

STERLING, COLORADO  
APRIL 14, 2020

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.

City Manager Saling gave the invocation. Mayor Appelhans 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 14, 2020. Mayor Appelhans called the meeting to order at 6:00 p.m.

Councilmembers present:

Mayor	Appelhans
Councilmembers	Anderson Blecha Desormeaux Janes McCarty Ritter

Also present:

City Manager	Saling
City Attorney	Penny
City Clerk	Forbes

Citizens present: 3

**CONSENT AGENDA:**

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

Items on the consent agenda are: City Council minutes of March 24, 2020, an application for renewal of hotel & restaurant liquor license for The Grill @ River City located at 1116 West Main Street and an application for renewal of beer and wine liquor license for Bamboo Garden located at 1027 West Main Street.

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

None

**UNFINISHED BUSINESS:**

**SECOND READING AND PUBLIC HEARING – ORDINANCE NO. 4, SERIES OF 2020 - AN ORDINANCE APPROVING THE PRE-ANNEXATION AGREEMENT BETWEEN THE CITY OF STERLING AND PLATTE VALLEY REAL ESTATE, LLC:**

City Manager Saling advised Council first reading of this ordinance took place on March 24, 2020, and it was thereafter published. This ordinance approves a Pre-Annexation Agreement between the City of Sterling and Platte Valley Real Estate, LLC., relating to real estate that is the subject of a pending annexation petition. The agreement will ensure that the property is developed

pursuant to the requirements set forth by the Sterling City Code, and includes the granting of a perpetual water line easement to the City.

City Clerk Forbes read the ordinance by title

Mayor Appelhans opened the public hearing.

There were no comments.

Mayor Appelhans closed the public hearing.

Councilmember McCarty made a motion to approve Ordinance No. 4, Series of 2020. Councilmember Desormeaux seconded the motion. By a seven-yes vote, the motion was approved.

**CITY MANAGER'S REPORT:**

City Manager Saling updated Council on the following:

- Coronavirus-COVID-19 update
- Spring Cleanup
- Sales and Lodging Taxes – March
- Water demand/production
- Air Race Classic – Cancelled
- Loan Application – Wastewater Treatment Project

There was discussion regarding the public hearing for the loan application. It was the consensus of Council to set the public hearing date separate from a Council meeting.

Council had discussion regarding the events for July 4, 2020. City Manager Saling advised Council that a decision would be made on May 1.

**NEW BUSINESS:**

**APPLICATION FOR TRANSFER OF LODGING & ENTERTAINMENT LIQUOR LICENSE – PLAINSVIEW GOLF, INC. – 300 NORTH RIVERVIEW ROAD:**

City Manager Saling advised Council Plainsview Golf, Inc. has filed an application for transfer of the Lodging & Entertainment Liquor License for Riverview Golf Club (presently Riverview Golf Course), 300 North Riverview Road. All fees have been submitted. The premises has been previously licensed and pursuant to Colorado Revised Statutes, in determining whether to permit a transfer of ownership, the licensing authority (City Council) can only consider whether or not the applicant may hold a license, and whether or not any modification has been made to the premises. No modification has been made. The reports from the Police and Fire Departments were mailed to the applicant, along with letters advising that a representative must be present at this meeting to answer any questions Council might have.

Present to address Council was Mr. Brent Fiscus, 301 Highland Drive.

Mayor Appelhans opened the public hearing.

Council asked Mr. Fiscus if the golf course is currently open. He advised yes.

Mayor Appelhans closed the public hearing.

Councilmember Desormeaux made a motion to approve the transfer of Lodging & Entertainment Liquor License for Plainsview Golf, Inc. located at 300 North Riverview Road. Councilmember Anderson seconded the motion. By a seven-yes vote, the motion was approved.

**RESOLUTION NO. 4-1-20, SERIES OF 2020 – A RESOLUTION FINDING SUBSTANTIAL COMPLIANCE AND SETTING A HEARING DATE FOR THE ANNEXATION PETITION FOR THE PLATTE VALLEY INDUSTRIAL PARK ADDITION – PHASE 1 TO THE CITY OF STERLING, LOGAN COUNTY, COLORADO:**

City Manager Saling advised Council this resolution finds that the Petition for Annexation for the Platte Valley Industrial Park Addition – Phase 1 to the City is in substantial compliance with the State statutes, and also sets the public hearing for May 26, 2020 at 6:00 p.m. The petition requirements and map requirements are set forth in the forms. The County of Logan has waived the requirements for an impact report.

