

**STERLING, COLORADO
JUNE 13, 2023**

**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 Kristie Firme, Christ United Methodist Church, gave the invocation. Mayor Desormeaux 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, June 13, 2023. Mayor Desormeaux called the meeting to order at 5:30 p.m.

Councilmembers present:

Mayor	Desormeaux
Councilmembers	Angell Blecha Delgado Haynie

Councilmembers absent:

Councilmembers	Janes Ritter
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Also present:

City Manager	Blankenship
City Attorney	Richardson
City Clerk	Forbes
Public Works Director	Good
Fire Chief	Ritter
Police Chief	Kerr
Human Resource Director	Mentzel
Parks, Library and Recreation Director	Gandee

Citizens present: 12

CONSENT AGENDA:

Councilmember Haynie made a motion to approve the consent agenda. Councilmember Angell seconded the motion. By a five-yes vote, the motion was approved.

Items on the consent agenda were: City Council minutes of May 23, 2023, application for renewal of Hotel & Restaurant Liquor License for The Grill at River City located at 1116 West Main, application for renewal of Tavern Liquor License for Henry's Pub & Club located at 138 South Front Street, and an application for renewal of Fermented Malt Beverage and Wine Liquor License for Eagle Travel Stops Convenience Stores located at 1550 East Chestnut Street.

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

Present to address Council was Ms. Samantha Mahaffey, 520 North 7th Avenue. Ms. Mahaffey asked regarding the chicken ordinance. She advised they have brought various items to Council and asked Council to take action.

Next to address Council was Ms. Kimberly Ertle Clark, 14701 County Road 41. Ms. Clark advised the bus stops at The Hot Spot and Walkers Pharmacy need to have repairs made. Mayor Desormeaux advised the Transportation Authority does this and she needs to get in touch with Councilmember Janes.

UNFINISHED BUSINESS:

SECOND READING AND PUBLIC HEARING – ORDINANCE NO. 4, SERIES OF 2023 - AN ORDINANCE ANNEXING A PARCEL OF LAND TO BE KNOWN AS THE 21ST CENTURY LAND, LLC ADDITION TO THE CITY OF STERLING, LOGAN COUNTY, COLORADO:

City Manager Blankenship advised Council first reading of this Ordinance took place on May 23, 2023, and it was thereafter published. Pursuant to Resolution No. 5-4-23, Series of 2023, City Council found that this proposed annexation meets all statutory and local requirements. This Ordinance annexes the 21st Century Land, LLC Addition to the City of Sterling, Logan County, Colorado.

City Clerk Forbes read the Ordinance by title

Mayor Desormeaux opened the public hearing.

Councilmember Haynie made a motion to adjourn the public hearing until July 11, 2023. Councilmember Angell seconded the motion. By a five-yes vote, the motion was approved.

SECOND READING AND PUBLIC HEARING – ORDINANCE NO. 5, SERIES OF 2023 - AN ORDINANCE AMENDING THE STERLING CITY CODE, CHAPTER 5. BUILDINGS AND BUILDING REGULATIONS, ARTICLE III. INTERNATIONAL BUILDING CODE, SECTION 5-31, INTERNATIONAL BUILDING CODE ADOPTED:

City Manager Blankenship advised Council first reading of this Ordinance took place on May 23, 2023, and it was thereafter published. The City Code presently adopts the 2006 International Building Code. This Ordinance updates the City Code by adopting the 2018 International Building Code.

City Clerk Forbes read the Ordinance by title

Mayor Desormeaux opened the public hearing.

There were no comments.

Mayor Desormeaux closed the public hearing.

Councilmember Haynie made a motion to approve Ordinance No. 5, Series of 2023. Councilmember Delgado seconded the motion. By a five-yes vote, the motion was approved.

SECOND READING AND PUBLIC HEARING – ORDINANCE NO. 6, SERIES OF 2023 - AN ORDINANCE AMENDING THE STERLING CITY CODE, CHAPTER 5. BUILDINGS AND BUILDING REGULATIONS, ARTICLE IV. INTERNATIONAL MECHANICAL CODE, SECTION 5-43, INTERNATIONAL MECHANICAL CODE ADOPTED:

City Manager Blankenship advised Council first reading of this Ordinance took place on May 23, 2023, and it was thereafter published. The City Code presently adopts the 2006 International Mechanical Code. This Ordinance updates the City Code by adopting the 2018 International Mechanical Code.

