

RIFLE CITY COUNCIL MEETING

Wednesday, November 5, 2008

REGULAR MEETING

7:00 p.m. * Council Chambers

The regular meeting of the Rifle City Council was called to order at 7:00 p.m. by Mayor Keith Lambert.

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

Councilor Lambert moved to excuse Councilor Jonathan Rice from tonight's meeting; seconded by Councilor Thompson.

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

OTHERS PRESENT: John Hier, City Manager; Wanda Nelson, City Clerk; Jim Neu, Assistant City Attorney; Daryl Meisner, Chief of Police; Charlie Stevens, Utility Director; Charles Kelty, Finance Director; Rod Hamilton, Public Works Director; Jim Bell, Cable 10; Michael Churchill, Cable 10; Nathan Lindquist, Planner; Tom Whitmore, Parks Director; Frank Shaw, O&M Supervisor; Mike Taylor, Fleet Mechanic; Jenn Reich, Recreation Coordinator; Ralph Koehler; Jeff Johnson; John Getty; Don & Lori Wagner; Glen Ault; Sharon Pettinger; Tish Glaser; Kevin Horner; John Taufer; Glenn Harakal; Dave Alcott; Vicki Choate.

CONSENT AGENDA

MINUTES OF THE OCTOBER 15, 2008 REGULAR MEETING; ACCOUNTS PAYABLE; SEPTEMBER SALES TAX REPORT; SEPTEMBER FINANCIAL REPORT; ELK'S LODGE LIQUOR LICENSE RENEWAL; ADMINISTRATIVE VEHICLE PURCHASE

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

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

CITIZEN COMMENTS AND LIVE CALL-IN

John Getty and Ralph Koehler with the American Legion reported there will be a flag disposal ceremony at the Veteran's Memorial on November 19 at 2:00 p.m.

RECOGNITION OF GARY OSIER, ROUNDABOUT COORDINATOR

Mayor Lambert thanked Gary Osier for his tireless work as Roundabout Coordinator. Mr. Osier was presented with a *Certificate of Appreciation* and a gift certificate.

AWARD EQUIPMENT FOR CONSTRUCTION CREW

Mr. Hamilton reported that on August 11, 2008, State of Colorado, Department of Local Affairs (DOLA) approved a grant for \$600,000 to the City of Rifle. The grant is intended to

Rifle City Council Meeting, November 5, 2008

assist the City with purchasing light and heavy duty equipment to facilitate construction of various capital projects throughout the city. The grant also requires the City match an amount not less than that equal to the State's approved funding amount. The City has sufficient matching funds, and will track all expenditures in a newly created budget fund account. In order to purchase the equipment consistent with City Municipal Code Section 4-3-40, the Public Works Department recently received bids for only the major equipment needed to support construction activities. Overall, the sum of the bid price for all pieces of major equipment is well below the original estimate noted in the DOLA grant application. The total bid price for the chosen equipment is \$741,372.40, compared with the original grant estimate of \$780,000. Councilor Miller moved to approve the equipment purchases as outlined in Exhibit C, with the exception of purchasing the trench roller from Rifle Equipment; seconded by Councilor Lambert.

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

TRAPPERS HOLLOW ANNEXATION/SKETCH PLAN 2008-6

RESOLUTION 42-08: FINDINGS OF FACT

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIFLE, COLORADO, CONCERNING THE TRAPPERS HOLLOW ANNEXATION TO THE CITY OF RIFLE

RESOLUTION 43-08: ANNEXATION PLAN

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIFLE, COLORADO, APPROVING AN ANNEXATION PLAN FOR THE TRAPPERS HOLLOW ANNEXATION AS REQUIRED UNDER THE MUNICIPAL ANNEXATION ACT OF 1965, AS AMENDED.

