. Councilor Bascom moved to approve Ordinance 4-08 as presented and ordered it to be published by title as required by Charter; seconded by Councilor Rice.

ROLL CALL: Yes - Bascom, A. Lambert, Miller, Rice, Thompson, K. Lambert

RESOLUTION 11-08: APPROVING 457(B) EMPLOYEE DEFERRED COMPENSATION PLAN MANAGED BY AXA EQUITABLE

A RESOLUTION OF THE CITY OF RIFLE, COLORADO, APPROVING A 457(B) EMPLOYEE DEFERRED COMPENSATION PLAN FOR CITY EMPLOYEES MANAGED BY AXA EQUITABLE LIFE INSURANCE COMPANY.

Ms. Nelson stated that this resolution authorizes City employees to have a choice in 457(b) providers. AXA representative Scott Mercier provided an overview of this plan. Councilor Lambert moved to approve Resolution 11-08; seconded by Councilor Bascom.

ROLL CALL: Yes - Bascom, A. Lambert, Miller, Rice, Thompson, K. Lambert

APPROVAL OF CONTRACT FOR EMERGENCY REPAIRS TO UMTRA SITE DIKE

Mr. Stevens reported that the Colorado River has eroded a portion of the UMTRA site dike that provides 500 year flood protection. The repair involves placing rip rap along with dike wall in a cost estimated at \$40,000. Councilor Bascom moved to approve the Contract in an amount not to exceed \$40,000, with funds coming from the Contingency Fund; seconded by Councilor Lambert.

ROLL CALL: Yes - Bascom, A. Lambert, Miller, Rice, Thompson, K. Lambert

APPROVAL OF CONTRACT AND REIMBURSEMENT LETTER OF RIFLE POND BUILDING DEMOLITION

Mr. Stevens explained that the Rifle Pond (city water intake) site includes two out buildings that were on the site when the City acquired it. These out buildings are located where Sun Edison will install a solar array that will power the City's pumps during daylight operations.

It was understood that Sun Edison would remove these buildings when the City entered into a contract to acquire this solar power. Sun Edison is requesting the City manage the removal of said buildings at Sun Edison's cost, because of the discovered presence of asbestos in ceiling mastic and floor tiles. The total cost of building demolition is \$37,182.20. The City will contract with Hudspeth and Associates for the removal, and Sun Edison will reimburse the City. The funds will initially come out of the City's general fund reserve. Councilor Lambert moved to approve this Contract in an amount not to exceed \$40,000, with costs to be reimbursed by Sun Edison; seconded by Councilor Rice.

ROLL CALL: Yes - Bascom, A. Lambert, Miller, Rice, Thompson, K. Lambert

2008 STREET IMPROVEMENT PROJECT AWARD

Mr. Hier noted this item is for the construction contract for the 2008 Street Improvement project. Work includes roto mill and overlay of Railroad Ave from Centennial (formerly 1st Street or US 6 & 24) to 3rd Street and Railroad from 14th to 16th Street. Overlay will also be performed on Rail Avenue from 24th Street to the north end cul de sac and 25th Street from East Avenue to Rail. ADA ramps improvements are also included at every intersection. Two bids were received for this contract, and staff recommends awarding the contract to Kiewit Western Company in the amount of \$459,965.00. Funds for the work are in the 2008 Street Improvement Budget in the amount of \$650,000. Councilor Rice moved to approve the contract to Kiewit Western Company in an amount not to exceed \$459,965; seconded by Councilor Lambert.

ROLL CALL: Yes - Bascom, A. Lambert, Miller, Rice, Thompson, K. Lambert

MASTER JOINT USE WITH RE-2

Mr. Briedis stated that City staff has prepared an agreement that allows the City and the District to use each other's facilities at no cost. Each party is responsible for maintaining their own facilities, but are responsible for any damage done by the other party's usage. Craig Jay with RE-2 was present for this discussion. Councilor Lambert moved to approve the agreement; seconded by Councilor Bascom.

ROLL CALL: Yes - Bascom, A. Lambert, Miller, Rice, Thompson, K. Lambert

ADMINISTRATIVE REPORTS

Mr. Hier reported on: roundabouts; Williams Energy will not purchase Rusty Cannon Motel; employee health insurance; work release program; 18th Street IGA; personnel recruitment; pothole repair; emergency street repairs. Mr. Neu encouraged everyone to comment on the PEIS. Mr. Whitmore provided an update on the Park's Maintenance building. Mr. Stevens reported on: water reclamation facility; pending Federal legislation

COMMENTS FROM MAYOR AND COUNCIL

DOLA PRESENTATION

Councilor Miller traveled to Denver with staff to request funding from DOLA. It appears DOLA may award the City a \$500,000 grant.

NEW MUSEUM ROOF

Councilor Lambert passed on the Museum Board's appreciation of the new roof.

RIFLE HOUSING AUTHORITY

Councilor Bascom attended a recent Housing Authority Board meeting, and noted that the new Director Carol Boyd is doing a great job.

CITIZEN PARTICIPATION

Councilor Bascom thanked the citizens who participated in the discussion of Deerfield neighborhood parking.

COLORADO CLOSE- UP

Councilor Rice thanked the Community Foundation for funding the Colorado Close-Up program, which resulted in students being able to travel to the State Capital.

KUDOS

Councilor Thompson thanked Mr. Hier and Ms. Nelson for their hard work and willingness to answer questions.

"MAYORS" ON WHEELS

Mayor Lambert participated in a recent *Meals on Wheels* program where local Mayors volunteered to serve meals.

ROLL CALL: Yes - Bascom, A. Lambert, Miller, Rice, Thompson, K. Lambert

The meeting adjourned at 9:45 p.m.

Wanda Nelson
City Clerk

Keith Lambert
Mayor