Councilmember Janes made a motion to approve Resolution No. 4-1-20, Series of 2020. Councilmember McCarty seconded the motion. By a seven-yes vote, the motion was approved.

**RESOLUTION NO. 4-2-20, SERIES OF 2020 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, ACCEPTING THE BID FROM CONCRETE SPECIALTIES AND UTILITIES CONSTRUCTION, INC. FOR THE CITY OF STERLING EAST CHESTNUT WATERLINE REPLACEMENT PROJECT #19-005:**

City Manager Saling advised Council this resolution approves the bid received from Concrete Specialties and Utilities Construction, Inc., for the City of Sterling East Chestnut Waterline Replacement Project #19-005, in the amount of \$846,116.64. This is the lowest bid that was received for the project and is an acceptable amount for said project. The Public Works Department has sufficient funds in its budget for the work to be performed.

Councilmember McCarty made a motion to approve Resolution No. 4-2-20, Series of 2020. Councilmember Desormeaux seconded the motion. By a seven-yes vote, the motion was approved.

**FIRST READING – ORDINANCE NO. 5, SERIES OF 2020 – AN ORDINANCE APPROVING A LEASE BETWEEN THE CITY OF STERLING, COLORADO AND INDUSTRIAL TOWER WEST, LLC CONCERNING REAL ESTATE TO BE USED AS A TRANSMISSION TOWER SITE; AND AUTHORIZING THE MAYOR TO SIGN SAID LEASE:**

City Manager Saling advised Council this ordinance approves a 5-year lease with Industrial Tower West, LLC, formerly NE Colorado Cellular, Inc., for City-owned real estate for use as a transmission tower site. The lease provides for the option to renew for four successive periods of five years each. The initial annual rent is \$5,700.00, to be adjusted annually beginning the 1<sup>st</sup> day of January 2021, pursuant to the most recent Boulder-Denver Consumer Price Index, as determined for the twelve months prior to notice of the rental adjustment.

Councilmember Anderson made a motion to introduce Ordinance No. 5, Series of 2020. Councilmember Desormeaux seconded the motion. City Clerk Forbes read the ordinance by title. By a seven-yes vote, the motion was approved.

**AMENDMENT OF CITY COUNCIL RULES OF PROCEDURE:**

City Manager Saling advised Council Section 8.2 of the present City Council Rules of Procedure provides that the rules may be amended, or new rules adopted, by a majority vote of all members of the Council, provided that the proposed amendments or new rules shall have been placed on the agenda and provided to all Councilmembers prior to the Council meeting at which action is taken on the amended or new rules. Council is herewith provided with proposed Rules of Procedure that contain an amendment by the addition of a Section 2.6, Electronic Participation. At the present time, electronic participation has been approved by an emergency resolution passed on March 24, 2020, due to the COVID-19 virus, but those provisions expire when the emergency is ended. By adopting the proposed amended Rules of Procedure, provision for electronic participation would continue until any revision is adopted by Council. The amended Rules of Procedure may be adopted by motion.

Councilmember Desormeaux made a motion to approve the amendment of City Council Rules of Procedure. Councilmember McCarty seconded the motion. By a seven-yes vote, the motion was approved.

**MISCELLANEOUS COUNCIL BUSINESS:**


Councilmember Ritter advised Council that she is on a subcommittee and did a survey two weeks ago on what businesses needed. There were 22 responses. Currently, businesses in the downtown area are having problems with paying rent, utilities and employees. She asked if there was a way of Sterling Urban Renewal Authority (SURA) helping the businesses. City Manager Saling advised he did not believe this was eligible under the State Statutes. After discussion, City Manager Saling will send a letter to SURA, on behalf of Council, regarding this.

**ADJOURNMENT:**

There being no further business to come before Council the meeting adjourned at 6:32 p.m.

  
MAYOR

ATTEST:

  
CITY CLERK