

STERLING, COLORADO
APRIL 11, 2017

STATE OF COLORADO)
COUNTY OF LOGAN)ss
CITY OF STERLING)

As required by the Colorado Sunshine Law, the meeting was posted timely in the City Hall lobby more than twenty-four hours in advance of the meeting.

Human Resource Director Brown gave the invocation. Mayor Torres led the Pledge of Allegiance.

The City Council of the City of Sterling, Colorado, met in regular session in Council Chambers of City Hall on Tuesday, April 11, 2017. Mayor Torres called the meeting to order at 7:00 p.m.

Councilmembers present:

Mayor	Torres
Councilmembers	Appelhans Flores Lawson McCarty Pitcher Rice

Also present:

City Manager	Saling
City Attorney	Penny
City Clerk	Forbes
Public Works Director	Good
Fire Captain	Howell
Human Resource Director	Brown
Parks, Library and Recreation (PLR) Director	Gandee
Police Chief	Kerr
SECC Director	Serl
Paralegal	Welsh

Citizens present: 14

City Manager Saling asked to move agenda item 4-C, APPLICATION FOR RENEWAL OF HOTEL & RESTAURANT LIQUOR LICENSE – WREN'S RESTAURANT LLC – GALLAGHER'S RIVER CITY GRILL – 1116 WEST MAIN STREET, to New Business. He also asked to add a proclamation under New Business 7-C for telecommunications week.

Councilmember Appelhans made a motion to amend the agenda. Councilmember Rice seconded the motion. By a seven-yes vote, the motion was approved.

CONSENT AGENDA:

Councilmember Appelhans made a motion to approve the consent agenda. Councilmember Rice seconded the motion. By a seven-yes vote, the motion was approved.

Items on the consent agenda were: City Council minutes of March 28, 2017, application for renewal of 3.2% beer off premises liquor license for 7-Eleven Store located at 311 West Main Street, application for renewal of retail liquor store license and an application for renewal of tastings permit for Nick's 3rd Avenue Liquor located at 115 South 3rd Avenue.

COMMUNICATION AND PERSONAL APPEARANCE OF NON-SCHEDULED CITIZENS BEFORE THE COUNCIL:

Present to address Council was Ms. Laurie Jones, 510 Glenora, Economic Development Corporation and Ms. Glenna Phelps-Aurich, Logan County Chamber of Commerce Director. They updated Council on a marketing grant from the state. This grant has been offered to Counties that were impacted by the 2013 flood. They asked Council for a letter of support for the grant.

It was the consensus of Council to do a letter of support.

Also present to address Council was Mr. Mike Speight, 1616 Pheasant Ridge. Mr. Speight advised Council that he had been a victim of a hit and run. He went to the Police Department to ask questions and was told that he would be getting a return call. He has not received any return call and is concerned that they might want to review their communication process as there was no accountability or follow-up.

City Manager Saling advised Mr. Speight to contact the Police Chief.

UNFINISHED BUSINESS:

CITY MANAGER'S REPORT:

City Manager Saling updated Council on the following:

- Sales Tax
- POST grant
- Annual citywide cleanup
- CML Conference
- CML ethics workshop in Fort Morgan
- CML District 1 meeting on May 24
- City Heritage Festival
- April 21, 2017 is the Arbor Day celebration
- Received a letter of resignation from Randy Brigham, Planning Commission.
- Logan County Crimestoppers golf tournament is May 7
- He will be out of the office on April 14, 17 and 18.

NEW BUSINESS:

APPLICATION FOR RENEWAL OF HOTEL & RESTAURANT LIQUOR LICENSE – WREN'S RESTAURANT LLC – GALLAGHER'S RIVER CITY GRILL – 1116 WEST MAIN STREET:

City Manager Saling advised Council this application for renewal of the Hotel & Restaurant Liquor License for Gallagher's River City Grill, 1116 West Main Street, was timely filed and the licensee has paid the required fees. The current license expires on April 17, 2017. The reports from the Police and Fire Department were mailed to the licensee. The licensee did incur a State liquor violation since the last annual application and a letter was sent to the licensee advising that a representative must appear at this Council meeting to answer any questions Councilmembers might have concerning the violation.

