

STERLING, COLORADO
JUNE 14, 2022

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 Terry Krayenhaagen, Faith 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 14, 2022. Mayor Desormeaux called the meeting to order at 5:30 p.m.

Councilmembers present:

Mayor	Desormeaux
Councilmembers	Blecha Gaines Haynie Janes Ritter

Councilmembers absent:

Councilmember	Anderson
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Also present:

City Manager	Blankenship
City Attorney	Richardson
City Clerk	Forbes
Fire Chief	Ritter
Police Chief	Kerr
Parks, Library and Recreation (PLR) Director	Gandee
Public Safety Communications (PSC) Director	Lybrand
Human Resource Director	Brown
Paralegal	Welsh

Citizens present: 11

CONSENT AGENDA:

Councilmember Gaines made a motion to approve the consent agenda. Councilmember Ritter seconded the motion. By a five-yes and one-abstain vote, the motion was approved. Voting was as follows:

Gaines	yes	Ritter	yes
Janes	abstain	Blecha	yes
Desormeaux	yes	Haynie	yes

Items on the consent agenda were: City Council minutes of May 24, 2022, Special City Council minutes of May 31, 2022, application for renewal of fermented malt beverage liquor license for Walmart #924 located at 1510 West Main Street and an application for renewal of lodging & entertainment liquor license for Riverview Golf Club located at 300 North Riverview Road.

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

Present to address Council was Mr. Jeff Rice, Sterling Journal Advocate. Mr. Rice introduced himself to Council and informed them he would be covering City Council meetings.

UNFINISHED BUSINESS:

SECOND READING AND PUBLIC HEARING – ORDINANCE NO. 5, SERIES OF 2022 – AN ORDINANCE REZONING LOT 1 OF FELC SUBDIVISION OF BLOCK 4, CHEAIRS SEVENTH ADDITION, CITY OF STERLING, LOGAN COUNTY, COLORADO:

City Manager Blankenship advised Council first reading of this Ordinance took place on May 24, 2022, and it was thereafter published. This Ordinance approves a request from the First English Evangelical Lutheran Congregation of Sterling, Colorado for a zoning change for Lot 1 of FELC Subdivision of Block 4, Cheairs Seventh Addition, City of Sterling, Logan County, Colorado, from R-1, Low Density Residential, to MS, Medical Services. The Planning Commission recommended approval of this request after a public hearing was held at its May 4, 2022, meeting.

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 Janes made a motion to approve Ordinance No. 5, Series of 2022. Councilmember Blecha seconded the motion. By a six-yes vote, the motion was approved.

SECOND READING AND PUBLIC HEARING – ORDINANCE NO. 6, SERIES OF 2022 - AN ORDINANCE APPROVING THE BLOCK 22, KING AND SMITH'S ADDITION REPLAT NO. 1, BLOCK 22, LOT 7 AND THE NORTH 100 FEET OF LOT 8, KING AND SMITH'S ADDITION LOCATED IN THE SOUTHEAST 1/4 OF SECTION 29 AND IN THE NORTHEAST 1/4 OF SECTION 32, TOWNSHIP 8 NORTH, RANGE 52 WEST OF THE 6TH PRINCIPAL MERIDIAN, COUNTY OF LOGAN, STATE OF COLORADO; AND APPROVING THE PLAT THEREOF:

City Manager Blankenship advised Council first reading of this Ordinance took place on May 24, 2022, and it was thereafter published. On May 4, 2022, the Planning Commission held a public hearing on the Subdivision Application submitted by Rick Will, President of Molior, Inc., and found that the application met all requirements of Chapter 18, Subdivisions. The Planning Commission recommends approval of this resubdivision, which will be known as the Block 22, King and Smith's Addition located in the Southeast 1/4 of Section 29 and in the Northeast 1/4 of Section 32, Township 8 North, Range 52 West of the 6th Principal Meridian, County of Logan, State of

Colorado. This Ordinance sets forth findings by City Council and approves the resubdivision and plat and authorizes and confirms the execution of the certificate of same on the plat by the Mayor and attestation by the City Clerk.

