

STERLING, COLORADO
JANUARY 26, 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.

Mr. Ken Hazlett, Faith United Methodist 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, January 26, 2016. 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
Deputy City Attorney	Matuszczak
City Clerk	Forbes
Police Chief	Kerr
Fire Chief	Vogel
Public Works Director	Good
Parks, Library and Recreation (PLR) Director	Gandee
PCF/Street/Sanitation Superintendent	Rewoldt
Paralegal	Welsh

Citizens present: 7

CONSENT AGENDA:

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

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Items on the consent agenda were: City Council minutes of January 12, 2016 and an application for renewal of retail liquor store license for Broadway Wine & Spirits located at 207 Broadway Street.

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

Present to address Council was Mr. Michael Bournia, 28753 County Road 56, Iliff, Colorado. Mr. Bournia introduced himself to Council as he is running for County Commissioner, replacing Commissioner Rocky Samber.

UNFINISHED BUSINESS:

CITY MANAGER'S REPORT:

City Manager Saling reminded Council of the retirement reception for Joe Kaufman tomorrow at the Library from 2-4 p.m. There was a pre-construction meeting today on the water meter replacement project. This project is expected to start February 22; it will be advertised before it starts. City Manager Saling advised things coming to Council will be an ordinance on sidewalk cafes and Animal Control services. He asked Council regarding doing a RFP for recycling. It was the consensus of Council to do an RFP.

NEW BUSINESS:

STERLING RURAL FIRE PROTECTION DISTRICT REQUEST:

City Manager Saling advised that included in the packet was a request from the Sterling Rural Fire Protection District (District) asking City Council to consider amending the Intergovernmental Agreement (IGA) between the District and the City relating to fire protection services.

The City entered in to the IGA back in 2000 to furnish fire/rescue services to the area encompassed by the District.

The District is planning on placing a question before their electorate at a special election in May for a mill levy increase for the purchasing of equipment and apparatus that needs replaced now and in the future for use by the City in providing those services.

The proposed increase is 3.5 mills. Their current mil levy is 2.482 bringing the new mill levy, if passed to 5.982 mills. The 2016 mill levy has a temporary mill levy reduction bringing the mill levy down to 2.121 mills

Under the current IGA, the City receives 91% of the total revenue received by the District, plus allowable annual increases less \$25,000 that funds the Merino Volunteer Fire Department. In 2015 the 91% amounted to \$197,410.85.

The last time the District had a mill levy election was over 30 years ago.

The question before City Council is, is the City agreeable to amend the IGA to reflect a new formula for funding that makes economical sense to the City and continues to provide quality fire services to the District should the election be successful?

Should City Council be agreeable, at this time, a letter indicating the willingness of the City to entertain an amendment to the IGA subject to the successful passage of the ballot question would be acceptable to the District.

It was the consensus of Council to do a letter in support of the Sterling Rural Fire District request.

RESOLUTION NO. 1-1-16, SERIES OF 2016 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, DESIGNATING THE CITY'S OFFICIAL

REPRESENTATIVE TO ALL COUNTY HEALTH POOL MEMBERS' MEETINGS, AND DESIGNATING THE REQUIRED CORRESPONDENTS:

City Manager Saling advised Council that the City's medical insurance health provider, County Health Pool, requires the governing body of the City to designate an official representative for the City to all County Health Pool members' meetings, and also to designate the correspondents for the City to receive all monthly billing invoices and other general correspondence intended for distribution to the employees. This resolution makes those designations in accordance with the usual duties of administrative staff.

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

RESOLUTION NO. 1-2-16, SERIES OF 2016 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, APPROVING THE APPLICATION FOR A FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) / HOMELAND SECURITY ASSISTANCE TO FIREFIGHTERS GRANT FOR THE PURPOSE OF PURCHASING A CLASS A ENGINE/PUMPER; AND AUTHORIZING THE EXPENDITURE OF ANY REQUIRED MATCHING FUNDS:

City Manager Saling advised Council the Sterling Fire Department, on behalf of the City, has submitted an application for a Federal Emergency Management Agency (FEMA)/Homeland Security Assistance to Firefighters grant in the approximate amount of \$553,516.00 for the purpose of purchasing a Class A Engine/Pumper. If the City is awarded the grant the new Engine will replace an existing Class A Engine/Pumper. This resolution supports the application that has been submitted, and approves expenditure of the required 10% matching funds. The City will be required to expend the required 10% matching funds in an amount up to \$55,351.60.

