

**STERLING, COLORADO
AUGUST 22, 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.

City Manager Blankenship 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 Delgado Haynie Janes Ritter

Councilmembers absent:

Councilmember	Blecha
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Also present:

City Manager	Blankenship
City Clerk	Forbes
Public Works Director	Good
Parks, Library and Recreation (PLR) Director	Gandee
Fire Chief	Ritter
Police Chief	Kerr
Public Safety Communications Director	Lybrand
Paralegal	Welsh

Citizens present: 6

CONSENT AGENDA:

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

Janes	yes	Delgado	yes
Haynie	abstain	Angell	yes
Desormeaux	yes	Ritter	yes

Items on the consent agenda were: City Council minutes of August 8, 2023, application for renewal of Beer & Wine Liquor License for Wonderful House Restaurant located at 100 Broadway, Suite 2 and an application for renewal of Retail Liquor Store License for Shino Liquors located at 336 E, Chestnut Street.

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

Present to address Council was Mr. Terry Dowis, 431 South 9th Street. Mr. Dowis asked Council why the agenda was not being posted on the City web site, the last posting was July 25, 2023. He also had concerns that the minutes were not posted. Mr. Dowis asked Council if there was a way they could schedule the sweeper a few more times downtown in the Fall when all the leaves are falling.

Next to address Council was Mr. Lee Roth, 704 Elwood Street. Mr. Roth advised Council he had been to the City and asked if the marijuana issue was going to be published in the newspaper. He was advised it would be. He was very disappointed that it was not.

UNFINISHED BUSINESS:

CITY MANAGER REPORT:

- Sales and Lodging Taxes – August 2023
- Water production/demand – July 2023
- Election Petition Reminder – Petition submittals due by August 28, 2023

City Manager Blankenship advised Council the Re-1 Sponsorship consideration was back in 2017 when the City sponsored the logo on the Wally Post gym floor for \$25,000, which was 5 years ago, and now they are asking for \$1,000 per year to keep it up. City Manager Blankenship asked Council since they approved it, if they were okay to keep this going. The consensus of Council was to keep going with it.

Councilmember Delgado had a concern regarding the money that Re-1 Valley gets for the other sponsorships, what the amount is and the maintenance cost.

NEW BUSINESS:

RESOLUTION NO. 8-4-23, 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 REGULAR MUNICIPAL ELECTION TO BE HELD NOVEMBER 7, 2023, RELATING TO THE IMPOSITION OF A MARIJUANA TAX WITHIN THE CITY COMMENCING ON JANUARY 1, 2025, IF THE VOTERS ELECT TO ALLOW MARIJUANA STORES AS DEFINED IN ARTICLE 10 OF TITLE 44, C.R.S. (THE COLORADO MARIJUANA CODE) WITHIN THE CITY OF STERLING, FOR THE SALE OF MEDICAL AND RETAIL MARIJUANA IN THE CITY OF STERLING, LOGAN COUNTY, COLORADO:

City Manager Blankenship advised Council a ballot question has been submitted to the qualified electors of the City of Sterling regarding allowing retail marijuana stores as defined in Article 10 of Title 44, C.R.S. (the Colorado Marijuana Code) within the City of Sterling, for the sale of medical and retail marijuana in the City of Sterling, Logan County, Colorado. This Resolution would put a ballot question to the registered electors of the City of Sterling regarding the imposition of a Marijuana Tax within the City, if that ballot question passes.

Councilmember Janes made a motion to approve Resolution No. 8-4-23, Series of 2023. Councilmember Ritter seconded the motion. By a six-yes vote, the motion was approved.

Present to address Council was Mr. Lee Roth, 704 Elwood Street. Mr. Roth asked Council if he could ask questions. He wanted to know what the charge was for the sales tax. He advised Council that medical is not taxable. He was advised the ballot question was five percent.

RESOLUTION NO. 8-5-23, SERIES OF 2023 - A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, APPROVING THE PROPOSAL FROM ERO RESOURCES CORPORATION TO CONDUCT MITIGATION MONITORING FOR THE CITY OF STERLING WASTEWATER TREATMENT SYSTEM IMPROVEMENTS PROJECT, LOGAN COUNTY, COLORADO, CORPS FILE NO. NWO-2020-02106 DEN:

City Manager Blankenship advised Council this Resolution accepts and approves a proposal from ERO Resources Corporation to monitor annually the City's wastewater treatment facility improvement project and note the progress of the wetlands at the site, and prepare and submit a final annual report for 2023 and 2024, pursuant to the requirements of the U.S. Army Corps of Engineers. The services under the proposal from ERO Resources Corporation will be performed at a fixed fee of \$7,200.00. The Public Works Department has sufficient funds in its budget for this project.

Councilmember Haynie made a motion to approve Resolution No. 8-5-23, Series of 2023. Councilmember Angell seconded the motion. By a six-yes vote, the motion was approved.

RESOLUTION NO. 8-6-23, SERIES OF 2023 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO APPROVING AN EMPLOYMENT AGREEMENT WITH KEVIN L. BLANKENSHIP FOR THE POSITION OF CITY MANAGER:

City Manager Blankenship advised Council this Resolution approves a new Employment Agreement with Kevin Blankenship for the position of City Manager. The present Agreement expires, by its terms, on August 31, 2023. The City Manager's annual salary at this time is \$142,023.44. The Agreement also provides for other benefits as more specifically set forth in the Agreement, including an automobile allowance of \$400.00 per month and the benefits as provided to general City employees.

Councilmember Delgado made a motion to approve Resolution No. 8-6-23, Series of 2023. Councilmember Angell seconded the motion. By a six-yes vote, the motion was approved.

RESOLUTION NO. 8-7-23, SERIES OF 2023 - A RESOLUTION OF THE STERLING CITY COUNCIL AMENDING RESOLUTION NO. 8-3-23, SERIES OF 2023 REGARDING THE BALLOT QUESTION TO PERMIT MARIJUANA STORES FOR THE SALE OF MEDICAL AND RETAIL MARIJUANA IN THE CITY OF STERLING, LOGAN COUNTY, COLORADO:

City Manager Blankenship advised Council this Resolution amends the wording of the Ballot Question to be submitted to the registered electors of the City of Sterling, by City Council, to permit marijuana stores for the sale of medical and retail marijuana in the City, to reflect the updated Code and corresponding statutory citation reference for the Colorado Marijuana Code.

Councilmember Janes made a motion to approve Resolution No. 8-7-23, Series of 2023. Councilmember Ritter seconded the motion.

Present to address Council was Mr. Lee Roth, 704 Elwood Street. Mr. Roth had concerns regarding Council did not separate the two ballot questions with regard to medical and retail. He does have frustrations that Council did not allow for public input before they decided to put this on the ballot.

By a six-yes vote, the motion was approved.

MISCELLANEOUS COUNCIL BUSINESS:

MISCELLANEOUS MATTERS:

Councilmember Angell asked if City Manager Blankenship had gotten any information on the silent crossings for railroads. City Manager Blankenship advised he is looking into that.

ADJOURNMENT:

There being no further business to come before Council the meeting adjourned at 6:05 p.m.


MAYOR

ATTEST:


CITY CLERK