

RIFLE CITY COUNCIL MEETING

Wednesday, July 18, 2012

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; Matt Sturgeon, Assistant City Manager/Director of Planning; Lisa Cain, City Clerk; Jim Neu, City Attorney; Jim Bell, Channel 10 Manager; Michael Churchill, Channel 10 Assistant Manager; Mike Braaten, Government Affairs Coordinator; Dick Deussen, Utility Director; Charles Kelty, Finance Director; Daryl Meisner, Police Chief; Nancy Bayne; Judy Hayward; Patty Lambert; Mike McKibbin; Heidi Rice; and John Scalzo.

CONSENT AGENDA - APPROVE THE FOLLOWING ITEMS:

- A. Minutes from the July 2, 2012 Regular Meeting
- B. Liquor License Renewals – Rib City Grill; Texan Bar; Fiesta Guadalajara; Plaza Liquors; City Market; Moose Lodge
- C. April/May Financial Report
- D. April/May Sales/Use Tax Report
- E. Accounts Payable

Councilor A. Lambert moved to approve Consent Agenda Items A, B, C, D, and E; seconded by Councilor Rice. Roll Call: Yes – Carter (abstaining as to Item E), K. Lambert (abstaining as to Item A), A. Lambert, Rice, Sanborn, Winkler, Miller

CITIZEN COMMENTS AND LIVE CALL-IN

John Scalzo expressed frustration that Betty Jones was not allowed to speak for more than 3 minutes at the Council meeting on June 6, 2012, and that the Council Members appeared to have closed their minds to options other than building a new water treatment plant with reverse osmosis technology.

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

PUBLIC HEARING – SPECIAL EVENT LIQUOR PERMITS – BPOE ELKS LODGE #2195

Mayor Miller opened the public hearing and swore in Nancy Bayne, Secretary, BPOE Elks Lodge #2195. Ms. Bayne presented the Lodge's application for a special event permit to provide liquor service at the Garfield County Fair at 1001 Railroad Avenue on August 1 (5:00 - 10:00 PM), August 2 (5:00 - 10:00 PM), August 3 (5:00 - 10:30 PM), and August 4 (noon - 10:00 PM), 2012. City Clerk Lisa Cain stated that the hearing was properly noticed, the application is complete, and the fees have been paid.

Councilor Rice moved to approve the Special Event Liquor Permit for BPOE Elks Lodge #2195 on August 1 (5:00 - 10:00 PM), August 2 (5:00 - 10:00 PM), August 3 (5:00 - 10:30 PM), and August 4 (noon - 10:00 PM), 2012, at 1001 Railroad Avenue; seconded by Councilor A. Lambert. Roll Call: Yes - Carter, A. Lambert, K. Lambert, Rice, Sanborn, Winkler, Miller

Rifle City Council Meeting, July 18, 2012

PUBLIC HEARING – SPECIAL EVENT LIQUOR PERMIT – GRAND VALLEY HISTORICAL SOCIETY

Mayor Miller opened the public hearing and swore in Judy Hayward, President, Grand Valley Historical Society, and Patty Lambert, Executive Assistant, Grand River Hospital District. Ms. Hayward and Ms. Lambert presented the Society's application for a special event permit to provide liquor service at the Grand Wine Affair at Grand River Hospital District at 501 Airport Road on September 20, 2012 from 4:00 – 9:00 PM. Ms. Cain stated that the hearing was properly noticed, the application is complete, and the fees have been paid.

Councilor Carter moved to approve the Special Event Liquor Permit for Grand Valley Historical Society on September 20, 2012 from 4:00 – 9:00 PM, at 501 Airport Road; seconded by Councilor Sanborn.

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

CONSIDER APPOINTMENT OF CHIEF OF POLICE

City Manager John Hier recommended that Council appoint John Dyer as Chief of Police.

Councilor K. Lambert moved to appoint John Dyer as Chief of Police; seconded by Councilor Sanborn.

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

CONSIDER APPOINTMENT OF PLANNING AND ZONING COMMISSIONERS

Assistant City Manager/Director of Planning Matt Sturgeon recommended that Council appoint Anthony Rossilli to the Planning and Zoning Commission regular member seat vacated by Bruce Gallagher, for a term expiring April 2015. He also recommended that Council appoint Marc Caldwell to the Commission alternate member seat that would be vacated by Mr. Rossilli, for a term expiring April 2013.

