

STERLING, COLORADO
MARCH 8, 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.

Pastor Andrew Hayes, Emmanuel Baptist 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 8, 2016. Mayor Torres called the meeting to order at 7:00 p.m.

Councilmembers present:

Mayor	Torres
Councilmembers	Appelhans Flores Lawson McCarty Pitcher Rice

Also present:

City Manager	Saling
City Attorney	Penny
City Clerk	Forbes
Police Chief	Kerr
Police Major	Kelsch
Human Resource Director	Brown
Public Safety Communications (PSC) Director	Hardesty
Public Safety Communications (PSC) Superintendent	Serl
PCF/Street/Sanitation Superintendent	Rewoldt
Paralegal	Welsh

Citizens present: 12

CONSENT AGENDA:

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

Items on the consent agenda were: City Council minutes of February 23, 2016 and appointment of Matt Johnson to the Sterling Urban Renewal Authority.

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

Present to address Council was Mr. Trae Miller, Executive Director Logan County Economic Development Corporation (LCEDC) 125 Ponderosa Drive. Mr. Miller spoke to Council regarding Rural Jump Start Zone project, which is an economic development incentive program that offers tax exempt relief. The Logan County Commissioners approved a resolution today and he is asking Council to also approve a resolution.

There was discussion. Council asked if it was possible to have a Memorandum of Understanding between NJC, County, City and LCEDC to discuss if the businesses fit prior to it being approved.

It was the consensus of Council to put this on the next regular Council meeting's agenda.

UNFINISHED BUSINESS:

SECOND READING AND PUBLIC HEARING - ORDINANCE NO. 2, SERIES OF 2016 – AN ORDINANCE AMENDING CHAPTER 21, UTILITIES, ARTICLE V, INDUSTRIAL PRETREATMENT PROGRAM, SEC. 21-202, DEFINITIONS AND ABBREVIATIONS, OF THE CITY CODE:

City Manager Saling advised Council that first reading of this ordinance took place on February 23, 2016, and it was thereafter published. City Council has previously enacted a new Article V, entitled Industrial Pretreatment Program, of Chapter 21, Utilities, of the City Code, to update its local limits, based on the wording provided by the contractor hired by the City to prepare the updated local limits code revisions. Thereafter, the City was informed that there was an incorrect citation contained in the dilution provision of the General Pretreatment Regulations. This ordinance corrects that citation.

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. 2, Series of 2016. Councilmember McCarty seconded the motion. By a seven-yes vote, the motion was approved.

CITY MANAGER'S REPORT:

City Manager Saling updated Council on:

- Sales and Lodging tax;
- Tornado siren testing;
- New World System computer aided Dispatch system and Record keeping;
- Request for Proposals for single stream recycling;
- Sidewalk café ordinance;
- Nuisance ordinance;
- May 14 family bicycle ride;
- Maintenance on the water tanks;
- Water meter replacement program;
- March 14, 2016 staff will be playing basketball with the Sterling Comets; and

Asked Council if they were interested in going on a tour of City property.

NEW BUSINESS:

INTRODUCTION OF NEW CITY EMPLOYEES:

Human Resource Director Brown introduced Heather Zion, Police Department Community Services Specialist; and Jim Maltese, Dispatcher.

PUBLIC HEARING – APPLICATION FOR SPECIAL EVENT PERMITS – STERLING ELKS LODGE #1336 – 321 ASH STREET:

City Manager Saling advised Council that two applications for Special Event Permits were filed by the Sterling Elks Lodge #1336, to be held on:

March 26, 2016 from 5:00 o'clock p.m. to 12:00 o'clock midnight

(Caliche School fundraiser for playground equipment)

April 1, 2016 from 4:00 o'clock p.m. to 12:00 o'clock midnight

(Red Cross fundraiser)

For the sale of malt, vinous and spirituous liquor. The applications were timely filed and are in proper form and the required fees have been submitted. The premises were properly posted. 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 applications.

Present to address Council was Mr. Bill Kinney, 1126 Beattie Drive.

Mayor Torres opened the public hearing.

There were no comments.

Mayor Torres closed the public hearing.

Councilmember Appelhans made a motion to approve the two Special Event Permits for the Sterling Elks Lodge #1336 located at 321 Ash Street. Councilmember Rice seconded the motion. By a seven-yes vote, the motion was approved.

