

STERLING, COLORADO
MAY 10, 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.

Ms. Mona Bowey, First 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, May 10, 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
Public Works Director	Good
Interim Fire Chief	Ritter
Parks, Library and Recreation (PLR) Director	Gandee
Human Resource Director	Brown
Police Chief	Kerr
Street/Sanitation and PCF Superintendent	Rewoldt
Youth Services Specialist	Nelson
Paralegal	Welsh

Citizens present: 15

CONSENT AGENDA:

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

Items on the consent agenda were: City Council minutes of April 26, 2016 and renewal of beer & wine liquor license for Momma Conde's Restaurant located at 100 Broadway, Suite 4.

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

Present to address Council was Mr. Dennis Foxhoven, 516 South Division Avenue. Mr. Foxhoven advised Council that he is on the Citizens Advisory Board (CAB). He advised that the Board would like to give the citizens an opportunity to vote on a two percent tax increase for a community/convention center.

UNFINISHED BUSINESS:

PUBLIC HEARING - APPLICATION FOR NEW TAVERN LIQUOR LICENSE - SSSCHULER ENTERPRISES, LLC - THE FROSTED MUG - 137 NORTH FRONT STREET:

City Manager Saling advised Council that SSSchuler Enterprises, LLC has filed an application for a new tavern liquor license for The Frosted Mug, 137 North Front Street. The appropriate fees have been submitted. City Council set the date for the public hearing for May 10, 2016. Notice of the public hearing was published in the Sterling Journal-Advocate and posted on the premises for the required ten-day period. The reports from the Police and Fire Departments were mailed to the applicant. The applicant was advised that a representative needs to be present at the public hearing to answer any questions Council might have. As noted in the report from the Fire Department, the premises to be licensed is undergoing some remodeling; however, this does not prohibit the approval of the application at this time. If the application is approved, the City will not issue the license until the building in which the business is to be conducted is ready for occupancy with such furniture, fixtures and equipment in place, and then only after inspection of the premises has been made by the City to determine that the applicant has complied with the detailed sketch for the interior of the business submitted by the application, per Colorado Revised Statute 12-47-312(4), as amended by the updated diagram, following review by the Public Works Department.

Mayor Torres opened the public hearing.

Present to address Council was Mr. Shayne Schuler, 13772 Beal Road. Mr. Schuler advised Council that they hope to be open by June 1, 2016.

Mayor Torres closed the public hearing.

Councilmember Appelhans made a motion to approve the application for a new tavern liquor license for SSSchuler Enterprises, LLC, The Frosted Mug, located at 137 North Front Street. Councilmember McCarty seconded the motion. By a seven-yes vote, the motion was approved.

The City Manager's report was moved to be before the Department Report.

NEW BUSINESS:

INTRODUCTION OF NEW EMPLOYEES:

Human Resource Director Brown introduced Billy McNamee, Police Department; Eli Kruger, Water Treatment Plant and Jason Bartlett, Water Treatment Plant as new City employees.

PRESENTATION OF NATIONAL POLICE WEEK AND PEACE OFFICERS MEMORIAL DAY PROCLAMATION:

Mayor Torres presented Police Chief Kerr with the National Police Week and Peace Officers Memorial Day proclamation. Police Chief Kerr asked for a moment of silence for the four Colorado officers killed during 2015.

PRESENTATION OF STERLING ELKS LODGE #1336 WEEK PROCLAMATION:

Mayor Torres advised that he would be presenting the Proclamation to the Elks on May 21, 2016.

RESOLUTION NO. 5-1-16, SERIES OF 2016 - A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, APPROVING A FIRST AMENDMENT TO AGREEMENT WITH BANNER HEALTH:

City Manager Saling advised Council that Pioneer Drainage District and the Golden Corral entered into an agreement on September 18, 1984, concerning the discharge of storm water from certain real property. Banner Health is the successor-in-interest to the terms of that agreement by virtue of having purchased the subject real property, and the City is the successor-in-interest to Pioneer Drainage District by reason of transfer to the City of the Pioneer Drainage Ditch and related interests. This resolution approves a first amendment to that 1984 agreement in order to make some clarifications to the agreement applicable to the present circumstances and parties that are successors-in-interest to the original agreement. The amendment would clarify the terms of the annual payment provided for under the original agreement, including confirming that no past amounts are due up to the time Banner Health became the owner of the subject real property, and setting forth the timing of the payment of future fees; however, it does not change the amount of the annual fee due under the original agreement.

