

STERLING, COLORADO
JANUARY 28, 2020

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 Jodie Harless, Faith United Methodist Church, gave the invocation. Mayor Appelhans 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 28, 2020. Mayor Appelhans called the meeting to order at 6:00 p.m.

Councilmembers present:

Mayor	Appelhans
Councilmembers	Anderson Blecha Desormeaux Janes McCarty Ritter

Also present:

City Manager	Saling
City Attorney	Penny
City Clerk	Forbes
Public Works Director	Good
Parks, Library and Recreation Director	Gandee
Police Chief	Kerr
Public Safety Communications Director	Lybrand
Human Resource Generalist	Friend
Fire Captain	Howell
Paralegal	Welsh

Citizens present: 7

CONSENT AGENDA:

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

Items on the consent agenda were: City Council minutes of January 14, 2020, application for renewal of tavern liquor license Hot Spot Smokehouse located at 402 Main Street, Application for renewal of hotel & restaurant liquor license for Fiesta Mexican Restaurant located at 807 Sidney Avenue and application for renewal of tavern liquor license for The Frosted Mug located at 137 North Front Street.

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

None

UNFINISHED BUSINESS:

SECOND READING AND PUBLIC HEARING – ORDINANCE NO. 1, SERIES OF 2020 - AN ORDINANCE APPROVING THE SALE OF REAL ESTATE OWNED BY THE CITY OF STERLING, DESCRIBED AS LOT 1 OF KNOWLES REPLAT IN THE CITY OF STERLING, LOGAN COUNTY, COLORADO, TO FOUR CORNERS DEVELOPMENT, LLC; AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTATION REQUIRED FOR THE SALE OF SAID PROPERTY:

City Manager Saling advised Council first reading of this ordinance took place on January 14, 2020, and it was thereafter published. Four Corners Development, LLC has submitted a proposed purchase and sale agreement for City-owned property described as Lot 1 of Knowles Replat in the City of Sterling, Logan County, Colorado, for construction of an affordable 55+ independent senior housing development, for the purchase price of \$175,000.00. This Ordinance approves the sale of that real estate.

City Clerk Forbes read the ordinance by title

Mayor Appelhans opened the public hearing.

There were no comments.

Mayor Appelhans closed the public hearing.

Councilmember Janes made a motion to approve Ordinance No. 1, Series of 2020. 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:

- Proposed legislation – water resource financing enterprise
- Parks, Library and Recreation Department –tree trimming in parks
- Street Division – street crack sealing
- Scott Legg fundraiser
- City Manager – out of office February 6 through February 13, 2020. Police Chief Kerr will be acting City Manager
- Logan County Chamber of Commerce Annual Banquet January 31, 2020
- A letter was sent to CDOT requesting an 80/20 grant versus a 50/50 grant. This is not accepting the grant, just asking for different terms.

NEW BUSINESS:

RECOGNITION TO THE FINANCE DEPARTMENT FOR RECEIVING THE AWARD OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING FROM THE GOVERNMENT FINANCE OFFICERS ASSOCIATION:

Mayor Appelhans presented the Award of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association to Finance Director Forbes.

FIRST READING – ORDINANCE NO. 2, SERIES OF 2020 - AN ORDINANCE APPROVING THE SALE OF REAL ESTATE OWNED BY THE CITY OF STERLING TO MILLENIUM LLC; AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTATION REQUIRED FOR THE SALE OF SAID PROPERTY:

City Manager Saling advised Council the City owns a parcel of real property in Lots 1 and 2, Block 23, King and Smith's Addition to the City of Sterling, consisting of 2765.6 square feet, more or less, which resulted from the configuration of the Colorado Department of Transportation S-Curve project. Due to the size and location of the property, it is not usable for any purpose by the City and has no perceivable future value to the City. Millennium LLC owns property on which is located the Village Inn, which is adjacent to the City's parcel, and has requested to purchase the subject parcel from the City. This ordinance approves the sale of that real estate at the price of \$100.00, plus payment of all closing costs.

Councilmember Desormeaux made a motion to introduce the Ordinance No. 2, Series of 2020. Councilmember Anderson seconded the motion. City Clerk Forbes read the ordinance by title. By a seven-yes vote, the motion was approved.

FIRST READING -- ORDINANCE NO. 3, SERIES OF 2020 – AN ORDINANCE APPROVING AN AMENDMENT TO LEASE BETWEEN THE CITY OF STERLING, COLORADO AND GOLF MANAGEMENT, INC. DATED MARCH 14, 2000; AND AUTHORIZING THE MAYOR TO SIGN THE AMENDMENT TO LEASE:

City Manager Saling advised Council Golf Management, Inc. and the City of Sterling are parties to a lease of City-owned property used for a golf course, pro shop and restaurant, which lease expires, by its terms, on March 23, 2025. Golf Management, Inc. has requested an extension of the term of the lease for an additional five (5) years, to March 23, 2030. This ordinance approves the amendment to lease for said property, extending it to March 23, 2030.

