RIFLE CITY COUNCIL MEETING

Wednesday, February 21, 2018

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 Barbara Clifton.

PRESENT AT ROLL CALL: Councilors Joe Carpenter, Joe Elliott, Ed Green, Theresa Hamilton, Annick Pruett, Sean Strode, and Mayor Barbara Clifton.

OTHERS PRESENT: City Manager James Nichols, City Clerk Kristy Christensen, City Attorney Jim Neu, Rifle Community Television (RCTV) Manager Michael Churchill, Chief of Police Tommy Klein, Parks & Recreation Director Tom Whitmore, Operations Manager Robert Burns, Planning Director Nathan Lindquist, IT Director Mike Hall, Aquatics Coordinator James Vaughn, Building Inspector John Nihiser, Fire Department Orin Moon, Mike Hinkley, Doug Goldsmith, Elliott Hinckley, Brooke Hinckley, Gil Frontella, and Dan Sullivan.

CITIZEN COMMENTS
Citizen comments were heard from Elliott Hinckley about vacating a right-of-way.

CONSENT AGENDA - APPROVE THE FOLLOWING ITEMS:

A. Minutes from the December 27, 2017 Special Meeting
B. (Acting as Liquor Licensing Authority) Liquor License Renewal: Walters Enterprises, LLC dba Jay's
C. Setting the Off-Site Street Impact fees for 2018 - Resolution No. 5, Series of 2018
D. Supporting a traditional Grant Application to the Garfield County Federal Mineral Lease District for the Rifle Municipal Pool Project - Resolution No. 6, Series of 2018

Councilor Pruett moved to approve Consent Agenda Items A, B, C, and D; seconded by Councilor Hamilton.
Roll Call: Yes - Carpenter, Elliott, Green, Hamilton, Pruett, Strode and Clifton

RECEIVE REPORT OF SEMI-ANNUAL DIVERSION PRESENTED BY MOUNTAIN WASTE & RECYCLING
Mountain Waste and Recycling District Manager Mike Hinkley and Sales Manager Doug Goldsmith presented the report of Semi-Annual Diversion to City Council.

CONSIDER APPOINTING GIL FRONTELLA TO THE DOWNTOWN DEVELOPMENT AUTHORITY BOARD
The Rifle Downtown Development Authority requests the approval for the reappointment of Gil Frontella to the Downtown Development Authority (DDA) Board.

Councilor Hamilton moved to approve the reappointment of Gil Frontella to the Downtown Development Authority Board; seconded by Councilor Pruett.
Roll Call: Yes - Carpenter, Elliott, Green, Hamilton, Pruett, Strode and Clifton

CONSIDER WASTEWATER PLANT SCADA SYSTEM UPGRADES & IMPROVEMENTS
Operations Manager Robert Burns stated pricing was requested from three vendors for upgrades and improvements to the SCADA system at the new Water Plant which included switching to a new software to maintain uniformity across all Utility Department facilities. This option had communication vulnerabilities. When we received pricing, one of the vendors had provided an unsolicited stand-alone workstation option to address this vulnerability. Realizing that the price of stand-alone workstation would offer a lower long-term cost than installing a redundant communication link at the Water Plant, staff re-solicited the three vendors to provide a stand-alone workstation for the Water Plant. Staff is recommending a stand-alone workstation option and additional rugged switches and firewall routers provided by Timberline Electric Controls Corp (TLECC). TLECC was the lower cost on both options. Staff recommends approval of a purchase order in the amount of $31,272 to Timberline Electric Controls Corp (TLECC) for upgrades and

improvements to the SCADA system.

Councilor Green moved to approve the purchase order to Timberline Electric Controls Corp (TLECC) for the SCADA system upgrade in an amount not to exceed the $31,272; seconded by Councilor Elliott.
Roll Call: Yes - Carpenter, Elliott, Green, Hamilton, Pruett, Strode and Clifton

CONSIDER PROPOSAL FOR SALES TAX REBATE/BUSINESS INCENTIVE FOR POLANKA

Planning Director Nathan Lindquist noted Polanka Restaurant is considering moving to Rifle at 301 E 3rd Street. Polanka Restaurant felt a Sales Tax Rebate of $2,000 as an incentive would allow them to justify the expense of moving the business to Rifle. The City of Rifle's Business Incentive Policy states that adding to the vitality and diversity of businesses in the downtown area is a criteria that the City can use to justify incentives. Polanka is a Polish restaurant, a type of food not currently available in Rifle. The Sales Tax Rebates would allow the business to keep the first $2,000 in sales tax instead of turning it into the City.

Councilor Green moved to approve the sales tax rebate/business incentive program for Polanka restaurant; seconded by Councilor Pruett.
Roll Call: Yes - Carpenter, Elliott, Green, Hamilton, Pruett, Strode and Clifton

CONSIDER ADOPTING THE 2015 INTERNATIONAL BUILDING CODES – ORDINANCE NO. 2, SERIES OF 2018 – 1ST READING

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, REPEALING AND REENACTING ARTICLES II, III, IV, V, VI, VIII, IX, AND XI OF CHAPTER 18 OF THE RIFLE MUNICIPAL CODE TO ADOPT BY REFERENCE THE 2015 EDITIONS OF THE INTERNATIONAL BUILDING CODE, INTERNATIONAL RESIDENTIAL CODE, INTERNATIONAL MECHANICAL CODE, INTERNATIONAL PLUMBING CODE, INTERNATIONAL FUEL GAS CODE, INTERNATIONAL PERFORMANCE CODE, INTERNATIONAL EXISTING BUILDING CODE, AND INTERNATIONAL PROPERTY MAINTENANCE CODE AND COMMENTARIES THERETO.