Councilmember Rice made a motion to approve Resolution No. 5-1-16, Series of 2016. Councilmember Appelhans seconded the motion. By a seven-yes vote, the motion was approved.

RESOLUTION NO. 5-2-16, SERIES OF 2016 - A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, APPROVING THE APPLICATION FOR A LOCAL GOVERNMENT MARIJUANA IMPACT GRANT FROM THE COLORADO DEPARTMENT OF LOCAL AFFAIRS (DOLA) FOR USE BY THE STERLING POLICE DEPARTMENT:

City Manager Saling advised Council that this resolution approves the Local Government Marijuana Impact Grant Program application that has been submitted to the Colorado Department of Local Affairs (DOLA) by the Sterling Police Department. This particular grant program is available to eligible local governments who do not allow the sale of retail marijuana within their jurisdiction, but who are experiencing the impacts of retail marijuana from surrounding communities or any other illegal activity related to marijuana. Funds would be used for education and informational purposes, and equipment. No expenditure of matching funds is required for the requested grant.

Present to answer questions was Ms. Virgie Nelson, Youth Service Specialist. Ms. Nelson advised Council that this would provide funds for a youth prevention program, community education, an evidence based program and several surveillance cameras. The amount of the grant is \$65,838.

Councilmember Appelhans made a motion to approve Resolution No. 5-2-16, Series of 2016. Councilmember McCarty seconded the motion. By a seven-yes vote, the motion was approved.

RESOLUTION NO. 5-3-16, SERIES OF 2016 - A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, APPROVING A SOFTWARE SUPPORT AGREEMENT WITH TYLER TECHNOLOGIES, INC.:

City Manager Saling advised Council that this resolution approves and authorizes the Mayor to sign a support agreement with Tyler Technologies, Inc. The subject support agreement is for the present maintenance renewal period and the City has already approved and paid the maintenance fee through December 31, 2016. Tyler Technologies, Inc. will invoice for the maintenance agreement each year at their current rates, with provision for termination as set forth in the support agreement.

Councilmember Lawson made a motion to approve Resolution No. 5-3-16, Series of 2016. Councilmember Rice seconded the motion. By a seven-yes vote, the motion was approved.

CITY MANAGER'S REPORT:

City Manager Saling updated Council on:

- Sales tax for April was down;
- Lodging tax was down for April;
- Recruitment for Fire Chief;
- Front Street streetscape project;
- Request for Proposals for landscaping on Front Street are out and due back May 12;
- Final two bronze statues on West Main Street have been installed;
- CML District 1 meeting in Sterling on May 25, 2016;
- 3,165 water meters have been retrofitted or replaced;
- Water tank renovations;
- Spring cleanup is completed;
- Installation of the handicapped lift at the Recreation Center is completed and operational;
- Over 36 pounds of prescription drugs were turned in at the Police Department;
- Chip seal project:
- Police Department participating in the Special Olympics Torch Run on May 14;
- Swearing in ceremony for police officer was held May 9; and
- Friday, May 13, two fire fighters will be sworn in.

There was discussion regarding the draft single stream recycling survey that was in the packet. After discussion, Council asked for item #2 to be put on the bottom of the survey and included another question of "Where do people currently recycle".

DEPARTMENT REPORT - PARKS, LIBRARY AND RECREATION (PLR) DEPARTMENT:

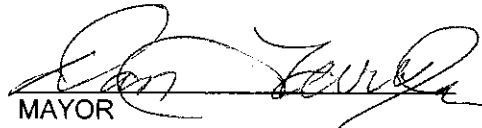
PLR Director Gandee was present to address Council. Items presented were: City received the Safe Route to School grant for \$28,969 with the City match being 20 percent or \$5,793; the Girl Scouts did a presentation to the PLR Board. They would like to do landscaping around the lodge at Pioneer Park; a book walk will be opened on Monday, May 16, at Columbine Park; and social media.

MISCELLANEOUS COUNCIL BUSINESS:

Mayor Torres thanked Councilmembers Appelhans and McCarty for helping at the City picnic.

ADJOURNMENT:

There being no further business to come before Council the meeting adjourned at 8:25 p.m.


MAYOR

ATTEST:


CITY CLERK