

STERLING, COLORADO
MARCH 26, 2019

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 Hackbarth, Sterling Foursquare Church, 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 26, 2019. Mayor Torres called the meeting to order at 7:00 p.m.

Councilmembers present:

Mayor	Torres
Councilmembers	Appelhans Desormeaux Flores McCarty Pitcher Rice

Also present:

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

Citizens present: 5

CONSENT AGENDA:

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

Item on the consent agenda was: City Council minutes of Mach 12, 2019.

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

None

UNFINISHED BUSINESS:

SECOND READING AND PUBLIC HEARING – ORDINANCE NO. 4, SERIES OF 2019 – AN ORDINANCE REZONING LOT 1 OF KNOWLES REPLAT IN THE CITY OF STERLING, LOGAN COUNTY, COLORADO:

City Manager Saling advised Council first reading of this ordinance took place on March 12, 2019, and it was thereafter published. This ordinance approves a request from the City for a zoning change for Lot 1 of Knowles Replat in the City of Sterling, Logan County, Colorado, from CB, Community Business, to R-3, High Density Residential. The Planning Commission recommended approval of this request after a public hearing was held at its March 6, 2019 meeting.

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 2019. Councilmember Rice seconded the motion. By a seven-yes vote, the motion was approved.

SECOND READING AND PUBLIC HEARING – ORDINANCE NO. 5, SERIES OF 2019 – AN ORDINANCE ADOPTING THE STERLING MASTER PLAN ADDENDUM 2018 OF THE CITY OF STERLING IN ITS ENTIRETY:

City Manager Saling advised Council first reading of this ordinance took place on March 12, 2019, and it was thereafter published. Pursuant to City Code, the Planning Commission, after proper notice was provided, held a public hearing concerning adoption of an addendum to the City of Sterling Area Land Use Plan and Sterling Master Plan Update 2013. Thereafter, by Sterling Planning Commission Resolution No. 1, Series of 2019, the Planning Commission adopted the Sterling Master Plan Addendum 2018 and recommends that City Council adopt it. This ordinance adopts the Sterling Master Plan Addendum 2018 in its entirety.

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 Appelhans made a motion to approve Ordinance No. 5, Series of 2019. Councilmember Desormeaux seconded the motion. By a seven-yes vote, the motion was approved.

SECOND READING AND PUBLIC HEARING - ORDINANCE NO. 6, SERIES OF 2019 – AN ORDINANCE APPROVING AN AGRICULTURAL LEASE AGREEMENT BETWEEN THE CITY OF STERLING, COLORADO AND MANUELLO’S, INC. FOR LEASE OF CITY-OWNED AGRICULTURAL PROPERTY; AND AUTHORIZING THE MAYOR TO SIGN SAID AGRICULTURAL LEASE AGREEMENT:

City Manager Saling advised Council first reading of this ordinance took place on March 12, 2019, and it was thereafter published. The City published a request for proposals for lease of the City-owned property commonly referred to as the Scalva Farm. The highest proposed cash lease amount was received from Manuello’s, Inc. This ordinance approves an Agricultural Lease Agreement with Manuello’s Inc., for the annual cash lease rent of \$86,580.00. The lease of this property is for three (3) years, with provision for an automatic renewal for two (2) successive one (1)-year periods, for an annual cash lease amount of \$86,580.00.

Mayor Torres opened the public hearing.

There were no comments.

Mayor Torres closed the public hearing.

Councilmember Appelhans made a motion to approve Ordinance No. 6, Series of 2019. Councilmember Pitcher seconded the motion. By a seven-yes vote, the motion was approved.

SECOND READING AND PUBLIC HEARING - ORDINANCE NO. 7, SERIES OF 2019 – AN ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE AMOUNT OF ONE MILLION, FIFTY-FIVE THOUSAND ONE HUNDRED THREE DOLLARS (\$1,055,103) AND REGULATING THE PAYMENT OF MONEY OUT OF THE CITY TREASURY, AND INCREASING THE AMOUNT OF THE REVENUE BUDGET FOR 2019 BY ONE HUNDRED THIRTY THOUSAND FIVE HUNDRED FORTY-ONE DOLLARS (\$130,541):

City Manager Saling advised Council first reading of this ordinance took place on March 12, 2019, and it was thereafter published. This ordinance approves an additional appropriation for projects for 2019 and grant money received in 2019. The increase expenses are \$1,055,103 and revenue of \$130,541.

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 Rice made a motion to approve Ordinance No. 7, Series of 2019. Councilmember Desormeaux seconded the motion. By a seven-yes vote, the motion was approved.

