

**STERLING, COLORADO  
DECEMBER 13, 2016**

**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.

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Pastor Dan Holsten, Berean Church, gave the invocation. Mayor Torres 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 13, 2016. Mayor Torres called the meeting to order at 7:00 p.m.

**Councilmembers present:**

Mayor	Torres
Councilmembers	Appelhans Lawson McCarty Pitcher Rice

**Councilmembers absent:**

Councilmember	Flores
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**Also present:**

City Manager	Saling
City Attorney	Penny
City Clerk	Forbes
Police Chief	Kerr
Fire Chief	Ritter
Public Works Director	Good
Human Resource Director	Brown
Public Safety Communications (PSC) Director	Hardesty
Public Safety Communications (PSC) Superintendent	Serl

Citizens present: 10

**CONSENT AGENDA:**

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

Appelhans	yes	Lawson	yes
Rice	abstain	McCarty	yes
Pitcher	yes	Torres	yes

Item on the consent agenda was: City Council minutes of November 22, 2016.

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

None

**UNFINISHED BUSINESS:**

**CITY MANAGER'S REPORT:**

City Manager Saling updated Council on the following:

- Sales and hotel taxes are down again compared to 2015.
- Monthly water demand for the month of November was up 7.12% compared to 2015.
- The City has filed liens on properties for unpaid utilities and weed mowing in the amount of \$20,931.36.
- Staff is working on the Request for Proposals for the Water and Wastewater rate study.
- Meeting with Logan County Humane Society to review performance in 2016 and establish criteria for needed improvements in 2017.
- City offices will be closed on December 26 in observance of the Christmas holiday.
- Snow Removal Plan.
- Employee Christmas lunch is Friday, December 16 from 11:00 a.m. to 2:00 p.m.
- There is a manhole problem on Sidney Avenue and McKinley Street. Crews are currently working on the problem.
- He asked Council if they were interested in a three hour work session after the first of the year to go over financial conditions and possibly have projects that they would like staff to work on.

**NEW BUSINESS:**

**INTRODUCTION OF NEW CITY EMPLOYEES:**

Personnel Director Brown introduced Jayce Ervin, Dispatch; Jake Baker, Water Treatment Plant; and Joseph Schneider, Water Treatment Plant.

**APPOINTMENT OF TWO PLANNING COMMISSION MEMBERS AND ONE HOUSING AUTHORITY MEMBER:**

City Manager Saling advised Council there are two appointments for the Planning Commission, which are three year terms and one appointment for the Housing Authority, which is a five year term. The City Manager's office received four applications for the Sterling Planning Commission, Stephen Burnham, current member appointed on February 25, 2014, re-appointment; Kathy Kaufman, current member appointed March 13, 2007, re-appointment; Randy Brigham, appointment and Devon Miller, appointment. Devon Miller has also checked the Housing Authority Board. Both Planning Commission members whose term will expire have filled out new applications and wish to be re-appointed to the Planning Commission. A Housing Authority Board member also needs to be appointed to fill one of the vacancies on that Board.

City Manager Saling advised Council since Devon Miller is interested in both the Planning Commission and Housing Authority Board, he suggested appointing her to the Housing Authority Board.

Councilmember McCarty made a motion to appoint Devon Miller to the Housing Authority Board. Councilmember Appelhans seconded the motion. By a six-yes vote, the motion was approved.

Council did a paper ballot for the remaining three applicants, Stephen Burnham, Kathy Kaufman and Randy Brigham for the Planning Commission. The voting results were: Stephen Burnham and Randy Brigham.

Councilmember Appelhans made a motion to appoint Stephen Burnham and Randy Brigham to the Planning Commission. Councilmember McCarty seconded the motion. By a six-yes vote, the motion was approved.

**PUBLIC HEARING – APPLICATIONS FOR SPECIAL EVENT PERMITS – STERLING ELKS LODGE #1336 – 321 ASH STREET:**

City Manager Saling advised Council two applications for Special Event Permits were filed by the Sterling Elks Lodge #1336, to be held on:

January 7, 2017 from 4:00 o'clock p.m. to 12:00 o'clock midnight (Elks Lodge fundraiser)

January 27, 2017 from 4:00 o'clock p.m. to 12:00 o'clock midnight (Delta Water Fowl fundraiser)

For the sale of malt, vinous and spirituous liquor.

The applications were timely filed and are in proper form and the required fees have 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 applications.

Present to address Council was Mr. Mike Brasch, 319 Magnolia.

