

STERLING, COLORADO
APRIL 26, 2022

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 Blankenship gave the invocation. Mayor Desormeaux 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 26, 2022. Mayor Desormeaux called the meeting to order at 5:30 p.m.

Councilmembers present:

Mayor	Desormeaux
Councilmembers	Anderson Blecha Janes Ritter

Councilmembers absent:

Councilmembers	Gaines Haynie
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Also present:

City Manager	Blankenship
City Attorney	Richardson
City Clerk	Forbes
Fire Chief	Ritter
Police Chief	Kerr
Parks, Library and Recreation (PLR) Director	Gandee
Public Works Director	Good
Human Resource Director	Brown
Paralegal	Welsh

Citizens present: 29

CONSENT AGENDA:

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

Anderson	yes	Blecha	yes
Janes	abstain	Desormeaux	yes
Ritter	yes		

Items on the consent agenda were: City Council minutes of April 12, 2022 and an application for renewal of Beer & 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:

CITY MANAGER'S REPORT:

City Manager Blankenship updated Council on the following:
Wastewater Projects:

- Head Works Project – 85% Complete
- Sewer Pipe Line Project – 15%
- Wastewater Treatment Plant Project – Challenges
- Heritage Park Project

Meetings/Events Attended

- Colorado City & County Manager Association Meeting
- Attorney General Phil Weiser Town Hall Meeting at NJC
- Ribbon Cutting hosted at Chamber of Commerce
- Main Street Zoom Meeting with Traci Stoffel, DOLA
- Logan County Economic Development Center (LCEDC) Board Meeting at the office in Walker Hall at NJC.
- Business View Magazine - finalized. May 2022 Issue.
- Water Rights Associated of the South Platte (WRASP) Zoom Meeting.
- Sterling Retail Business Board Meeting
- Citizens Advisory Board Meeting
- Spring Cleanup Update
- SURA – There are seats coming open for Council to consider filling

NEW BUSINESS:

PRESENTATION OF PROVIDER APPRECIATION DAY PROCLAMATION:

Mayor Desormeaux read and presented the Provider Appreciation Day proclamation to Ms. Stacey Zink, Early Childhood Council, along with other providers.

PRESENTATION FROM DEAN HAYNES:

Present to address Council was Mr. Dean Haynes, 426 North 3rd Street. Mr. Haynes had concerns over things from the past 20 years consisting of noncompliant properties. He provided Council with documents to assist Council in understanding his concerns. Mr. Haynes would like to return to Council at their next meeting to go over what Council has found.

PUBLIC HEARING – CONDITIONAL USE APPLICATION – CRAIG L. AND DEVON M. McCARTY, FOR A SHORT-TERM RENTAL/BOARDING HOUSE ON THE PROPERTY KNOWN AND NUMBERED AS 709 HAMILTON STREET:

City Manager Blankenship advised Council in accordance with Section 502 of the Zoning Ordinance, all requests for conditional use shall be acted upon by the City Council following

receipt of a recommendation from the Planning Commission. This request is for a short-term rental/boarding house on the property known and numbered as 709 Hamilton Street. The subject property is zoned Medium Density Residential (R2). Boarding Houses and Rooming Houses is a conditional use in areas zoned Medium Density Residential (R2). At its April 6, 2022 meeting, the Planning Commission approved the application. Proper publication of the notice of public hearing before City Council appeared in the Sterling Journal-Advocate, and the proper mailing of the Notice was done.

Mayor Desormeaux opened the public hearing.

Present to address Council was Mr. Craig L. and Mrs. Devon M. McCarty, 2406 Spruce Creek Drive, Fort Collins, Colorado 80528. They advised they have been restoring the house on Hamilton and would like to do short-term rental for professional people that are coming to town.

Mayor Desormeaux closed the public hearing.

Councilmember Janes moved for approval of the conditional use request from Craig L. and Devon M. McCarty for a short-term rental/boarding house on the property known and numbered as 709 Hamilton Street, which is zoned R2, based on the findings made by the Sterling Planning Commission, as set forth in Chapter V, Conditional Uses, Sec. 505, Review and Recommendation of the Zoning Ordinance. Councilmember Ritter seconded the motion. By a five-yes vote, the motion was approved.

PUBLIC HEARING – CONDITIONAL USE APPLICATION – 406 JEFFERSON STERLING TRANSITIONAL HOUSE LLC FOR A SOBER LIVING/TRANSITIONAL HOUSE FOR UP TO FOUR OCCUPANTS ON THE PROPERTY KNOWN AND NUMBERED AS 406 JEFFERSON STREET:

City Manager Blankenship advised Council in accordance with Section 502 of the Zoning Ordinance, all requests for conditional use shall be acted upon by the City Council following receipt of a recommendation from the Planning Commission. This request is for a sober living/transitional house for up to four occupants, on the property known and numbered as 406 Jefferson Street. The subject property is zoned Medium Density Residential (R2). Boarding Houses and Rooming Houses is a conditional use in areas zoned Medium Density Residential (R2).