There was no one present from the establishment.

Councilmember Appelhans made a motion to table this application until the next regular Council meeting. Councilmember McCarty seconded the motion. By a seven-yes vote, the motion was approved.

INTRODUCTION OF NEW CITY EMPLOYEES:

Human Resource Director Brown introduced Latisha Ramos from the Library.

DEPARTMENT REPORT – PARKS, LIBRARY AND RECREATION DEPARTMENT – PRESENTATION ON HEAL CITIES AND TOWNS, LIVEWELL:

Present to address Council was Ms. Julie George who gave a presentation on Heal Cities and Towns, Livewell. PLR Director Gandee advised Council that the PLR Board recommends that Council approve a resolution to join this. Council advised they would like to see the resolution.

PRESENTATION OF NATIONAL PUBLIC SAFETY TELECOMMUNICATIONS WEEK PROCLAMATION:

Mayor Torres read the proclamation and presented it to SECC Director Serl and Dispatcher Nall.

PRESENTATION OF ARBOR DAY PROCLAMATION:

Mayor Torres presented the proclamation to PLR Director Gandee.

PUBLIC HEARING – APPLICATION FOR SPECIAL EVENT PERMIT – LOGAN COUNTY LITERACY COALITION – 420 NORTH 5TH STREET – TO BE HELD AT 120 MAIN STREET:

City Manager Saling advised Council that an application for a special event permit was filed by the Logan County Literacy Coalition for a fundraiser, to be held on April 21, 2017 from 6:00 o'clock p.m. to 11:00 o'clock p.m., for the sale of malt, vinous and spirituous liquor. The application was timely filed and is in proper form and the required fee has been submitted. The premises were properly posted. A letter was sent to the applicant advising of the date of the public hearing and requesting a representative be present at this meeting to answer any questions City Council might have concerning the application.

Present to address Council was Ms. Sandy VanDusen, Vice-President of the Logan County Literacy Coalition. Ms. VanDusen advised Council that the Literacy Coalition has held this event for four years. This is the first time they have asked for a liquor license.

Mayor Torres opened the public hearing.

There were no comments.

Mayor Torres closed the public hearing.

Councilmember Appelhans made a motion to approve the special event permit for the Logan County Literacy Coalition located at 420 North 5th Street on April 21, 2017. Councilmember Pitcher seconded the motion. By a seven-yes vote, the motion was approved.

FIRST READING OF ORDINANCE NO. 4, SERIES OF 2017 – AN ORDINANCE AMENDING THE STERLING CITY CODE, CHAPTER 2, ADMINISTRATION, ARTICLE III, BOARDS, COMMITTEES AND COMMISSIONS, DIVISION 4, CITIZENS ADVISORY BOARD, SEC. 2-106, COMPOSITION, TERMS OF MEMBERS:

City Manager Saling advised Council that this ordinance amends Sec. 2-106 of the City Code to eliminate the requirement that the Citizens Advisory Board consist of only bona fide residents of the City.

Councilmember Appelhans made a motion to introduce Ordinance No. 4, Series of 2017. Councilmember McCarty seconded the motion. City Clerk Forbes read the ordinance by title. By a six-yes and one-no vote, the motion was approved. Voting was as follows:

Appelhans	yes	McCarty	yes
Lawson	no	Flores	yes
Pitcher	yes	Rice	yes
Torres	yes		

RESOLUTION NO. 4-1-17, SERIES OF 2017 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO AFFIRMING APPROVAL AND EXECUTION OF AN AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN THE CITY OF STERLING AND HATCH MOTT MACDONALD, LLC, AND APPROVING AMENDMENT NO. 1 TO SAID AGREEMENT:

