

STERLING, COLORADO
AUGUST 22, 2017

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 Brian Kroeger, Christ United Methodist 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 22, 2017. Mayor Torres called the meeting to order at 7:00 p.m.

Councilmembers present:

Mayor	Torres
Councilmembers	Appelhans Flores McCarty Pitcher Rice

Councilmember absent:

Councilmember	Lawson
---------------	--------

Also present:

City Manager	Saling
City Attorney	Penny
City Clerk	Forbes
Fire Chief	Ritter
Parks, Library and Recreation (PLR) Director	Gandee
Police Chief	Kerr
Human Resource Director	Brown
Emergency Communications Center (ECC) Director	Serl
Public Works Director	Good

Citizens present: 13

CONSENT AGENDA:

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

Items on the consent agenda were: City Council minutes of August 8, 2017 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:

None

UNFINISHED BUSINESS:

CITY MANAGER'S REPORT:

City Manager Saling updated Council on the following:

- The CML Fall District 1 meeting is scheduled for Thursday, September 28 in Fort Morgan. Reservations must be made before September 18.
- The 2017 Street Reconstruction project.
- The Division Street water line replacement project is progressing.
- Faith United Methodist Church would like to provide a thank you dinner on October 3. Reservations are needed by September 26.
- Annual Denver International Airport surplus equipment sale.
- The outdoor swimming pool is open only on Saturday, Sunday and Monday through Labor Day.
- City Manager Saling will be out of the office from Wednesday, August 23 through Tuesday, August 29. Police Chief Kerr will be acting City Manager.
- Employees' fall appreciation lunch is September 8 at Pioneer Park between 11:30 a.m. to 1:30 p.m.
- The proposed 2018 budget will be distributed to City Council at the September 12 meeting.

NEW BUSINESS:

NON-PROFIT ORGANIZATIONS COMMITTEE REPORT:

City Manager Saling advised Council of the amounts recommended by the committee made up of Councilmembers Appelhans and Rice, Human Resource Director Brown and Ms. Linda Gebauer. The recommendations are:

Red Cross	\$750
Cooperative Ministries	\$3,700
Family Resource	\$2,500
Help for Abused Partners	\$1,500
SBDC	\$1,500
NECALG	\$3,550

Councilmember Flores made a motion to approve the Non-profit recommendations for the 2018 budget from the committee. Councilmember McCarty seconded the motion. By a six-yes vote, the motion was approved.

PUBLIC HEARING – APPLICATION FOR SPECIAL EVENT PERMIT – STERLING ELKS LODGE #1336 – 321 ASH STREET:

City Manager Saling advised Council an application for a special event permit was filed by the Sterling Elks Lodge #1336 for the annual Ducks Unlimited fundraiser, to be held on September 16, 2017 from 4:00 o'clock p.m. to 12:00 o'clock, midnight, for the sale of malt, vinous and spirituous liquor. The application was timely filed and is in proper form and the required fee has been submitted. The premises were properly posted. A letter was sent to the applicant advising

of the date of the public hearing and requesting a representative be present at this meeting to answer any questions City Council might have concerning the application.

Present to address Council was Mr. Mike Bartsch, 319 Magnolia Lane.

Mayor Torres opened the public hearing.

There were no comments.

Mayor Torres closed the public hearing.

Councilmember Appelhans made a motion to approve the special event permit for the Sterling Elks Lodge #1336 located at 321 Ash Street. Councilmember McCarty seconded the motion. By a six-yes vote, the motion was approved.

PUBLIC HEARING – CONDITIONAL USE APPLICATION – JOHN P. ROTHERHAM AND ALICIA ROTHERHAM, DOING BUSINESS AS MAD MAN FABRICATION – 807 WEST BROADWAY STREET:

City Manager Saling 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 to add a paint booth for light auto restoration, which is a conditional use in that CB, Community Business, zoned area. At its August 2, 2017, meeting, the Planning Commission approved the application. Proper publication of the notice of public hearing before City Council appeared in the Sterling Journal-Advocate.

Mayor Torres opened the public hearing.

There were no comments.

Mayor Torres closed the public hearing.

