

STERLING, COLORADO
JUNE 27, 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.

City Manager Blankenship 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 27, 2023. Mayor Desormeaux called the meeting to order at 5:30 p.m.

Councilmembers present:

Mayor	Desormeaux
Councilmembers	Angell Blecha Delgado Haynie Janes

Councilmembers absent:

Councilmembers	Ritter
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Also present:

City Manager	Blankenship
City Attorney	Richardson
City Clerk	Forbes
Public Works Director	Good
Fire Chief	Ritter
Human Resource Director	Mentzel
Public Safety Communications Director	Lybrand
Paralegal	Welsh

Citizens present: 8

CONSENT AGENDA:

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

Items on the consent agenda were: City Council minutes of June 13, 2023, application for renewal of Fermented Malt Beverage and Wine Liquor License for Walmart #924 located at 1510 West Main Street.

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

Present to address Council Mr. Henry McCall, 433 Denver Street. Mr. McCall was concerned with the traffic on South 5th Avenue and Denver Street. He thought that stop signs should be put up because the street has become a racetrack.

UNFINISHED BUSINESS:

SECOND READING AND PUBLIC HEARING – 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 First Reading of this Ordinance took place on June 13, 2023, and it was there after published. 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 Delgado asked regarding the monthly sewer fee, and if that was the current sewer rate? City Manager Blankenship advised at this time, yes, there is no increase anticipated.

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. 12, Series of 2023. Councilmember Delgado seconded the motion. By a six-yes vote, the motion was approved.

SECOND READING AND PUBLIC HEARING – 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 First Reading of this Ordinance took place on June 13, 2023, and it was thereafter published. 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).

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. 13, Series of 2023. Councilmember Blecha seconded the motion. By a six-yes vote, the motion was approved.

CITY MANAGER REPORT:

- Sales and Lodging Taxes – May 2023
- Water Production/Demand – May 2023
- Storm event last week
- RCAC meeting
- Chicken Ordinance update – He advised the allowing chickens in the City will be a referred ballot issue. This will be coming to Council.

NEW BUSINESS:

MAYOR'S RECOMMENDATION FOR APPOINTMENT TO THE STERLING URBAN RENEWAL AUTHORITY BOARD:

Mayor Desormeaux made a motion to appoint Andrew Fritzler to the Sterling Urban Renewal Authority Board. Councilmember Janes seconded the motion. By a six-yes vote, the motion was approved.

APPLICATION FOR A NEW HOTEL & RESTAURANT LIQUOR LICENSE – FOREQUARTERS LLC – FOREQUARTERS LLC – 1100 WEST MAIN STREET, SUITE 3:

City Manager Blankenship advised Council ForeQuarters LLC has filed an application for a Hotel and Restaurant Liquor License for ForeQuarters LLC, 1100 West Main Street, Suite 3. 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 25, 2023, 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 set the public hearing date for July 25, 2023, and no survey was necessary. Councilmember Angell seconded the motion. By a six-yes vote, the motion was approved.

PUBLIC HEARING – APPLICATION FOR SPECIAL EVENT PERMIT – STERLING ELKS LODGE NO. 1336 – 321 ASH STREET:

City Manager Blankenship advised Council an application for Special Event Permit was filed by the Sterling Elks Lodge #1336 for an Elks Lodge fundraiser on July 22, 2023 from 9:00 a.m. to 12:00 midnight. The Application was timely filed and is in proper form and the required fee has been submitted. The premises were properly posed. A letter was sent to the applicant advising of the date of the public hearing and requesting a representative be present at this meeting to answer any questions City Council might have concerning the application.

Present to address Council was Mr. Frank Gower, 321 Ash Street.

Mayor Desormeaux opened the public hearing.

There were no comments.

Mayor Desormeaux closed the public hearing.

Councilmember Haynie made a motion to approve the Special Event permit for the Sterling Elks Lodge located at 321 Ash Street. Councilmember Blecha seconded the motion. By a six-yes vote, the motion was approved.

RESOLUTION NO. 6-2-23, 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 Delgado made a motion to approve Resolution No. 6-2-23, Series of 2023. Councilmember Blecha seconded the motion. By a six-yes vote, the motion was approved.

