

**STERLING, COLORADO
DECEMBER 12, 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, December 12, 2023. Mayor Desormeaux called the meeting to order at 5:30 p.m.

Councilmembers present:

Mayor	Desormeaux
Councilmembers	Angell Blecha Delgado Haynie Janes

Councilmembers absent:

Councilmember	Ritter
---------------	--------

Also present:

City Manager	Blankenship
City Attorney	Richardson
City Clerk	Forbes
Fire Chief	Ritter
Police Chief	Kerr
Public Works Director	Good
Human Resources Director	Mentzel
Parks, Library and Recreation (PLR) Director	Gandee
Paralegal	Welsh

New Mayor and Councilmembers present: Matthew Foos, Megan Wolf, Dean Haynes and Kellan Raffaeli

Citizens present: 29

CONSIDERATION OF CITY COUNCIL MINUTES OF NOVEMBER 28, 2023:

Councilmember Delgado made a motion to approve the City Council minutes of November 14, 2023. Councilmember Janes seconded the motion. By a six-yes vote, the motion was approved.

ADMINISTRATION OF OATH OF OFFICE TO NEWLY ELECTED MAYOR AND COUNCILMEMBERS:

Judge Ray Ann Brammer, Logan County Court, gave the oath of office to newly elected Mayor, Matthew Foos, Councilmembers Megan Wolf, Ward 1, Kellan Raffaeli, Ward 2 and Dean Haynes, Ward 3.

Mayor Foos presented outgoing Mayor Desormeaux and Councilmembers Frank Angell and Kelly Blecha with a clock for their years of service to the City of Sterling. He also mentioned Councilmember Ritter who was absent from the meeting.

APPOINTMENT OF MAYOR PRO-TEM:

Mayor Foos asked for nominations for Mayor Pro-tem. Councilmember Haynie suggested Councilmember Janes. Councilmember Wolf made a motion to appoint Councilmember Janes as Mayor Pro-Tem. Councilmember Delgado seconded the motion. By a seven-yes vote, the motion was approved.

ADOPTION OF CITY COUNCIL RULES OF PROCEDURE:

Councilmember Delgado advised he would like to amend the Rules of Procedure before Council votes. City Attorney Richardson advised Council that at the first meeting of the new Council the City Council Rules of Procedure are adopted. Any changes will take place at another meeting after notice is given that changes are being proposed.

Councilmember Delgado made a motion to adopt the Council Rules of Procedure. Councilmember Haynie seconded the motion. By a seven-yes vote, the motion was approved.

CONSENT AGENDA:

APPLICATION FOR RENEWAL OF RETAIL LIQUOR STORE LICENSE – EL 2020 INC. – MAJOR LIQUOR – 529 IRIS DRIVE:

City Manager Blankenship advised Council this application for Renewal of Retail Liquor Store License for Major Liquor was not timely filed. The licensee paid the required fees, including the late filing fee. The current license expired on November 4, 2023. The reports from the Police and Fire Department were mailed to the licensee.

Councilmember Delgado made a motion to approve the renewal of Retail Liquor Store License for EL 2020 Inc., Major Liquor located at 520 Iris Drive. Councilmember Janes seconded the motion. By a seven-yes vote, the motion was approved.

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

Present to address Council was Mr. Lee Roth, 704 Elwood Street. Mr. Roth advised he would like to see something done on timing of the vote, as there is no input from citizens on items. He felt that citizens should be able to speak up on any item and offer input. He advised regarding chickens; he is for the neighbor having to sign off that he is okay with the chickens being next door.

Next was Ms. Samantha Mayhugh, 520 North 7th Avenue. Ms. Mayhugh advised she brought the Chicken Ordinance forward. She is concerned with the \$50.00 fee. This is the highest in the

State. She advised kids in 4-H may not be able to pay this amount. Ms. Mayhugh is also concerned about having to get approval from the neighbor. She advised the citizens approved this by a vote. She is also concerned about not being able to sell the eggs.

Mayor Foos advised the audience if they had anymore comments regarding the chickens, they would be able to speak when the ordinance came up on the agenda for the Public Hearing.

