

STERLING, COLORADO
JUNE 23, 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 Dan Holsten, Berean 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, June 23, 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
Parks, Library and Recreation Director	Gandee
Police Chief	Kerr
Fire Chief	Ritter
Public Works Director	Good
Paralegal	Welsh

Citizens present: 4

Mayor Appelhans made a motion to amend the agenda by removing the Executive Session. Councilmember Desormeaux seconded the motion. By a seven-yes vote, the motion was approved.

CONSENT AGENDA:

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

Item on the consent agenda was: City Council minutes of June 9, 2020.

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

None

UNFINISHED BUSINESS:

SECOND READING AND PUBLIC HEARING – ORDINANCE NO. 9, SERIES OF 2020 – AN ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE AMOUNT OF FOUR MILLION, FOUR HUNDRED NINETY-NINE THOUSAND SEVEN HUNDRED TWENTY-EIGHT DOLLARS (\$4,499,728) AND REGULATING THE PAYMENT OF MONEY OUT OF THE CITY TREASURY, AND INCREASING THE AMOUNT OF THE REVENUE BUDGET FOR 2020 BY THREE HUNDRED THIRTY-FOUR THOUSAND ONE HUNDRED FIFTY-SIX DOLLARS (\$334,156):

City Manager Saling advised Council first reading of this Ordinance took place on June 9, 2020, and it was thereafter published. This Ordinance relates to projects not completed in 2019, to be completed in 2020; and grant money received in 2020.

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. 9, 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:

- Spring Clean-up
- Indoor Swimming Pool
- Fireworks
- City Council meetings – Zoom meetings

City Manager Saling advised Council the State has notified staff that the loan application submittal is complete.

City Manager Saling advised Council that the Museum and Library can open. The Library will start opening on Friday from 9:00 a.m. to 6:00 p.m. on week days. There will be reservations required for computers and limited to 50 guests. For the Museum, they are looking at possibly two weeks out, with the possibility of escorting customers through.

City Manager Saling advised Council as of June 20, 2020, anyone coming into City Hall has to wear a mask.

City Manager Saling asked Council regarding the salary for the new City Manager so staff can give the recruitment company the information. There was discussion. It was the consensus of Council to go between \$120,000 to \$150,000 per year.

NEW BUSINESS:

MAYOR'S RECOMMENDATION OF APPOINTMENTS TO THE CITIZENS ADVISORY BOARD AND PUBLIC WORKS BOARD:

Mayor Appelhans made a motion to appoint Cinthia Horner, Patricia Johnson and Jenny Sergi to the Citizens Advisory Board and Greg Simmons to the Public Works Board. Councilmember Janes seconded the motion. By a seven-yes vote, the motion was approved.

PUBLIC HEARING – APPLICATION FOR CONDITIONAL USE – JOHN WALES, SITE ACQUISITION SPECIALIST FOR NEXIUS SOLUTIONS, INC. – FOR A 20-FT. HEIGHT INCREASE AND 360-SQ-FT GROUND AREA INCREASE FOR THE TOWER LOCATED AT 802 DOUGLAS 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 a 20-ft height increase and 360-sq-ft ground area increase for the tower located on the property known and numbered as 802 Douglas Street.

In 2005, a conditional use request was granted for the operation of a wireless communications facility at 802 Douglas Street. Pursuant to Sec. 507 of the City Code, "No approved Conditional Use may be changed, modified, expanded, or enlarged unless the same is amended and approved in accordance with the procedures applicable to initial approval of a Conditional Use." The present application is for an amendment to the original conditional use, by the requested increase in height and ground area.

At its June 3, 2020, meeting, the Planning Commission approved the application.

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

Present to address Council was Mr. John Wales, Site Acquisition Specialist for Nexus Solutions, Inc. Mr. Wales advised Council that they have found that this is an excellent location for their tower.

Mayor Appelhans closed the public hearing.

Councilmember McCarty made a motion to approve the Conditional Use Application for Nexus Solutions, Inc. located at 802 Douglas Street. Councilmember Anderson seconded the motion. By a seven-yes vote, the motion was approved.

RESOLUTION NO. 6-2-20, SERIES OF 2020 - A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, APPROVING A COLLABORATION AGREEMENT BETWEEN THE COUNTY OF LOGAN AND THE TOWN OF CROOK, TOWN OF FLEMING, TOWN OF ILIFF, TOWN OF MERINO, TOWN OF PEETZ, AND CITY OF STERLING:

City Manager Saling advised Council this Resolution approves and authorizes the City to sign a Collaboration Agreement between the County of Logan and the Town of Crook, Town of Fleming, Town of Iliff, Town of Merino, Town of Peetz, and City of Sterling, for the purpose of providing structure for how the parties become eligible and obtain access to funds authorized by the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), to receive reimbursement for necessary expenditures that were not accounted for in the most recent local government budget and that were incurred as of March 1, 2020 due to the COVID-19 Public Health Emergency. The total amount anticipated to be allocated among the parties is \$1,922,403, and the anticipated amount to be allocated to the City is \$543,832.