SECOND READING OF ORDINANCE 21-08: ANNEXATION

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, ANNEXING TO THE CITY OF RIFLE, COLORADO CERTAIN REAL PROPERTY KNOWN AS THE TRAPPERS HOLLOW ANNEXATION

SECOND READING OF ORDINANCE 22-08: ZONING

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, ZONING CERTAIN REAL PROPERTY KNOWN AS THE TRAPPERS HOLLOW ANNEXATION DEVELOPING RESOURCES ("DR") ZONE DISTRICT

Mr. Lindquist reported that Trappers Hollow seeks approval for annexation and sketch plan of 8.9 acres and 86 residential units, with a zoning designation of Medium Density Residential-Redeveloping (MDR-X) PUD. The Planning Commission approved the sketch plan and recommended approval of annexation and Developing Resources zoning for the property at their August meeting. The applicants reviewed the application. Councilor A. Lambert moved to approve Resolution 42-08, Resolution 43-08, Ordinances 21-08 as presented and 22-08 as

amended and ordered them to be published by title as required by Charter; seconded by Councilor Miller.

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

FIRST READING OF ORDINANCE 24-08: MULTI-FAMILY TAP FEE/EQR CALCULATION

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING THE EQR SCHEDULE FOR SINGLE FAMILY AND MULTI-FAMILY RESIDENTIAL UNITS AT SECTION 13-4-60 OF THE RIFLE MUNICIPAL CODE.

Mr. Sturgeon stated that the City of Rifle charges 1 EQR for multi-family units, the same rate that is charged to single-family units. This is despite the fact that multi-family units use less water and sewer than single-family units do. Staff researched water usage in Rifle on about thirty single and multi-family units, including the Rim Rock Apartments and many of the homes nearby on Coal Mine Avenue. The results took into account both indoor and outdoor water usage: multi-family apartment units use 52% of the water of single-family units, while triplexes use 80% of the water of single-family uses. Ordinance 24-08 amends the fee schedule to consider a smaller fee for multi-family units. Councilor Bascom moved to approve Ordinance 24-08 as presented and ordered it to be published by title as required by Charter; seconded by Councilor Thompson.

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

SUMMIT PRESCHOOL FEE WAIVER REQUEST

Jeff Johnson and Lori Wagner presented their request for a waiver of fees for the new preschool. They also requested a payment plan for any fees assessed, with a maximum payment of \$2,000 a month. Councilor Bascom moved to reduce Summit's off-site street impact fees to \$14,000, keep the Water and Sewer improvement fees the same, waive the Building permit fees, and allow a payment plan to be established, with a maximum payment of \$2,000 a month for a five-year period, with fees escalating each year by 5%, and directed staff to draft an agreement outlining these conditions; seconded by Councilor Lambert.

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

RIFLE HOUSING AUTHORITY FEE WAIVER REQUEST

Councilor Bascom excused herself from this item. Jeff Johnson and Vicky Choate reported the Housing Authority is building four units that are available to senior citizens or disabled citizens, and they are requesting a reduction in their fees, which presently stand at \$62,533.82. Mr. Sturgeon presented three scenarios that outline fee options. Councilor Lambert moved to approve Scenario 3 as presented in staff's report, for a total assessed fee of \$26,650.32; seconded by Councilor Thompson.

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

EAGLE’S NEST FEE WAIVER REQUEST

Applicants Tish Glaser and Kevin Horner propose to build 26 multi-family units to be rented at a price significantly below the market rate, and are requested a reduction in their assessed fees of \$493,716.81. Fee options for Eagle’s Nest were presented in the form of three scenarios by staff. Councilor Thompson moved to approve Scenario 3 as presented in staff’s report, for a total assessed fee of \$271,700; seconded by Councilor Bascom.

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

FIRST READING OF ORDINANCE 23-08: DEFINITION OF NEWSPAPER OF GENERAL CIRCULATION

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING CHAPTER 1 OF THE RIFLE MUNICIPAL CODE TO INCLUDE A DEFINITION OF NEWSPAPER OF GENERAL CIRCULATION AND A DEFINITION OF OFFICIAL NEWSPAPER

Mr. Neu reported that Ordinance 23-08 adopts the definition of “newspaper of general circulation” and “official newspaper” in the Rifle Municipal Code. The Ordinance also restates the City’s policy to publish legal notices in the *Citizen Telegram* whenever possible, but authorizes publication in the *Glenwood Springs Post Independent* and/or *Grand Junction Daily Sentinel* when submittal deadlines cannot be met. Councilor Thompson moved to approve Ordinance 23-08 as presented on first reading and ordered it to be published by title as required by Charter; seconded by Councilor Miller.

