

STERLING, COLORADO
MAY 14, 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.

Human Resource Director Brown 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 14, 2019. Mayor Torres called the meeting to order at 7:00 p.m.

Councilmembers present:

Mayor	Torres
Councilmembers	Appelhans Desormeaux McCarty Pitcher

Councilmember absent:

Councilmember	Flores Rice
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Also present:

City Manager	Saling
City Attorney	Penny
City Clerk	Forbes
Public Works Director	Good
Parks, Library and Recreation (PLR) Director	Gandee
Fire Chief	Ritter
Police Chief	Kerr
Human Resource Director	Brown
Lead Public Safety Dispatcher	Friend

Police Department Employees present: 11

Citizens present: 5

CONSENT AGENDA:

Councilmember Appelhans made a motion to approve the consent agenda. Councilmember Pitcher seconded the motion. By a four-yes and one-abstain vote, the motion was approved. Voting was as follows:

Appelhans	yes	Pitcher	yes
Desormeaux	abstain	McCarty	yes
Torres	yes		

Item on the consent agenda was: City Council minutes of April 23, 2019.

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

None

PRESENTATION OF NATIONAL POLICE WEEK PROCLAMATION:

Mayor Torres read the proclamation for National Police week and presented it to Police Chief Kerr and eleven Police Department employees.

UNFINISHED BUSINESS:

CITY MANAGER'S REPORT:

City Manager Saling updated Council on the following:

- April sales and lodging taxes
- Decorative Street Lights – West Main Street
- Spring clean-up
- Water demand/production
- Quiet zone meeting

City Manager Saling advised Council on Monday he met with the Police Department, Department of Corrections (DOC) and the Sheriff's Department regarding the DOC placing prisoners in the community to work for the Hemp farm. The County Commissioners met with DOC at their Tuesday meeting. This is a prisoner release project where they will be working for Lebsock Industrial Hemp farm. These prisoners have sentences left of six months or less. They will have transportation to the site. This gives the prisoners opportunity to earn money and have a job before they are released.

City Manager Saling advised Council that Mayor Pro-tem Appelhans has completed an application to run for the Executive Board for Colorado Municipal League. Councilmember Desormeaux made a motion to endorse Mayor Pro-tem Appelhans in this nomination. Councilmember McCarty seconded the motion. By a four-yes and one-abstain vote, the motion was approved. Voting was as follows:

Desormeaux	yes	McCarty	yes
Appelhans	abstain	Pitcher	yes
Torres	yes		

City Manager Saling advised Council that he had heard from Four Corners Development, this is regarding the 55+ housing, and they have decided to go with a site in Littleton, Colorado.

City Manager Saling advised Council that as the weather turns to more outdoor activities, the City is receiving more calls regarding nuisance stray cats. After reviewing the City Code, Chapter 4, Article III – CATS, Division 1, Section 4-111 states "If it is determined by the city manager or his authorized representative that a cat is a stray and has become a public nuisance, the cat may be disposed of by the police department at the direction of the city manager or his authorized representative." He is contemplating using this section to address the requests for help on nuisance stray cats along with the Logan County Humane Society – Animal Wardens. City Manager Saling would clarify that disposal or disposition means adoption of any animal; return of an animal to the owner; sale of the animal; release of an animal to a rescue group licensed

pursuant to C.R.S. article 80 of title 35, and/or release of an animal to another pet animal facility licensed pursuant to C.R.S. article 80 of title 35.

It was the consensus of Council to have the City Manager do what needs to be done.

NEW BUSINESS:

MAYOR'S RECOMMENDATION OF APPOINTMENT TO THE PLANNING COMMISSION:

Mayor Torres made a motion to appoint Richard "Cary" Bedford to the Planning Commission. Councilmember Appelhans seconded the motion. By a five-yes vote, the motion was approved.

APPLICATION FOR A NEW FERMENTED MALT BEVERAGE OFF-PREMISES LIQUOR LICENSE – COLORADO RETAIL VENTURES SERVICES, LLC – EAGLE TRAVEL STOPS & CONVENIENCE STORES – 1550 E. CHESTNUT STREET:

City Manager Saling advised Council that Colorado Retail Ventures Services, LLC has filed an application for a Fermented Malt Beverage Off-Premises Liquor License for Eagle Travel Stops & Convenience Stores, 1550 E. Chestnut Street. All documentation and fees have been submitted. City Council needs to set a date for the public hearing. Council also needs to determine if it wants a survey to determine the needs and desires of the neighborhood, and if so, the number of contacts required and the designation of the neighborhood. It is requested that the public hearing be set on June 11, 2019, to allow for completion of the background investigation. This date would also allow time for a survey to be completed, if Council determines that a survey is necessary.

