

STERLING, COLORADO
JULY 27, 2021

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 Adam Deckard, Nazarene 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, July 27, 2021. Mayor Appelhans called the meeting to order at 5:30 p.m.

Councilmembers present:

Mayor	Appelhans
Councilmembers	Anderson Blecha Desormeaux Janes McCarty Ritter

Also present:

City Manager	Saling
City Attorney	Richardson
City Clerk	Forbes
Police Chief	Kerr
Public Works Director	Good
Human Resource Director	Brown
Paralegal	Welsh

Citizens present: 13

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 July 13, 2021, an application for renewal of lodging & entertainment liquor license for Riverview Golf Club located at 300 North Riverview Road, an application for renewal of retail liquor store license for Shino Liquors located

at 336 East Chestnut Street and an application for renewal of hotel & restaurant liquor license for Hootenannies located at 324 West Main Street.

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

None

UNFINISHED BUSINESS:

PUBLIC HEARING – PETITION FOR ANNEXATION – BALLPARK, LLC ADDITION TO THE CITY OF STERLING, LOGAN COUNTY, COLORADO:

City Manager Saling advised Council that by Resolution No. 6-5-21, Series of 2021, Council found substantial compliance and set a hearing date for the Annexation Petition for the Ballpark, LLC Addition to the City of Sterling, Logan County, Colorado.

Mayor Appelhans opened the public hearing.

There were no comments.

Mayor Appelhans closed the public hearing.

RESOLUTION NO. 7-1-21, SERIES OF 2021 – A RESOLUTION MAKING FINDINGS OF FACT AND CONCLUSION REGARDING THE ANNEXATION OF THE BALLPARK, LLC ADDITION TO THE CITY OF STERLING, LOGAN COUNTY, COLORADO:

City Manager Saling advised Council this Resolution sets forth the City's findings of fact and conclusion regarding the annexation of the Ballpark, LLC Addition, following the Public Hearing on the Petition.

Councilmember Ritter made a motion to approve the Petition for Annexation for Ballpark, LLC Addition to the City of Sterling. Councilmember Desormeaux seconded the motion. By a seven-yes vote, the motion was approved.

FIRST READING – ORDINANCE NO. 4, SERIES OF 2021 – AN ORDINANCE ANNEXING A PARCEL OF LAND TO BE KNOWN AS THE BALLPARK, LLC ADDITION TO THE CITY OF STERLING, LOGAN COUNTY, COLORADO:

City Manager Saling advised Council pursuant to Resolution No. 7-1-21, Series of 2021, City Council found that this proposed annexation meets all statutory and local requirements. This Ordinance annexes the Ballpark, LLC Addition to the City of Sterling, Logan County, Colorado.

Councilmember McCarty made a motion to introduce Ordinance No. 4, Series of 2021. Councilmember Janes seconded the motion. City Clerk Forbes read the Ordinance by title. By a seven-yes vote, the motion was approved.

CITY MANAGER'S REPORT:

City Manager Saling updated Council on the following:

- CML District 1 meeting
- Propst Agriculture Center for kids
- Outdoor Swimming Pool – County Fair week
- City Manager Meet and Greet
- Headworks project has started
- Friday, August 20, 2021 Logan County Chamber banquet

Councilmember Desormeaux made a motion to purchase a table for 8 at the Chamber banquet for \$380. Councilmember McCarty seconded the motion. By a six-yes and one-no vote, the motion was approved. Voting was as follows:

Desormeaux	yes	McCarty	yes
Blecha	no	Appelhans	yes

Anderson	yes	Janes	yes
Ritter	yes		

- Demolition of the building at Sunset Memorial Cemetery
- 2022 Budget has been returned from the Department Directors
- August 4, 2021 is the Cowboy Breakfast from 6-8 a.m.
- August 7, 2021 at 9 a.m. is the Logan County Fair Parade

Councilmember McCarty asked if more money would be put in the 2022 budget for nuisances. City Manager Saling advised Council staff is just starting the 2022 budget process.

