

STERLING, COLORADO  
FEBRUARY 27, 2018

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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Councilmember Flores 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 27, 2018. Mayor Torres called the meeting to order at 7:00 p.m.

Councilmembers present:

Mayor	Torres
Councilmembers	Appelhans Flores McCarty Pitcher Rhodes Rice

Also present:

City Manager	Saling
City Attorney	Penny
City Clerk	Forbes
Fire Chief	Ritter
Public Works Director	Good
Police Chief	Kerr
Public Safety Communications (PSC) Director	Lybrand
Parks, Library and Recreation (PLR) Director	Gandee
Human Resource (HR) Assistant	Bond
Paralegal	Welsh

Citizens present: 5

**CONSENT AGENDA:**

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

Appelhans	yes	Rice	yes
McCarty	abstain	Flores	yes
Pitcher	yes	Rhodes	yes
Torres	yes		

Items on the consent agenda were: City Council minutes of February 13, 2018, application for renewal of hotel & restaurant liquor license for Ay Chihuahua located at 229 North Front Street and application for renewal of retail liquor store license for Discount Liquor located at 1000 West Main Street.

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

Present to address Council was Mr. Luis Delgado, 213 South 2<sup>nd</sup> Street. Mr. Delgado had various concerns, including: trash dumpsters, the alley, handicapped signs, the sidewalk and being concerned regarding a fine he received for nuisance cleanup.

**UNFINISHED BUSINESS:**

**SECOND READING AND PUBLIC HEARING – ORDINANCE NO. 3, SERIES OF 2018 – AN ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE AMOUNT OF SEVEN HUNDRED TWENTY-SIX THOUSAND EIGHT HUNDRED ELEVEN DOLLARS (\$726,811) AND REGULATING THE PAYMENT OF MONEY OUT OF THE CITY TREASURY, AND INCREASING THE AMOUNT OF THE REVENUE BUDGET FOR 2018 BY FOUR HUNDRED NINETY-SEVEN THOUSAND TWO HUNDRED TWO DOLLARS (\$497,202):**

City Manager Saling advised Council first reading of this ordinance took place on February 13, 2018, and it was thereafter published. This ordinance relates to projects in 2017 and revenues to be received in 2018. The expenses are increased in the amount of \$726,811 and the revenue in the amount of \$497,202.

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 2018. Councilmember McCarty seconded the motion. By a seven-yes vote, the motion was approved.

**CITY MANAGER'S REPORT:**

City Manager Saling updated Council on the following:

- Work session with Re-1 Valley School District
- Colorado Municipal League Annual Conference
- Logan County Chamber of Commerce Annual Banquet and Awards
- New Fire Trucks – Community Open House
- Basketball with the Badges

**NEW BUSINESS:**

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

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

- March 17, 2018 from 4:00 o'clock p.m. to 12:00 o'clock midnight  
(Northeastern Colorado Chicken Ropers Elks Club fundraiser)
- March 24, 2018 from 4:00 o'clock p.m. to 12:00 o'clock midnight

(Buffalo School 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 application.

Present to address Council was Mr. Frank Gower, 221 Villa Vista.

Mayor Torres opened the public meeting.

There were no comments.

Mayor Torres closed the public meeting.

Councilmember Rice made a motion to approve the Special Event Permits on March 17, 2018 and March 24, 2018 for the Sterling Elks Lodge, 321 Ash Street. Councilmember Rhodes seconded the motion. By a seven-yes vote, the motion was approved.

**FIRST READING – ORDINANCE NO. 4, SERIES OF 2018 - AN ORDINANCE AMENDING THE STERLING CITY CODE, CHAPTER 14. PERSONNEL, ARTICLE II, ADMINISTRATION, DIVISION 2, PERSONNEL BOARD; AND ARTICLE III, RULES AND PROCEDURES, DIVISION 1, GENERALLY, SECTION 14-73, DISCIPLINARY ACTIONS AND APPEAL, AND DIVISION 2, CLASSIFIED SERVICE, SECTION 14-93, EXAMINATIONS GENERALLY:**

City Manager Saling advised Council at the election held on November 7, 2017, voters approved the ballot question eliminating the Personnel Board created under Article 7 of the City Charter. This ordinance amends provisions of the City Code that reference the personnel board.

Councilmember Appelhans made a motion to introduce Ordinance No. 4, Series of 2018. Councilmember McCarty seconded the motion. City Clerk Forbes read the ordinance by title. By a seven-yes vote, the motion was approved.

**RESOLUTION NO. 2-4-18, SERIES OF 2018 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO ACCEPTING THE BID FROM MCATEE CONSTRUCTION COMPANY, DOING BUSINESS AS SIMON CONSTRUCTION, FOR THE CITY OF STERLING 2018 SURFACE TREATMENT PROJECT #18-001:**

City Manager Saling advised Council this resolution approves the bid proposal received from McAtee Construction Company, doing business as Simon Construction, for the City of Sterling 2018 Surface Treatment Project #18-001, and approves and authorizes the Mayor to sign the related agreement. The bid submitted and approved by this resolution is in the amount of \$534,754.25. This was the only bid received and is an acceptable amount for the project. There are sufficient funds in the Public Works 2018 budget for this project.

Councilmember Appelhans made a motion to approve Resolution No. 2-4-18, Series of 2018. Councilmember Rice seconded the motion. By a seven-yes vote, the motion was approved.

**RESOLUTION NO. 2-5-18, SERIES OF 2018 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, APPROVING THE SUBMISSION OF A GRANT APPLICATION TO THE NATIONAL RECREATION AND PARK ASSOCIATION (NRPA) FOR A 2018 RURAL COMMUNITIES HEALTHY OUT-OF-SCHOOL TIME GRANT:**

City Manager Saling advised Council the City has been assisting RE-1 Valley School District and the Family Resource Center with the serving of meals/snacks through a Summer Food Service Program, by providing the use of City park facilities for the site of said program. As a local government agency in an area meeting the USDA definition of a “rural” community, the City qualifies to apply for a \$35,000 2018 Rural Communities Healthy Out-of-School Time grant, which is available to support children’s health through park and recreation out-of-school time programs,

including the service of meals/snacks through the Summer Food Service Program. No matching funds from the City are required. This resolution approves the submission of the grant application.

Councilmember Appelhans made a motion to approve Resolution No. 2-5-18, Series of 2018. Councilmember McCarty seconded the motion. By a seven-yes vote, the motion was approved.

**DEPARTMENT REPORT – HUMAN RESOURCE DEPARTMENT:**

HR Assistant Bond gave the department report.

**MISCELLANEOUS COUNCIL BUSINESS:**

**EXECUTIVE SESSION – LEGAL ADVICE AND NEGOTIATIONS:**

Mayor Torres made a motion to go into executive session for a conference with the city attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402 (4) (b) and 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 seven-yes vote, the motion was approved.

Council went into executive session at 7:54 p.m.

Council came out of executive session at 8:12 p.m.

Mayor Torres advised the participants in the executive session were: City Council, City Attorney, City Manager 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.

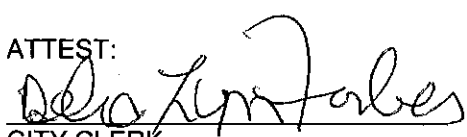
There was none.

Mayor Torres made a motion to file a Statement of Opposition for 17CW3218. Councilmember Appelhans seconded the motion. By a seven-yes vote, the motion was approved.

**ADJOURNMENT:**

There being no further business to come before Council the meeting adjourned at 8:15 p.m.

ATTEST:

  
CITY CLERK

  
MAYOR