Councilmember Appelhans moved for approval of the conditional use application of John P. Rotherham and Alicia Rotherham, doing business as Mad Man Fabrication, to add a paint booth for light auto restoration on the property known and numbered as 807 West Broadway Street, 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 based on the findings by Council that the application complies with the requirements of Chapter V, and that it is consistent with the intent of said Chapter V and the comprehensive Master Plan, and is compatible with the surrounding land uses, as set forth in Sec. 506, Approval criteria and conditions. Councilmember McCarty seconded the motion. By a six-yes vote, the motion was approved.

RESOLUTION NO. 8-6-17, SERIES OF 2017 - A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, AUTHORIZING THE ENGAGEMENT OF THE LAW FIRM OF MURRAY DAHL KUECHENMEISTER & RENAUD LLP FOR THE PURPOSE OF PROVIDING LEGAL SERVICES FOR THE CITY OF STERLING SALES TAX CODE REVISIONS; AND APPROVING AN AGREEMENT:

City Manager Saling advised Council this resolution approves an Attorney Engagement Agreement with the law firm of Murray Dahl Kuechenmeister & Renaud LLP to assist the City of Sterling in revising its sales tax code. Revisions have been encouraged by the Colorado Municipal League to municipalities that self-collect their own sales and use taxes, like Sterling. The law firm to be engaged has expertise and has assisted others with these recommended revisions. The revisions are adopting the standard definitions the CML committee has been working on. The cost for the contracted legal services is estimated to be approximately \$1,500.

Councilmember McCarty made a motion to approve Resolution No. 8-6-17, Series of 2017. Councilmember Rice seconded the motion. By a six-yes vote, the motion was approved.

RESOLUTION NO. 8-7-17, SERIES OF 2017 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO RATIFYING AND APPROVING THE SERVICES OF CONCRETE SPECIALTIES AND UTILITIES CONSTRUCTION, INC. FOR EMERGENCY REPAIR AND REPLACEMENT OF WATER LINE:

City Manager Saling advised Council the City required emergency repair and replacement of a water line on South Third Street between Cedar and Ash Streets. This line has been repaired over 9 times in the last month. It has taken a lot of resources and time of the City and of Concrete Specialties and Utilities Construction Inc., and has had numerous impacts on the residents of the area because of loss of water service while the lines were being repaired. This resolution ratifies and approves using the services of Concrete Specialties and Utilities Construction, Inc. for the emergency repair and replacement of the water line. The cost for this project is “not to exceed \$80,000”. The cost estimate is \$60,000 to \$80,000, which includes the 8” PVC water line, new valves, connections to laterals, installation of service lines, and two fire hydrants. The funds will come from the Water Enterprise Fund Balance and placed in a new line item within the Enterprise budget called “3rd Street Water Line Replacement”.

Councilmember Appelhans made a motion to approve Resolution No. 8-7-17, Series of 2017. Councilmember Rice seconded the motion. By a six-yes vote, the motion was approved.

DEPARTMENT REPORT – FIRE DEPARTMENT:

The Fire Department report was given by Fire Chief Ritter.

MISCELLANEOUS COUNCIL BUSINESS:

EXECUTIVE SESSION:

Mayor Torres made a motion to go into an executive session for a conference with the city attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402 (4) (b). Councilmember Appelhans seconded the motion. By a six-yes vote, the motion was approved.

Council went into executive session at 7:35 p.m.

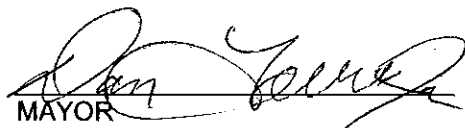
Council came out of executive session at 7:47 p.m.

Mayor Torres advised the participants in the executive session were: City Council, City Attorney, City Manager, Police Chief and Finance Director. For the record, if any person who participated in the executive session believes that any substantial discussion of any matters not included in the motion to go into the executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of the Open Meetings Law, he asked that they state their concerns for the record.


There was none.

ADJOURNMENT:

There being no further business to come before Council the meeting adjourned at 7:48 p.m.


MAYOR

ATTEST:


CITY CLERK