

RIFLE CITY COUNCIL MEETING

Wednesday, November 19, 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 Alan Lambert, Jay Miller, Jonathan Rice, Jennifer Sanborn, Jeanette Thompson, and Mayor Keith Lambert.

Councilor Lambert moved to excuse Councilor Beth Bascom from tonight's meeting; seconded by Councilor Miller.

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

OTHERS PRESENT: John Hier, City Manager; Matt Sturgeon, Assistant City Manager; Wanda Nelson, City Clerk; Jim Neu, Assistant City Attorney; Jim Bell, Cable 10; Michael Churchill, Cable 10; Charlie Stevens, Utility Director; Rod Hamilton, Public Works Director; Tom Whitmore, Parks Director; Dick Deussen, City Engineer; Jimmy Smith; Clint Bartels; Jake Mall; Dave Goertz; Jennifer Biever; Wayne Bankert; Ken Leis; Missy Warner; Rob Thompson; Terry Broughton; Bob Hea; David Sprague; Scott Hall; Jim Gibrowski; Dave Diss.

CONSENT AGENDA

MINUTES OF THE NOVEMBER 5, 2008 REGULAR MEETING; MEMORANDUM OF UNDERSTANDING REGARDING UTE THEATRE; TRAILER AWARD; SET PUBLIC HEARING FOR CREEKBEND COFFEE, INC. LIQUOR LICENSE APPLICATION; ACCOUNTS PAYABLE;

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

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

CITIZEN COMMENTS AND LIVE CALL-IN

There were no citizen comments or live call-ins.

OUT-OF-CITY SERVICE REQUEST

The applicant Clint Bartels was present and reviewed his request for a municipal water tap for a single-family home on County Road 265. The property was subdivided in 1977, and the two parcels were given two taps. The applicant is now asking for a third tap to serve a new house on one of the existing lots. Councilor Lambert moved to approve the request with all of staff's recommendations noted; seconded by Councilor Thompson.

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

PUBLIC HEARING: 2009 BUDGET PRESENTATION

Mayor Lambert opened the public hearing. Mr. Hier reviewed the Special Funds and answered questions. Staff will present ordinances at the next Council meeting adopting the 2009 Budget.

PUBLIC HEARING: LARAMIE ENERGY II WATERSHED PERMIT APPLICATION

Mayor Lambert opened the public hearing. Public notice requirements were met for this hearing. Those wishing to testify were sworn in. Jennifer Beiver and Bob Hea noted that Laramie Energy II has again applied for a watershed district permit from the City to construct and operated up to five natural gas well pads with multiple wells, associates production facilities, and road improvements in the Beaver Creek Watershed. A permit was previously denied for these activities. Laramie is now proposing additional water quality monitoring to minimize the risk of impact to the City's water. Laramie requested that their original application and the testimony from the previous public hearings be included in the record of this hearing. Mr. Hea requested an exception to staff's condition #13, and be allowed to begin pad and road construction before the monitoring equipment can be installed. Terry Broughton was sworn in and asked why it would take Holy Cross so long to put in an electrical line to the monitoring station. Wayne Bankard discussed the process to get electrical service. Councilor Lambert moved to approve the Permit with amended #13 as suggested by Laramie; seconded by Councilor Thompson.

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

Mayor Lambert called for a recess at 8:50 p.m. The meeting resumed at 8:57 p.m.

PUBLIC HEARING: ETC CANYON PIPELINE WATERSHED PERMIT APPLICATION

Mayor Lambert opened the public hearing. Public notice requirements were met for this hearing. Those wishing to testify were sworn in. Jimmy Smith noted that ETC Canyon Pipeline, LLC would like to construct 2.6 miles of gas and water pipelines within the Beaver Creek Watershed. As part of this project, 2 miles of County Road 317 will be relocated away from where it currently sits adjacent to Beaver Creek. Jake Maul with Garfield County Road & Bridge stated that energy traffic will not be allowed on the old road, once the new portion is constructed. Terry Broughton asked questions regarding this application. Councilor Rice moved to approve the Permit, with the addition of the new road being straightened, and guard rails installed; seconded by Councilor Thompson.

