

STERLING, COLORADO
FEBRUARY 28, 2017

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.

Reverend Ron Powers, Peace Lutheran 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, February 28, 2017. Mayor Torres called the meeting to order at 7:00 p.m.

Councilmembers present:

Mayor	Torres
Councilmembers	Appelhans Flores Lawson McCarty Pitcher Rice

Also present:

City Manager	Saling
City Attorney	Penny
City Clerk	Forbes
Parks, Library and Recreation (PLR) Director	Gandee
Public Works Director	Good
Police Chief	Kerr
Fire Chief	Ritter
Interim Public Safety Communications Director	Serl
Paralegal	Welsh

Citizens present: 7

CONSENT AGENDA:

There was a spelling correction to the minutes on page 2, (stripping) to striping. Councilmember Appelhans made a motion to approve the consent agenda, as corrected. Councilmember Rice seconded the motion. By a seven-yes vote, the motion was approved.

Item on the consent agenda was: City Council minutes of February 14, 2017.

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

None

UNFINISHED BUSINESS:

SECOND READING AND PUBLIC HEARING – ORDINANCE NO. 1, SERIES OF 2017 – AN ORDINANCE AMENDING THE STERLING CITY CODE, CHAPTER 2, ADMINISTRATION, ARTICLE III, BOARDS, COMMITTEES AND COMMISSIONS, BY THE ADDITION OF DIVISION 4, CITIZENS ADVISORY BOARD:

City Manager Saling advised Council that first reading of this ordinance took place on February 14, 2017, and it was thereafter published. Section 19-245(b) of the City Code provides for an advisory board to make recommendations to the Council concerning specific use of tax revenues from the City of Sterling Hotel Tax. This Ordinance amends the City Code by the addition of Division 4, Citizens Advisory Board, to Chapter 2, Administration, Article III, Boards, Committees and Commissions, of the City Code to formally create that advisory board, and set forth a specific outline for membership, rules, and duties of that board. City Manager Saling advised Council that this would be a seven member board that would be appointed by the Mayor with the consent of Council from among bona fide residents of the City. He pointed out that he had received an e-mail from Mr. Alex Wright regarding the concern of having the board members be City residents.

Mayor Torres opened the public meeting.

There were no comments.

Mayor Torres closed the public meeting.

Councilmember Lawson made a motion to approve Ordinance No. 1, Series of 2017. Councilmember Appelhans seconded the motion. By a seven-yes vote, the motion was approved.

CITY MANAGER'S REPORT:

City Manager Saling updated Council on the following:

- Ed Bohac resigned from the Personnel Board effective February 14. In preparing the notice for the vacancy for the newspaper, a previous advertisement said that the position did not require City residency. Looking back to the minutes of January 3, 2006, the previous City Manager approached City Council about filling a vacancy on the Board with an individual that had expertise but did not live in the City but worked within the City. Does Council want to continue the practice of no city residency or should we, as part of the Board vacancy notice require city residency? It was the consensus of Council that they wanted all boards and commissions to be uniformed and require City residency.
- Investment in foundations
- Bid for the 2017 Street project
- Four additional "Notices to Abate Nuisances" have been sent out
- The Cheairs Park tennis courts. He updated Council on the cost of putting in sod. It was the consensus of Council to remove the tennis courts at this time.
- The new City web site will be opened on March 1
- The basketball game with the Sterling Comets on March 13 at NJC.
- April 6 is the City blood drive
- April 29 is a health fest.
- On March 2, Public Works Director Good and he will be going to a meeting regarding water rates.

NEW BUSINESS:

RESOLUTION NO. 2-2-17, SERIES OF 2017 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, APPROVING, WITHOUT BID, AN AGREEMENT FOR SERVICES WITH VERIS ENVIRONMENTAL, LLC FOR REMOVAL OF BIOSOLIDS FROM THE WASTEWATER TREATMENT FACILITY:

City Manager Saling advised Council that this resolution approves, without bid, an agreement with Veris Environmental, LLC for dredging services for the removal of 2.5 to 3 million gallons of biosolids from cell #3 lagoon at the wastewater treatment facility. Veris Environmental, LLC is the only company in this region that performs this service, and therefore the Public Works Director, Director of Finance and City Manager concur that it is not practical and advantageous to call for a competitive bid for the required project.

