

STERLING, COLORADO
FEBRUARY 26, 2019

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 Bill Couchenour, Church of the Nazarene, 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, February 26, 2019. Mayor Torres called the meeting to order at 7:00 p.m.

Councilmembers present:

Mayor	Torres
Councilmembers	Appelhans Desormeaux McCarty Pitcher Rice

Councilmembers absent:

Councilmember	Flores
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Also present:

City Manager	Saling
City Attorney	Penny
City Clerk	Forbes
Public Works Director	Good
Parks, Library and Recreation (PLR) Director	Gandee
Human Resource Director	Brown
Police Chief	Kerr
Fire Chief	Ritter
Paralegal	Welsh

Citizens present: 7

CONSENT AGENDA:

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

Items on the consent agenda were: City Council minutes of February 12, 2019, Special City Council minutes of February 19, 2019, renewal of lodging & entertainment liquor license for Riverview Golf Course located at 300 North Riverview Road and renewal of fermented malt beverage liquor license for 7-Eleven Store 15041A located at 311 West Main Street.

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

None

UNFINISHED BUSINESS:

SECOND READING AND PUBLIC HEARING - ORDINANCE NO. 2, SERIES OF 2019 – AN ORDINANCE AMENDING THE STERLING CITY CODE, CHAPTER 21, UTILITIES, ARTICLE III, WATER SERVICE, BY THE ADDITION OF A NEW DIVISION 3, CROSS-CONNECTION CONTROL:

City Manager Saling advised Council first reading of this ordinance took place on February 12, 2019, and it was thereafter published. The Colorado State Health Department reviewed the City's backflow prevention and cross-connection control program, in response to the notification of a recent suspected backflow contamination event. This ordinance amends the Sterling City Code, Chapter 21, Utilities, Article III, Water Service, by the addition of a new Division 3, Cross-Connection Control, to meet the requirements of the Colorado State Health Department for an adequate legal mechanism to perform the required surveys and require customers to control cross-connections and/or maintain and test/inspect assemblies or methods, as set forth in Regulation 11 of the Colorado Primary Drinking Water Regulations. This ordinance has been reviewed by the Colorado State Health Department and will meet its requirements.

City Clerk Forbes read the ordinance by title.

Mayor Torres opened the public hearing.

There were no comments.

Mayor Torres closed the public hearing.

Councilmember Rice made a motion to approve Ordinance No. 2, Series of 2019. Councilmember Desormeaux seconded the motion. By a six-yes vote, the motion was approved.

SECOND READING AND PUBLIC HEARING – ORDINANCE NO. 3, SERIES OF 2019 – AN ORDINANCE AMENDING THE STERLING CITY CODE, CHAPTER 12, OFFENSES, SECTION 12-22, FURNISHING TOBACCO PRODUCTS TO MINORS; SALE OF TOBACCO PRODUCTS IN VENDING MACHINES, SUBPARAGRAPH (a), DEFINITIONS:

City Manager Saling advised Council first reading of this ordinance took place on February 12, 2019, and it was thereafter published. This ordinance updates the definition of "tobacco products" in Chapter 12, Offenses, of the City Code, in line with the State's definition.

City Clerk Forbes read the ordinance by title.

Mayor Torres opened the public hearing.

There were no comments.

Mayor Torres closed the public hearing.

Councilmember Appelhans made a motion to approve Ordinance No. 3, Series of 2019. Councilmember McCarty seconded the motion. By a six-yes vote, the motion was approved.

CITY MANAGER'S REPORT:

City Manager Saling updated Council on the following:

- Decorative street lights on West Main Street
- Scalva Farm – requests for proposals
- Wastewater Treatment project – Green project reserve qualification
- Colorado Downtown Streets workshop
- Logan County Board of Realtors Sales report for January

City Manager Saling advised he had left a letter from Logan County Economic Development on their seats regarding waiving the building permit fees for the Co-Working project. It will be approximately \$600.

Councilmember Desormeaux made a motion to waive the building permit fees for the Co-Working project. Councilmember Rice seconded the motion. By a six-yes vote, the motion was approved.

NEW BUSINESS:

RESOLUTION NO. 2-4-19, SERIES OF 2019 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, APPROVING AN EDUCATION AFFILIATION AGREEMENT WITH AIMS COMMUNITY COLLEGE:

City Manager Saling advised Council this resolution approves an Education Affiliation Agreement with Aims Community College for the use of the City's Fire Department facilities and operations to provide required training for students and/or instructors enrolled in certain programs offered by Aims Community College, and opportunities for observation and/or practical experience, with the emphasis on education for said students rather than services.

Councilmember Appelhans made a motion to approve Resolution No. 2-4-19, Series of 2019. Councilmember McCarty seconded the motion. By a six-yes vote, the motion was approved.

RESOLUTION NO. 2-5-19, SERIES OF 2019 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO APPROVING A STATE PLAN OF OPERATION BETWEEN THE STATE OF COLORADO AND THE CITY OF STERLING, WITH RESPECT TO THE TRANSFER OF EXCESS DEPARTMENT OF DEFENSE PERSONAL PROPERTY:

City Manager Saling advised Council this resolution approves a State Plan of Operation between the State of Colorado and the City of Sterling, with respect to the transfer of excess Department of Defense personal property. Under the State Plan of Operation, the City of Sterling through its Police Department qualifies to request and receive controlled property which is considered excess Department of Defense personal property, based on bona fide law enforcement requirements.

Councilmember McCarty made a motion to approve Resolution No. 2-5-19, Series of 2019. Councilmember Appelhans seconded the motion. By a six-yes vote, the motion was approved.

RESOLUTION NO. 2-6-19, SERIES OF 2019 - A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, ACCEPTING THE BID FROM AMERICAN BUILDING SYSTEMS, LLC FOR THE CITY OF STERLING HANGAR PROJECT #19-004:

City Manager Saling advised Council this resolution approves the bid proposal received from American Building Systems, LLC for the City's Hangar project #19-004, and approves and authorizes the Mayor to sign the related agreement. Four bids were received for this project. The bid from American Building Systems, LLC in the amount of \$387,936 contained the lowest proposed building price and is an acceptable amount for the project. Funds for the hangar will come out of the General Fund fund balance.

Councilmember Appelhans made a motion to approve Resolution No. 2-6-19, Series of 2019. Councilmember Rice seconded the motion. By a six-yes vote, the motion was approved.

DEPARTMENT REPORT – PUBLIC WORKS DEPARTMENT:

Public Works Director Good gave the Public Works Department report.

MISCELLANEOUS COUNCIL BUSINESS:

Mayor Torres made a motion to go into executive session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402 (4) (e). Councilmember Appelhans seconded the motion. By a six-yes vote, the motion was approved.

Council went into executive session at 7:31 p.m.

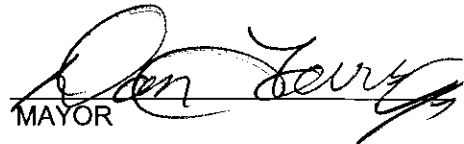
Council came out of executive session at 8:05 p.m.

Mayor Torres advised the participants in the executive session were: City Council, City Manager, City Attorney and Public Works Director. 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, he 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 8:06 p.m.


MAYOR

ATTEST:


CITY CLERK