NEW BUSINESS:

FIRST READING – ORDINANCE NO. 5, SERIES OF 2021 – AN ORDINANCE ZONING A PARCEL OF LAND NOW KNOWN AS THE BALLPARK, LLC ADDITION TO THE CITY OF STERLING, LOGAN COUNTY, COLORADO:

City Manager Saling advised Council the Planning Commission held a public hearing on July 7, 2021, and as a result has recommended to City Council that the Ballpark, LLC Addition to the City of Sterling, Logan County, Colorado, be zoned CB, Community Business. All requirements of the zoning provisions of the City Code have been met. This Ordinance zones the Ballpark, LLC Addition to the City of Sterling, Logan County, Colorado, CB, Community Business.

Councilmember Desormeaux made a motion to introduce Ordinance No. 5, Series of 2021. Councilmember Janes seconded the motion. City Clerk Forbes read the Ordinance by title. By a seven-yes vote, the motion was approved.

FIRST READING – ORDINANCE NO. 6, SERIES OF 2021 – AN ORDINANCE APPROVING THE BALLPARK LLC SUBDIVISION OF BALLPARK, LLC ADDITION TO THE CITY OF STERLING, LOGAN COUNTY, COLORADO; AND APPROVING THE PLAT THEREOF:

City Manager Saling advised Council on July 7, 2021, the Planning Commission held a public hearing on the Subdivision application submitted by Ballpark, LLC, as authorized agent of First Christian Church of Sterling, Colorado, subject to certain conditions that are more specifically set forth in the motion of the Planning Commission. The Ordinance sets forth findings by City Council and approves the subdivision and plat.

There was discussion between City Manager Saling and City Attorney Richardson that the Planning Commission had a recommendation that was not put in the Ordinance.

Councilmember Desormeaux made a motion to introduce Ordinance No. 6, Series of 2021 with the stipulation that the Planning Commission's recommendation be added, "a retaining wall be built". Councilmember Blecha seconded the motion.

There was further discussion on what the intent of the Planning Commission was.

Mayor Appelhans advised Council there is a motion on the floor.

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

FIRST READING – ORDINANCE NO. 7, SERIES OF 2021 – AN ORDINANCE APPROVING THE RETREAT AT HAWKSTONE, A SUBDIVISION IN THE CITY OF STERLING, LOGAN COUNTY, COLORADO; AND APPROVING THE PLAT THEREOF:

City Manager Saling advised Council on July 7, 2021, the Planning Commission held a public hearing on the Subdivision application submitted by Stonegate Horizons, LLC, and found that the application met all requirements of Chapter 18, Subdivisions. The Planning Commission recommended approval of this Subdivision, which will be known as The Retreat at Hawkstone, a Subdivision in the City of Sterling, Logan County, Colorado. The Ordinance sets forth findings by City Council and approves the subdivision and plat.

Councilmember Janes made a motion to introduce Ordinance No. 7, Series of 2021. Councilmember McCarty seconded the motion. City Clerk Forbes read the Ordinance by title. By a seven-yes vote, the motion was approved.

RESOLUTION NO. 7-2-21, SERIES OF 2021 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, ADOPTING THE NORTHEAST COLORADO REGIONAL HAZARD MITIGATION PLAN WITH THE 2021 UPDATE:

City Manager Saling advised Council this Resolution re-adopts the Northeast Colorado Regional Hazard Mitigation Plan with the 2021 update, as required for future funding for mitigation projects under multiple FEMA pre- and post-disaster mitigation grant programs. The Colorado Department of Homeland Security and Emergency Management and Federal Emergency Management Agency, Region VIII officials have reviewed the Northeast Colorado Regional Hazard Mitigation Plan with the 2021 update and have approved it contingent upon official adoption of the participating governments and entities. Approval of this Resolution re-adopting the Northeast Colorado Regional Hazard Mitigation Plan with the 2021 update is required as a condition for funding for mitigation projects under multiple FEMA pre- and post-disaster mitigation grant programs.