UNFINISHED BUSINESS:

SECOND READING AND PUBLIC HEARING – ORDINANCE NO. 18, SERIES OF 2023 – AN ORDINANCE AMENDING THE STERLING CITY CODE, CHAPTER 4, ANIMALS, BY THE ADDITION THERETO OF A NEW ARTICLE IV, CHICKENS:

City Manager Blankenship advised Council First Reading of this Ordinance took place on November 28, 2023, and it was thereafter published. At the election held on November 7, 2023, the voters of the City approved the ballot question permitting the keeping of chickens within the City limits upon such terms and conditions as the City Council may establish. This Ordinance sets forth terms and conditions for the raising of chickens in the City, by amending the City Code, Chapter 4, Animals, to add an Article IV, Chickens. The provisions of this Ordinance provide for an annual permit fee of \$50.00 for the keeping of laying chicken hens within the City.

City Clerk Forbes read the Ordinance by title.

Mayor Foos opened the public hearing.

Present was Mr. Lee Roth, 704 Elwood Street. Mr. Roth advised he had a lot of experience with chickens and the ordinance should require neighbors to sign off for approval of the chickens. He also was concerned that eggs could be sold.

Mr. Richard Bedford, 226 Columbine Street. Mr. Bedford advised Council that there was a lot of concern about the chickens, and it is only six chickens in a backyard that is being discussed.

Mayor Foos closed the public hearing.

Councilmember Delgado made a motion to approve Ordinance No. 18, Series of 2023. Councilmember Janes seconded the motion. By a seven-yes vote, the motion was approved.

CITY MANAGER REPORT:

- WWTP Upgrade Project – Meeting with Engineering firm
- 2023 Resurfacing Update
- 2023 Curb and Gutter
- Council Training – CML and CIRSA
- Council meeting on December 26 – Cancel?
- Bag Fee Implementation January 1, 2024

NEW BUSINESS:

PRESENTATION OF GENERAL AVIATION APPRECIATION MONTH PROCLAMATION:

Mayor Foos read the General Aviation Appreciation Month proclamation.

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

City Manager Blankenship advised Council an application for Special Event Permit was filed by the Sterling Elks Lodge #1336 for an NRA fundraiser on December 16, 2023 from 4:00 p.m. to 11:00 p.m. 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.

Mayor Foos opened the public hearing.

There were no comments.

Mayor Foos closed the public hearing.

Present to address Council was Mr. Frank Gower, 321 Ash Street.

Councilmember Haynie made a motion to approve the Special Event Permit for the Sterling Elks Lodge #1336 located at 321 Ash Street. Councilmember Raffaeli seconded the motion. By a seven-yes vote, the motion was approved.

RESOLUTION NO. 12-1-23, SERIES OF 2023 - A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, APPROVING AN AMENDMENT TO THE IRC SECTION 125 FLEXIBLE BENEFITS PLAN OF THE CITY:

City Manager Blankenship advised Council the IRS regulations governing Section 125 of the Internal Revenue Code (Flexible Benefits Plan), has been amended resulting in an increase in the amount that a participant can redirect, on a non-tax basis, for reimbursement of health expenses per plan year to \$3,200.00, and the maximum Health Flexible Spending Account (FSA) carryover benefit to \$640.00. This Resolution amends the City's Plan to correspond with those amendments.

Councilmember Delgado made a motion to approve Resolution No. 12-1-23, Series of 2023. Councilmember Haynie seconded the motion. By a seven-yes vote, the motion was approved.

RESOLUTION NO. 12-2-23, SERIES OF 2023 - A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, APPROVING A MEMORANDUM OF UNDERSTANDING WITH THE COLORADO DEPARTMENT OF PUBLIC SAFETY (CDPS) PERTAINING TO SERVICES TO BE PROVIDED BY THE CITY OF STERLING FIRE DEPARTMENT AT CDPS FACILITIES WITHIN THE CITY OF STERLING JURISDICTION:

City Manager Blankenship advised Council this Resolution approves the terms of a Memorandum of Understanding relating to services to be provided to the Colorado Department of Public Safety facility within the City's jurisdiction by the Sterling Fire Department with respect to building fire safety issues and inspections, construction of new or modified fire safety systems, and requirements and procedures to facilitate response to fire alarms and emergencies.

Councilmember Haynie made a motion to approve Resolution No. 12-2-23, Series of 2023. Councilmember Wolf seconded the motion.

Council asked if there was money involved. Council was advised no.

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

MISCELLANEOUS COUNCIL BUSINESS:

MISCELLANEOUS MATTERS:

Councilmember Janes advised that he would start January 10, 2024, to be the first Councilmember to be on the radio.

Councilmember Delgado advised he felt a work session should be done so Council knows the direction being taken.

ADJOURNMENT:

There being no further business to come before Council the meeting adjourned at 6:44 p.m.



MAYOR

ATTEST:



CITY CLERK