

STERLING, COLORADO
APRIL 24, 2018

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.

Pastor Baines, New Beginnings Outreach, 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 24, 2018. Mayor Torres called the meeting to order at 7:00 p.m.

Councilmembers present:

Mayor	Torres
Councilmembers	Appelhans Flores McCarty Pitcher Rice

Councilmember absent:

Councilmember	Rhodes
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Also present:

City Manager	Saling
City Attorney	Penny
City Clerk	Forbes
Fire Chief	Ritter
Police Chief	Kerr
Public Works Director	Good
Public Safety Communications (PSC) Director	Lybrand
Human Resource (HR) Director	Brown
Parks, Library and Recreation (PLR) Director	Gandee
Police Sergeant	Williams
Paralegal	Welsh

Citizens present: 13

CONSENT AGENDA:

Councilmember Appelhans made a motion to approve the consent agenda. Councilmember McCarty seconded the motion. By a five-yes and one-abstain vote, the motion was approved. Voting was as follows:

Appelhans	yes	McCarty	yes
Rice	abstain	Flores	yes
Pitcher	yes	Torres	yes

Items on the consent agenda were: City Council minutes of April 10, 2018, an application for renewal of beer & wine liquor license for Bamboo Garden LLC located at 1027 West Main Street and an application for renewal of beer & wine liquor license for Momma Conde's Restaurant located at 100 Broadway, Suite 4.

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

None

UNFINISHED BUSINESS:

CITY MANAGER'S REPORT:

City Manager Saling advised Council that the City had an Arbor Day Celebration on Friday, April 20, at Columbine Park. The City received a new flag and a plaque for 30 years of participation. PLR Director Gandee presented the plaque to Council.

City Manager Saling updated Council on the following:

- Spring clean-up
- Employee's appreciation luncheon
- National Prescription Drug Take Back Day
- The Bike Rodeo

NEW BUSINESS:

PRESENTATION FROM DR. BILL FREDREGILL REGARDING PROPOSED HUMANE SOCIETY ORDINANCE CHANGES:

Present to address Council was Dr. Bill Fredregill, Humane Society. Dr. Fredregill advised Council that they have three code changes they feel should be made. First being the T&R program. This program would be for selected people to be appointed to be certified colony managers. They would track, feed, make sure the animal in the colony is spayed or neutered and provide some type of housing for the animals.

Councilmember Appelhans advised he had a concerned citizen who did not want this as their next door neighbor.

Dr. Fredregill advised that this process would be better than what is currently being done; which is just feeding the animals.

There was further discussion.

The second item of change to the code would be for the backyard breeder. Currently there is a \$250 license fee; however Dr. Fredregill feels, when it goes to court there is no teeth in the fine that they are given.

The third item is the cost of care. This is currently a State law. This would be the cost of the care of the animal impounded while the owner is waiting for a court appearance. The owner would be responsible for paying for the cost up front or surrendering the animal.

After discussion, City Manager Saling advised if Council wishes to proceed with a draft of the ordinance to be reviewed.

PRESENTATION FROM COUNTY COMMISSIONER BRYON PELTON REGARDING WORK SESSIONS:

Present to address Council was County Commissioner Bryon Pelton. Commissioner Pelton advised Council that the perception of the citizens is that the City and County does not get along. The Commissioners feel that it is time to look at the Intergovernmental Agreement between the City and County. This could save resources for both entities. It was decided that the fifth Tuesday would be set as a meeting between the City and the County as long as there were agenda items to discuss. The first meeting will be May 29 at the Public Library Community room at 6:00 p.m. Commissioner Pelton will start the agenda.

PUBLIC HEARING – APPLICATION FOR SPECIAL EVENT PERMIT – BUSINESS AND PROFESSIONAL WOMEN OF STERLING, UNDER THE AUSPICES OF BUSINESS AND PROFESSIONAL WOMEN OF COLORADO, INC. – 330 SOUTH 2ND STREET:

City Manager Saling advised Council that an application for a special event permit was filed by the Business and Professional Women of Sterling, under the auspices of Business and Professional Women of Colorado, Inc., for a fundraiser to be held on May 4, 2018, from 4:00 o'clock p.m. to 10:00 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. Sarah Matthews, President of Business & Professional Women of Colorado, Inc./BPW of Sterling, 520 Chestnut Street.

Mayor Torres opened the public meeting.

There were no comments.

Mayor Torres closed the public meeting.

Councilmember Appelhans made a motion to approve the special event permit for Business and Professional Women of Sterling, located at 330 South 2nd Street. Councilmember Rice seconded the motion. By a six-yes vote, the motion was approved.

APPLICATION FOR A LIMITED WINERY COLORADO LIQUOR SALES ROOM – REDS WINE BOUTIQUE LLC – REDS WINE BOUTIQUE – 112 SOUTH 3RD AVENUE:

City Manager Saling advised Council that a Colorado Liquor Sales Room license is granted solely by the State licensing authority. When filing an application for a Colorado Liquor Sales Room, the licensee must notify the local licensing authority, and the local licensing authority shall consider only whether or not certain conditions apply that would affect the granting of that sales room application. The City's Public Works Department has inspected the proposed location of the liquor sales room and determined that no conditions listed in the application apply, and therefore there appears to be no grounds for objection to the application for the Limited Winery Colorado Liquor Sales Room.

