

STERLING, COLORADO
MARCH 22, 2016

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.

Councilmember Flores gave the invocation. Mayor Torres 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, March 22, 2016. Mayor Torres called the meeting to order at 7:00 p.m.

Councilmembers present:

Mayor	Torres
Councilmembers	Flores Lawson McCarty Pitcher Rice

Councilmembers absent:

Councilmember	Appelhans
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Also present:

City Manager	Saling
City Attorney	Penny
City Clerk	Forbes
Fire Chief	Vogel
Public Works Director	Good
Purchase Technician	St. John
PCF/Street/Sanitation Superintendent	Rewoldt
Paralegal	Welsh

Citizens present: 8

City Manager Saling pulled agenda item 4-C (PERMIT APPLICATION AND REPORT OF CHANGES – STERLING MOTEL, LLC – RAMADA INN/COUNTRY KITCHEN – 2500 E. CHESTNUT STREET) off of the Consent Agenda.

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CONSENT AGENDA:

Councilmember Rice made a motion to approve the amended consent agenda. Councilmember Pitcher seconded the motion. By a six-yes vote, the motion was approved.

Items on the consent agenda were: City Council minutes of March 8, 2016, renewal of beer & wine liquor license for Bamboo Garden located at 1027 West Main Street, and permit application and report of changes for Hootenannies located at 324 West Main Street.

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

None

UNFINISHED BUSINESS:

SECOND READING AND PUBLIC HEARING - ORDINANCE NO. 3, SERIES OF 2016 - AN ORDINANCE APPROVING THE PURCHASE OF LAND FROM ROTHE H20 LLC, SITUATED IN THE SOUTHWEST QUARTER (SW1/4) OF SECTION 33, TOWNSHIP 8 NORTH, RANGE 52 WEST OF THE SIXTH PRINCIPAL MERIDIAN, LOGAN COUNTY, COLORADO; AND AUTHORIZING THE MAYOR TO SIGN ALL DOCUMENTATION REQUIRED FOR THE PURCHASE; AND APPROPRIATING THE NECESSARY FUNDS:

City Manager Saling advised Council first reading of this ordinance took place on March 8, 2016, and it was amended and thereafter published. The City of Sterling's Master Plan (2013) and the Parks, Library and Recreation Department's Master Plan call for a Regional Trail system including a trail along the South Platte River as desirable. The City has received an offer to sell to the City certain property that consists of 23.16 acres and is located west of the Ross Ferrin property purchased by the City in December of 2015. The acquisition of this additional land expands the recreational opportunities along the proposed South Platte River Trail system. This ordinance approves the purchase of that property. The offered purchase price for the property was amended by Council to \$105,000.00.

City Clerk Forbes read the Ordinance by title.

Mayor Torres opened the public hearing.

There were no comments.

Mayor Torres closed the public hearing.

Councilmember Lawson brought up his concern of the amount being spent.

Councilmember Flores made a motion to approve Ordinance No. 3, Series of 2016. Councilmember McCarty seconded the motion. By a five-yes and one-no vote, the motion was approved. Voting was as follows:

Flores	yes	McCarty	yes
Lawson	no	Pitcher	yes
Rice	yes	Torres	yes

SECOND READING AND PUBLIC HEARING - ORDINANCE NO. 4, SERIES OF 2016 - AN ORDINANCE APPROVING THE FELC SUBDIVISION OF BLOCK 4, CHEAIRS SEVENTH ADDITION, STERLING, LOGAN COUNTY, COLORADO:

City Manager Saling advised Council that first reading of this ordinance took place on March 8, 2016, and it was thereafter published. On March 2, 2016, the Planning Commission held a public hearing on the Subdivision application submitted by First English Lutheran Church, and found that the application met all requirements of Chapter 8, Subdivisions. The Planning Commission recommended approval of this subdivision. The subdivision will be known as the FELC Subdivision of Block 4, Cheairs Seventh Addition, Sterling, Logan County, Colorado.