Councilmember Anderson made a motion to approve Resolution No. 7-2-21, Series of 2021. Councilmember Blecha seconded the motion. By a seven-yes vote, the motion was approved.

PUBLIC HEARING – CONDITIONAL USE APPLICATION – A. RICHARDS RENTALS LC FOR SHORT-TERM RENTAL USE OF THE PROPERTY KNOWN AND NUMBERED AS 525 DELMAR STREET:

City Manager Saling advised Council in accordance with Section 502 of the Zoning Ordinance, all requests for conditional use shall be acted upon by the City Council following receipt of a recommendation from the Planning Commission. This request is for short-term rental use of the property known and numbered as 525 Delmar Street, which is zoned R-1, Low Density Residential, "Boarding Houses and Rooming Houses", are defined as "A dwelling other than a motel or hotel in which accommodations with or without meals are provided for not more than four (4) guests, exclusive of the occupant's family, for compensation", and is a conditional use in a Low Density Residential District.

At its July 7, 2021 meeting, the Planning Commission approved the application, with the condition that the application be renewed in 2 years, for no more than 4 individuals (per City Code), and no more than 2 vehicles in front of the property and no more than 1 vehicle in the rear of the property [driveway].

Proper publication of the notice of public hearing before City Council appeared in the Sterling Journal-Advocate, and the proper ailing of the Notice was done.

Per Sec. 506 of the Sterling City Code, the City Council shall render a final decision of approval, conditional approval, or denial. The reasons for its decision shall be stated in the official minutes of the hearing. No Conditional Use shall be approved unless the City Council finds that the application complies with the requirements of the City Code chapter regarding Conditional Use, is consistent with the intent and purpose of said Chapter, the Comprehensive Master Plan, and is compatible with the surrounding land uses.

Mayor Appelhans opened the public hearing.

There were no comments.

Mayor Appelhans closed the public hearing.

Councilmember Janes made a motion to approve the Conditional Use Application with a conditional approval. Councilmember Desormeaux seconded the motion. By a seven-yes vote, the motion was approved.

MISCELLANEOUS COUNCIL BUSINESS:

EXECUTIVE SESSION – FOR DISCUSSION OF A PERSONNEL MATTER UNDER C.R.S. SECTION 24-6-402 (4)(f) AND NOT INVOLVING: ANY SPECIFIC EMPLOYEES WHO HAVE REQUESTED DISCUSSION OF THE MATTER IN OPEN SESSION; ANY MEMBER OF THIS BODY OR ANY ELECTED OFFICIAL; THE APPOINTMENT OF ANY PERSON TO FILL AN OFFICE OF THIS BODY OR OF AN ELECTED OFFICIAL; OR PERSONNEL POLICIES THAT DO NOT REQUIRE THE DISCUSSION OF MATTERS PERSONAL TO PARTICULAR EMPLOYEES 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)

Mayor Appelhans made a motion to go into executive session for discussion of a personnel matter under C.R.S. Section 24-6-402 (4) (f) and not involving: any specific employees who have requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees 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 Desormeaux seconded the motion. By a seven-yes vote, the motion was approved.

Council went into executive session at 6:12 p.m.

Council came out of executive session at 7:57 p.m.

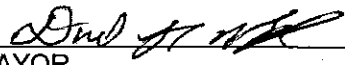
Mayor Appelhans advised the participants in the executive session were: City Council, City Manager, City Attorney, Public Works Director, Human Resource Director and Trae Miller, Logan County Economic Development Corporation Executive Director. For the record, if any person who participated in the executive 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.

MISCELLANEOUS COUNCIL BUSINESS:

Councilmember McCarty brought up events such as the CML conference, Chamber dinners, and the GALA. He encouraged Council to attend these functions.

There being no further business to come before Council the meeting adjourned at 7:58 p.m.


MAYOR

ATTEST:

CITY CLERK