

STERLING, COLORADO
APRIL 27, 2021

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 27, 2021. Mayor Appelhans called the meeting to order at 5:31 p.m.

Councilmembers present:

Mayor	Appelhans
Councilmembers	Anderson Blecha Desormeaux Janes McCarty Ritter

Also present:

City Manager	Saling
City Attorney	Penny
Deputy City Attorney	Richardson
City Clerk	Forbes
Fire Chief	Ritter
Police Chief	Kerr
Public Works Director	Good
Parks, Library and Recreation (PLR) Director	Gandee
Public Safety Communications (PSC) Director	Lybrand
Parks, Forestry and Cemetery Superintendent	Ulrich

Citizens present: 17

Citizens present on ZOOM: 1

Mayor Appelhans advised Council Agenda Item 7-A would be removed from the agenda, as Steve Hort was unable to attend the meeting.

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 were: City Council minutes of April 13, 2021 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:

Present to address Council was Mr. Dan Jones, Jr., 303 Elwood Street. Mr. Jones advised Council he took offense to the negativity that was on Facebook and Letters to the Editor. He advised that people should get their facts straight before posing.

Next to address Council was Ms. Devon Miller, 530 McKinley Street. Ms. Miller asked Council if she could go forward with the petition on North 4th Avenue, with a lower interest rate and longer terms. City Manager Saling advised Ms. Miller that he would be covering this topic in his City Manager report.

UNFINISHED BUSINESS:

SECOND READING AND PUBLIC HEARING – ORDINANCE NO. 2, SERIES OF 2021 - AN ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE AMOUNT OF TWELVE MILLION, EIGHT HUNDRED EIGHTY-EIGHT THOUSAND THIRTY-NINE DOLLARS (\$12,888,039) AND REGULATING THE PAYMENT OF MONEY OUT OF THE CITY TREASURY, AND INCREASING THE AMOUNT OF THE REVENUE BUDGET FOR 2021 BY NINE MILLION SIX HUNDRED TWO THOUSAND ONE HUNDRED SEVENTEEN DOLLARS (\$9,602,117):

City Manager Saling advised Council first reading of this Ordinance took place on April 13, 2021, and it was thereafter published. This Ordinance relates to the open purchase orders at the end of 2020, and other revenue received in 2021. This will increase expenses of \$12,888,039 and revenue of \$9,602,117.

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 Anderson made a motion to approve Ordinance No. 2, Series of 2021. 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:

- 7 Million Gallon Water Tank Rehabilitation project update.
- Federal Communication Commission – Radio License Renewals.
- Parks, Library and Recreation Department – Return to Normal Hours
- City Manager Recruitment

City Manager Saling advised Council that he handed out the Logan County Hazard Mitigation Plan and asked Council to review the plan. It will be on the next Council agenda as a Resolution for adoption.

City Manager Saling advised Council that within the week the Heritage Park bid will go out. Hopefully the information will be back for the first meeting in June.

City Manager Saling advised Council that the Logan County Commissioners are asking the City for \$10,000 to help with the removal of the building at Sunset Memorial Gardens Cemetery. Originally, the City and County budgeted \$20,000 each for the columbarium and the cost came in less. The County is asking the City to pay the \$10,000 that is left from the columbarium.

Mayor Appelhans excused himself from the meeting.

Mayor Pro-tem Desormeaux took over the Council meeting.

Councilmember McCarty made a motion to approve the \$10,000 from the Sunset Memorial Garden Fund for the demolition of the building. Councilmember Janes seconded the motion. By a six-yes vote and one-abstain vote the motion was approved. Voting was as follows:

McCarty	yes	Desormeaux	yes
Appelhans	abstain	Anderson	yes
Blecha	yes	Janes	yes
Ritter	yes		

Mayor Appelhans came back to the meeting.