Councilmember Anderson made a motion to introduce Ordinance No. 3, Series of 2020. Councilmember McCarty seconded the motion. By a seven-yes vote, the motion was approved.

RESOLUTION NO. 1-4-2020, SERIES OF 2020 - A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF STERLING AND THE COLORADO DEPARTMENT OF PUBLIC SAFETY, DIVISION OF FIRE PREVENTION AND CONTROL:

City Manager Saling advised Council this Resolution approves an agreement with the Colorado Department of Public Safety, Division of Fire Prevention and Control to coordinate efforts for the prevention, detection, and suppression of wildland fires, fuel management, prescribed fire, non-wildland fire emergencies (as authorized), and cooperative projects for resource protection in each party's areas of responsibility and to limit duplication and improve efficiency and effectiveness.

Councilmember Desormeaux made a motion to approve Resolution No. 1-4-2020, Series of 2020. Councilmember Janes seconded the motion. By a seven-yes vote, the motion was approved.

RESOLUTION NO. 1-5-2020 – SERIES OF 2020 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, APPROVING THE EXPENDITURE OF FUNDS DERIVED FROM THE CITY OF STERLING HOTEL TAX FUND, IN ACCORDANCE WITH CHAPTER 19, ARTICLE VII, OF THE CITY CODE:

City Manager Saling advised Council a representative from the Citizens Advisory Board has presented a recommendation for the City to provide funds from the City of Sterling Hotel Tax Fund for one-fourth of the cost for architectural/engineering services for a feasibility study for a proposed urban park to be located at the corner of 4th and Main Streets. Sterling Urban Renewal Authority and the Sterling Community Fund will each be contributing one-fourth towards the cost, and a request is being made simultaneously herewith for expenditure of City funds for the remaining one-fourth. This resolution approves the expenditure of up to \$6,850.00 for that

purpose, subject to approval by the City for expenditure of up to \$6,850.00 of City funds for one-fourth of the remain cost. The bid for the proposed feasibility study was for \$27,400.00. One-fourth of the cost for said services will be expended from the Sterling Hotel Tax Fund, in accordance with Chapter 19, Article VII, of the Sterling City Code, and there are sufficient funds for the project.

Councilmember Janes made a motion to approve Resolution No. 1-5-2020, Series of 2020. Councilmember Desormeaux seconded the motion. By a seven-yes vote, the motion was approved.

RESOLUTION NO. 1-6-2020, SERIES OF 2020 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, ACCEPTING THE PROPOSAL FROM FARNSWORTH GROUP, INC. FOR A FEASIBILITY STUDY RELATING TO A PROPOSED URBAN PARK:

City Manager Saling advised Council this Resolution approves the proposal received from Farnsworth Group, Inc. for a feasibility study related to a proposed urban park to be located at the corner of 4th and Main Streets, identified as the Heritage Park project. It also authorizes the Mayor to sign the related agreement, and approves expenditure of funds up to \$6,850.00 towards the \$27,400.00 cost of said services. The bid was the only bid received following the Request for Proposals and subsequent clarifications, and is an acceptable amount for the project. The bid submitted and approved by this resolution is in the amount of \$27,400.00, and was the only bid received. This is an acceptable amount for this part of the project. The Sterling Urban Renewal Authority and the Sterling Community Fund have each committed to contributing one-fourth of the cost and the Citizens Advisory Board has submitted a recommendation for payment of one-fourth of the cost from the Sterling Hotel Tax Fund. There are funds available in the General Fund, Fund Balance, for the City to contribute the remaining one-fourth of the cost for this part of the project, up to \$6,850.00.

Councilmember Desormeaux made a motion to approve Resolution No. 1-6-2020, Series of 2020. Councilmember McCarty seconded the motion. By a seven-yes vote, the motion was approved.

DEPARTMENT REPORT – HUMAN RESOURCE DEPARTMENT:

Human Resource Generalist Friend gave the department report.

MISCELLANEOUS COUNCIL BUSINESS:

Councilmember Blecha thanked Council for their support when her Dad died.

EXECUTIVE SESSION – NEGOTIATIONS C.R.S. SECTION 24-6-402 (4) (e) AND LEGAL MATTERS C.R.S. SECTION 24-6-402 (4) (b):

Mayor Appelhans 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) and 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). Councilmember McCarty seconded the motion. By a seven-yes vote, the motion was approved.

Council went into executive session at 6:35 p.m.

Council came out of executive session at 7:11 p.m.

Mayor Appelhans 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.

Mayor Appelhans made a motion to file a Statement of Opposition of case 19CW3253 in the water court. Councilmember Blecha seconded the motion. By a seven-yes vote, the motion was approved.

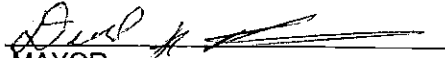
ADJOURNMENT:

There being no further business to come before Council the meeting adjourned at 7:14 p.m.

ATTEST:

CITY CLERK





MAYOR