At its April 6, 2022 meeting, the Planning Commission approved the application.

Proper publication of the notice of public hearing before City Council appeared in the Sterling Journal-Advocate, and the proper mailing of the Notice was done.

Per Sec. 506 of the Sterling City Code, the City Council shall render a final decision of approval, conditional approval, or denial.

Mayor Desormeaux opened the public hearing.

Present to address Council was Mr. Josh Mayhugh and Mr. Doug Carrigan. They advised Council this was a house previously used for females. They have discontinued females and will have four males.

Mayor Desormeaux closed the public hearing.

Councilmember Anderson moved for approval of the conditional use request from 406 Jefferson Sterling Transitional House LLC for a sober living/transitional house for up to four occupants on the property known and numbered as 406 Jefferson Street, which is zoned R2, based on the findings made by the Sterling Planning Commission, as set forth in Chapter V, Conditional Uses,

Sec. 505, Review and Recommendation of the Zoning Ordinance. Councilmember Blecha seconded the motion. By a five-yes vote, the motion was approved.

FIRST READING - ORDINANCE NO. 3, SERIES OF 2022 – AN ORDINANCE APPROVING THE CENTRAL DEVELOPMENT PROPERTIES SUBDIVISION, BEING A PORTION OF THE N1/2NW1/4, SECTION 32, TOWNSHIP 8 NORTH, RANGE 52 WEST, 6TH P.M., CITY OF STERLING, LOGAN COUNTY, COLORADO; AND APPROVING THE PLAT THEREOF:

City Manager Blankenship advised Council on April 6, 2022, the Planning Commission held a public hearing on the Subdivision Application submitted by David Lee Pickering and Kelly Don Pickering, as Agents for C Double P Land & Development LLC, and found that the application met all requirements of Chapter 18, Subdivisions.

The Planning Commission recommended approval of this subdivision, which will be known as the Central Development Properties Subdivision, being a portion of the N1/2NW1/4, Section 32, Township 8 North, Range 52 West, 6th P.M., City of Sterling, Logan County, Colorado. This Ordinance sets forth findings by City Council and approves the subdivision and plat.

Councilmember Janes made a motion to introduce Ordinance No. 3, Series of 2022. Councilmember Ritter seconded the motion. City Clerk Forbes read the ordinance by title. By a five-yes vote, the motion was approved.

FIRST READING - ORDINANCE NO. 4, SERIES OF 2022 — AN ORDINANCE APPROVING THE SUBDIVISION OF LOT 6 OF PLATTE VALLEY INDUSTRIAL PARK – PHASE 1 SUBDIVISION IN THE CITY OF STERLING, LOGAN COUNTY, COLORADO; AND APPROVING THE PLAT THEREOF:

City Manager Blankenship advised Council on April 6, 2022, the Planning Commission held a public hearing on the Subdivision Application submitted by Dan E. Long, as Agent for Platte Valley Real Estate, LLC, and found that the application met all requirements of Chapter 18, Subdivisions.

The Planning Commission recommended approval of this subdivision, which will be known as the Subdivision of Lot 6 of Platte Valley Industrial Park -- Phase 1 Subdivision in the City of Sterling, Logan County, Colorado. This Ordinance sets forth findings by City Council and approves the subdivision and plat.

Councilmember Ritter made a motion to introduce Ordinance No. 4, Series of 2022. Councilmember Janes seconded the motion. City Clerk Forbes read the ordinance by title. By a five-yes vote, the motion was approved.

RESOLUTION NO. 4-8-22, SERIES OF 2022 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, APPROVING A MUTUAL AID AGREEMENT BETWEEN THE CITY OF STERLING AND THE SECRETARY OF THE AIR FORCE, ACTING BY AND THROUGH THE COMMANDER, 90TH MISSILE WING (ICBM ALERT/LAUNCH FACILITIES AND ICBM TRANSPORT INCIDENTS); AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT:

City Manager Blankenship advised Council this Resolution approves the terms of a Mutual Agreement between the Secretary of the Air Force and the City of Sterling for continued mutual aid in fire protection and the management of other emergency incidents occurring within areas under their respective jurisdictions. This updates a previous agreement between the parties.

