

STERLING, COLORADO
AUGUST 14, 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.

Ms. Mona Bowey, First Baptist Church, 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, August 14, 2018. Mayor Torres called the meeting to order at 7:00 p.m.

Councilmembers present:

Mayor	Torres
Councilmembers	Appelhans Desormeaux (Rhodes) Flores McCarty Pitcher Rice

Also present:

City Manager	Saling
City Attorney	Penny
City Clerk	Forbes
Human Resource (HR) Director	Brown
Police Chief	Kerr
Fire Chief	Ritter
Public Works Director	Good
Parks, Library and Recreation (PLR) Director	Gandee
Youth Services Coordinator	Nelson
Paralegal	Welsh

Citizens present: 19

CONSENT AGENDA:

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

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

Items on the consent agenda were: City Council minutes of July 24, 2018, City Council Special minutes of July 31, 2018, City Council Joint Work session minutes of July 31, 2018 and an application for renewal of beer & wine liquor license for Wonderful House Restaurant located at 100 Broadway.

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

Present to address Council was Mr. Jim McNay, 208 Delmar. Mr. McNay asked Council regarding quiet zones. This had been brought up in 2013, and at that time it was one of the top ten goals for Council. He asked Council to look into this. Mr. McNay also advised Council that on the north side of Columbine Park at South 2nd Avenue and Delmar there is not a handicap curb.

Also present to address Council was Mr. Joseph Fuller, 529 Delmar. Mr. Fuller addressed Council in reference to the no truck parking on his street, but there are other areas in town where the trucks are allowed to park.

UNFINISHED BUSINESS:

SECOND READING AND PUBLIC HEARING – ORDINANCE NO. 8, SERIES OF 2018 - AN ORDINANCE DONATING REAL ESTATE OWNED BY THE CITY OF STERLING TO THE STATE OF COLORADO DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION OF THE PROJECT KNOWN AS THE SH14 “S” CURVE IN THE CITY; AND AUTHORIZING THE MAYOR TO EXECUTE THE REQUIRED DOCUMENTS:

City Manager Saling advised Council the City has been working with the Colorado Department of Transportation on the “S” Curve project to make a smooth connection for east-west traffic to cross the City of Sterling and to specifically make the route more accessible to truck traffic. This ordinance approves the donation to the Colorado Department of Transportation of nine (9) parcels of City-owned property, consisting of 2.6736 acres, more or less, necessary for the construction of the “S” Curve project, which parcels consist of a railroad right-of-way that was abandoned and crossing locations of City streets and alleys along the new alignment of the “S” Curve being constructed. The subject parcels are being donated to the Colorado Department of Transportation as a part of the “S” Curve project being constructed by the State.

City Clerk Forbes read the ordinance by title.

Mayor Torres opened the public hearing.

There were no comments.

Mayor Torres closed the public hearing.

Councilmember Appelhans made a motion to approve Ordinance No. 8, Series of 2018. Councilmember McCarty seconded the motion. By a seven-yes vote, the motion was approved.

CITY MANAGER'S REPORT:

City Manager Saling updated Council on the following:

- Sales and Lodging taxes

- Water demand
- Water/Sewer rate study
- Logan County Fair Parade
- There will be a resolution for the ballot issue at the City Council meeting on August 28, 2018.
- CML District 1 meeting will be held on October 4, 2018 in Wray, Colorado
- The statues have been cleaned.

City Manager Saling advised Council the airport had wind damage on a hanger and received \$28,915 from CIRSA. The roof and doors have been repaired and the airport would like to use some of the excess money to change the door style to a power lift door. It was the consensus of Council to do this

NEW BUSINESS:

INTRODUCTION OF NEW CITY EMPLOYEES:

Human Resource Director Brown introduced new City employees Melvin Venable in Dispatch and John Sandobal in Water.

LOGO BRAND BUILDING COMMITTEE PRESENTATION:

Present to address Council was Glenna Phelps-Aurich, Logan County Chamber, Marilee Johnson, Logan County; Trae Miller and Laurie Jones; Logan County Economic Development Corporation. The committee gave a presentation to Council and asked for a letter of support from Council. It was the consensus of Council to do the letter.

MAYOR'S RECOMMENDATION FOR APPOINTMENT OF CITIZENS ADVISORY BOARD MEMBER:

Mayor Torres made a motion to appoint Mr. Fred Jackson to fill the remainder of Dennis Foxhoven's term ending June 2019 to the Citizens Advisory Board. Councilmember Appelhans seconded the motion. By a seven-yes vote, the motion was approved.

MAYOR'S RECOMMENDATION FOR APPOINTMENT OF CITY COUNCILMEMBER TO THE COLORADO MUNICIPAL LEAGUE POLICY BOARD:

Mayor Torres made a motion to appoint Councilmember Appelhans to the Colorado Municipal League Policy board. Councilmember Appelhans is currently serving on this board. Councilmember McCarty seconded the motion. By a six-yes and one-abstain vote, the motion was approved. Voting was as follows:

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

APPLICATION FOR RENEWAL OF RETAIL LIQUOR STORE LICENSE – G & K LIMITED LIABILITY COMPANY – ELM STREET LIQUOR – 201 ELM STREET:

City Manager Saling advised Council that the application for renewal of retail liquor store license for Elm Street Liquor, 201 Elm Street, was timely filed and the licensee has paid the required fees. The current license expires on September 21, 2018. The reports from the Police and Fire Department were mailed to the licensee. The licensee did incur a State liquor violation since the last annual application and a letter was sent to the licensee advising that a representative must appear at this Council meeting to answer any questions Councilmembers might have concerning the violation.