Planning Director Nathan Lindquist, Fire Marshal Orin Moon, and Building Inspector John Nihiser explained the City currently operates under the 2009 edition of all building codes. Staff recommends adopting the 2015 Edition of the building codes including the International Building Code, International Residential Code, International Fire Code, International Fuel Gas Code, International Mechanical Code, International Plumbing Code, International Property Management Code and the International Existing Building Code. Two exceptions to this adoption are the City will continue to use the 2009 Edition of the Energy Conservation Code to avoid undue impacts on building costs and current requirements that do not require residential sprinkler systems in single-family homes.

Councilor Elliott moved to approve Ordinance No. 2, Series of 2018 on its first reading, as presented and order it to published as required by Charter; seconded by Councilor Hamilton.
Roll Call: Yes - Carpenter, Elliott, Green, Hamilton, Pruett, Strode and Clifton

CONSIDER PARTICIPATION IN "LESSONS FROM LYLAH" PROGRAM

James Vaughn requested the City of Rifle's participation in the "Lessons from Lylah", which waives the fees for swim lessons to qualified applicants who are children of fallen military service persons, police and first responders.

Councilor Hamilton moved to approve Parks and Recreation Department participation in the "Lessons from Lylah" program; seconded by Councilor Strode.
Roll Call: Yes - Carpenter, Elliott, Green, Hamilton, Pruett, Strode and Clifton

CONSIDER RE-DESIGNATION FOR RIFLE COMMUNITY FOUNDATION FUNDS

James Vaughn stated the Rifle Parks and Recreation in past years contributed funds to the Rifle Community Foundation to be designated for grants to assist individuals and teams in paying for recreation fees. No one has applied for these funds in over 10 years and the Rifle Community Foundation is currently holding $904.26 in this funds. The Rifle Community Foundation would like to return the funds to the Parks and Recreation Department.

Councilor Hamilton moved to approve the refund of $904.26 from Rifle Community Foundation to

Parks and Recreation Department; seconded by Councilor Pruett.
Roll Call: Yes - Carpenter, Elliott, Green, Hamilton, Pruett, Strode and Clifton

CONSIDER SEWER BACKUP RESPONSIBILITY – ORDINANCE NO. 1, SERIES OF 2018

AN ORDINANCE OF THE CITY OF RIFLE, COLORADO, AMENDING SECTION 13-3-440 OF THE RIFLE MUNICIPAL CODE REGARDING CITY OBLIGATIONS IN NO-FAULT INSTANCES OF DAMAGE TO THE CITY SEWER SYSTEM.

City Clerk Kristy Christensen explained the City has recently purchased an extended insurance policy with CIRSA that will defend against any liability created by damage caused from sewage backups where fault cannot be determined. This coverage will cost less than a single incident, making the coverage cost-effective in the event of no-fault claims. By deleting the Municipal Code language authorizing the City to make discretionary monetary concessions in instance of damage, the City will prevent any confusion between affected property owners, the City, and CIRSA in these events.

Councilor Hamilton moved to approve Ordinance No. 1, Series of 2018, as written; seconded by Councilor Strode.
Roll Call: Yes - Carpenter, Elliott, Green, Hamilton, Pruett, Strode and Clifton

ADMINISTRATIVE REPORTS
Administrative Reports were heard from City Manager James Nichols on the following items: O&M Technicians, Ron Henry and Colton Secary completed their CDL Class D test and the Young Dubliners will be performing at the Ute Events Center on March 8th.

Chief of Police Tommy Klein reported on new K-9 unit puppies.

COMMENTS FROM MAYOR AND COUNCIL
Comments were heard from: Councilors Sean Strode, Joe Elliott, Theresa Hamilton, Annick Pruett, and Mayor Barbara Clifton.

EXECUTIVE SESSION FOR A CONFERENCE WITH THE CITY ATTORNEY FOR THE PURPOSE OF RECEIVING LEGAL ADVICE ON SPECIFIC LEGAL QUESTIONS UNDER C.R.S. SECTION 24-6-402(4)(B). (INTERPRETATION OF CONTRACTS AND STATUS OF LITIGATION)

Councilor Hamilton moved to go into Executive Session for legal advice; seconded by Councilor Elliott.
Roll Call: Yes - Carpenter, Elliott, Green, Hamilton, Pruett, Strode and Clifton

Upon return to Regular Meeting following conclusion of the executive session, meeting adjourned at 9:21 p.m.

Kristy Christensen
City Clerk

SEAL
CITY OF RIFLE
GARFIELD COUNTY, COLORADO

Barbara Clifton
Mayor