City Clerk Forbes read the ordinance by title

Mayor Desormeaux opened the public hearing.

Present to address Council was Mr. Rick Will, Molior, Inc. Mr. Will introduced himself to Council.

Mayor Desormeaux closed the public hearing.

Councilmember Janes made a motion to approve Ordinance No. 6, Series of 2022. Councilmember Ritter seconded the motion. By a six-yes vote, the motion was approved.

CITY MANAGER'S REPORT:

- Sales and Lodging Taxes – May 2022
- Water Production/Demand – May 2022
- Employee Recognition -- Sandy VanDusen 45 years of Service Celebration
- CML District Meeting in Yuma Update Discussion
- Main Street Program Discussion
- Business View Magazine May 2022 issue is available online
- Legislative updates that will be at CML Annual Conference
- Received the Innovative Housing Grant Award letter for \$32,000 from Council approving Resolution 3-6-22, Series of 2022 for an outside firm to help with housing issues.

NEW BUSINESS:

PRESENTATION OF ALZHEIMER'S AND BRAIN AWARENESS MONTH PROCLAMATION:

Mayor Desormeaux read and presented the Alzheimer's and Brain Awareness Month Proclamation to Marianne Harbart, Alzheimer Education Facilitator for Sterling, Colorado.

APPLICATION FOR NEW HOTEL & RESTAURANT LIQUOR LICENSE – THE LOUNGE AT McCauley's LLC – THE LOUNGE AT McCauley's Moustache Café – 118-120 North 2ND Street:

City Manager Blankenship advised Council The Lounge at McCauley's LLC has filed an application for a Hotel & Restaurant Liquor License for The Lounge at McCauley's Moustache Café, 118-120 North 2nd Street. All documentation and fees have been submitted. City Council needs to set a date for the public hearing. Council also needs to determine if it wants a survey to determine the needs and desires of the neighborhood, and if so, the number of contacts required and the designation of the neighborhood. It is requested that the public hearing be set on July 12, 2022, to allow for completion of the background investigation. This date would also allow time for a survey to be completed, if Council determines that a survey is necessary.

Councilmember Janes made a motion to approve the liquor application. Councilmember Gaines seconded the motion.

City Clerk Forbes advised Council was not ready to approve the application as a public hearing and background check was needed first. City Attorney Richardson advised Council needed to set the Public Hearing date. As the motion and second was on the table, the vote was taken. By a six-no vote the motion was denied.

Councilmember Gaines brought up a survey of the neighborhood. Councilmember Janes advised he didn't feel it was necessary as there were other liquor establishments in the area.

Councilmember Blecha made a motion to set the public hearing date for July 12, 2022. Councilmember Gaines seconded the motion. By a six-yes vote, the motion was approved.

APPLICATION FOR NEW RETAIL LIQUOR LICENSE – RICKY D. FURROW – COWBOY DOWN LIQUOR – 422 MAIN STREET (LOCATED WITHIN THE BUSINESS KNOWN AS BARB'S MAIN STREET GIFTS & BASKETS):

City Manager Blankenship advised Council Ricky D. Furrow has filed an application for a Retail Liquor Store License for Cowboy Down Liquor, 422 Main Street (located within the business known as Barb's Main Street Gifts & Baskets). All documentation and fees have been submitted. City Council needs to set a date for the public hearing. Council also needs to determine if it wants a survey to determine the needs and desires of the neighborhood. And if so, the number of contacts required and the designation of the neighborhood. It is requested that the public hearing be set on July 12, 2022, to allow for completion of the background investigation. This date would also allow time for a survey to be completed, if Council determines that a survey is necessary.

Councilmember Gaines made a motion to set the public hearing date for July 12, 2022. Councilmember Ritter seconded the motion. Council determined there was no survey needed. By a six-yes vote, the motion was approved.