Present to address Council was Mr. Greg Burkholder, 14326 Dakota Road. Mayor Torres asked Mr. Burkholder what changes had been done since their violation. Mr. Burkholder advised Council that he is encouraging employees to card people.

Councilmember Appelhans made a motion to approve the retail liquor store license for Elm Street Liquor located at 201 Elm Street. Councilmember Desormeaux seconded the motion. By a seven-yes vote, the motion was approved.

RESOLUTION NO. 8-1-18, SERIES OF 2018 – A RESOLUTION BEFORE THE CITY OF STERLING LOGAN COUNTY, COLORADO, APPROVING A SIGN LOCATION LEASE WITH THE COUNTY OF LOGAN:

City Manager Saling advised Council this resolution approves a sign location lease with the County of Logan for the erection, operation and maintenance of a sign for the Logan County Shooting Sports Complex, and requires that the necessary permit for off-premises advertising be obtained from the City and, as the case may be, the State of Colorado, before said sign is placed on the land. The fee for this lease is \$1.00 per year. The initial term of the lease is one year, renewable automatically annually, until such time as it is terminated, per the terms of the lease.

Councilmember Rice made a motion to approve Resolution No. 8-1-18, Series of 2018. Councilmember Appelhans seconded the motion. By a seven-yes vote, the motion was approved.

RESOLUTION NO. 8-2-18, SERIES OF 2018 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO ACCEPTING THE BID FROM BT CONSTRUCTION, INC., FOR THE CITY OF STERLING WEST MAIN STREET WATERLINE REPLACEMENT PROJECT #17-007x:

City Manager Saling advised Council this resolution approves the bid proposal received from BT Construction, Inc. for the City of Sterling West Main Street Waterline Replacement project #17-007x, and approves and authorizes the Mayor to sign the related agreement. This was the only bid received. The bid submitted and approved by this resolution is in the amount of \$1,664,057.50. This is an acceptable amount for the project. There are funds in the Public Works 2018 budget in the amount of \$1,400,000.00 for this project and the resolution approves the expenditure of the balance of \$264,057.50 from the City Water Fund.

Councilmember Appelhans made a motion to approve Resolution No. 8-2-18, Series of 2018. Councilmember McCarty seconded the motion. By a seven-yes vote, the motion was approved.

RESOLUTION NO. 8-3-18, SERIES OF 2018 – A RESOLUTION MAKING FINDINGS OF FACT AND CONCLUSION REGARDING THE ANNEXATION OF 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 findings of fact and conclusion regarding the annexation of the River Bottom Flats Addition to the City of Sterling, Logan County, Colorado. This unincorporated area is owned by the City of Sterling, and is not solely a public street or right-of-way. This annexation complies with 31-12-104 and 31-12-105, C.R.S., as amended. Areas owned solely by a municipality may be annexed by ordinance, without notice and hearing.

Councilmember Rice made a motion to approve Resolution No. 8-3-18, Series of 2018. Councilmember Desormeaux seconded the motion. By a seven-yes vote, the motion was approved.

FIRST READING – ORDINANCE NO. 9, SERIES OF 2018 – AN ORDINANCE ANNEXING A PART OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 33, TOWNSHIP 8 NORTH, RANGE 52 WEST OF THE SIXTH PRINCIPAL MERIDIAN, LOGAN COUNTY, COLORADO, TO BE KNOWN AS THE RIVER BOTTOM FLATS ADDITION TO THE CITY OF STERLING, LOGAN COUNTY, COLORADO:

City Manager Saling advised Council by Resolution No. 8-3-18, Series of 2018, the City made findings of fact and conclusion that the unincorporated area that is the subject of this ordinance is eligible for annexation and complies with Colorado Revised Statute 31-12-106(3) and all other terms of 31-12-101, *et seq.* This ordinance annexes the River Bottom Flats Addition to the City of Sterling, Logan County, Colorado.

Councilmember Appelhans made a motion to introduce Ordinance No. 9, Series of 2018. Councilmember Desormeaux seconded the motion. City Clerk Forbes read the ordinance by title. By a seven-yes vote, the motion was approved.

FIRST READING – ORDINANCE NO. 10, SERIES OF 2018 – AN ORDINANCE ZONING A PARCEL OF LAND NOW KNOWN AS THE RIVER BOTTOM FLATS ADDITION TO THE CITY OF STERLING, LOGAN COUNTY, COLORADO:

City Manager Saling advised Council the Planning Commission held a public hearing on August 1, 2018, and as a result has recommended to City Council that the River Bottom Flats Addition to the City of Sterling, Logan County, Colorado, be zoned OS, Open Space. All requirements of the zoning provisions of the City Code have been met. This ordinance zones the River Bottom Flats Addition to the City of Sterling, Logan County, Colorado, OS, Open Space.

Councilmember Appelhans made a motion to introduce Ordinance No. 10, Series of 2018. Councilmember Rice seconded the motion. City Clerk Forbes read the ordinance by title. By a seven-yes vote, the motion was approved.

DEPARTMENT REPORT – POLICE DEPARTMENT:

Present to address Council was Youth Service Coordinator Nelson.

MISCELLANEOUS COUNCIL BUSINESS:

None

ADJOURNMENT:

There being no further business to come before Council the meeting adjourned at 8:34 p.m.


MAYOR PRO-TEM

ATTEST:


CITY CLERK