Councilmember Desormeaux made a motion to approve Resolution No. 6-2-20, Series of 2020. Councilmember Janes seconded the motion. By a seven-yes vote, the motion was approved.

RESOLUTION NO. 6-3-20, SERIES OF 2020 - A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF STERLING AND PHILLIPS COUNTY FOR THE COUNTY OF PHILLIPS TO UTILIZE AND RECORD ITS LAW, FIRE, AND EMS RADIO TRANSMISSIONS ON THE CITY OF STERLING'S EMERGENCY OPERATIONS AIS RADIO LOGGER:

City Manager Saling advised Council the City and Phillips County have entered into an agreement that allows the County of Phillips to utilize and record its law, fire, and EMS radio transmissions on the City's AIS radio logger, and that agreement expires, by its terms, on June 30, 2020. Phillips County wishes to continue this arrangement. This Resolution approves a new agreement under the same terms as the present agreement. The County of Phillips shall share the annual maintenance expenses for the City's SECC radio logger, based on the previous year's "Call for Service" numbers for the City and the County.

Councilmember Janes made a motion to approve Resolution No. 6-3-20, Series of 2020. Councilmember Blecha seconded the motion. By a seven-yes vote, the motion was approved.

RESOLUTION NO. 6-4-20, SERIES OF 2020 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO APPROVING THE PROPOSAL RECEIVED FROM FARNSWORTH GROUP, INC. RELATING TO PREPARATION OF CONSTRUCTION DOCUMENTS AND ASSISTANCE IN THE BIDDING PROCESS FOR A PROPOSED URBAN PARK; AND AUTHORIZING THE MAYOR TO EXECUTE THE PROJECT SERVICES AGREEMENT:

City Manager Saling advised Council this Resolution approves the proposal received from Farnsworth Group, Inc. for services in preparing construction documents and assisting in the bidding process 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 \$13,062.50 towards the \$52,250.00 cost of said services.

The proposal submitted and approved by this Resolution is in the amount of \$52,250.00. 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 made 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 \$13,062.50.

Councilmember McCarty made a motion to approve Resolution No. 6-4-20, Series of 2020. Councilmember Anderson seconded the motion. By a seven-yes vote, the motion was approved.

RESOLUTION NO. 6-5-20, 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 the Citizens Advisory Board has made a recommendation for the City to provide funds from the City of Sterling Hotel Tax Fund for one-fourth of the cost for services by the Farnsworth Group, Inc. in preparing construction documents and assisting in the bidding phase of the project relating to a proposed urban park, identified as the Heritage Park project, to be located at the corner of 4th and Main Streets, Sterling Urban Renewal Authority, the Sterling Community Fund, and the City of Sterling will each be contributing one-fourth towards the cost. This Resolution approves the expenditure of up to \$13,062.50 for that purpose.

The proposal for the services was for \$52,250.00. 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. 6-5-20, Series of 2020. Councilmember Desormeaux seconded the motion. By a seven-yes vote, the motion was approved.

FIRST READING - ORDINANCE NO. 10, SERIES OF 2020 - AN ORDINANCE ZONING A PARCEL OF LAND NOW KNOWN AS THE PLATTE VALLEY INDUSTRIAL PARK ADDITION – PHASE 1 TO THE CITY OF STERLING, LOGAN COUNTY, COLORADO:

City Manager Saling advised Council the Planning Commission held a public hearing on June 3, 2020, and as a result has recommended to City Council that the Platte Valley Industrial Park Addition – Phase 1 to the City of Sterling, Logan County, Colorado, be zoned LI, Light Industrial. All requirements of the zoning provisions of the City Code have been met. This Ordinance zones the Platte Valley Industrial Park Addition – Phase 1 to the City of Sterling, Logan County, Colorado, LI, Light Industrial.

Councilmember Desormeaux made a motion to introduce Ordinance No. 10, Series of 2020. Councilmember Janes seconded the motion. City Clerk Forbes read the Ordinance by title. By a seven-yes vote, the motion was approved.

PRESENTATION OF PARKS AND RECREATION MONTH PROCLAMATION:

Mayor Appelhans presented the Parks and Recreation Month proclamation to Parks, Library and Recreation Director Gandee.

MISCELLANEOUS COUNCIL BUSINESS:

None.

ADJOURNMENT:

There being no further business to come before Council the meeting adjourned at 7:00 p.m.


MAYOR

ATTEST:


CITY CLERK