

STERLING, COLORADO
APRIL 28, 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 28, 2020. Mayor Appelhans called the meeting to order at 6:00 p.m.

Councilmembers present:

Mayor	Appelhans
Councilmembers	Anderson Blecha Desormeaux McCarty Ritter

Councilmember absence:

Councilmember	Janes
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Also present:

City Manager	Saling
City Attorney	Penny
City Clerk	Forbes

Citizens present: 1

CONSENT AGENDA:

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

Items on the consent agenda are: City Council minutes of April 14, 2020, an application for renewal of beer & wine liquor license for Momma Conde's Restaurant located at 100 Broadway, Suite 4, an application for renewal of retail liquor store license for Discount Liquors located at 1000 West Main Street and an application for renewal of fermented malt beverage off-premises license for Eagle Travel Stops & Convenience Stores located at 1550 E. Chestnut Street.

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

None

UNFINISHED BUSINESS:

SECOND READING AND PUBLIC HEARING – 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 that first reading of this ordinance took place on April 14, 2020, and it was thereafter published. 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 1st 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.

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. 5, Series of 2020. Councilmember Desormeaux seconded the motion. By a six-yes vote, the motion was approved.

CITY MANAGER'S REPORT:

City Manager Saling updated Council on the following:

- COVID-19 update
- Sales tax - April
- CARES Act grant – Airport
- Multimodal Opportunity Funding – Pioneer Drainage Ditch Trail project
- Wastewater Headworks – 14" Valve Replacement

City Manager Saling advised Council he received a letter from a hotel asking the City to waive their hotel tax. There was discussion regarding this is tax collected for the City, it is not money that took away from their profit. It was the consensus of Council not to approve waiving the hotel tax.

City Manager Saling advised Council of a letter he wrote to Sterling Urban Renewal Authority requesting they have a relief fund for COVID-19 – assistance to downtown businesses. It was the consensus of Council to back this letter.

City Manager Saling advised Council staff is waiting for guidance from the Health Department regarding the Library and Museum opening. At the Library in Brush they have a curbside service that was approved by the Health Department. The City is trying to get the same process approved. Staff is still waiting to hear about the Museum. The fireworks will be ordered, and if not shot off on July 4th, it will be done at a later time. City Manager Saling asked Council's opinion for the Heritage Festival. He advised his recommendation would be to cancel the Heritage Festival. Also, the swimming pool would not be open for the summer. It was the consensus of Council to approve both of those cancelations.

City Manager Saling advised Council of a document that Logan County provided to him regarding "Safer At Home". City Manager Saling and Mayor Appelhans gave input to this document. Logan County Commissioners are asking for signatures from the Mayor and City Manager. It is the intent of this document to get businesses opened in Logan County. There was discussion regarding the numbers that had been redacted in the copy given to Council. City Manager Saling advised Council that the Emergency Manager had asked that the numbers be redacted. Council advised that the Commissioners had seen these numbers when they signed it because the copy the Council was given was after the Commissioners had signed and those numbers were redacted. City Manager Saling advised he knows what the numbers are and would feel comfortable signing the document. The consensus of Council was they would not approve of having the Mayor sign the document that they did not see the numbers.

NEW BUSINESS:

RESOLUTION NO. 4-3-20, SERIES OF 2020 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE COLORADO DEPARTMENT OF CORRECTIONS PERTAINING TO SERVICES FROM THE CITY OF STERLING FIRE DEPARTMENT REQUESTED BY THE COLORADO DEPARTMENT OF CORRECTIONS:

City Manager Saling advised Council this resolution approves a Memorandum of Understanding with the Colorado Department of Corrections for the provision of certain fire prevention, fire suppression, and hazardous materials services by the City.

Councilmember Anderson made a motion to approve Resolution No. 4-3-20, Series of 2020. Councilmember Desormeaux seconded the motion. By a five-yes and one-abstain vote, the motion was approved. Voting was as follows:

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

RESOLUTION NO. 4-4-20, 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 2020 CURB RAMP AND ON-CALL CONCRETE CONTRACTOR PROJECT #20-002:

City Manager Saling advised Council this resolution approves the bid received from Concrete Specialties and Utilities Construction, Inc., for the City of Sterling 2020 Curb Ramp and On-call Concrete Contractor project #20-002, in the amount of \$70,872.70. This is the only 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 Desormeaux made a motion to approve Resolution No. 4-4-20, Series of 2020. Councilmember McCarty seconded the motion. By a six-yes vote, the motion was approved.

FIRST READING – ORDINANCE NO. 6, SERIES OF 2020 – AN ORDINANCE APPROVING A FRANCHISE AGREEMENT WITH SPECTRUM PACIFIC WEST, LLC, DOING BUSINESS AS CHARTER COMMUNICATIONS, TO CONSTRUCT AND OPERATE A CABLE SYSTEM AND OFFER CABLE SERVICE AND OTHER SERVICES IN, ALONG, AMONG, UPON, ACROSS, ABOVE, OVER, UNDER, OR IN ANY MANNER CONNECTED WITH PUBLIC WAYS WITHIN THE CITY:

City Manager Saling advised Council this ordinance approves a Franchise Agreement with Spectrum Pacific West, LLC, doing business as Charter Communications, which constitutes a non-exclusive agreement between the City and Spectrum Pacific West, LLC to operate and maintain a cable system in the Sterling service area to provide cable-related needs of the community. This is for a seven year franchise agreement as it will coincide with Brush and Fort Morgan and negotiations could be done at the same time.

Councilmember Desormeaux made a motion to introduce Ordinance No. 6, Series of 2020. Councilmember Anderson seconded the motion. City Clerk Forbes read the ordinance by title. By a six-yes vote, the motion was approved.

MISCELLANEOUS COUNCIL BUSINESS:

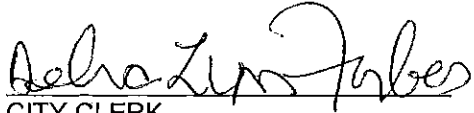
None

ADJOURNMENT:

There being no further business to come before Council the meeting adjourned at 7:00 p.m.

MAYOR

ATTEST:



CITY CLERK