

RIFLE CITY COUNCIL MEETING

Wednesday, December 2, 2009

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, Jen Sanborn, Jeanette Thompson, Randy Winkler, and Mayor Keith Lambert.

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

OTHERS PRESENT: John Hier, City Manager; Matt Sturgeon, Assistant City Manager; Wanda Nelson, City Clerk; Jim Neu, Assistant City Attorney; Daryl Meisner, Chief of Police; Jim Bell, Cable 10; Michael Churchill, Cable 10; Charlie Stevens, Utility Director; Dick Deussen, City Engineer; Charles Kelty, Finance Director; Peter Hayes, Building Inspector; Kevin Kelley, Construction Inspector.

CONSENT AGENDA

MINUTES FROM THE NOVEMBER 18, 2009 REGULAR MEETING; P&Z BOARD APPOINTMENT; GNECI IGA CONSIDERATION; LIQUOR LICENSE RENEWAL: SHALE COUNTRY; ACCOUNTS PAYABLE

Councilor Sanborn excused herself from voting on the minutes. Councilor Miller requested that the minutes be pulled for separate consideration. Councilor Miller moved to approve the remaining items on the Consent Agenda; seconded by Councilor Lambert.

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

MINUTES FROM THE NOVEMBER 18, 2009 REGULAR MEETING

Councilor Miller requested that the roll call made regarding the extension of the theatre lease should indicate that he and Councilor Winkler voted no. Councilor Miller moved to approve the minutes as amended; seconded by Councilor Lambert.

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

CITIZEN COMMENTS AND LIVE CALL-IN

There were no citizen comments or live call-ins.

RFTA REQUEST

Dan Blankenship, CEO of RFTA, and Board Member John Hoffman outlined their request for an additional monetary contribution from the City to help maintain its service to Rifle. Mayor Lambert stated that Council will be reviewing the budget on a monthly basis and will make a future decision on additional contributions.

SECOND READING OF ORDINANCE 34-09: SEWER CODE AMENDMENTS

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING CHAPTER 13, ARTICLE III OF THE RIFLE MUNICIPAL CODE REGARDING DISCHARGES TO AND ADMINISTRATION OF THE CITY'S SEWER SYSTEM

Mr. Neu reviewed changes to the Ordinance since first reading. Staff have been working on revisions to the City's Sewer Code in anticipation for the commencement of operations of the new wastewater treatment plant. Ordinance No. 34, Series of 2009 amends Article III of Chapter 13 to add and clarify certain definitions relevant to the use of the City's sewer system and regulate the discharge of undesirable materials. The amendments also clean up and streamline the existing Sewer Code. The general scope of the revisions is to protect the City's new wastewater treatment plant and ensure its efficient and cost-effective operation. Councilor Miller moved to approve Ordinance 34-09 on second reading as amended and ordered it to be published in full as required by Charter; seconded by Councilor Thompson.

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

SECOND READING OF ORDINANCE 35-09: RIFLE MUNICIPAL COURT FEES AND FINES

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING SECTION 8-1-180 OF THE RIFLE MUNICIPAL CODE REGARDING PENALTIES FOR VIOLATIONS OF THE MODEL TRAFFIC CODE AND AMENDING CERTAIN MUNICIPAL COURT FEES AT APPENDIX A OF THE CODE.

Mr. Neu reported that the Municipal Court Judge and the Municipal Court Administrator recommend that the City Council amend the Rifle Municipal Code regarding penalties for violations of the Model Traffic Code ("MTC") and certain Municipal Court fees. The State of Colorado has increased the penalties it assesses for

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violations of the MTC and the City's penalties should be the same; however, Section 8-1-180 limits the Municipal Judge's fee schedule to \$5 to \$100. Therefore, Ordinance No. 35, Series of 2009 increases that authorization to \$500 allowing the Judge to promulgate a schedule of penalties in line with the State's. In addition, the fees charged in the Municipal Court have not been increased in many years and certain fees should be increased to keep up with the costs of the Municipal Court as set forth in the Ordinance. Councilor Lambert moved to approve Ordinance 35-09 on second reading as amended and ordered it to be published in full as required by Charter; seconded by Councilor Rice.

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

2010 BUDGET

Mr. Hier stated that Council and staff have been working on the 2010 budget for the past four months. Two public hearings were held to present the budget.

RESOLUTION 25-09: ADOPTING THE 2010 BUDGET

This resolution adopts the 2010 Budget.