Councilor K. Lambert moved to appoint Anthony Rossilli to the Planning and Zoning Commission as a regular member for a term expiring April 2015, and Marc Caldwell as an alternate member for a term expiring April 2013; seconded by Councilor Sanborn.

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

RECOGNIZE MAYOR MILLER'S ACHIEVEMENT OF COLORADO MUNICIPAL LEAGUE LEADERSHIP TRAINING AWARD

Mayor Pro Tem Lambert led the Council in congratulating Mayor Miller on his achievement of the Colorado Municipal League Leadership Training Award.

CONSIDER ORDINANCE NO. 16, SERIES OF 2012 (SECOND READING) EXTENDING FRANCHISE AGREEMENT WITH COMCAST TO DECEMBER 31, 2012

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING THE CABLE TELEVISION FRANCHISE AGREEMENT BETWEEN THE CITY OF RIFLE, COLORADO AND COMCAST OF COLORADO/FLORIDA, INC. TO EXTEND THE TERM OF THE FRANCHISE THROUGH DECEMBER 31, 2012

Channel 10 Manager Jim Bell and City Attorney Jim Neu explained that the current version of the City's Comcast Cable Franchise Agreement was adopted in 2002, when the Rifle City Council approved the grant of a nonexclusive Franchise Agreement to TCI of Northern New Jersey, Inc. ("TCI"). After a five-year extension approved in 2007, the Franchise Agreement is now set to expire on August 24, 2012. Comcast of Colorado/Florida, Inc. ("Comcast"), the successor in interest to TCI, has requested an extension of the Franchise

Agreement without substantive amendment through the end of 2012. During this time, the City and Comcast will consider adoption of either a new Franchise Agreement or an extension of the existing Franchise Agreement subject to compliance with the Cable Communications Policy Act of 1984 and the Rifle City Charter provisions on franchises. Since 2002, a number of new cable regulations have passed at the state and national level, and the scope of the City's programming has also changed. The revised Franchise Agreement will reference these changes. Staff supports Comcast's request for a temporary extension, as described in proposed Ordinance No. 16, Series of 2012, and will work with the cable provider to prepare a draft Franchise Agreement that meets the City's current and anticipated cable needs before the end of the year.

Councilor Rice moved to approve Ordinance No. 16, Series of 2012, on second reading as presented and to order it to be published in full as required by Charter; seconded by Councilor A. Lambert.

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

CONSIDER AUTHORIZING PREPAYMENT OF LOANS

Finance Director Charles Kelty recommended that Council authorize early pay-off of 2 loans: (1) a 1994 loan from the Colorado Water Resources and Power Development Authority; and (2) a 1982 loan from the Colorado Water Conservation Board. Paying these loans early would result in savings of \$33,202.50 to the City.

Councilor Rice moved to authorize early pay-off of a 1994 loan from the Colorado Water Resources and Power Development Authority and a 1982 loan from the Colorado Water Conservation Board; seconded by Councilor Carter.

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

CONSIDER ACCEPTING GARFIELD COUNTY FEDERAL MINERAL LEASE DISTRICT GRANT AWARD – RESOLUTION NO. 14, SERIES OF 2012

Mr. Neu recommended that Council approve Resolution No. 14, Series of 2012, approving a grant agreement with the Garfield County Federal Mineral Lease District regarding the Airport Road overlay project.

Councilor A. Lambert moved to approve Resolution No. 14, Series of 2012, subject to final approval by Rifle staff of the form of the grant agreement; 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: CacaLoco; infrastructure improvement projects; West UMTRA Site improvements; and parks maintenance.

Ms. Cain informed Council about Responsible Serving/Selling of Alcohol seminars that she and Deputy City Clerk Kristy Christensen were providing to employees of Rifle businesses with liquor licenses.

Government Affairs Coordinator Mike Braaten announced that on July 25, Colorado Department of Local Affairs (DOLA) staff and State of Colorado budget staff will be touring facilities in the Rifle area that have been improved with DOLA grants.

COMMENTS FROM MAYOR AND COUNCIL

Councilor A. Lambert recognized Mayor Miller's wife, Norma, for her contributions to allow Mayor Miller to achieve the Colorado Municipal League Leadership Training Award.

Councilor K. Lambert noted that, although he did not participate in the Police Chief candidate interviews, he did meet John Dyer and supported Mr. Dyer's appointment as Police Chief.

Meeting adjourned at 7:58 p.m.

Lisa H. Cain
City Clerk

Jay D. Miller
Mayor