City Clerk Forbes read the Ordinance by title

Mayor Desormeaux opened the public hearing.

There were no comments.

Mayor Desormeaux closed the public hearing.

Councilmember Angell made a motion to approve Ordinance No. 6, Series of 2023. Councilmember Haynie seconded the motion. By a five-yes vote, the motion was approved.

SECOND READING AND PUBLIC HEARING – ORDINANCE NO. 7, SERIES OF 2023 - AN ORDINANCE AMENDING THE STERLING CITY CODE, CHAPTER 5. BUILDINGS AND BUILDING REGULATIONS, ARTICLE V. INTERNATIONAL RESIDENTIAL CODE, SECTION 5-56, INTERNATIONAL RESIDENTIAL CODE ADOPTED:

City Manager Blankenship advised Council first reading of this Ordinance took place on May 23, 2023, and it was thereafter published. The City Code presently adopts the 2006 International Residential Code. This Ordinance updates the City Code by adopting the 2018 International Residential Code.

City Clerk Forbes read the Ordinance by title

Mayor Desormeaux opened the public hearing.

There were no comments.

Mayor Desormeaux closed the public hearing.

Councilmember Delgado made a motion to approve Ordinance No. 7, Series of 2023. Councilmember Haynie seconded the motion. By a five-yes vote, the motion was approved.

SECOND READING AND PUBLIC HEARING – ORDINANCE NO. 8, SERIES OF 2023 - AN ORDINANCE AMENDING THE STERLING CITY CODE, CHAPTER 5. BUILDINGS AND BUILDING REGULATIONS, ARTICLE VI, INTERNATIONAL ENERGY CONSERVATION CODE, SECTION 5-106, INTERNATIONAL ENERGY CONSERVATION CODE ADOPTED:

City Manager Blankenship advised Council first reading of this Ordinance took place on May 23, 2023, and it was thereafter published. The City Code presently adopts the 2006 International Energy Conservation Code. This Ordinance updates the City Code by adopting the 2018 International Energy Conservation Code.

City Clerk Forbes read the Ordinance by title

Mayor Desormeaux opened the public hearing.

There were no comments.

Mayor Desormeaux closed the public hearing.

Councilmember Haynie made a motion to approve Ordinance No. 8, Series of 2023. Councilmember Delgado seconded the motion. By a five-yes vote, the motion was approved.

SECOND READING AND PUBLIC HEARING – ORDINANCE NO. 9, SERIES OF 2023 - AN ORDINANCE AMENDING THE STERLING CITY CODE, CHAPTER 5. BUILDINGS AND BUILDING REGULATIONS, ARTICLE VIII. INTERNATIONAL FUEL GAS CODE, SECTION 5-140. INTERNATIONAL FUEL GAS CODE ADOPTED:

City Manager Blankenship advised Council first reading of this Ordinance took place on May 23, 2023, and it was thereafter published. The City Code presently adopts the 2006 International Fuel Gas Code. This Ordinance updates the City Code by adopting the 2018 International Fuel Gas Code.

City Clerk Forbes read the Ordinance by title

Mayor Desormeaux opened the public hearing.

There were no comments.

Mayor Desormeaux closed the public hearing.

Councilmember Delgado made a motion to approve Ordinance No. 9, Series of 2023. Councilmember Angell seconded the motion. By a five-yes vote, the motion was approved.

SECOND READING AND PUBLIC HEARING – ORDINANCE NO. 10, SERIES OF 2023 - AN ORDINANCE AMENDING THE STERLING CITY CODE, CHAPTER 5. BUILDINGS AND BUILDING REGULATIONS, BY THE ADDITION THERETO OF A NEW ARTICLE IX, INTERNATIONAL EXISTING BUILDING CODE:

City Manager Blankenship advised Council first reading of this Ordinance took place on May 23, 2023, and it was thereafter published. This Ordinance amends City Code Chapter 5, Buildings and Building Regulations, by the addition of a new Article IX, adopting the International Existing Building Code.

City Clerk Forbes read the Ordinance by title

Mayor Desormeaux opened the public hearing.

There were no comments.