Mayor Torres opened the public hearing.

There were no comments.

Mayor Torres closed the public hearing.

Councilmember Appelhans made a motion to approve the applications for Special Event Permits for the Sterling Elks Lodge #1336 located at 321 Ash Street. Councilmember Rice seconded the motion. By a six-yes vote, the motion was approved.

**RESOLUTION NO. 12-1-16, SERIES OF 2016 – 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 Saling advised Council the IRS regulations governing Section 125 of the Internal Revenue Code (Flexible Benefits Plan) have 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. This resolution amends the City's plan to correspond with that increase.

Councilmember Lawson made a motion to approve Resolution No. 12-1-16, Series of 2016. Councilmember Appelhans seconded the motion. By a six-yes vote, the motion was approved.

**RESOLUTION NO. 12-2-16, SERIES OF 2016 – 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 2016 MANHOLE REHABILITATION PROJECT #16-011, AND APPROVING AN AGREEMENT:**

City Manager Saling advised Council this resolution accepts the bid submitted by Concrete Specialties and Utilities Construction, Inc. for the City's 2016 Manhole Rehabilitation Project #16-011, and approves and authorizes the Mayor to sign the related agreement. The City published a request for bid proposals relating to its 2016 Manhole Rehabilitation Project #16-011. Two bids

were received; however, Concrete Specialties and Utilities Construction, Inc. is the only bid that was submitted for structural repair of the manholes, as was advertised by the City for this project. That bid, in the amount of \$676,000.00, is an acceptable amount for the project. The Public Works Department has budgeted in its 2016 budget \$250,000.00 for the work to be performed and \$250,000.00 is allocated for this project in its 2017 budget. The remainder of the \$176,000.00 will be allocated from the sewer fund for capital projects.

Council asked regarding the completion date of the project. Public Works Director Good advised the project would not start until April 2017 and would be done by September 2017. They estimate six days per each manhole.

Councilmember Rice made a motion to approve Resolution No. 12-2-16, Series of 2016. Councilmember Lawson seconded the motion. By a six-yes vote, the motion was approved.

**RESOLUTION NO. 12-3-16, SERIES OF 2016 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, APPROVING AN EMPLOYMENT AGREEMENT WITH DONALD SALING AS CITY MANAGER:**

City Manager Saling advised Council this resolution approves a new, extended agreement with Donald Saling for his services as the City Manager, for three additional years from the anniversary date of September 1, 2016, expiring August 31, 2019. It also incorporates a 5% increase in the present salary of Donald Saling retroactive to September 1, 2016.

Councilmember Appelhans made a motion to approve Resolution No. 12-3-16, Series of 2016. Councilmember McCarty seconded the motion. By a six-yes vote, the motion was approved.

**FIRST READING – ORDINANCE NO. 12, SERIES OF 2016 – AN ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE AMOUNT OF ONE HUNDRED EIGHTY THOUSAND THREE HUNDRED DOLLARS (\$180,300) AND REGULATING THE PAYMENT OF MONEY OUT OF THE CITY TREASURY, AND INCREASING THE AMOUNT OF THE REVENUE BUDGET FOR 2016 BY SEVENTY-ONE THOUSAND DOLLARS (\$71,000):**

City Manager Saling advised Council this ordinance is for projects and revenues received in 2016 after the 2016 budget was completed.

Councilmember Lawson made a motion to introduce Ordinance No. 12, Series of 2016. Councilmember Appelhans seconded the motion. City Clerk Forbes read the ordinance by title. By a six-yes vote, the motion was approved.

**DEPARTMENT REPORT – PUBLIC SAFETY COMMUNICATIONS (PSC) DEPARTMENT:**

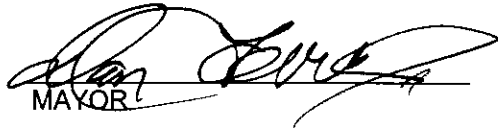
PSC Superintendent Serl gave the PSC Department report.

**MISCELLANEOUS COUNCIL BUSINESS:**

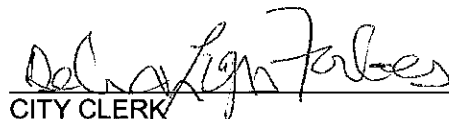
City Manager Saling advised Council that the final two sculptures for the Front Street project are in Council Chambers for them to see.

**ADJOURNMENT:**

There being no further business to come before Council the meeting adjourned at 7:44 p.m.

  
MAYOR

ATTEST:

  
CITY CLERK