RESOLUTION NO. 3-1-16, SERIES OF 2016 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, APPROVING AN AGREEMENT WITH THE RE-1 VALLEY SCHOOL DISTRICT AND STERLING BASEBALL ORGANIZATION:

City Manager Saling advised Council that this resolution approves an agreement with RE-1 Valley School District and Sterling Baseball Organization that defines and clarifies the liability and responsibilities of each party for the furtherance of a Little League and Legion youth baseball program in Sterling, to be operated by the Sterling Baseball Organization. There is an amount budgeted for the type of program that the Sterling Baseball Organization has been conducting for several years now, that was approved through the budget process. The agreement spells out specific costs that the City will pay for such items as electricity, various items of equipment as agreed upon, and umpires and scorekeepers for home games. The agreement also specifically states that the amounts for the umpires and scorekeepers shall be reduced if deemed necessary by the City to cover any excess of budgeted amounts for the baseball budget, so as not to exceed the total allocation for the program.

Councilmember Appelhans made a motion to approve Resolution No. 3-1-16, Series of 2016. Councilmember McCarty seconded the motion.

Councilmember Lawson asked that the minutes from 2014 meeting be copied and pasted regarding his comments on the contract not being changed.

Excerpt from May 13, 2014 regular Council meeting – “Councilmember Lawson advised that this agreement was verbatim from last year and was hoping something would have been worked out.”

There was discussion regarding this used to be considered contribution for non-profit.

By a six-yes and one-no vote, the motion was approved. Voting was as follows:

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

RESOLUTION NO. 3-2-16, SERIES OF 2016 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, ACCEPTING THE BID PROPOSAL FROM YOST CONSTRUCTION CO. FOR THE CITY OF STERLING DOWNTOWN ALLEY IMPROVEMENT PROJECT BLOCK 28 ALLEY, AND APPROVING AN AGREEMENT:

City Manager Saling advised Council that this resolution accepts the bid proposal submitted by Yost Construction Co. for the City's Downtown Alley Improvement Project Block 28 Alley, and approves and authorizes the Mayor to sign the related agreement. The City published a request for proposals relating to its Downtown Alley Improvement Project Block 28 Alley. Two bid proposals were received, and the low bid was from Yost Construction Co. in the amount of \$114,966.90. The bid proposal in the amount of \$114,966.90 is an acceptable amount for the project, and the Public Works Department has sufficient funds in its budget for the services.

Councilmember Rice made a motion to approve Resolution No. 3-2-16, Series of 2016. Councilmember Appelhans seconded the motion. By a seven-yes vote, the motion was approved.

FIRST READING- ORDINANCE NO. 3, SERIES OF 2016 – AN ORDINANCE APPROVING THE PURCHASE OF LAND FROM ROTHE H2O 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 that 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 is \$100,000.00.

Councilmember Flores made a motion to introduce Ordinance No. 3, Series of 2016. Mayor Torres seconded the motion.

City Manager Saling advised Council after the ordinance was completed Mr. Rothe wanted to increase the selling price to \$105,000.00; and they will participate with their front-end loader to fill in the ponds.

Councilmember Flores made a motion to amend Ordinance No. 3, Series of 2016 to state the selling price of \$105,000.00. Councilmember McCarty seconded the motion. By a five-yes, one-abstain and one-no vote, the motion was approved. Voting was as follows:

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

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

Flores	yes	Torres	yes
Pitcher	abstain	Lawson	no
Appelhans	yes	Rice	yes
Torres	yes		

There was a question if there was still a motion on the table (motion to introduce Ordinance No. 3, Series of 2016). A vote was taken for the motion to introduce. By a five-yes, one-abstain and one-no vote, the motion was approved. Voting was as follows:

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

FIRST READING – 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 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.

Councilmember Flores made a motion to introduce Ordinance No. 4, Series of 2016. Councilmember McCarty seconded the motion. City Clerk Forbes read the ordinance by title. By a seven-yes vote, the motion was approved.

DEPARTMENT REPORT – SECC DEPARTMENT:

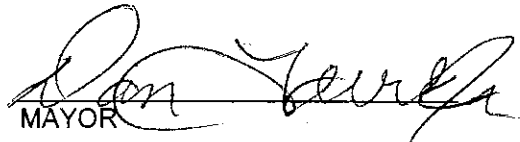
PSC Superintendent Serl gave the department report.

MISCELLANEOUS COUNCIL BUSINESS:

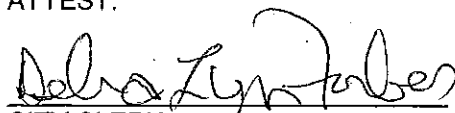
Councilmember McCarty advised that he would really like to have the City tour.

ADJOURNMENT:

There being no further business to come before Council the meeting adjourned at 8:35 p.m.


MAYOR

ATTEST:


CITY CLERK