Mayor Desormeaux closed the public hearing.

Councilmember Haynie made a motion to approve Ordinance No. 10, Series of 2023. Councilmember Delgado seconded the motion. By a five-yes vote, the motion was approved.

SECOND READING AND PUBLIC HEARING – ORDINANCE NO. 11, SERIES OF 2023 - AN ORDINANCE AMENDING THE STERLING CITY CODE, CHAPTER 7, FIRE PREVENTION AND PROTECTION, ARTICLE II, INTERNATIONAL FIRE CODE ADOPTED, SECTION 7-6, INTERNATIONAL FIRE CODE ADOPTED:

City Manager Blankenship advised Council first reading of this Ordinance took place on May 23, 2023, and it was thereafter published. The City Code presently adopts the 2006 International Fire Code. This Ordinance updates the City Code by adopting the 2018 International Fire Code, with amendments.

City Clerk Forbes read the Ordinance by title

Mayor Desormeaux opened the public hearing.

There were no comments.

Mayor Desormeaux closed the public hearing.

Councilmember Blecha made a motion to approve Ordinance No. 11, Series of 2023. Councilmember Haynie seconded the motion. By a five-yes vote, the motion was approved.

CITY MANAGER REPORT:

- Sales and Lodging Taxes – April 2023
- Water Production/Demand – April 2023
- Public Works projects
- Paving projects status
- Spring Cleanup update
- Heritage Park
- Ares Associates update

NEW BUSINESS:

DEPARTMENT REPORT – PARKS, LIBRARY AND RECREATION DEPARTMENT

Parks, Library and Recreation Director Gandee update Council of the activities the PLR Department is doing.

PRESENTATION OF PARKS AND RECREATION MONTH PROCLAMATION

Mayor Desormeaux presented the Parks and Recreation Month Proclamation to PLR Director Gandee, Recreation Superintendent Waite, Recreation Program Supervisor Freeland, Library Superintendent VanDusen and Museum Curator Rich

RESOLUTION NO. 6-1-23, SERIES OF 2023 - A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, REQUESTING A STATE AVIATION GRANT FROM THE COLORADO DEPARTMENT OF TRANSPORTATION - AERONAUTICAL DIVISION AND APPROVING ALL GUIDELINES, PROCEDURES, STANDARDS, REQUIREMENTS, TERMS AND CONDITIONS OF SUCH GRANT, IDENTIFIED AS CDOT-AERONAUTICS DIVISION, SMALL DOLLAR GRANT AWARD, CDAG #: 23-STK-01:

City Manager Blankenship advised Council this Resolution approves a Grant Application to the Colorado Department of Transportation – Aeronautical Division, in connection with the FAA Airport Improvement Program (AIP) Grant Application approved by Resolution No. 2-2-23, Series of 2023, and FAA Bipartisan Infrastructure Law (BIL) Grant Application approved by Resolution No. 2-3-23, Series of 2023, for a project at the Sterling Municipal Airport, to Rehabilitate Apron (Construction). In connection with the recent Grants to be awarded to the City by the United States of America acting through the Federal Aviation Administration, in the amount of up to \$934,773.00 (AIP) and \$304,000.00 (BIL), the City is requesting a Grant from the Colorado Department of Transportation – Aeronautical Division in the amount of up to \$68,819.00. The total Project Funding is \$1,376,415.00 and the remaining 5% funding that is the responsibility of the City is in the amount of \$68,823.00, which is budgeted in the 2023 Airport budget as improvements.

Councilmember Haynie made a motion to approve Resolution No. 6-1-23, Series of 2023. Councilmember Angell seconded the motion. By a five-yes vote, the motion was approved.