City Manager Saling advised Council that by Resolution No. 11-3-15, Series of 2015, the City accepted the proposal from Hatch Mott MacDonald, LLC for engineering services for the 2015 Sterling Wastewater System Improvements project, and approved an Agreement. This resolution affirms approval and execution of an Agreement for Professional Services that was subsequently executed in place of the Agreement attached to Resolution No. 11-3-15, Series of 2015. The services of Hatch Mott MacDonald, LLC, now known as Mott MacDonald, described in the Professional Services Agreement were amended or supplemented with respect to the scope of work and fees for the Preliminary Design Phase, and this resolution also approves Amendment No. 1 to the Agreement for Professional Services. The cost reflected in Amendment No. 1 is \$552,204.00 estimated for the preliminary design phase. The funds are approved in the 2017 budget.

Councilmember Rice made a motion to approve Resolution No. 4-1-17, Series of 2017. Councilmember Appelhans seconded the motion. By a seven-yes vote, the motion was approved.

RESOLUTION NO. 4-2-17, SERIES OF 2017 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, AUTHORIZING THE MAYOR TO EXECUTE A SALES AGREEMENT WITH HME, INCORPORATED, FOR THE PURCHASE OF AN AHRENS-FOX FIRE APPARATUS:

City Manager Saling advised Council that this resolution approves entering into a Sales Agreement with HME, Incorporated for a second custom fire truck. The cost for the fire truck is \$429,016. The City is researching payment options at this time, and will submit a separate resolution for approval. This truck will be built with the exact same specifications as the first truck on order, specifications #10102-0007. This price includes the \$3,000 budgeted for travel to and from the factory for inspections and \$4,000 for delivery of the truck from the factory to Sterling, Colorado and training. The price includes a \$10,000 discount from the first truck pricing.

Councilmember Rice made a motion to approve Resolution No. 4-2-17, Series of 2017. Councilmember Appelhans seconded the motion. By a seven-yes vote, the motion was approved.

RESOLUTION NO. 4-3-17, SERIES OF 2017 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, APPROVING AN EDUCATION AFFILIATION AGREEMENT WITH AIMS COMMUNITY COLLEGE:

City Manager Saling advised Council this resolution approves an Education Affiliation Agreement with Aims Community College for the use of the City's Fire Department facilities and operations to provide required training for students and/or instructors enrolled in certain programs offered by Aims Community College, and opportunities for observation and/or practical experience, with the emphasis on education for said students rather than services. He advised this is for EMT/paramedic ride along program.

Councilmember Appelhans made a motion to approve Resolution No. 4-3-17, Series of 2017. Mayor Torres seconded the motion. By a seven-yes vote, the motion was approved.

MISCELLANEOUS COUNCIL BUSINESS:
EXECUTIVE SESSION – LEGAL ADVICE

Mayor Torres made a motion to go into 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). Councilmember Appelhans seconded the motion. By a seven-yes vote, the motion was approved.

Council went into executive session at 8:27 p.m.

Council came out of executive session at 8:45 p.m.

Mayor Torres advised the participants in the executive session were: City Council, City Attorney, City Manager and Public Works Director Good. For the record, if any person who participated in the executive session believes that any substantial discussion of any matters not included in the motion to go into the executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of the Open Meetings Law, he asked that they state their concerns for the record.

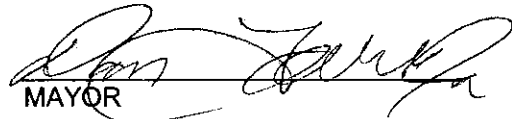
There was none.

Mayor Torres made a motion to authorize the City Manager and City Attorney to allow the water attorneys to file a statement of opposition against 17CW3039. Councilmember Appelhans seconded the motion. By a seven-yes vote, the motion was approved.

Councilmember Rice made a motion to file comments regarding the substitute water supply under the same said case. Councilmember Lawson seconded the motion. By a seven-yes vote, the motion was approved.

ADJOURNMENT:

There being no further business to come before Council the meeting adjourned at 8:50 p.m.


MAYOR

ATTEST:


CITY CLERK