

STERLING, COLORADO
JUNE 8, 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.

Human Resource Director Brown 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 8, 2021. Mayor Appelhans called the meeting to order at 5:31 p.m.

Councilmembers present:

Mayor	Appelhans
Councilmembers	Anderson Blecha Desormeaux Janes McCarty Ritter

Also present:

City Manager	Saling
City Attorney	Penny
Deputy City Attorney	Richardson
City Clerk	Forbes
Fire Chief	Ritter
Police Chief	Kerr
Public Works Director	Good
Human Resource Director	Brown

Citizens present: 8

CONSENT AGENDA:

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

Janes	yes	Desormeaux	yes
Ritter	abstain	Anderson	yes

Appelhans	yes	Blecha	yes
McCarty	yes		

Items on the consent agenda were: City Council minutes of May 25, 2021 and an application for renewal of Tavern Liquor license for Henry's Pub & Club located at 138 South Front Street.

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

None

UNFINISHED BUSINESS:

CITY MANAGER'S REPORT:

City Manager Saling updated Council on the following:

- May Sales and Lodging Taxes
- Water Demand/Production
- CML Special Conference – September 22-24
- Outdoor swimming pool opened on Wednesday, June 2
- Water Restrictions – Council would like to see “until rescinded” added to the flyer.

City Manager Saling advised he filled out the application for the American Plan for Non-Entitlement Communities. The City should receive \$3,643,314.70. They will receive half of it now and the other half in a year. The money has to be spent by 2026 and there are restrictions on spending, as far as, infrastructure for water and sewer. City Manager Saling suggested to Council that they might want to set aside the funds until the Wastewater Plant is completed to see if these funds can help with it.

NEW BUSINESS:

CONDITIONAL USE APPROVAL – ONE-YEAR REVIEW -- 406 JEFFERSON STREET

Mr. Jason Kemling, owner of 406 Jefferson Street, was present to address Council. Mr. Kemling advised Council he would like to withdraw the Conditional Use permit for 406 Jefferson Street, as it is no longer being used for a female sober living house.

Present to address Council was Mr. Doug Carrington from Advantage Treatment Center, 16242 Poplar Street, Brighton, Colorado. Mr. Carrington advised Council of their plans for the house and the process he will go through to change it.

Present to address Council was Mr. Jamie Brown, 527 North 4th Avenue. Mr. Brown had concerns as Advantage Treatment Center has already put two men in the house.

RESOLUTION NO. 6-1-21, SERIES OF 2021 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, APPROVING A STATE PLAN OF OPERATION INTERGOVERNMENTAL AGREEMENT BETWEEN THE STATE OF COLORADO AND THE CITY OF STERLING, WITH RESPECT TO THE TRANSFER OF EXCESS DEPARTMENT OF DEFENSE PERSONAL PROPERTY FOR LAW ENFORCEMENT PURPOSES:

City Manager Saling advised Council the City has participated with the Federal Government's Defense Logistics Agency program, as administered by the State of Colorado, that allows law enforcement agencies to receive surplus Department of Defense (DOD) personal property to be used for the enhancement of law enforcement. The City's participation in the program requires annual reauthorization and execution of a current State Plan of Operation Intergovernmental Agreement (IGA). This Resolution approves a current State Plan of Operation IGA, and also authorizes the City Manager to execute subsequent successive IGAs for this purpose, for the next five years, so long as the terms of such successive IGAs are substantially similar to the current version.

Councilmember McCarty made a motion to approve Resolution No. 6-1-21, Series of 2021. Councilmember Anderson seconded the motion. By a seven-yes vote, the motion was approved.

RESOLUTION NO. 6-2-21, SERIES OF 2021 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, APPROVING, WITHOUT BID, AN AGREEMENT WITH TERRACON CONSULTANTS, INC. FOR GEOTECHNICAL ENGINEERING SERVICES RELATING TO THE CITY'S WASTEWATER SYSTEM IMPROVEMENTS PROJECT #20-011:

City Manager Saling advised Council as engineering work has progressed on the City's Wastewater Plant project, it has become necessary to have additional geotechnical work performed. Terracon Consultants, Inc. previously provided such services and generated a report in 2017, and has submitted a proposal to provide the additional services now needed. Because Terracon Consultants, Inc. is familiar with this project and provided the previous required services, it would not be practical or advantageous to call for a competitive bid for the required additional services. This Resolution approves the proposal submitted by Terracon Consultants, without putting the matter to bid. The proposal submitted by Terracon Consultants, Inc. for the additional geotechnical work on the City's Wastewater System Improvements project #20-011 is in the amount of \$62,900.00 and there are sufficient funds in the Sewer Fund account for these services.

Councilmember Anderson made a motion to approve Resolution No. 6-2-21, Series of 2021. Councilmember Desormeaux seconded the motion. By a seven-yes vote, the motion was approved.

PUBLIC HEARING – APPLICATION FOR SPECIAL EVENT PERMIT – AKRON ELKS LODGE – FOR 207 BROADWAY ST.:

City Manager Saling advised Council that an application for Special Event Permit was filed by the Akron Elks Lodge for an annual poker run fundraiser on June 12, 2021 from 10:00 a.m. to 6:00 p.m. The application was timely filed and is in proper form and the required fee has been submitted. The premises were properly posted. A letter was sent to the applicant advising of the date of the public hearing and requested a representative be present at this meeting to answer any questions City Council might have concerning the application.

Present to address Council was Mr. Clayton Unrein who was present on behalf of the Akron Elks Club. Mr. Unrein advised Council his store would be closed and the back fenced area will be used for the Special Event.

Mayor Appelhans opened the public meeting.

There were no comments.

Mayor Appelhans closed the public meeting.

Councilmember Desormeaux made a motion to approve the Special Event Permit on June 12, 2021, for the Akron Elks Lodge, 108 Ash Avenue, Akron, Colorado 80720 which will be held at Broadway Wine & Spirits, 207 Broadway Street, Sterling, Colorado 80751. Councilmember Janes 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

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

Councilmember McCarty asked if he could bring up something under Miscellaneous Business? He advised there are cars driving between Iris Drive and Cheyenne Boulevard behind Westview Drive which has been planned for the walking path. There was discussion regarding what could be done.

Council went into executive session at 6:02 p.m.

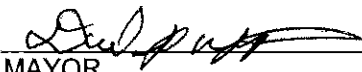
Council came out of executive session at 7:25 p.m.

Mayor Appelhans advised the participants in the executive session were: City Council, City Manager, City Attorney, Deputy City Attorney, Human Resource Director and Sam Mamet, KRW Associates LLC. 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.

Mayor Appelhans made a motion to have a Special Council meeting on Monday, June 14, 2021 at 5:15 p.m. Councilmember Desormeaux seconded the motion. By a seven-yes vote, the motion was approved.

There being no further business to come before Council the meeting adjourned at 7:26 p.m.


MAYOR

ATTEST:

CITY CLERK