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

AUTHORIZE NEGOTIATIONS FOR THE RIFLE ARTERIAL ENGINEERING AND STREETScape PLANNING AND PRELIMINARY DESIGN PROJECT

Mr. Deussen stated this project looks at a traffic management plan for all north-south streets in the downtown, including Park Avenue. RFQ's for the project were sent out, and staff recommends utilizing PBS&J for the project. Dave Sprague with PBS&J reviewed the project. Councilor Miller moved to authorize staff to negotiate with PBS&J for engineering, planning, and preliminary design for this project; seconded by Councilor Rice.

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

AUTHORIZE A CHANGE ORDER FOR MATERIAL TESTING AT THE RIFLE REGIONAL WASTEWATER RECLAMATION FACILITY

Mr. Deussen reported this request is to authorize HP Geotech Inc. to perform additional geotechnical and material testing services for the construction of the Rifle Regional Wastewater Reclamation Facility for an estimated increase of \$20,060. HP initially anticipated the contractor would have scheduled testing concurrently. Soil testing was initially estimated to be over a 16-week period, and is now expected to run over a 33-week period. Councilor Lambert moved to approve the Change Order; seconded by Councilor Rice.

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

AWARD CONSTRUCTION OF PEDESTRIAN CROSSING AT 4TH STREET AND RAILROAD AVENUE

This request is for the pedestrian crossing at 4th Street and Railroad Avenue, which will include pedestrian activated lights, both in the street and around signs at the ends of the crossing. To avoid the use of asphalt, Aperion Utility Construction will provide black dyed concrete across Railroad Avenue. Councilor Miller moved to award construction to Aperion in an amount not to exceed \$59,620; seconded by Councilor Sanborn.

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

SECOND 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. Ordinance 24-08 amends the fee schedule to consider a smaller fee for multi-family units. Councilor Miller moved to approve Ordinance 24-08 as presented and ordered it to be published in full as required by Charter; seconded by Councilor Lambert.

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

SECOND 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 Lambert moved to approve Ordinance 23-08 as presented on and ordered it to be published in full as required by Charter; seconded by Councilor Thompson.

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

AUTHORIZE DOWNTOWN CODE REWRITE CONTRACT SERVICES

Staff requests Council authorize the City Manager to sign a contract with Vandewalle & Associates allowing them to rewrite the City’s development standards for the Central Business District. Mr. Sturgeon reported that the code rewrite is necessary to implement the Downtown Master Plan adopted by the Planning Commission and City Council in May of this year. The total cost of the services shall not exceed \$65,000, with a DOLA grant providing for half of the costs. The project will start in 2008. Councilor Miller moved to authorize the City Manager to sign the contract; seconded by Councilor Rice.

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

ADMINISTRATIVE REPORTS

Mr. Hier reported on: 4th Street pedestrian crossing; Justice Center open house; Christmas lights in the roundabouts; Parks Maintenance Facility; idling pickups in downtown. Mr. Hier explained that DOLA now requires formal Council action before an application can be submitted. Councilor Lambert moved to authorize staff to make application for two DOLA grants - one for the GIS Parcel Correction, the second for the Rifle Water Treatment Plant Design – for the December 1, 2008 cycle; seconded by Councilor Miller.

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

COMMENTS FROM MAYOR AND COUNCIL

EXECUTIVE SESSION: LEGAL ADVICE

Councilor Thompson moved to adjourn to Executive Session for the purpose of discussing Legal advice under CRS Section 24-6-402(2)(b); seconded by Councilor Lambert (10:15 p.m.).

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

Councilor Lambert moved to adjourn from Executive Session: seconded by Councilor Miller (10:43 p.m.).

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

Meeting adjourned at 10:43 p.m.

Wanda Nelson
City Clerk

Keith Lambert
Mayor