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

PUBLIC HEARING: CITY OF RIFLE SPECIAL EVENT PERMIT APPLICATION

Mayor Lambert opened the public hearing. Ms. Reich stated that in the past, the City of Rifle has held their annual Christmas Party at the Columbine Restaurant at the golf course. Because Columbine was booked this year, the City has had to seek an alternate site, and apply for a Special Events Permit to allow the service of liquor. Columbine staff will be catering the party and operating the cash bar. Ms. Nelson stated that the City will only be paying for the meal; employees will be purchasing their own beverages. This is a private party, by invitation only, for City employees and an adult guest. However, due to the fact that there are several employees who are under 21 (but over 18), the City requests an exception to allow minors on the premises. Councilor Bascom moved to approve the Permit Application; seconded by Councilor Thompson.

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

PUBLIC HEARING: 2009 BUDGET PRESENTATION

Mayor Lambert opened the public hearing. Mr. Hier and Mr. Kelty reviewed the General Fund Budget and answered questions. A second public hearing will be held on November 19th to review the remaining funds.

CHANGER ORDERS

#4 FOR RIFLE REGIONAL WASTEWATER RECLAMATION FACILITY

Mr. Stevens presented a Change Order for various aspects of the RRWWRF project in the amount of \$28,332. Councilor Miller moved to approve Change Order #3; seconded by Councilor A. Lambert.

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

Councilor Jonathan Rice arrived at 9:40 p.m.

PARKS MAINTENANCE FACILITY

Mr. Whitmore indicated that staff had hoped to use a not-yet-established internal construction crew to do utility installation for the Parks Maintenance Facility in hopes of reducing the cost of the project. As of today, the contractor and sub contractors are moving onto the site, the construction crew is still being formed, equipment will not be delivered until early in 2009, and the crew itself may not be able to begin work until early spring. Staff has been contemplating options on how to get the work done in a timely and efficient manner under that scenario. Unfortunately, that option seems unviable at this time. Even with the contractors handling the utility installation, we would have to rely on the Public Works Department to import fill to the site. Even that is dependant on the availability of trucks at that time. Staff is asking to have a change order approved which would put the utility construction back to White's subcontractor. The total change order request would be for \$383,734.00, of which, \$133,000.00 is already budgeted. The net difference would be an increase of \$250,734.00. Councilor Lambert moved to approve the Change Order noted to exceed \$383,734; seconded by Councilor Bascom.

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

ADMINISTRATIVE REPORTS

Mr. Hier reported on: 2009 Budget; projects; new Justice Center; parking at City Hall; Ground Breaking Ceremony for the Parks Maintenance Building; Laramie Energy's application. Ms. Nelson invited everyone to attend the open house at the Justice Center on November 19. Mr. Sturgeon discussed the Downtown Gateway transportation study, and noted the Comprehensive Plan is in its final stages of being wrapped up. Mr. Stevens indicated that staff has been working with Laramie Energy on a new application for a watershed permit, and thanked his employees at the water plant for manually operating the plant due to the computer failure from a blown transformer.

COMMENTS FROM MAYOR AND COUNCIL

KUDOS

Councilor Bascom noted that she liked the new format of the Council packets. Councilor Miller thanked the staff at the water plant for their continued service while the computers are down. Councilor Miller also thanked Mr. Hier and Mr. Kelty for their work on the 2009 Budget, Gary Osier for his coordination efforts on the roundabouts, and Mr. Hamilton for the street project at 9th and Munroe.

PLANT TOUR

Councilor Sanborn recently took a reporter from France on a tour of the RRWWRF. As he took pictures of the site, the reporter responded, “Ooh la la!”

EXECUTIVE SESSION: LEGAL ADVICE & PERSONNEL MATTERS

Councilor Lambert moved to adjourn to Executive Session for the purpose of discussing Legal advice under CRS Section 24-6-402(2)(b), and Personnel Matters under CRS Section 24-6-402(2)(f); seconded by Councilor Bascom (9:40 p.m.).

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

Councilor Sanborn moved to adjourn from Executive Session: seconded by Councilor Thompson (11:30 p.m.).

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

Meeting adjourned at 11:30 p.m.

Wanda Nelson
City Clerk

Keith Lambert
Mayor