CITY MANAGER’S REPORT:

City Manager Saling updated Council on the following:

- S-Curve construction schedule
- 4th and Main Street Urban Park second public meeting
- Tornado Siren Testing
- Spring clean-up
- 31 years of Tree City
- June 1 Fishing Derby

NEW BUSINESS:

APPLICATION FOR RENEWAL OF HOTEL & RESTAURANT LIQUOR LICENSE – DELGADO’S DUGOUT, LLC – DELGADO’S DUGOUT – 116 BEECH STREET:

City Manager Saling advised Council this application of the hotel & restaurant liquor license for Delgado’s Dugout, 116 Beech Street, was timely filed and the licensee has paid the required fees. The current license expires on May 9, 2019. The reports from the Police and Fire Department were mailed to the licensee. The licensee did incur two (2) State liquor violations since the last annual renewal application and a letter was sent to the licensee advising that a representative must appear at this Council meeting to answer any questions Council members might have concerning the violations.

Present to address Council was Mr. Luis Delgado, Jr., 213 South 2nd Street.

Council asked regarding the two violations. Mr. Delgado advised he is having quarterly employee meetings for training.

Councilmember Appelhans made a motion to approve the hotel & restaurant liquor license for Delgado’s Dugout, 116 Beech Street. Councilmember McCarty seconded the motion. By a six-yes and one-no vote, the motion was approved. Voting was as follows:

Appelhans	yes	McCarty	yes
Pitcher	no	Desormeaux	yes
Flores	yes	Rice	yes
Torres	yes		

RESOLUTION NO. 3-5-19, SERIES OF 2019 - A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO ACCEPTING THE BID FROM AMERICAN DATA GROUP, INC. FOR THE CITY OF STERLING FINANCIAL MANAGEMENT INFORMATION SYSTEM PROJECT:

City Manager Saling advised Council this resolution approves the bid proposal received from American Data Group, Inc. for the City of Sterling Financial Management Information System project, and approves and authorizes the Mayor to sign the related agreement. The bid was the lowest bid received, and will best serve the needs of the City’s Finance Department. The bid submitted and approved by this resolution is in the amount of \$157,965. This is an acceptable amount for the project, and the Finance Department has sufficient funds in its 2019 budget for this project.

Councilmember Appelhans made a motion to approve Resolution No. 3-5-19, Series of 2019. Councilmember Desormeaux seconded the motion. By a seven-yes vote, the motion was approved.

FIRST READING – ORDINANCE NO. 8, SERIES OF 2019 – AN ORDINANCE APPROVING THE SALE OF REAL ESTATE OWNED BY THE CITY OF STERLING TO FOUR CORNERS DEVELOPMENT, LLC; AND AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTATION REQUIRED FOR THE SALE OF SAID PROPERTY:

City Manager Saling advised Council Four Corners Development, LLC has submitted a proposal to purchase City-owned property described as Lot 1 of Knowles Replat in the City of Sterling, Logan County, Colorado, for an affordable 55+ independent senior housing development, for the purchase price of \$175,000.00. This ordinance approves the sale of that real estate.

Councilmember Rice made a motion to introduce Ordinance No. 8, Series of 2019. Councilmember McCarty seconded the motion. City Clerk read the ordinance by title. By a seven-yes vote, the motion was approved.

DEPARTMENT REPORT – POLICE DEPARTMENT:

Police Chief Kerr gave the Police Department report.

MISCELLANEOUS COUNCIL BUSINESS:

Mayor Torres was concerned regarding the statement that was in the newspaper on the City's position on the sanctuary city.

Mayor Torres made a motion to go into executive session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402 (4) (e). Councilmember Appelhans seconded the motion. By a seven-yes vote, the motion was approved.

Council went into executive session at 7:45 p.m.

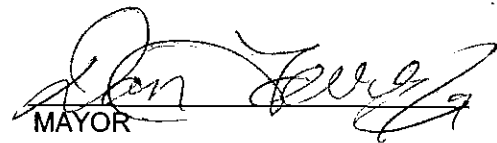
Council came out of executive session at 8:09 p.m.

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

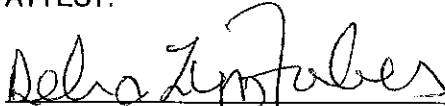
There was none.

ADJOURNMENT:

There being no further business to come before Council the meeting adjourned at 8:10 p.m.


MAYOR

ATTEST:


CITY CLERK