It was the consensus of Council to waive the survey.

Councilmember Appelhans made a motion to set the public hearing date for June 11, 2019. Councilmember McCarty seconded the motion. By a five-yes vote, the motion was approved.

RESOLUTION NO. 5-1-19, SERIES OF 2019 - A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, APPROVING GRANT AGREEMENT NUMBER 19-TRLG-129332 BETWEEN THE CITY OF STERLING AND THE STATE OF COLORADO ACTING BY AND THROUGH THE DEPARTMENT OF NATURAL RESOURCES, COLORADO PARKS AND WILDLIFE, FOR THE CITY'S OVERLAND TRAIL RECREATION AREA TRAIL; AUTHORIZING THE EXPENDITURE OF THE REQUIRED MATCHING FUNDS; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT:

City Manager Saling advised Council that by Resolution No. 9-3-18, Series of 2018, the City approved a grant application to the Colorado Parks and Wildlife, Department of Natural resources for the City's Overland Trail Recreation Area Trail. The City has received a grant in the amount not to exceed \$171,500.00. This resolution approves the terms of the grant agreement and authorizes the expenditure of the 30% required matching funds in the amount not to exceed \$51,450.00, and funds required for the balance of the project cost up to the amount of \$11,090.79. The total anticipated cost for this project is \$245,515.11. The City will provide in-kind services equaling \$11,474.32, and additional funds for the balance of the cost of the project in an amount not to exceed \$11,090.79. There are sufficient funds in the General Fund, fund balance for the 30% match and the additional funds expenditures.

Councilmember McCarty made a motion to approve Resolution No. 5-1-19, Series of 2019. Councilmember Desormeaux seconded the motion. By a five-yes vote, the motion was approved.

RESOLUTION NO. 5-2-19, SERIES OF 2019 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, APPROVING THE EXPENDITURE OF FUNDS DERIVED FROM THE CITY OF STERLING HOTEL TAX FUND, IN ACCORDANCE WITH CHAPTER 19, ARTICLE VII, OF THE CITY CODE:

City Manager Saling advised at the April 23, 2019 Council meeting, a representative from the Citizens Advisory Board presented a recommendation for the City to provide funds towards the cost of an online video to promote tourism in the City and County, to which Logan County will be contributing \$6,700.00 through the Logan County Lodging Tax, and the Colorado Parks and

Wildlife will contribute \$3,000.00. This resolution approves the expenditure of \$6,700.00 for that purpose. The \$6,700.00 will be expended for the project from the Sterling Hotel Tax Fund, in accordance with Chapter 19, Article VII, of the Sterling City Code, and there are sufficient funds for the project.

Councilmember Appelhans made a motion to approve Resolution No. 5-2-19, Series of 2019. Councilmember Desormeaux seconded the motion. By a five-yes vote, the motion was approved.

RESOLUTION NO. 5-3-19, SERIES OF 2019 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, APPROVING THE EXPENDITURE OF FUNDS DERIVED FROM THE CITY OF STERLING HOTEL TAX FUND, IN ACCORDANCE WITH CHAPTER 19, ARTICLE VII, OF THE CITY CODE:

City Manager Saling advised at the April 23, 2019 Council meeting, a representative from the Citizens Advisory Board presented a recommendation for the City to provide funds for a down payment towards the cost of a sign design as an initial step towards consideration of a free-standing sign and landscaping concept to replace the present commercial electronic variable message sign at the Sterling Rest Area. This resolution approves the expenditure of \$1,000.00 for that purpose. The \$1,000.00 will be expended for the sign design from the Sterling Hotel Tax Fund, in accordance with Chapter 19, Article VII, of the Sterling City Code, and there are sufficient funds for the project.

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

DEPARTMENT REPORT – HUMAN RESOURCE DEPARTMENT:

Human Resource Director Brown gave the Human Resource Department report.

MISCELLANEOUS COUNCIL BUSINESS:

EXECUTIVE SESSION – NEGOTIATIONS AND 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) and 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 five-yes vote, the motion was approved.

Council went into executive session at 7:50 p.m.

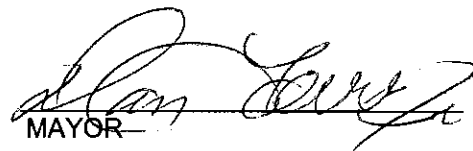
Council came out of executive session at 8:34 p.m.

Mayor Torres advised the participants in the executive session were: City Council, City Manager and City Attorney. 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 8:35 p.m.


MAYOR

ATTEST:


CITY CLERK