

STERLING, COLORADO
APRIL 25, 2023

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 Jared Sonnenberg, Leroy Church, 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 25, 2023. Mayor Desormeaux called the meeting to order at 5:30 p.m.

Councilmembers present:

Mayor	Desormeaux
Councilmembers	Angell Blecha Delgado Haynie Janes Ritter

Also present:

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

Citizens present: 11

CONSENT AGENDA:

Mayor Desormeaux advised she would be abstaining because she was not at the April 18, 2023 meeting.

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

Janes	yes	Delgado	yes
Desormeaux	abstain	Angell	yes
Blecha	yes	Haynie	yes
Ritter	yes		

Items on the consent agenda were: City Council minutes of April 11, 2023, Special City Council minutes of April 18, 2023 and permit application and report of changes for Walmart #924 located at 1510 West Main Street.

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

Present to address Council was Ms. Linda Gebauer, 1302 South 3rd Avenue. Ms. Gebauer advised she was on Planning Commission and many years ago they looked into the issue of allowing chickens. She advised that a lot of time was spent on this issue and gave Council ideas that the Planning Commission looked at.

City Attorney Richardson arrived.

UNFINISHED BUSINESS:

CITY MANAGER'S REPORT:

- Sales and Lodging Taxes
- Water Production/Demand
- CML SB23-214 Land Use Update

City Manager Blankenship handed out an Ordinance that was prepared in 2014 regarding chickens, which failed on the first reading.

Regarding Ty Jackson, City Manager Blankenship provided Council with a copy of a letter that was prepared. He advised Council this would be on the agenda for the May 9, 2023 Council meeting.

Councilmember Delgado asked for the figures of the revenue which would be lost from the items listed on the letter.

NEW BUSINESS:

PUBLIC HEARING – CONDITIONAL USE APPLICATION – HOSPICE OF THE PLAINS – FOR OFFICES FOR HOSPICE STAFF AND EVENTUAL DURABLE MEDICAL EQUIPMENT PROVIDER LOCATION ON THE PROPERTY KNOWN AND NUMBERED AS 302 NORTH 9TH AVENUE, STERLING, COLORADO:

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. The request is for offices for hospice staff and eventual durable medical equipment provider location on the property known and numbered as 302 North 9th Avenue. The subject property is zoned Medium Density Residential (R2). A use by a charitable, civic, youth, and social fraternal organizations are a conditional use in R2 zoning districts. At is April 5, 2023, meeting, the Planning Commission recommended a conditional approval of the application with the conditions being: (1) any

additional building will require an expansion of the conditional use in the future; (2) no illuminated signs will be permitted on the property; and (3) directional lighting for parking is to be directed away from other properties in the area. 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.

There were no comments.

Mayor Desormeaux closed the public hearing.

Councilmember Janes moved for approval of the conditional use request from Hospice of the Plains, for offices for hospice staff on the property known and numbered as 302 North 9th Avenue, which is zoned R2, Medium Density Residential, with the conditions that (1) any additional building will require an expansion of the conditional use in the future; (2) no illuminated signs will be permitted on the property; and (3) directional lighting for parking is to be directed away from other properties in the area., 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, and in accordance with Sec. 506. Councilmember Angell seconded the motion. By a seven-yes vote, the motion was approved.

FIRST READING – ORDINANCE NO. 3, SERIES OF 2023 - AN ORDINANCE APPROVING THE B&M ADDITION RESUBDIVISION NO. 2, A PART OF LOT 29 AND ALL OF LOTS 30, 31, AND 32 OF BLOCK 46 OF THE B&M ADDITION TO THE CITY OF STERLING, COUNTY OF LOGAN, STATE OF COLORADO, SUBDIVIDED TO LOTS 30 AND 31 OF BLOCK 46 OF THE B&M ADDITION RESUBDIVISION NO. 2 TO THE CITY OF STERLING, LOGAN COUNTY, COLORADO; AND APPROVING THE PLAT THEREOF:

City Manager Blankenship advised Council on April 5, 2023, the Planning Commission held a public hearing on the Subdivision Application submitted by David Paul Appelhans, individually and as Attorney-in-Fact for Mark Allen Appelhans, Beth Ann Richert, and Donna Beth Appelhans, also known as Donna B. Appelhans and Donna Appelhans, and found that the application met all requirements of Chapter 18, Subdivisions. The Planning Commission recommends approval of this resubdivision, which will be known as the B&M Addition Resubdivision No. 2, a part of Lot 29 and all of Lots 30, 31, and 32 of Block 46 of the B&M Addition to the City of Sterling, County of Logan, State of Colorado, subdivided to Lots 30, 31 of Block 46 of the B&M Addition Resubdivision No. 2 to the City of Sterling, Logan County, Colorado.

This Ordinance sets forth findings by City Council and approves the resubdivision and plat and authorizes and confirms the execution of the certificate of same on the plat by the Mayor and attestation by the City Clerk.

Councilmember Haynie made a motion to introduce Ordinance No. 3, Series of 2023. Councilmember Blecha seconded the motion. City Clerk Forbes read the Ordinance by title. By a seven-yes vote, the motion was approved.

RESOLUTION NO. 4-3-23, SERIES OF 2023 - A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, ACCEPTING THE BID FROM McATEE CONSTRUCTION COMPANY, DOING BUSINESS AS SIMON, FOR THE CITY OF STERLING 2023 SURFACE TREATMENT PROJECT #23-001:

City Manager Blankenship advised Council this Resolution approves the bid received from McAtee Construction Company, doing business as Simon, for the City of Sterling 2023 Surface Treatment Project #23-001, in the amount of \$999,122.00. 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 2023 budget for the work to be performed.

Councilmember Delgado made a motion to approve Resolution No. 4-3-23, Series of 2023. Councilmember Ritter seconded the motion. Council was advised that the Public Works Board evaluates the streets to come up with the list of streets to be redone.

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

REQUEST FROM THE CITIZENS ADVISORY BOARD (CAB):

Present to address Council was Ms. Kim Sellers, 306 Forest Road. Ms. Sellers was present on behalf of CAB. The City received bids for the landscaping of the bump-outs, Front Street Park and Main Street. CAB would like the landscaping to all be uniformed. The bid came in at \$29,900. This includes watering the plants. They anticipate the cost of the first year will be higher and are hoping to put in watering systems.

There will be a Resolution prepared for the next regular Council meeting on May 9, 2023.

DEPARTMENT REPORT – POLICE DEPARTMENT:

Police Chief Kerr gave the Police Department report.

MISCELLANEOUS COUNCIL BUSINESS:

MISCELLANEOUS MATTERS:

Mayor Desormeaux asked Fire Chief Ritter how the Fire on the Plains went. Fire Chief Ritter advised there were 100 people attending and have decided to bring this event to Sterling every year.

ADJOURNMENT:

There being no further business to come before Council the meeting adjourned at 6:21 p.m.

ATTEST:



CITY CLERK


MAYOR