

STERLING, COLORADO
AUGUST 10, 2021

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 Ben Hackbarth, Sterling Foursquare Church, gave the invocation. Mayor 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 10, 2021. Mayor Appelhans called the meeting to order at 5:30 p.m.

Councilmembers present:

Mayor	Appelhans
Councilmembers	Anderson Blecha Desormeaux Janes McCarty Ritter

Also present:

City Manager	Saling
City Attorney	Richardson
City Clerk	Forbes
Fire Chief	Ritter
Police Chief	Kerr
Public Works Director	Good
Human Resource Director	Brown

Citizens present: 17

CONSENT AGENDA:

Councilmember Anderson made a motion to approve the consent agenda. Councilmember McCarty seconded the motion. By a seven-yes vote, the motion was approved.

Item on the consent agenda was: City Council minutes of July 27, 2021.

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

Present to address Council was Ms. Glenna Aurich, 1130 Westview. Ms. Aurich presented the Colorado Main Street Open for Owners grant program. This program is available for businesses to enhance their buildings and bring in more revenue. This grant is an 80/20 grant with no cost to the City. Ms. Aurich then advised the 20% could be paid by Sterling Urban Renewal Authority, the business, or the City. The first round of the grant is due August 23, 2021. Ms. Aurich is requesting a resolution or a motion from the City to let the program know that the City is onboard.

City Council asked what it would cost the City and what is the time involved.

Also present to address Council was Mr. Trae Miller, 120 Ponderosa Drive. Mr. Miller advised this project has to be completed by the end of June, 2022. For the 20 percent match, if the businesses paid they could possibly use an overlap from Sterling Urban Renewal Authority.

Mayor Appelhans advised to act on the Resolution, Council would have to have a special meeting for it to be done by August 23, 2021. However, there are other grant cycles they could apply for.

Councilmember McCarty advised he would approve this idea if there was no funding or administration from the City. Ms. Aurich advised the grant dollars have to go through the City, and she and Trae have discussed doing the administration.

It was the consensus of Council that a Resolution be done clarifying the City's participation.

UNFINISHED BUSINESS:

SECOND READING AND PUBLIC HEARING – ORDINANCE NO. 4, SERIES OF 2021 – AN ORDINANCE ANNEXING A PARCEL OF LAND TO BE KNOWN AS THE BALLPARK, LLC ADDITION TO THE CITY OF STERLING, LOGAN COUNTY, COLORADO:

City Manager Saling advised Council first reading of this Ordinance took place on July 27, 2021, and it was thereafter published. Pursuant to Resolution No. 7-1-21, Series of 2021, City Council found that this proposed annexation meets all statutory and local requirements. This Ordinance annexes the Ballpark, LLC Addition to the City of Sterling, Logan County, Colorado.

Mayor Appelhans opened the public hearing.

Present to address Council was Ms. Stacey Bellendir, 12831 County Road 37. Ms. Bellendir asked Council to consider the residents in the area.

Next to address Council was Ms. Michelle Bennett, 12811 County Road 37. Ms. Bennett had a statement from the Chairman of Highland Park Subdivision Mr. Kent Wright. Their concerns were the new businesses connecting to their sanitation district. She then covered concerns she has, as a resident of the Highland Park Sanitation District.

Also present to address Council was Mr. Bart Connolly, 9235 Crown Crest Boulevard, Suite 200, Parker, Colorado 80138. Mr. Connolly is the developer for the annexation.

The process of annexation was explained by City Manager Saling.

There were questions regarding what types of businesses are in Community Business zoning.

City Attorney Richardson advised it is zoned for Community Business and there are no requirements that the applicant has to tell what type of business they are putting in for the zoning.

Councilmember McCarty made a motion to approve Ordinance No. 4, Series of 2021. Councilmember Blecha seconded the motion. By a seven-yes vote, the motion was approved.