Councilmember Blecha made a motion to approve Resolution No. 4-8-22, Series of 2022. Councilmember Janes seconded the motion. By a five-yes vote, the motion was approved.

RESOLUTION NO. 4-9-22, SERIES OF 2022 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, APPROVING A SCULPTURE PURCHASE AGREEMENT AMONG THE CITY OF STERLING, PAM WERNER AND MIKE WERNER, AND

BRADFORD RHEA, FOR THE PURCHASE OF A BRONZE SCULPTURE TO BE PLACED IN HERITAGE PARK:

City Manager Blankenship advised Council this Resolution approves a Sculpture Purchase Agreement among the City of Sterling, Pam Werner and Mike Werner, and Bradford Rhea, pertaining to the purchase of a bronze sculpture from Bradford Rhea to be placed in Heritage Park, for the purchase amount of \$110,000.00.

By Resolution No. 11-7-21, Series of 2021, Council approved the expenditure of funds from the City of Sterling Hotel Tax in the amount of \$100,000.00 to be used towards the \$150,000.00 estimated cost of purchasing and placing a bronze sculpture in Heritage Park. This Agreement provides for the City to pay that approved amount of \$100,000.00 towards the purchase of the sculpture. The \$100,000.00 does not include installation costs, which will be additional. The cost of the purchase of the bronze sculpture is \$110,000.00. The City's share will be \$100,000.00 and the Werners will pay the balance of \$10,000.00. The cost for installing the sculpture will be additional and subject to a separate document.

Councilmember Anderson made a motion to approve Resolution No. 4-9-22, Series of 2022. Councilmember Ritter seconded the motion. By a five-yes vote, the motion was approved.

RESOLUTION NO. 4-10-22, SERIES OF 2022 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, AUTHORIZING THE ENGAGEMENT OF THE LAW FIRM OF BUTLER SNOW LLP FOR THE PURPOSE OF PROVIDING LEGAL SERVICES FOR THE CITY OF STERLING REGARDING A BALLOT ISSUE TO BE PLACED ON THE NOVEMBER 8, 2022 ELECTION FOR THE ISSUANCE OF OBLIGATIONS TO FINANCE WASTEWATER IMPROVEMENTS FOR THE CITY'S WASTEWATER UTILITY ENTERPRISE; AND APPROVING AN AGREEMENT:

City Manager Blankenship advised Council this Resolution approves the engagement of the law firm of Butler Snow LLP to provide the City with legal assistance in drafting a ballot question related to the issuance of obligations to finance the City's wastewater treatment improvements project, including the preparation of an election resolution and legal advice regarding this matter.

The estimated fee for this engagement is \$25,000.00, if the election is successful and the financing is consummated. If the election is unsuccessful, the City will only be billed for out-of-pocket costs which are estimated not to exceed \$500.00.

Councilmember Janes made a motion to approve Resolution No. 4-10-22, Series of 2022. Councilmember Anderson seconded the motion. By a five-yes vote, the motion was approved.

RESOLUTION NO. 4-11-22, SERIES OF 2022 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, AUTHORIZING THE ENGAGEMENT OF THE LAW FIRM OF LEWIS BRISBOIS BISGAARD & SMITH LLP AND TRACEPOINT, LLC FOR THE PURPOSE OF PROVIDING SERVICES FOR THE CITY OF STERLING REGARDING INTERNET SECURITY MATTERS:

City Manager Blankenship advised Council this Resolution approves the engagement of the law firm of Lewis Brisbois Bisgaard & Smith LLP, and Tracepoint, LLC, to provide services for the City of Sterling regarding internet security matters. The City's insurance will cover the cost for the services above the City's deductible amount.

Councilmember Janes made a motion to approve Resolution No. 4-11-22, Series of 2022. Councilmember Ritter seconded the motion. By a five-yes vote, the motion was approved.

DEPARTMENT HEAD REPORT – FIRE DEPARTMENT:

Fire Chief Ritter gave a report of the Fire Department. He went over the duties of the Fire Department and how it has changed from the past to how it is now. He asked for a pay step change and would like to have it effective July 1, 2022 and the rest of the increase in 2023.

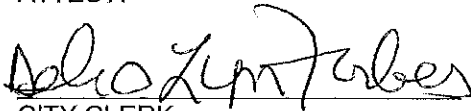
MISCELLANEOUS COUNCIL BUSINESS:

Councilmember Anderson asked what staff was going to do with the information Mr. Haynes provided to Council. Councilmember Anderson suggested to list all the items and give a comment regarding if it is a code violation or a civil violation.

There being no further business to come before Council the meeting adjourned at 6:35 p.m.


MAYOR

ATTEST:


CITY CLERK