Public Improvement District – Devon Miller – North Fourth Street – City Manager Saling advised Council in September of 1998, the City Council passed Ordinance No. 37-98, which removed several Sections of Chapter 15 of the City Code and added Section 15-6 – City-funded special improvement districts. Section 15-6 permits “the city pursuant to the home rule powers of the city, the city council may form a special improvement district for the purpose of repayment to the city of all funds used to finance the improvements.” Within the Ordinance creating the special improvement district, Council shall specify the assessment to be made for repayment to the city, including, but not limited to, interest, if applied, and payment periods required. Since 1998, the City has created two (2) special improvement districts, McKinley Street curb, gutter and sidewalk improvements and 430 Cleveland Street for curb and gutter. McKinley (1998) had an interest rate of seven percent (7%) per annum, amortized over a period of ten (10) years. Cleveland (2014) had an interest rate of 3.9% per annum, amortized over a period of ten (10) years. In both instances, if full payment was made within 90 days, there was no interest charged. Staff will bring forth at the next Council meeting for some suggestions for City Council to consider regarding the proposed North Fourth Street Special Improvement District.

NEW BUSINESS:

RECOGNITION TO STEVE HORT FOR RECEIVING THE “FIELDS OF EXCELLENCE AWARD”:

This item was removed from the agenda at the beginning of the meeting.

PRESENTATION OF ARBOR DAY PROCLAMATION:

Mayor Appelhans read and presented the Arbor Day Proclamation to Parks, Forestry and Cemetery Superintendent Ulrich.

CITIZENS ADVISORY BOARD AND NORTHEASTERN JUNIOR COLLEGE YOUNG FARMERS REQUEST:

Present to address Council was Ms. Kim Sellers from CAB and Mr. Dave Lieber from NJC Young Farmers. Ms. Sellers and Mr. Lieber advised Council that the County has cut their advertising for

the tractor pull. They usually ask for \$4,500 from the Logan County tax to get the word out. The County only approved \$3,500 and they are asking the City for \$1,000 out of the Hotel Tax fund.

Councilmember Desormeaux made a motion to take \$1,000 out of the Hotel Tax Fund for the NJC Young Farmers advertising. Councilmember Anderson seconded the motion. By a seven-yes vote, the motion was approved.

PRESENTATION FROM TRAE MILLER – LOGAN COUNTY HOUSING ACTION PLAN:

Ms. Willa Williford, Williford, LLC was on ZOOM and gave the Logan County Housing Action Plan presentation.

RESOLUTION NO. 4-3-21, SERIES OF 2021 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, OPPOSING BALLOT INITIATIVE 16 IN ORDER TO PROTECT OUR LIVESTOCK INDUSTRY:

City Manager Saling advised Council this Resolution expresses the opposition of the Sterling City Council to a citizens initiative entitled "Protect Animals from Unnecessary Suffering and Exploitation (PAUSE)", which was approved by the Title Board of the Colorado Secretary of State for petition to the November 2022 General Election as Initiative 16, which Initiative is an industry killing effort that will disrupt all respects of meat production, sales and export.

Councilmember McCarty made a motion to approve Resolution No. 4-3-21, Series of 2021. Councilmember Desormeaux seconded the motion.

Councilmember Desormeaux advised it is important that the Council supports their income and livelihood. By a seven-yes vote, the motion was approved.

RESOLUTION NO. 4-4-21, SERIES OF 2021 - A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, RESCINDING RESOLUTION NO. 3-3-20, SERIES OF 2020, CONCERNING THE CORONAVIRUS (COVID-19) PUBLIC HEALTH EMERGENCY:

City Manager Saling advised Council this Resolution declares the Coronavirus (COVID-19) public health emergency has passed, and rescinds Resolution No. 3-3-20, Series of 2020 regarding emergency management matters.

Councilmember Anderson made a motion to approve Resolution No. 4-4-21, Series of 2021. Councilmember Janes seconded the motion. By a seven-yes vote, the motion was approved.

DEPARTMENT REPORT – POLICE DEPARTMENT:


Police Chief Kerr gave the Police Department report.

MISCELLANEOUS COUNCIL BUSINESS:


Councilmember McCarty asked for a tour to be setup to look at the River Bottom and other City properties and for Council to let City Manager Saling know some good dates for the tour.

Councilmember McCarty also brought up regarding Mr. Dan Torres' comments about the negative comments made. He also felt that inappropriate comments were made and urged people to come to Council meetings to get information.

There being no further business to come before Council the meeting adjourned at 6:55 p.m.


MAYOR

ATTEST:


CITY CLERK