The estimated cost for this project is \$157,850.00, based on 2.5 million gallons of biosolids to be removed, the mobilization, soil testing, crane, land permits, and preparation of an annual report. Since the amount of biosolids to be removed can only be estimated, the Public Works Department has budgeted sufficient funds for the work to be performed, up to the cost for removal of 3 million gallons of biosolids, based on the quote received from Veris of \$0.0588 per gallon.

Councilmember Appelhans made a motion to approve Resolution No. 2-2-17, Series of 2017. Councilmember McCarty seconded the motion. By a seven-yes vote, the motion was approved.

RESOLUTION NO. 2-3-17, SERIES OF 2017 - A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO APPROVING AN INTERGOVERNMENTAL AGREEMENT FOR A REGIONAL PLANNING COMMISSION FOR TRANSPORTATION PLANNING, EASTERN TRANSPORTATION PLANNING REGION:

City Manager Saling advised Council that this resolution approves an agreement with Counties and Municipalities located within the Eastern Transportation Planning Region for the purpose of developing and maintaining a long range Regional Transportation Plan, the purpose of which is to identify the mobility needs of the Eastern Transportation Planning Region, and prepare a plan or addressing the needs.

Councilmember McCarty made a motion to approve Resolution No. 2-3-17, Series of 2017. Councilmember Appelhans seconded the motion. By a six-yes and one-no vote, the motion was approved. Voting was as follows:

Appelhans	yes	McCarty	yes
Lawson	no	Flores	yes
Pitcher	yes	Rice	yes
Torres	yes		

FIRST READING – ORDINANCE NO. 2, SERIES OF 2017 – AN ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE AMOUNT OF ONE MILLION, THREE HUNDRED THIRTY-EIGHT THOUSAND NINE HUNDRED NINETY-TWO DOLLARS (\$1,338,992) AND REGULATING THE PAYMENT OF MONEY OUT OF THE CITY TREASURY, AND INCREASING THE AMOUNT OF THE REVENUE BUDGET FOR 2017 BY ONE HUNDRED TWENTY-THREE THOUSAND FOUR HUNDRED NINETY-THREE DOLLARS (\$123,493):

City Manager Saling advised Council that these are projects for 2016 and grant money received in 2017.

Councilmember Appelhans made a motion to introduce Ordinance No. 2, Series of 2017. Councilmember Rice seconded the motion. By a seven-yes vote, the motion was approved.

DISCUSSION REGARDING AIRPORT HANGER LEASE:

City Manager Saling advised Council that in late 2016 Charlie May, Airport Operator, gave his presentation on the Sterling Airport and suggestions for improvements as part of the Department reports. One of the topics that were discussed was the restrictions in the hangar leases that if a private hangar is constructed, at the end of the lease, the hangar reverted to the City. This

restriction we believe is an impediment to the growth of the airport. Under the proposed draft lease, the City would be permitting the leasing of land only at the airport and permitting private hangars to be constructed with the ownership belonging to the individual who constructed the hangar. The privately constructed hangar could be sold or leased out as long as the land lease fee is paid. Administration is prepared to move forward with this concept subject to City Councils approval.

There was discussion.

Council supported the idea of continuing with the Airport Hanger Lease project.

CITY COUNCIL SALARIES:

Mayor Torres advised Council he would like to see salaries for Council be increased by \$100.00 each. This would only be for the newly elected officials. There was discussion. It was the consensus of Council to have staff prepare a resolution for this.

DEPARTMENT REPORT – SECC DEPARTMENT:

Dispatcher Trevino gave the department report.

MISCELLANEOUS COUNCIL BUSINESS:

EXECUTIVE SESSION – NEGOTIATIONS:

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

Council went into executive session at 8:12 p.m.

Council came out of executive session at 8:39 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.

Councilmember Appelhans made a motion to approve the stipulation on 2008CW289. Councilmember Rice seconded the motion. By a seven-yes vote, the motion was approved.

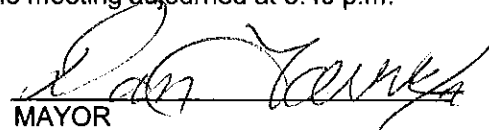
ADJOURNMENT:

There being no further business to come before Council the meeting adjourned at 8:40 p.m.

ATTEST:



CITY CLERK



MAYOR