

**STERLING, COLORADO
AUGUST 8, 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 Heunik, Stoneham 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, August 8, 2023. Mayor Desormeaux called the meeting to order at 5:30 p.m.

Councilmembers present:

Mayor	Desormeaux
Councilmembers	Angell Blecha Delgado Janes Ritter

Councilmembers absent:

Councilmember	Haynie
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Also present:

City Manager	Blankenship
City Attorney	Richardson
City Clerk	Forbes
Public Works Director	Good
Fire Chief	Ritter
Human Resource Director	Mentzel
Police Chief	Kerr
Public Safety Communications Director	Lybrand
Parks, Library and Recreation Director	Gandee
Paralegal	Welsh

Citizens present: 8

CONSENT AGENDA:

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

Items on the consent agenda were: City Council minutes of July 25, 2023, application for renewal of Hotel & Restaurant Liquor License for Hootenannies located at 324 West Main Street, application for renewal of Hotel & Restaurant Liquor License for Sam & Louie's Italian Restaurant and Pizzeria location at 310 Main Street and an application for renewal of Lodging & Entertainment Liquor License for Riverview Golf Club located at 300 North Riverview Road.

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

Present to address Council was Mr. Lee Roth, 704 Elwood Street. Mr. Roth brought up a number of issues listed below:

- Dogs At-Large – Concern with dogs at large in his neighborhood. He has had four dog attacks and his dog had to be taken to the Vet and wondered if there was any legislation Council could do, if a dog is loose they have to have a muzzle and to have some kind of fine that progresses to protect the citizen.
- Tennis Courts – The City has a lot of tennis courts and asked if any of them could become a Pickleball Court. The court the City has is not an official Pickleball Court. He suggested making Pioneer Park Tennis Courts Pickleball Courts.
- Columbine Park – The park is overrun with weeds. Columbine Park is a main park and asked if something could be done.

UNFINISHED BUSINESS:

SECOND READING AND PUBLIC HEARING – ORDINANCE NO. 15, SERIES OF 2023 - AN ORDINANCE AMENDING THE STERLING CITY CODE, CHAPTER 11, NUISANCES, ARTICLE I, IN GENERAL, SEC. 11-1, PROHIBITED; RESPONSIBILITIES OF OWNERS, AGENTS, OCCUPANTS:

City Manager Blankenship advised Council First Reading of this Ordinance took place on July 25, 2023, and it was there after published. This Ordinance amends the Sterling City Code, Chapter 11, Nuisances, Sec. 11-1, to clarify any ambiguity regarding the responsibilities of owners, agents and occupants of property, and to define the meaning of the word, "property", in this section of the Code.

City Clerk Forbes read the Ordinance by title

Mayor Desormeaux opened the public hearing.

There were no comments.

Mayor Desormeaux closed the public hearing.

Councilmember Delgado made a motion to approve Ordinance No. 15, Series of 2023. Councilmember Ritter seconded the motion. By a six-yes vote, the motion was approved.

CITY MANAGER REPORT:

- Public Works Projects
- PROP123 Update and Discussion- He asked Council if Council had any issues with him doing a letter of intent. There were no concerns.
- Election Petition Update: Mayor and Council vacant seats
- City Fireworks event
- Logan County Fair KPMX Partnership event

NEW BUSINESS:

RESOLUTION NO. 8-1-23, SERIES OF 2023 - 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 2023 WATERLINE REPLACEMENT PROJECT #23-003:

City Manager Blankenship advised Council this Resolution accepts the bid from Concrete Specialties and Utilities Construction, Inc., in the amount of \$1,415,982.00, for the City's 2023 Waterline Replacement project #23-003. This was the lowest bid received for this project and the bid amount is an acceptable amount for this project. There are sufficient funds in the Public Works 2023 budget for this project.

Councilmember Janes made a motion to approve Resolution No. 8-1-23, Series of 2023. Councilmember Angell seconded the motion. By a six-yes vote, the motion was approved.

RESOLUTION NO. 8-2-23, SERIES OF 2023 - A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF STERLING AND LOGAN COUNTY CONCERNING A COORDINATED GENERAL ELECTION TO BE HELD ON NOVEMBER 7, 2023, AND AUTHORIZING THE MAYOR TO EXECUTE SAME:

City Manager Blankenship advised Council this Resolution approves an Intergovernmental Agreement between the City and County for the coordinated general election to be held on November 7, 2023, designating the Logan County Clerk and Recorder as the Coordinated Election Official. The City's proportionate share of election costs are calculated as set forth under the Agreement.

Councilmember Delgado made a motion to approve Resolution No. 8-2-23, Series of 2023. Councilmember Blecha seconded the motion. By a six-yes vote, the motion was approved.

RESOLUTION NO. 8-3-23, SERIES OF 2023 - 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 7, 2023, REGARDING SHALL ORDINANCE NO. 10, SERIES OF 2013, OF THE STERLING MUNICIPAL CODE BE AMENDED TO PERMIT RETAIL MARIJUANA STORES AS DEFINED IN ARTICLE 43.4 OF TITLE 12, C.R.S. (COLORADO RETAIL MARIJUANA CODE) FOR THE SALE OF MEDICAL AND RETAIL MARIJUANA IN THE CITY OF STERLING, LOGAN COUNTY, COLORADO:

City Manager Blankenship advised Council this Resolution authorizes placement of a ballot question with respect to allowing the retail sales of marijuana within the City limits.

Councilmember Janes made a motion to approve Resolution No. 8-3-23, Series of 2023. Councilmember Angell seconded the motion. By a six-yes vote, the motion was approved.

DEPARTMENT REPORT – STERLING EMERGENCY COMMUNICATIONS CENTER:

The Sterling Emergency Communications Center report was given by Lead Dispatcher Gockley.

MISCELLANEOUS COUNCIL BUSINESS:

MISCELLANEOUS MATTERS:

Mayor Desormeaux advised she was interviewed by K-LOVE and it will be on Sunday at 8:30 p.m.

Councilmember Angell advised he thought discussion is needed regarding the silent railroad crossings. City Manager Blankenship advised Public Works Director Good and he met with the railroad and was informed there are grants available for these.

EXECUTIVE SESSION – UNDER C.R.S. SECTION 24-6-402(4)(e) FOR THE DISCUSSION OF MATTERS WHICH MAY BE SUBJECT TO NEGOTIATION: DISCUSSION OF THE AGREEMENT FOR ANIMAL CONTROL SERVICES AND CITY MANAGER’S CONTRACT:

Mayor Desormeaux made a motion to go into executive session pursuant to C.R.S. Section 24-6-402(4)(e) for the discussion of matters which may be subject to negotiations: discussion of Agreement for Animal Control Services AND City Manager’s Contract. Councilmember Delgado seconded the motion. By a six-yes vote, the motion was approved.

Council went into executive session at 5:55 p.m.

Council came out of executive session at 6:40 p.m.

Mayor Desormeaux advised the participants in the executive session were: City Council, City Manager and City Attorney. 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, she 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 6:42 p.m.


MAYOR

ATTEST:


CITY CLERK