RESOLUTION NO. 6-3-23, SERIES OF 2023 - A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, ACCEPTING THE BID FROM CONCRETE SPECIALTIES AND UTILITIES CONSTRUCTION, INC. FOR THE CITY OF STERLING 2023 CURB RAMP AND ON-CALL CONCRETE CONTRACTOR PROJECT #23-002:

City Manager Blankenship advised Council this Resolution accepts the Bid from Concrete Specialties and Utilities Construction, Inc., in the amount of \$90,092.88, for the City's Curb Ramp and On-Call Concrete Contractor Project #23-002. This was the only bid received for this project and the bid amount is an acceptable amount for this project. The bid amount for this project is \$90,092.88, and there are sufficient funds in the Public Works budget for this project.

Councilmember Janes made a motion to approve Resolution No. 6-3-23, Series of 2023. Councilmember Angell seconded the motion. By a six-yes vote, the motion was approved.

RESOLUTION NO. 6-4-23, SERIES OF 2023 - A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, APPROVING TASK ORDER B, ATTACHMENT TO PROFESSIONAL SERVICES AGREEMENT WITH ARMSTRONG CONSULTANTS, INC., AND AUTHORIZING THE MAYOR TO EXECUTE SAID TASK ORDER B:

City Manager Blankenship advised Council by Resolution No. 1-1-21, Series of 2021, the City approved Armstrong Consulting, Inc. as the airport consultant for engineering and planning services. The services of Armstrong Consultants, Inc. described in Section 1 of that Agreement have been amended or supplemented with respect to the scope of work and fees for Element 1 – Reconstructed Aircraft Parking Apron (Bid and Construct), and such amendment or supplement is reflected in Task Order B to the Agreement. This Resolution authorizes the Mayor to sign Task Order B to the Professional Services Agreement. The cost for the services reflected in Task Order B is in the estimated amount of \$198,690.00. The City has been awarded a Federal

Aviation Administration FY 2023 Airport Improvement Program (AIP) Grant, Number 3-08-0052-021-2023 in the amount of up to \$934,773.00. The City's share for the services reflected in Task Order B will be 5% of the project cost, estimated to be \$5,993.45.

Councilmember Haynie made a motion to approve Resolution No. 6-4-23, Series of 2023. Councilmember Delgado seconded the motion. By a six-yes vote, the motion was approved.

RESOLUTION NO. 6-5-23, SERIES OF 2023 - A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF STERLING AND LOGAN COUNTY RELATING TO USE OF THE CITY'S SERVER PLATFORM:

City Manager Blankenship advised Council this Resolution approves an Intergovernmental Agreement with the County of Logan relating to use of the City's Server Platform. The adjusted costs associated with this Agreement will be apportioned 1/3rd to the County and 2/3rds to the City.

Councilmember Janes made a motion to approve Resolution No. 6-5-23, Series of 2023. Councilmember Angell seconded the motion. By a six-yes vote, the motion was approved.

REQUEST FROM CITIZEN ADVISORY BOARD:

Present to address Council was Ms. Kim Sellers, 306 Forest Road. Ms. Sellers reminded Council that they had approved a bid from Total Lawn Care to do maintenance on the bump outs downtown on Main Street. She advised they are having to purchase flowers and would like approval to pay the invoice for the flowers. There will also be another invoice coming.

Mayor Desormeaux asked if any Councilmember opposed doing a Resolution. No one did.

MISCELLANEOUS COUNCIL BUSINESS:

MISCELLANEOUS MATTERS:

Mayor Desormeaux advised she would like to thank Councilmember Ritter and the Arts Council for the unveiling of the mural.

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:

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

Council went into executive session at 6:10 p.m.

Council came out of executive session at 6:30 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.

MISCELLANEOUS MATTERS CONTINUED:

City Manager Blankenship advised Council that Public Works Director Good, Engineer Locke and he would be attending a DOLA grant hearing on June 28, 2023.

Councilmember Angell and Councilmember Delgado thanked Public Works Director Good for giving them a tour of the City.

ADJOURMENT:

There being no further business to come before Council the meeting adjourned at 6:32 p.m.


MAYOR

ATTEST:


CITY CLERK