City Clerk Forbes read the Ordinance by title.

Mayor Torres opened the public hearing.

There were no comments.

Mayor Torres closed the public hearing.

Councilmember McCarty made a motion to approve Ordinance No. 4, Series of 2016. Councilmember Rice seconded the motion. By a six-yes vote, the motion was approved.

CITY MANAGER'S REPORT:

City Manager Saling updated Council on:

- Fire Chief Vogel's resignation;
- Water tanks;
- Water meter replacement program;
- Front Street project;
- Two bronze sculptures being placed;
- New signs at the airport;
- Vacancy on the Personnel Board of Renee Johnson;
- Columbine Park has been mowed;
- Council has been presented with the 2015 Annual Report;
- Xcel is ready to do the underground electrical work on Main Street;
- New World CAD system is going well; and
- Basketball game with the Special Olympics Team.

NEW BUSINESS:

RESOLUTION NO. 3-3-16, SERIES OF 2016 - A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, AUTHORIZING PARTICIPATION IN THE COLORADO RURAL JUMP-START PROGRAM:

City Manager Saling advised Council to encourage economic development in the rural areas of Colorado, the Colorado legislature passed a bill creating the Rural Jump-Start Zone program, which is a tax relief program as an incentive for new businesses and new hires who locate into certain designated areas called Jump-Start zones. In order to participate in this program a municipality must first be located in a county that has passed a resolution to participate, and the municipality must pass a resolution to participate as well. Logan County has passed the required resolution. Resolution No. 3-3-16, Series of 2016, authorizes the City of Sterling to participate in this program. The City agrees to refund to a new business 100% of the municipal business personal property tax, and 100% of the City's sales and use tax, imposed on all new businesses that are approved to participate in the program in the City, understanding that such tax relief is limited by statute to eight years for each new business, and that no new businesses may be added to the program after December 31, 2020.

Councilmember Rice made a motion to approve Resolution No. 3-3-16, Series of 2016. Mayor Torres seconded the motion. By a six-yes vote, the motion was approved.

FIRST READING - ORDINANCE NO. 5, SERIES OF 2016 - AN ORDINANCE AMENDING THE CITY CODE BY REPEALING CHAPTER 2, ADMINISTRATION, ARTICLE IV, DEPARTMENTS, DIVISION 4, PARKS, LIBRARY AND RECREATION, SEC. 2-169, LIBRARY SPECIAL REVENUE FUND:

City Manager Saling advised Council that this ordinance repeals Section 2-169 of the City Code. That section makes provision for use of the net proceeds from the sale of the old Sterling Library. Those funds have been used for the Library, through budget appropriation, and the special fund no longer exists. Since Sec. 2-169 is no longer necessary, removing it from the Code would provide clarification to the Code.

Councilmember Flores made a motion to introduce Ordinance No. 5, Series of 2016. Councilmember Rice seconded the motion. City Clerk Forbes read the ordinance by title. By a six-yes vote, the motion was approved.

DEPARTMENT REPORT - FINANCE DEPARTMENT:

Purchasing Technician St. John gave the department report.

MISCELLANEOUS COUNCIL BUSINESS:

EXECUTIVE SESSION - LEGAL ADVICE:

Mayor Torres made a motion to go into executive session for a conference with the city attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402 (4) (b). Councilmember Pitcher seconded the motion. By a six-yes vote, the motion was approved.

Council went into executive session at 7:40 p.m.

Council came out of executive session at 8:04 p.m.

Mayor Torres advised the participants in the executive session were: City Council, City Attorney, City Manager and Public Works Director Good. 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.

Councilmember McCarty advised he was abstaining and left the Council meeting.


Councilmember Rice made a motion to oppose 16CW3013. Councilmember Pitcher seconded the motion. By a five-yes vote, the motion was approved.

ADJOURNMENT:

There being no further business to come before Council the meeting adjourned at 8:06 p.m.


MAYOR

ATTEST:


CITY CLERK