SECOND READING AND PUBLIC HEARING – ORDINANCE NO. 5, SERIES OF 2021 – AN ORDINANCE ZONING A PARCEL OF LAND NOW KNOWN AS THE BALLPARK, LLC ADDITION TO THE CITY OF STERLING, LOGAN COUNTY, COLORADO:

City Manager Saling advised Council first reading of this Ordinance took place on July 27, 2021, and it was thereafter published. The Planning Commission held a public hearing on July 7, 2021, and as a result has recommended to City Council that the Ballpark, LLC Addition to the City of Sterling, Logan County, Colorado, be zoned CB, Community Business. All requirements of the zoning provisions of the City Code have been met. This Ordinance zones the Ballpark, LLC Addition to the City of Sterling, Logan County, Colorado, CB, Community Business.

Mayor Appelhans opened the public hearing.

There were no comments.

Mayor Appelhans closed the public hearing.

There were questions regarding neighborhood business zoning.

Councilmember Desormeaux advised she understands everybody's concerns, but the City is really not making a change, as it currently is zoned Community Business, but in the County.

Councilmember Janes made a motion to approve Ordinance No. 5, Series of 2021. Councilmember Desormeaux seconded the motion. By a five-yes and two-no vote, the motion was approved. Voting was as follows:

Janes	yes	Desormeaux	yes
Anderson	no	Appelhans	no
Blecha	yes	McCarty	yes
Ritter	yes		

DISCUSSION/ACTION – ORDINANCE NO. 6, SERIES OF 2021 – AN ORDINANCE APPROVING THE BALLPARK LLC SUBDIVISION OF BALLPARK, LLC ADDITION TO THE CITY OF STERLING, LOGAN COUNTY, COLORADO; AND APPROVING THE PLAT THEREOF:

City Attorney Richardson advised Council that it was discovered this was a major subdivision and a final plat with the recommendations is needed before Council can make a decision.

Councilmember Desormeaux made a motion to approve Ordinance No. 6, Series of 2021. Councilmember Janes seconded the motion. By a seven-no vote, the motion was defeated.

SECOND READING AND PUBLIC HEARING – ORDINANCE NO. 7, SERIES OF 2021 – AN ORDINANCE APPROVING THE RETREAT AT HAWKSTONE, A SUBDIVISION IN THE CITY OF STERLING, LOGAN COUNTY, COLORADO; AND APPROVING THE PLAT THEREOF:

City Manager Saling advised Council first reading of this Ordinance took place on July 27, 2021, and it was thereafter published. On July 7, 2021, the Planning Commission held a public hearing on the Subdivision application submitted by Stonegate Horizons, LLC, and found that the application met all requirements of Chapter 18, Subdivisions. The Planning Commission recommended approval of this Subdivision, which will be known as The Retreat at Hawkstone, a Subdivision in the City of Sterling, Logan County, Colorado. The Ordinance sets forth findings by City Council and approves the subdivision and plat.

Mayor Appelhans opened the public hearing.

There were no comments.

Mayor Appelhans closed the public hearing.

Councilmember McCarty made a motion to approve Ordinance No. 7, Series of 2021. Councilmember Anderson seconded the motion. By a seven-yes vote, the motion was approved.

CITY MANAGER'S REPORT:

City Manager Saling updated Council on the following:

- July Sales and Lodging Taxes
- Water Demand/Production
- Wastewater Treatment Plant project – Force Main
- Flag relay on August 11
- Chamber banquet August 20, 2021
- CML District 1 meeting September 9, 2021
- City received the Pioneer grant for Phase 1

CML Policy Committee – City Manager Saling advised Council it is that time of the year where municipalities make appointments to the CML Policy Committee. Mayor Appelhans has served as the City's member for the past two years and because he is term limited, he is not eligible to be appointed again.

Mayor Appelhans made a motion to appoint Councilmember Desormeaux to the CML Policy Committee. Councilmember Anderson seconded the motion. By a six-yes and one-abstain vote, the motion was approved. Voting was as follows:

Appelhans	yes	Anderson	yes
Desormeaux	abstain	Blecha	yes
Janes	yes	McCarty	yes
Ritter	yes		

Heritage Park bid – City Manager Saling advised Council the City received one bid for the Heritage Park project (4th and Main Streets). The bid from Cornerstone Construction came in at \$523,155. The bid does not include the donated work and materials by Better Electric (all electrical materials and labor), Industrial Welding and Supply Company and Nichols Tillage Tools Inc. (custom benches and sun trellis), and Cornerstone Construction (demolition of part of the existing gas station). He has sent letters to the Sterling Community Fund, Sterling Urban Renewal Authority and the Citizen's Advisory Board (Lodging Taxes) requesting that they fund 25% each of the project with the City contributing the final 25%. He also noted that Alan and Cindy Hoal are donating the property to the City for the park.

