

**STERLING, COLORADO  
MARCH 14, 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.

Pastor Kelly Huenik, Stoneham Church, 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, March 14, 2023. Mayor Desormeaux called the meeting to order at 5:30 p.m.

**Councilmembers present:**

Mayor	Desormeaux
Councilmembers	Angell Blecha Delgado Haynie

**Councilmembers absent:**

Councilmembers	Janes Ritter
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**Also present:**

City Manager	Blankenship
Deputy City Attorney	Matuszczak
City Clerk	Forbes
Public Works Director	Good
Fire Chief	Ritter
Police Chief	Kerr
Public Safety Communications Director	Lybrand
Human Resources Director	Brown
Paralegal	Welsh
Human Resources Generalist	Mentzel

Citizens present: 24

**CONSENT AGENDA:**

**CONSIDERATION OF CITY COUNCIL MINUTES OF FEBRUARY 28, 2023:**

Councilmember Delgado made a motion to approve the City Council minutes of February 28, 2023. Councilmember Haynie seconded the motion. By a five-yes vote, the motion was approved.

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

Present to address Council was Mr. Michael Miller, 413 Iris Drive. Mr. Miller had a sample ordinance for allowing chickens in the City. He asked Council for support of the ordinance. This would make citizens sustainable and self-sufficient.

Next to address Council was Ms. Karen Brown, 812 Jackson Street. Ms. Brown advised she would like to find out more information regarding chickens. Basically, what Council thought and any other information.

Next to address Council was Ms. Samantha Mahaffey, 520 North 7<sup>th</sup> Avenue. Ms. Mahaffey asked Council to look at the chicken ordinance. This would allow the citizens to rely on themselves. Many Colorado municipalities allow chickens. She asked Council to think about this for the citizens.

Next to address Council was Mr. Brian Kailey, Director at CSU Extension office, 128 Beattie Street. Mr. Kailey asked Council to look at this. They have been receiving calls from citizens asking about chickens. They have talked to at least 10 families.

Next to address Council was Mr. Jeff Rice, 13450 County Road 370. Mr. Rice advised he and his wife keep chickens and informed Council it is a good idea but the citizens need to know what they are doing before they start to know what to expect.

Next to address Council was Ms. Rickie Howes, 511 Elm Street. Ms. Howes asked Council to support the chicken ordinance.

**UNFINISHED BUSINESS:**

**CITY MANAGER'S REPORT:**

- Public Works Projects
- Wastewater Line Distribution Grant
- Colorado Housing and Finance Authority meeting
- Region 4 Opioid meeting
- Petition request: Curb, Gutter and Street paving RFP – Council had no opposition to go out for bids to get the amount of the project.
- Police Department Annual Awards Banquet
- Triune Sculpture – Heritage Park
- NLC request – Railroad Safety

**NEW BUSINESS:**

**PRESENTATION NATIONAL DEVELOPMENTAL DISABILITIES AWARENESS MONTH:**

Mayor Desormeaux presented Ms. Leticia Arguello, with the National Developmental Disabilities Awareness Month proclamation.

**FIRST READING – ORDINANCE NO. 2, SERIES OF 2023 – AN ORDINANCE AMENDING THE STERLING CITY CODE, APPENDIX A ZONING, CHAPTER XIII BOARD OF ADJUSTMENT; VARIANCES, SEC. 1303 DUTIES AND PROCEDURES:**

City Manager Blankenship advised Council this Ordinance amends Appendix A Zoning, Chapter XIII Board of Adjustment; Variances, Section 1303 Duties and Procedures, to conform with the requirements of Appendix A Zoning, Section 112 Public and written notices of public hearings, which sets forth the rules regarding published and written notices of public hearings in Appendix A Zoning. As presently written, Section 1303 is not consistent with Section 112. The wording in brackets set forth in this Ordinance are omitted, and the underlined words are added.

Councilmember Delgado made a motion to introduce Ordinance No. 2, Series of 2023. Councilmember Angell seconded the motion. City Clerk Forbes read the Ordinance by title. By a five-yes vote, the motion was approved.

**RESOLUTION NO. 3-1-23, SERIES OF 2023 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, AUTHORIZING THE MAYOR TO EXECUTE THE SUBDIVISION SETTLEMENT PARTICIPATION FORMS THAT RELEASE SUBDIVISIONS' LEGAL CLAIMS AGAINST TEVA PHARMACEUTICAL INDUSTRIES, LTD., ALLERGAN FINANCE LLC/ALLERGAN LIMITED, WALMART INC., CVS HEALTH CORPORATION/CVS PHARMACY, INC., AND WALGREEN CO., NECESSARY TO PARTICIPATE IN THOSE NATIONWIDE SETTLEMENTS REACHED WITH RESPECT TO THE CLAIMS BY STATE AND LOCAL GOVERNMENTS THAT THESE COMPANIES CONTRIBUTED TO THE OPIOID EPIDEMIC:**

City Manager Blankenship advised Council nationwide settlements have been reached with Teva Pharmaceutical Industries, Ltd., Allergan Finance LLC/Allergan Limited, Walmart Inc., CBS Health Corporation/CVS Pharmacy, Inc., and Walgreen Co. to resolve claims by state and local governments that these companies contributed to the opioid epidemic. This Resolution approves the settlement reached by the State of Colorado with these five companies, and authorizes the Mayor to sign the related Settlement Participation Forms required in order for the City of Sterling to participate in said settlement. The estimated total amount to be received by the City from these settlements is \$55,198.85.

Councilmember Delgado made a motion to approve Resolution No. 3-1-23, Series of 2023. Councilmember Blecha seconded the motion. By a five-yes vote, the motion was approved.

**DEPARTMENT REPORT – HUMAN RESOURCES DEPARTMENT:**

Human Resources Generalist Mentzel gave her department report.

**MISCELLANEOUS COUNCIL BUSINESS:**

**EXECUTIVE SESSION:**

**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) REGARDING CITY WATER CASE – LAZY D, CASE NO. 20CW3113:**

Mayor Desormeaux 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) regarding City water case – Lazy D. Case No. 20CW3113. Councilmember Blecha seconded the motion. By a five-yes vote, the motion was approved.

Council went into executive session at 6:14 p.m.

Council came out of executive session at 6:31 p.m.

Mayor Desormeaux advised the participants in the executive session were: City Council, City Manager and Deputy City Attorney Matuszczak. 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.

**MICELLANEOUS MATTERS:**

Councilmember Angell advised discussion needs to be held to streamline enforcement of nuisances and the fine structure. Code violations would include: weeds, barking dogs, abandon buildings, etc. He didn't know if a work session would be best or some kind of a committee. It was the consensus of Council to have a work session on Tuesday, April 4, 2023, at 5:30 p.m. to discuss this.

Councilmember Angell asked regarding the chicken ordinance and asked if Council needed to address an ordinance or resolution. This item would be added to the work session on April 4, 2023.

**ADJOURMENT:**

There being no further business to come before Council the meeting adjourned at 6:40 p.m.

  
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MAYOR

ATTEST:  
  
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CITY CLERK