Councilmember Rice made a motion to approve Resolution No. 1-2-16, Series of 2016. Councilmember McCarty seconded the motion. By a seven-yes vote, the motion was approved.

RESOLUTION NO. 1-3-16, SERIES OF 2016 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, APPROVING THE APPLICATION FOR A FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) / HOMELAND SECURITY ASSISTANCE TO FIREFIGHTERS GRANT FOR THE PURPOSE OF PURCHASING P-25 COMPLIANT MOBILE RADIOS; AND AUTHORIZING THE EXPENDITURE OF ANY REQUIRED MATCHING FUNDS:

City Manager Saling advised Council the Sterling Fire Department, on behalf of the City, has submitted an application for a Federal Emergency Management Agency (FEMA)/Homeland Security Assistance to Firefighters grant in the approximate amount of \$369,990.00 for the purpose of purchasing P-25 compliant mobile radios. If the City is awarded the grant the new radios will replace most of the handheld radios and will replace all the radios in the vehicles. This resolution supports the application that has been submitted, and approves expenditure of the required 10% matching funds. The City will be required to expend the required 10% matching funds in an amount up to \$36,999.99.

Councilmember Appelhans made a motion to approve Resolution No. 1-3-16, Series of 2016. Mayor Torres seconded the motion. By a seven-yes vote, the motion was approved.

RESOLUTION NO. 1-4-16, SERIES OF 2016 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO APPROVING A REIMBURSEMENT PAYMENT TO MANUELLO'S, INC.:

City Manager Saling advised Council that the City's tenant on its agricultural property, Manuello's, Inc., has submitted a claim to the City for alleged damages to crop revenue in 2014, due to the failure of the City to provide water for one week, and for alleged damages to crop revenue in 2015, due to a flood. This resolution approves reimbursement for the claimed 2014 damages, and denies reimbursement for the claimed 2015 damages. The amount claimed for the 2014 damages is \$24,776.00.

There was discussion regarding the difference in the bid from last year and the new three year bid. Council asked if there was any documentation from Mr. Manuello on how he came up with the amount as he only provided a letter with the amounts. There was discussion regarding wording on the lease.

Councilmember McCarty made a motion to approve Resolution No. 1-4-16, Series of 2016. Councilmember Appelhans seconded the motion. By a seven-yes vote, the motion was approved.

DEPARTMENT REPORT – PARKS, LIBRARY AND RECREATION:

Parks, Library and Recreation (PLR) Director Gandee spoke to Council regarding an overnight camping policy. This is a policy that the PLR Board has discussed and approved. There will be designated areas in the park where certain groups could camp. This would not be for individual or family camping. There was a recommendation from Council as to noting the age of children.

PCF/Street/Sanitation Superintendent Rewoldt updated Council on the cemetery and PLR Director Gandee updated Council regarding the dog park.

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 7:57 p.m.

Council came out of executive session at 8:40 p.m.

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

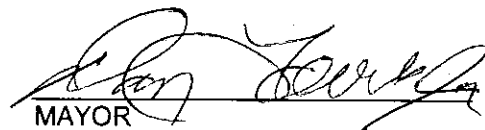
There was none.

Councilmember Appelhans made a motion to authorize an Application for Determination of Nontributary Groundwater to be withdrawn from the shallow aquifer in the Twenty-Two Slough. Councilmember McCarty seconded the motion. By a seven-yes vote, the motion was approved.

Councilmember Appelhans made a motion to send a statement of opposition for Case 15CW3182. Councilmember McCarty 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 8:45 p.m.


MAYOR

ATTEST:

Odio Lim Forbes
CITY CLERK