Councilmember Appelhans made a motion to approve the Limited Winery Colorado Liquor Sales Room. Councilmember McCarty seconded the motion. By a six-yes vote, the motion was approved.

RESOLUTION NO. 4-4-18, SERIES OF 2018 - A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, DESIGNATING THE HUMAN RESOURCES DIRECTOR AS THE CITY OF STERLING COORDINATOR PURSUANT TO THE AMERICANS WITH DISABILITIES ACT OF 1990 AND DESIGNATING AND EMPOWERING THE ADA ADVISORY COMMITTEE OF THE CITY OF STERLING TO ASSIST THE HUMAN RESOURCES DIRECTOR IN PERFORMING THE FUNCTIONS PURSUANT TO SAID ACT:

City Manager Saling advised Council the Federal Americans with Disabilities Act of 1990 (ADA) requires the City of Sterling to designate at least one employee of the City to coordinate the City's efforts to carry out the City's responsibility under said Act. This resolution designates the City's Human Resources Director as the City's coordinator, and designates and empowers an ADA Advisory Committee of the City to assist the Human Resources Director in performing the functions pursuant to said Act.

Councilmember McCarty made a motion to approve Resolution No. 4-4-18, Series of 2018. Councilmember Rice seconded the motion. By a six-yes vote, the motion was approved.

RESOLUTION NO. 4-5-18, SERIES OF 2018 - A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE NATIONAL RECREATION AND PARK ASSOCIATION AND THE CITY OF STERLING REGARDING A 2018 RURAL COMMUNITIES HEALTHY OUT-OF-SCHOOL TIME GRANT:

City Manager Saling advised Council this resolution approves the terms of a Memorandum of Understanding relating to a \$35,000 2018 Rural Communities Healthy Out-of-School Time grant which has been awarded to the City of Sterling. No matching funds are required for this grant.

Councilmember Appelhans made a motion to approve Resolution No. 4-5-18, Series of 2018. Councilmember McCarty seconded the motion. By a six-yes vote, the motion was approved.

RESOLUTION NO. 4-6-18, SERIES OF 2018 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO APPROVING AN AGREEMENT WITH RE-1 VALLEY SCHOOL DISTRICT AND STERLING BASEBALL ORGANIZATION:

City Manager Saling advised Council this resolution approves an agreement with RE-1 Valley School District and Sterling Baseball Organization that defines and clarifies the liability and responsibilities of each party for the furtherance of a little league and SBO 90 youth baseball program in Sterling, to be operated by the Sterling Baseball Organization. The Department of Parks, Library and Recreation has a 2018 calendar year budgeted appropriation for this type of program that the Sterling Baseball Organization has been conducting for several years now. The agreement spells out specific costs that the City will pay for such items as electricity, various items of equipment as agreed upon, and umpires for home games. The agreement also specifically states that the amount for the umpires shall be reduced if deemed necessary by the City to cover any excess of budgeted amounts for the baseball budget, so as not to exceed the total annual allocation for the program.

Councilmember Rice made a motion to approve Resolution No. 4-6-18, Series of 2018. Councilmember Appelhans seconded the motion. By a six-yes vote, the motion was approved.

RESOLUTION NO. 4-7-18, SERIES OF 2018 – A RESOLUTION OF INTENT TO ANNEX THE RIVER BOTTOM FLATS ADDITION TO THE CITY OF STERLING, LOGAN COUNTY, COLORADO:

City Manager Saling advised Council this resolution sets forth the City's intent to annex an unincorporated area that is owned by the City and is not solely a public street or right-of-way. Adoption of this resolution will initiate the annexation proceedings.

Councilmember Appelhans made a motion to approve Resolution No. 4-7-18, Series of 2018. Councilmember McCarty seconded the motion.

Councilmember McCarty advised it would be beneficial to see the number of acres in the narrative for an agenda item such as this.

By a six-yes vote, the motion was approved.

DEPARTMENT REPORT – POLICE DEPARTMENT:

Sergeant Matt Williams gave the Police Department report.

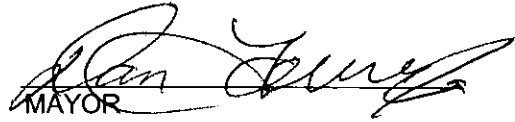
MISCELLANEOUS COUNCIL BUSINESS:

Councilmember McCarty asked if there was a time that a tour of the wells, ditches and capital improvements with City Council could be done again.

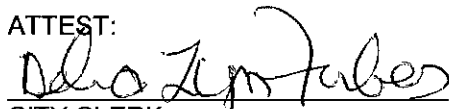
Police Chief Tyson advised Council that as far as the equipment the City purchases for the Police Officer, there is a very good return on the investment.

ADJOURNMENT:

There being no further business to come before Council the meeting adjourned at 8:20 p.m.


MAYOR

ATTEST:


CITY CLERK