Councilmember Desormeaux made a motion for the City to put 25% towards the Heritage Park construction project. Councilmember Janes seconded the motion. By a seven- vote, the motion was approved.

NEW BUSINESS:

PUBLIC HEARING – APPLICATION FOR TRANSFER OF RETAIL LIQUOR STORE LICENSE – EL 2020 INC – MAJOR LIQUOR – 329 IRIS DRIVE:

City Manager Saling advised Council EL 2020 Inc has filed an application for transfer of the Retail Liquor Store License for Major Liquor, 529 Iris Drive. All fees have been submitted. The premises has been previously licensed and pursuant to Colorado Revised Statutes, in determining whether to permit a transfer of ownership, the licensing authority (City Council) may only consider whether or not the applicant may hold a license, and whether or not any modification has been made to the premises. No modification has been made. The reports from the Police and Fire Departments were mailed to the applicant, along with letters advising that a representative must be present at this meeting to answer any questions Council might have.

Present to address Council was Mr. Terrance Lim, 950 Spring Creek Road, Montrose, Colorado 81403.

Mayor Appelhans opened the public hearing.

There were no comments.

Mayor Appelhans closed the public hearing.

Councilmember Blecha made a motion to approve the transfer of retail liquor store license to EL 2020 Inc located at 529 Iris Drive. Councilmember McCarty seconded the motion. By a seven-yes vote, the motion was approved.

FIRST READING – ORDINANCE NO. 8, SERIES OF 2021 – AN ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE AMOUNT OF ONE MILLION, SIX HUNDRED SEVENTY-NINE THOUSAND ONE HUNDRED FORTY-SEVEN DOLLARS (\$1,679,147) AND REGULATING THE PAYMENT OF MONEY OUT OF THE CITY TREASURY, AND INCREASING THE AMOUNT OF THE REVENUE BUDGET FOR 2021 BY TWO HUNDRED SIX THOUSAND DOLLARS (\$206,000):

City Manager Saling advised Council this Ordinance relates to projects and revenues received in 2021 after the 2021 budget was completed. The increased expenses are \$1,679,147 and the revenue is \$206,000.

Councilmember Anderson made a motion to introduce Ordinance No. 8, Series of 2021. Councilmember Desormeaux seconded the motion. City Clerk Forbes read the Ordinance by title. By a seven-yes vote, the motion was approved.

RESOLUTION NO. 8-1-21, SERIES OF 2021 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, APPROVING A PARTIAL DISTRIBUTION OF PROCEEDS OF THE CITY'S GRANT FROM THE AMERICAN RESCUE PLAN ACT OF 2021:

City Manager Saling advised Council this Resolution approves premium pay to current sworn first responders and essential workers for work performed for the City during the COVID-19 pandemic, from the grant that the City has received from the American Rescue Plan Act of 2021. Such premium pay is an eligible use of those grant proceeds. Premium Pay in the amount of \$3,000.00 will be distributed to each current sworn firefighter and police officer who worked for the City during the period of January 27, 2020 through July 30, 2021, and \$1,500.00 will be paid to each of the other essential workers who reported to work and worked their regular hours during the pandemic. The estimated total amount to be distributed is \$187,500.00.

Councilmember Ritter made a motion to approve Resolution No. 8-1-21, Series of 2021. Councilmember Desormeaux seconded the motion. By a seven-yes vote, the motion was approved.


MISCELLANEOUS COUNCIL BUSINESS:

None

There being no further business to come before Council the meeting adjourned at 7:01 p.m.

ATTEST:


CITY CLERK


MAYOR