

RIFLE CITY COUNCIL MEETING

Wednesday, September 21, 2011

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: John Hier, City Manager; Lisa Cain, City Clerk; Jim Neu, City Attorney; Michael Churchill, Channel 10 Assistant Manager; Daryl Meisner, Police Chief; Dick Deussen, Utility Director; Tom Whitmore, Parks Director; Shelley Aibner; Sarah Lambert; Don Van Devander; Herman Aardsma; and Larry Green.

OATHS OF OFFICE

City Clerk Lisa Cain administered the oath of office to newly elected Councilor Jonathan Rice.

CONSENT AGENDA - APPROVE THE FOLLOWING ITEMS:

- A. Minutes from the September 7, 2011 Regular Meeting
- B. Minutes from the September 14, 2011 Special Meeting
- C. Accounts Payable

Councilor A. Lambert moved to approve Consent Agenda Items A, B, and C; seconded by Councilor Rice.

Roll Call: Yes – Carter, A. Lambert (abstaining as to Consent Agenda Item B), K. Lambert, Rice, Sanborn, Winkler, Miller

CITIZEN COMMENTS AND LIVE CALL-IN

Shelley Aibner provided details about her request that Council consider improving sidewalk connections from the west side of Rifle to the downtown area.

There were no other citizen comments or live call-ins.

ACKNOWLEDGE FORMER MAYOR KEITH LAMBERT’S YEARS OF SERVICE

Mayor Miller presented a plaque to Councilor Keith Lambert thanking him for serving the community as Mayor from September 2001 to September 2011.

CONSIDER INTERGOVERNMENTAL AGREEMENT REGARDING RAW WATER IRRIGATION FOR WAMSLEY ELEMENTARY SCHOOL

Parks Director Tom Whitmore informed Council that he has been working with the Garfield School District No. RE-2 over the past couple of years regarding the District utilizing the City’s raw water irrigation system at Wamsley Elementary School. The District’s use of the System will be a considerable cost savings compared to what it pays for potable water. Because of Wamsley’s close proximity to Deerfield Park, the connection to the System is not a far reach. The City has been upgrading the System which will benefit the District, so the system improvement fee was determined based upon those upgrades which total approximately \$45,000. The District will

pay the City a total of \$22,500 over two payments: \$11,250 upon the execution of the Intergovernmental Agreement and \$11,250 by July 31, 2012. The District will also pay an annual service fee of \$1,500 that reflects the City's operating costs of the System allocated to the District's water use.

Councilor Sanborn moved to approve the Intergovernmental Agreement Regarding Raw Water Irrigation for Wamsley Elementary School; seconded by Councilor Rice.

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

CONSIDER AWARDING CONTRACT FOR SOLID WASTE COLLECTION SERVICES TO MOUNTAIN ROLLOFFS, INC.

Don Van Devander, General Manager, and Herman Aardsma, Operations Director, Mountain Roll-Offs, Inc. (MRI), provided information about plastics recycling. If Council were to award the contract to MRI, MRI would begin operations in Rifle on October 31.

Councilor Sanborn moved to approve the City of Rifle Solid Waste Removal and Recyclables Collection Agreement; seconded by Councilor Winkler.

Roll Call: Yes – Carter, Rice, Sanborn, Winkler, Miller. No - A. Lambert, K. Lambert.

CONSIDER AMENDING PERSONNEL MANUAL – RESOLUTION NO. 14, SERIES OF 2011

City Attorney Jim Neu explained that proposed Resolution No. 14, Series of 2011, would amend Section 11 of the City's Personnel Manual regarding the appeal of an employment termination decision. Employee discipline actions, including permanent removal from City service, is a decision only undertaken after extensive, coordinated review by the Human Resource Director and Department Head, and generally involves consultation with the City Manager. As currently written, Section 11 of the Personnel Manual contains a procedure for an appeal of a termination decision to the City Manager, who, as mentioned, is actively involved in the decision. Although this appeal procedure has never been utilized, if it is, the City Manager would be conflicted and unable to hear an objective appeal because of his involvement in the process. Staff felt it prudent to amend the Personnel Manual to reflect the actual process that takes place and remove a step that would be unavailable from a practical standpoint if invoked. Because the proposed amendments require consultation with the City Manager to make a termination decision, staff believes proper checks and balances remain in place.

Resolution No. 14 would also amend the appeals procedure in Section 11.3 to address an instance where the City Manager imposes the disciplinary action on an employee directly. The employee may appeal the action following the process a Department Head has available when they are subject to a disciplinary action by the City Manager.

Councilor K. Lambert moved to approve Resolution No. 14, Series of 2011, amending Sections 11.2.2(6) and 11.3 of the City's Personnel Manual regarding appeals of termination decisions; seconded by Councilor Rice.

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

ADMINISTRATIVE REPORTS

Mr. Hier reported to Council on the following issues: 2012 budget; 2011 street work; Request for Proposal for Ute Theatre; Pioneer Mesa code enforcement; banner poles; sewer work; grants for vehicle fuel conversion to compressed natural gas; and CacaLoco's odor control efforts.

COMMENTS FROM MAYOR AND COUNCIL

Councilor K. Lambert congratulated Mayor Miller on conducting successfully his first meeting as Mayor.

Councilor A. Lambert thanked Wilma Paddock for running for Council. He encouraged her to remain involved in community activities and to consider running again. He congratulated Mayor Miller on his election to the Mayor's position. He thanked Councilor K. Lambert for 10 years of leadership as Mayor.

Councilor Sanborn advised citizens to get ready for curbside recycling, which will begin October 31. She also noted that the closure of Highway 6 was by the Colorado Department of Transportation (CDOT), not the City, and CDOT closed the road to repair a collapsed culvert that was flooding homes.

Councilor Winkler congratulated his son and Christina George on their upcoming marriage, and he congratulated his daughter on her upcoming marriage.

Mayor Miller thanked Councilor K. Lambert for serving as Mayor. He thanked a citizen for giving him a veteran's coin.

EXECUTIVE SESSION

EXECUTIVE SESSION TO DISCUSS PERSONNEL MATTERS UNDER CRS 24-6-402(2)(F) AND NOT INVOLVING: (1) ANY SPECIFIC EMPLOYEES WHO HAVE REQUESTED DISCUSSION OF THE MATTER IN OPEN SESSION; (2) ANY MEMBER OF THIS BODY OR ANY ELECTED OFFICIAL; (3) THE APPOINTMENT OF ANY PERSON TO FILL AN OFFICE OF THIS BODY OR OF AN ELECTED OFFICIAL; OR (4) PERSONNEL POLICIES THAT DO NOT REQUIRE THE DISCUSSION OF MATTERS PERSONAL TO PARTICULAR EMPLOYEES

Councilor K. Lambert moved to adjourn to executive session to discuss personnel matters; seconded by Councilor Rice (8:21 p.m.). Roll Call: Yes – Carter, A. Lambert, K. Lambert, Rice, Sanborn, Winkler, Miller

Councilor Sanborn moved to adjourn from Executive Session; seconded by Councilor Rice (8:45 p.m.). Roll Call: Yes – Carter, A. Lambert, K. Lambert, Rice, Sanborn, Winkler, Miller

Meeting adjourned at 8:45 p.m.

Lisa H. Cain
City Clerk

Jay D. Miller
Mayor