

RIFLE CITY COUNCIL MEETING

Wednesday, August 4, 2010

REGULAR MEETING

7:00 p.m. * Council Chambers

The regular meeting of the Rifle City Council was called to order at 7:02 p.m. by Mayor Keith Lambert.

PRESENT ON ROLL CALL: Councilors Alan Lambert, Jay Miller, Jonathan Rice, Jen Sanborn, Jeanette Thompson, Randy Winkler, and Mayor Keith Lambert.

OTHERS PRESENT: John Hier, City Manager; Wanda Nelson, City Clerk; Kristy Christensen, Deputy City Clerk; Jim Neu, City Attorney; Michael Churchill, Cable 10; Charlie Stevens, Utility Director; Mike Braaten, Government Affairs Coordinator; Charles Kelty, Finance Director; John Scalzo; Lisa Cain; Tim Cain; Annick Pruet; Patty Lambert; Deb Bath; Susan Birdsey; Steve Kaufman; Lynne Miller.

CONSENT AGENDA

MINUTES FROM THE JULY 21, 2010 REGULAR MEETING; MINUTES FROM THE JULY 21, 2010 SPECIAL MEETING; CITY CLERK APPOINTMENT; ELKS CORPORATE REPORT OF CHANGES; JUNE SALES TAX REPORT; ACCOUNTS PAYABLE

Councilor Rice excused himself from voting on both minutes. Councilor Lambert moved to approve the Consent Agenda; seconded by Councilor.

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

CITIZEN COMMENTS AND LIVE CALL-IN

Patty Lambert thanked Ms. Nelson for her help over the years, and congratulated Lisa Cain for her appointment as Clerk.

Mr. Scalzo presented a picture of the Veteran’s Memorial. He also addressed the flashing lights in town. Mr. Scalzo also stated that there were many vendors at the Silt Hey Days.

Mayor Lambert and Council presented a plaque to Ms. Nelson for her years of service to the City.

ACTION ON WORKSHOP ITEMS

Mayor Lambert stated that Appointments to the Visitor Improvement Fund (VIF) Advisory Board were discussed during the workshop. Councilor Miller moved to appoint the current incumbents Scott Becker and Jim Voorhies to the Board; seconded by Councilor Lambert.

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

Councilor Miller moved to nominate the two remaining candidates, Susan Alvis-Nichols and Ryan Mackley, for consideration; seconded by Councilor Lambert.

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

Council voted by ballot, the Clerk tallied the results, and the Mayor announced that Ryan Mackley has been appointed to the Board as alternate.

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

THEATRE LEASE

Mr. Neu reported that two groups – New Ute Theatre Society (NUTS) and the Rifle Theatre Corporation – are working with the City on renovating and operating the Rifle Creek Theatre. The mission of NUTS is to renovate the theatre, and they have done some fundraising for these costs. Unfortunately, a recent grant submitted to the State Historic Society was not approved, so NUTS will continue its fundraising efforts. The Rifle Theatre Group is proposing to operate the theatre once the renovations are complete. Both groups have draft plans for the renovation and operation. Councilor Thompson moved to approve the Leases contingent upon staff approval of the renovation and operation plans; seconded by Councilor Miller.

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

PUBLIC HEARING: SPECIAL EVENT LIQUOR LICENSE APPLICATION CHAMBER OF COMMERCE

Mayor Lambert opened the public hearing. Applicants Annick Pruett and Patty Lambert were sworn in. Council heard this item at its July 7th Council Meeting; however, GRHD does not have the documentation required by the State to receive a permit, so the Chamber agreed to be apply for the Permit. This event is for a VIP party for Westfest at the hospital on August 12. Ms. Nelson stated that the hearing was properly noticed, the application is complete, and the fees have been paid. Councilor Miller moved to approve the Application; seconded by Councilor Thompson.

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

PUBLIC HEARING: FIRST READING OF ORDINANCE 11-10: ADOPTION OF THE 2010 MODEL TRAFFIC CODE

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO REPEALING AND REENACTING CHAPTER 8, ARTICLE I OF THE RIFLE MUNICIPAL CODE TO ADOPT BY REFERENCE THE 2010 EDITION OF THE MODEL TRAFFIC CODE FOR COLORADO; REPEALING ALL ORDINANCES OF THE CITY OF RIFLE, COLORADO, IN CONFLICT THEREWITH; AND PROVIDING PENALTIES FOR VIOLATION THEREOF.

Mayor Lambert opened the public hearing. Mr. Neu explained that Chapter 8, Article I of the Rifle Municipal Code (“RMC”) currently incorporates by reference, with revisions, the 2003 Model Traffic Code. In 2010, the Colorado Department of Transportation issued a new Model Traffic Code (“MTC”) for adoption by Colorado communities. The 2010 MTC does not diverge sharply from the 2003 edition but has been updated to reflect evolving law enforcement and public works needs and concerns. Police Chief Daryl Meisner headed staff efforts to review and adopt City-specific revisions to the 2010 MTC, resulting in Ordinance No. 11, 2010. The 2010 MTC will be adopted by reference, which means that only the amendments and implementing measures are listed in the RMC. A copy of the full 2010 MTC is available for review or purchase at City Hall. Pursuant to C.R.S. §31-16-203, which governs adoption of codes by reference, the first reading of the Ordinance will be a public hearing. In accordance with statutory requirements, the City Clerk published notice of the MTC public hearing in the Citizen Telegram on July 16 and July 23, 2010. On another procedural note, the statute also specifies that the Ordinance will be effective thirty days after passage, so the Police Department will continue to enforce the 2003 MTC until mid-September. Councilor Winkler moved to approve Ordinance 11-10 on first reading as presented and ordered it to be published by title as required by Charter; seconded by Councilor Rice.