FIRST READING – ORDINANCE NO. 12, SERIES OF 2023 – AN ORDINANCE APPROVING LOANS FROM THE COLORADO WATER RESOURCES AND POWER DEVELOPMENT AUTHORITY (“CWRPDA”) IN THE AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$3,000,000 (THE “SRF LOAN”), \$3,000,000 (THE “GREEN LOAN”) AND \$26,000,000 (THE

“REVENUE BOND LOAN”); AUTHORIZING THE FORMS AND EXECUTION OF THE LOAN AGREEMENTS AND GOVERNMENTAL AGENCY BONDS TO EVIDENCE SUCH LOANS; AUTHORIZING THE CONSTRUCTION OF A PROJECT; AND PRESCRIBING OTHER DETAILS IN CONNECTION THEREWITH:

City Manager Blankenship advised Council this Ordinance approves loans from the Colorado Water Resources and Power Development Authority; authorizes the execution of forms and loan agreements, as approved as to form, and is a delegation ordinance as authorized by state law, and delegates to the Mayor, City Manager, and Director of Finance to make any final determinations and approve any changes to the loan agreements so long as the changes comply with the parameters of the ordinance, all pursuant to electoral authorization remaining from the 2019 Election and electoral authorization from the 2022 Election. This debt for the Revenue Bond Loan is in the amount not to exceed \$26,000,000, with a net effective interest rate not to exceed 6.00%; the Water Pollution Control Revolving Loan is in the amount not to exceed \$3,000,000, with a net effective interest rate not to exceed 3.25%; and the Green Loan is in the amount not to exceed \$3,000,000, with a net effective interest rate not to exceed 2.5%. Funds to pay for these financial obligations will be generated by the monthly sewer fee.

Councilmember Angell made a motion to introduce Ordinance No. 12, Series of 2023. Councilmember Blecha seconded the motion. City Clerk Forbes read the Ordinance by title. By a five-yes vote, the motion was approved.

MISCELLANEOUS COUNCIL BUSINESS:
MISCELLANEOUS MATTERS:

Mayor Desormeaux advised there are a couple of openings on Boards. She advised she thought it was a good idea to advertise for the positions.

Mayor Desormeaux also advised Councilmembers if they were going to be missing the meeting or be late to let someone know so staff could confirm there would be a quorum.

Councilmember Delgado advised he attended the Economic Development meeting and updated Council on the meeting.

Councilmember Haynie advised the scooters are back.

EXECUTIVE SESSION:

- 1. PURSUANT TO C.R.S. SECTION 24-6-402(4)(e) FOR THE DISCUSSION OF MATTERS WHICH MAY BE SUBJECT TO NEGOTIATIONS: DISCUSSION OF POSSIBLE PURCHASE OF REAL ESTATE**
- 2. PURSUANT TO C.R.S. SECTION 24-6-402(4)(b) FOR THE PURPOSE OF RECEIVING LEGAL ADVICE ON SPECIFIC LEGAL QUESTIONS: SALES TAX EXEMPTIONS**

Mayor Desormeaux made a motion to go into executive session pursuant to C.R.S. Section 24-6-402(4)(e) for the discussion of matters which may be subject to negotiations: discussion of possible purchase of real estate AND pursuant to C.R.S. Section 24-6-402(4)(b) for the purpose of receiving legal advice on specific legal questions: sales tax exemptions. Councilmember Haynie seconded the motion. By a five-yes vote, the motion was approved.

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

Council came out of executive session at 7:22 p.m.

Mayor Desormeaux advised the participants in the executive session were: City Council, City Manager and City Attorney. 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, she asked that they state their concerns for the record.

There was none.

NEW BUSINESS CONTINUED:

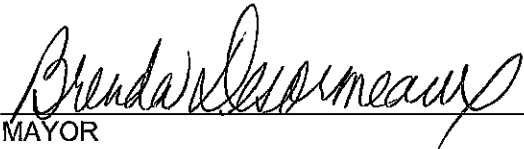
FIRST READING – ORDINANCE NO. 13, SERIES OF 2023 - AN ORDINANCE AMENDING THE STERLING CITY CODE, CHAPTER 19. TAXATION AND FINANCE, ARTICLE III. SALES TAX, SECTION 19-121, EXEMPTIONS:

City Manager Blankenship advised Council this Ordinance amends the City Code, Chapter 19, Section 19-121, to add an exemption for the sales of farm equipment and farm equipment under lease or contract, as provided for in C.R.S. Section 39-26-716 (4)(e) and (4)(f).

Councilmember Blecha made a motion to introduce Ordinance No. 13, Series of 2023. Councilmember Delgado seconded the motion. City Clerk Forbes read the Ordinance by title. By a five-yes vote, the motion was approved.

ADJOURNMENT:

There being no further business to come before Council the meeting adjourned at 7:25 p.m.


MAYOR

ATTEST:


CITY CLERK