

STERLING, COLORADO
AUGUST 28, 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.

Councilmember Flores gave the invocation. Mayor Pro-tem 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, August 28, 2018. Mayor Pro-tem Appelhans called the meeting to order at 7:00 p.m.

Councilmembers present:

Mayor Pro-tem	Appelhans
Councilmembers	Desormeaux (Rhodes) Flores McCarty Pitcher Rice

Councilmembers absent:

Mayor	Torres
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Also present:

City Manager	Saling
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
Public Safety Communications (PSC) Director	Lybrand
Judge	Brammer
Paralegal	Welsh

Citizens present: 9

CONSENT AGENDA:

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

Item on the consent agenda was: City Council minutes of August 14, 2018.

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

None

UNFINISHED BUSINESS:

SECOND READING AND PUBLIC HEARING – 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 first reading of this Ordinance took place on August 14, 2018, and it was thereafter published. 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.

City Clerk Forbes read the ordinance by title.

Mayor Pro-tem Appelhans opened the public hearing.

There were no comments.

Mayor Pro-tem Appelhans closed the public hearing.

Councilmember Rice made a motion to approve Ordinance No. 9, Series of 2018. Councilmember McCarty seconded the motion. By a six-yes vote, the motion was approved.

SECOND READING AND PUBLIC HEARING – 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 first reading of this Ordinance took place on August 14, 2018, and it was thereafter published. 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.

City Clerk Forbes read the ordinance by title.

Mayor Pro-tem Appelhans opened the public hearing.

There were no comments.

Mayor Pro-tem Appelhans closed the public hearing.

Councilmember McCarty made a motion to approve Ordinance No. 10, Series of 2018. Councilmember Pitcher seconded the motion. By a six-yes vote, the motion was approved.

CITY MANAGER'S REPORT:

City Manager Saling updated Council on the following:

- CML District 1 Fall Meeting
- West Main Street (S-curve) Water Line Replacement project
- West Main Street Lights
- City Manager out of town
- Outdoor Swimming Pool
- Employees Appreciation Luncheon
- Labor Day Holiday
- CDOT District 4 Annual Meeting

NEW BUSINESS:

MAYOR'S RECOMMENDATION FOR APPOINTMENT OF PARKS, LIBRARY AND RECREATION BOARD MEMBER:

Mayor Pro-tem Appelhans advised Council that Tom Bedford's term on the Parks, Library and Recreation Board will expire in September 2018. He would like to be re-appointed to another three-year term.

Councilmember Desormeaux made a motion to re-appoint Mr. Tom Bedford to the Parks, Library and Recreation Board. Councilmember Flores seconded the motion. By a six-yes vote, the motion was approved.

RESOLUTION NO. 8-4-18, SERIES OF 2018 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF STERLING AND COLORADO DEPARTMENT OF LOCAL AFFAIRS – UNIVERSITY OF COLORADO DENVER, COLORADO CENTER FOR COMMUNITY DEVELOPMENT, FOR THE PURPOSE OF PREPARATION OF A DESIGN CONCEPT FOR AN URBAN PARK AND PLAQUE FOR DONORS TO THE COMMUNITY FOUNDATION OF NORTHERN COLORADO; AND APPROVING THE EXPENDITURE OF FUNDS FOR SAID SERVICES:

City Manager Saling advised Council this resolution approves A Memorandum of Understanding with the Colorado Department of Local Affairs – University of Colorado Denver, Colorado Center for Community Development, to prepare a design concept for an urban park and plaque on a parcel of land that is proposed to be donated to the City. The preparation of the design concept will not commit the City to going forward with accepting a donation or constructing an urban park, without further negotiation. The City is required to pay an amount not to exceed \$1,800.00 for this project. The Colorado Department of Local Affairs will pay \$1,200.00 of the total \$3,000.00 for the design concept.

Councilmember Rice made a motion to approve Resolution No. 8-4-18, Series of 2018. Councilmember Desormeaux seconded the motion. By a six-yes vote, the motion was approved.

RESOLUTION NO. 8-5-18, SERIES OF 2018 - A RESOLUTION OF THE STERLING CITY COUNCIL SUBMITTING THE BALLOT QUESTION TO THE REGISTERED ELECTORS OF THE CITY OF STERLING, COLORADO, AT THE MUNICIPAL ELECTION TO BE HELD NOVEMBER 6, 2018, OF ISSUING BONDS PAYABLE FROM THE CITY'S WASTEWATER UTILITY ENTERPRISE REVENUES TO FINANCE CERTAIN CAPITAL PROJECTS:

City Manager Saling advised Council this resolution authorizes placement of a ballot question regarding issuing Wastewater Utility Enterprise revenue bonds or incur other financial obligation to finance wastewater utility system capital improvements. The ballot question limits the amount of

debt for the Wastewater Utility Enterprise revenue bonds or other financial obligations to not exceed \$37,000,000 and sets the maximum net effective interest rate not to exceed 3.25%. It is anticipated that both the debt and the interest rate to be less than requested because of the uncertainty of the project costs at this time or the fluctuation in the bond market, the limits were set conservatively. Funds to pay for the bonds or other financial obligations will be generated by the monthly sewer fee that is currently being developed by a consultant.

Councilmember Desormeaux made a motion to approve Resolution No. 8-5-18, Series of 2018. Councilmember McCarty seconded the motion. By a six-yes vote, the motion was approved.

FIRST READING – ORDINANCE NO. 11, SERIES OF 2018 – AN ORDINANCE AMENDING THE STERLING CITY CODE, CHAPTER 4, ANIMALS, ARTICLE I, IN GENERAL, SECTION 4-15, BACKYARD BREEDER:

City Manager Saling advised Council this Ordinance amends Section 4-15 of the City Code, Backyard Breeder, to change reference from “Logan County Humane Society”, to “City or its animal control representative”, and to specify the penalty for violation of this section, which will be a fine of a minimum of \$400.00 and a maximum of \$999.00.

Councilmember Rice made a motion to introduce Ordinance No. 11, Series of 2018. Councilmember Pitcher seconded the motion. City Clerk Forbes read the ordinance by title. By a six-yes vote, the motion was approved.

DEPARTMENT REPORT – STERLING EMERGENCY COMMUNICATION CENTER (SECC) DEPARTMENT:

Present to address Council was PSC Director Lybrand to give the SECC Department report.

MISCELLANEOUS COUNCIL BUSINESS:
EXECUTIVE SESSION – PERSONNEL MATTERS:

Mayor Pro-tem Appelhans made a motion to go into executive session for discussion of a personnel matter under C.R.S. Section 24-6-402 (2) (f) and not involving; any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees. Councilmember McCarty seconded the motion. By a six-yes vote, the motion was approved.

Council went into executive session at 7:23 p.m.

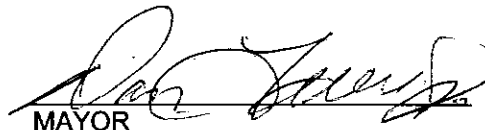
Council came out of executive session at 8:02 p.m.

Mayor Pro-tem Appelhans advised the participants in the executive session were: City Council, and Judge Brammer. 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 8:04 p.m.


MAYOR

ATTEST:



CITY CLERK