RESOLUTION NO. 6-1-22, SERIES OF 2022 - A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, APPROVING A TIVITY HEALTH PARTNER LOCATION AGREEMENT WITH TIVITY HEALTH SERVICES, LLC:

City Manager Blankenship advised Council this Resolution approves an Agreement with Tivity Health Services, LLC whereby Tivity Health Services, LLC will continue to provide the City with a cash reimbursement for general admission to the City's Recreation Center for participants enrolled in the SilverSneakers Fitness Program.

Councilmember Ritter made a motion to approve Resolution No. 6-1-22, Series of 2022. Councilmember Haynie seconded the motion. By a six-yes vote, the motion was approved.

RESOLUTION NO. 6-2-22, SERIES OF 2022 - A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, DESIGNATING THE CITY'S OFFICIAL MEMBER REPRESENTATIVE AND ALTERNATE REPRESENTATIVE TO THE COLORADO FIREFIGHTER HEART AND CIRCULATORY BENEFITS TRUST:

City Manager Blankenship advised Council the City is a member of the Colorado Firefighter Heart and Circulatory Benefits Trust relating to the firefighter heart and circulatory malfunction benefit plan provided by the City. This Resolution updates the designated Member Representative and Alternate Representative to name the current City Manager as the Member Representative, and the City Clerk as the Alternate Representative.

Councilmember Janes made a motion to approve Resolution No. 6-2-22, Series of 2022. Councilmember Ritter seconded the motion. By a six-yes vote, the motion was approved.

RESOLUTION NO. 6-3-22, SERIES OF 2022 - A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, APPROVING A MEMORANDUM OF UNDERSTANDING WITH BIRD RIDES, INC. RELATING TO DEPLOYMENT OF STAND-UP ELECTRIC SCOOTER SHARING SYSTEMS WITHIN THE CITY:

City Manager Blankenship advised Council this Resolution approves a Memorandum of Understanding with Bird Rides, Inc. setting forth the framework and specific terms for the placement and deployment of Stand-up Electric Scooter Sharing Systems.

Councilmember Janes made a motion to table Resolution No. 6-3-22, Series of 2022 until the next Council meeting on June 28, 2022. He advised the South Platte Regional Transportation Authority had discussed this previously and would like to get it all on the same page. Councilmember Ritter seconded the motion. By a six-yes vote, the motion was approved.

FIRST READING – ORDINANCE NO. 7, SERIES OF 2020 - AN ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE AMOUNT OF EIGHTEEN MILLION, NINETY-ONE THOUSAND, ONE HUNDRED NINETY-NINE DOLLARS (\$18,091,199) AND REGULATING THE PAYMENT OF MONEY OUT OF THE CITY TREASURY, AND INCREASING THE AMOUNT OF THE REVENUE BUDGET FOR 2022 BY NINE HUNDRED THREE THOUSAND EIGHT HUNDRED SEVENTY-TWO DOLLARS (\$903,872):

City Manager Blankenship advised Council this Ordinance relates to projects and revenues received in 2022 after the 2022 budget was completed. The increased expense of \$18,091.00 and revenue of \$903,872.00.

Councilmember Gaines made a motion to introduce Ordinance No. 7, Series of 2022. Councilmember Ritter seconded the motion. City Clerk Forbes read the Ordinance by title. By a six-yes vote, the motion was approved.

DEPARTMENT REPORT – FINANCE DEPARTMENT:

Finance Director Forbes gave the Finance Department report.

MISCELLANEOUS COUNCIL BUSINESS:

Councilmember Gaines advised he was appointed to the Humane Society Board. He attended his first meeting and the Humane Society advised him that it was a conflict of interest for a Councilmember to be a Boardmember. There was discussion. City Attorney Richardson will check into this.

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:


Mayor Desormeaux 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. Councilmember Janes seconded the motion. By a six-yes vote, the motion was approved.


Council went into executive session at 6:30 p.m.

Council came out of executive session at 7:05 p.m.

Mayor Desormeaux advised the participants in the executive session were: City Council, City Attorney and Human Resource 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 being no further business to come before Council the meeting adjourned at 7:06 p.m.


MAYOR

ATTEST:

CITY CLERK