ORDINANCE 37-09: ANNUAL APPROPRIATION

This ordinance provides for the annual appropriation.

RESOLUTION 26-09: MILL LEVY CERTIFICATION

This resolution certifies the mill levy.

Councilor Lambert moved to approve Resolution 25-09, Ordinance 37-09 as presented and ordered it to be published in full as required by Charter, and Resolution 26-09 as amended; seconded by Councilor Miller.

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

FIRST READING OF ORDINANCE 38-09: TECHNICAL AMENDMENTS TO THE PUBLIC WORKS MANUAL

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING SECTION 16-1-130 OF THE RIFLE MUNICIPAL CODE REGARDING REVISIONS TO THE CITY'S PUBLIC WORKS MANUAL

Mr. Neu stated this Ordinance permits staff to make technical changes to the Public Works manual. Council would like the City Manager to audit such changes and give approval before they can be made, and provide an update to Council before the changes are made. Councilor Lambert moved to approve Ordinance 38-09 as amended 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

CHANGE TO PERSONNEL MANUAL REGARDING PD HOLIDAY HOURS

Mr. Hier noted that this request is to permit the non-exempt sworn police officers to have all their holidays be considered "floating holidays." They would like to have ten ten-hour holidays (presently, all City staff have eight regular holidays and three floating holidays). This request was presented as a way to permit the City to save money and allow flexibility in the officers' schedules. Council directed staff to present a resolution at the next Council meeting outlining these changes.

GRAHAM MESA WATER TREATMENT PLANT (GMWTP)

CLAR-VAC REPLACEMENT PROJECT

Mr. Stevens noted that this request is for the replacement of the Clar-Vac Equipment at the GMWTP. The Clar-Vac moves back and forth in the settling basin and vacuums the sludge from the bottom of the basin. Funds were budgeted in the 2009 budget for this project. Councilor Rice moved to approve the Project in an amount not to exceed \$37,000; seconded by Councilor Miller.

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

AUTHORIZE DESIGN OF POWDER ACTIVATED CARBON (PAC) SYSTEM

Mr. Stevens explained that, in order to eliminate water taste and odor complaints during the summer months next year, staff is proposing the installation of a temporary PAC system at GMWTP. The system must be custom designed and constructed so that it would be available in the spring or early summer. An algae bloom in Rifle pond caused the water to have a musty taste and odor, and many complaints were received. Councilor Sanborn moved to approve the expenditure of \$21,456 for the design of the PAC System; seconded by Councilor Lambert.

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

ADMINISTRATIVE REPORTS

Mr. Hier reported on: 2010 budget preparation; recent meeting held with owners of medical marijuana dispensaries; special meeting on January 13, 2010 to discuss water issues. Ms. Nelson stated that the new lights hung on Railroad Avenue are beautiful, and thanked the various agencies for their contributions to make their purchase happen. Mr. Braaten provided an overview on the Rifle Bucks program, and stated it will run again. He is also investigating the possibility of Rifle participating in a Federal rebate program for Energy Star appliances.

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COMMENTS FROM MAYOR AND COUNCIL

HOLIDAY LIGHTS

Councilor Thompson noted how wonderful the lights look on Railroad Avenue.

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

RIFLE BUCKS

Councilors Rice, Miller, and Lambert encouraged everyone to participate in the Rifle Bucks program.

PLAY AT RHS

Councilor Rice stated that the high school will be performing, “Arsenic and Old Lace” on Friday night.

FAREWELL

Councilor Sanborn stated that Mr. Dale Trahern recently passed away. He was a lovely man and will be greatly missed.

ENERGY INDEPENDENCE

Councilor Winkler noted that Denise McCourt will be speaking on the topic of Energy Independence at Colorado Mountain College.

EXECUTIVE SESSION: TO DISCUSS THE PURCHASE, ACQUISITION, LEASE, TRANSFER, OR SALE OF REAL, PERSONAL, OR OTHER PROPERTY INTEREST UNDER CRS SECTION 24-6-402(4)(a)

Councilor Rice moved to adjourn to Executive Session for the purpose of discussing Real Estate under CRS Section 24-6-402(4)(a); seconded by Councilor Miller (9:08 p.m.).

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

Councilor Lambert moved to adjourn from Executive Session; seconded by Councilor Sanborn (10:35 p.m.).

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

Meeting adjourned at 10:35 p.m.

Wanda Nelson
City Clerk

Keith Lambert
Mayor