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

AFTER SCHOOL PROGRAM

Mayor Lambert noted this item was scheduled on Council's previous agenda; however, the applicants were unable to attend that meeting. Appearing tonight for the discussion of an after school program were Steve Kaufman, Debbie Bath, and Susan Birdsey. Mr. Kaufman noted he is requesting support from City Council for an after school program for the middle schools. Garfield County has tentatively committed \$30,000 for this program. Councilor Winkler moved to support the After School Program; seconded by Councilor Miller. The motion passed unanimously.

RESOLUTION 17-10: ADOPTING THE CALENDAR FOR THE 2011 BUDGET

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF RIFLE, COLORADO, ADOPTING THE CALENDAR FOR THE 2011 BUDGET

Mr. Kelty explained that Resolution 17-10 sets the calendar for the 2011 Budget. Councilor Lambert moved to approve Resolution 17-10; seconded by Councilor Rice.

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

PURCHASE OF ELECTRIC VEHICLES

Mr. Hier reported that the City received a grant from the GNECI in the amount of \$75,000 for the purchase of electric vehicles. Staff has been test driving various electric vehicles from three vendors, and recommends the purchase of four vehicles (two trucks, a van, and a three-wheel sedan) from Aspen Electric Vehicles. Councilor Rice moved to purchase four vehicles from Aspen Electric in an amount not to exceed \$48,375; seconded by Councilor Miller.

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

NORTH WASTEWATER LAGOON BIOSOLIDS REMOVAL CONTRACT ADDENDUM NO. 2

Mr. Neu noted that the City Council recently awarded a bid to Parker Ag Services, Inc. to reclaim the City's North Wastewater Treatment Plant Lagoons. Since that time, the Contactor has been unable to provide the Payment and Performance Bonds required by the Contract, the Public Works Manual and the Rifle Municipal Code because it has outstanding bonds on other projects that limits its current bonding capacity. Parker Ag Services was the only respondent to the City's request for proposals for the Project. City staff has been working with the Contractor and recommends that the City Council waive the Payment and Performance Bond requirements pursuant to the terms and conditions in the enclosed Addendum No. 2 to the 2010 Biosolids Project Agreement. The Project entails removing the biosolids from the three lagoons at the old north wastewater treatment plant and land applying or otherwise legally disposing of the material. The Contractor will not be utilizing any subcontractors or materials for which the Payment Bond secures payments. In addition, there are no structures being built for which a Performance Bond is needed- if the Contractor stops working, the City only pays for the work completed and would hire another contractor to complete the work without any real damage to the City. Therefore, this waiver does not pose much risk to the City as it would for a normal capital project. In consideration for the waiver, the City will retain 30% of all draw requests as security that the Project is proceeding pursuant to the Contract. Upon the State's inspection of final reclamation of each lagoon, the City will disburse the retainage with the final payment. This is an unusual request but staff does not want to re-bid the Project and believes Addendum No. 2 adequately protects the City. Councilor Miller moved to approve the Addendum; seconded by Councilor Thompson.

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

ADMINISTRATIVE REPORTS

Mr. Hier reported on: work at the south wastewater treatment plant lagoon; flooding in Rifle Creek; completion of the parking garage; 2011 budget; Downtown events during Westfest; City water supply; Fairway Avenue; Energy Innovation Park. Mr. Braaten discussed the possibility of an administrative grant from DOLA for the Health + Wellness Center.

COMMENTS FROM MAYOR AND COUNCIL

CONGRATULATIONS AND GOOD LUCK!

Council congratulated Lisa Cain for her appointment at incoming City Clerk. Council thanked Ms. Nelson for her service to the City.

DOWNTOWN FESTIVAL

Councilor Sanborn invited everyone to participate in the events being held downtown during Westfest.

CROSS COUNTRY TREKKER

Councilor Sanborn described her interaction with a man who recently visited Rifle on horseback. He is embarked on a cross country trek to raise money for children needing organ transplants.

KUDOS TO RIFLE POLICE DEPARTMENT

Councilor Lambert congratulated the Rifle PD for their acts of bravery in apprehending a dangerous escapee that had fled through Rifle.

NOVEMBER BALLOT MEASURES

Councilor Rice stated that he was not at the previous Council meeting, where a resolution was passed in opposition to three ballot measures. Councilor Rice noted his support of this resolution as well, and sees the ballot measures as reckless.

RHS BEARS CAMP

Councilor Rice invited children in first – six grades to participate in an upcoming football camp at the high school.

ARTILLUMA

Councilor Thompson noted that Artilluma has recently purchased the Dance Academy. Artilluma has videos on their website www.artilluma.com for viewing.

THANK YOU!

As this was her last Council meeting, Mayor Lambert gave Ms. Nelson the opportunity to have the last word. Ms. Nelson thanked the community, City Council, and City staff for eight wonderful years.

Meeting adjourned at 9:12 p.m.

Wanda Nelson
City Clerk

Keith Lambert
Mayor