

STERLING, COLORADO
MAY 23, 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 Dan Holsten, Berean 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, May 23, 2023. Mayor Desormeaux called the meeting to order at 5:30 p.m.

Councilmembers present:

Mayor	Desormeaux
Councilmembers	Angell Haynie Janes Ritter

Councilmembers absent:

Councilmembers	Blecha Delgado
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Also present:

Acting City Manager/ Police Chief	Kerr
Deputy City Attorney	Matuszczak
City Clerk	Forbes
Public Works Director	Good
Fire Chief	Ritter
Human Resource Director	Mentzel
Human Resource Director	Brown
Parks, Cemetery and Forestry Superintendent	Ulrich
Paralegal	Welsh

Citizens present: 6

CONSENT AGENDA:

Councilmember Janes made a motion to approve the consent agenda. Councilmember Ritter seconded the motion. By a five-yes vote, the motion was approved.

Item on the consent agenda was: City Council minutes of May 9, 2023.

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

None

UNFINISHED BUSINESS:

PUBLIC HEARING – PETITION FOR ANNEXATION – 21ST CENTURY LAND, LLC ADDITION TO THE CITY OF STERLING, LOGAN COUNTY, COLORADO:

Acting City Manager/Police Chief Kerr advised Council by Resolution No. 4-2-23, Series of 2023, Council found substantial compliance and set a hearing date for the Annexation Petition for the 21st Century Land, LLC Addition to the City of Sterling, Logan County, Colorado.

Present to address Council was Mr. Kenny Alderson, 16501 County Road 32.

Mayor Desormeaux opened the public hearing.

Mr. Alderson had concerns with sales tax and being exempt.

Mayor Desormeaux closed the public hearing.

Mayor Desormeaux advised there would be discussion at a future date and Council would look into the sales tax being exempt.

Councilmember Haynie made a motion to approve the Petition for Annexation to 21st Century Land, LLC. Councilmember Angell seconded the motion. By a five-yes vote, the motion was approved.

RESOLUTION NO. 5-4-23, SERIES OF 2023 – A RESOLUTION MAKING FINDINGS OF FACT AND CONCLUSION REGARDING THE ANNEXATION OF THE 21ST CENTURY LAND, LLC ADDITION TO THE CITY OF STERLING, LOGAN COUNTY, COLORADO:

Acting City Manager/Police Chief Kerr advised Council this Resolution sets forth findings of fact and conclusion regarding the annexation of the 21st Century Land, LLC Addition to the City of Sterling, following the Public Hearing held on the Petition for Annexation. All requirements for the annexation of the 21st Century Land, LLC Addition to the City of Sterling have been met and City Council may proceed with First Reading of an annexation ordinance.

Councilmember Janes made a motion to approve Resolution No. 5-4-23, Series of 2023. Councilmember Ritter seconded the motion. By a five-yes vote, the motion was approved.

FIRST READING – ORDINANCE NO. 4, SERIES OF 2023 - AN ORDINANCE ANNEXING A PARCEL OF LAND TO BE KNOWN AS THE 21ST CENTURY LAND, LLC ADDITION TO THE CITY OF STERLING, LOGAN COUNTY, COLORADO:

Acting City Manager/Police Chief Kerr advised Council pursuant to Resolution No. 5-4-23, Series of 2023, City Council found that this proposed annexation meets all statutory and local requirements. This Ordinance annexes the 21st Century Land, LLC Addition to the City of Sterling, Logan County, Colorado.

Councilmember Haynie made a motion to introduce Ordinance No. 4, 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. 5-5-23, SERIES OF 2023 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, APPROVING THE ANNEXATION AGREEMENT BETWEEN THE CITY OF STERLING AND 21ST CENTURY LAND, LLC.:

Resolution No. 5-5-23, Series of 2023 was taken off of the agenda.

NEW BUSINESS:

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

Acting City Manager/Police Chief Kerr advised Council an Application for Special Event Permit was filed by the Sterling Elks Lodge #1336 for the Ignite Athletics Cheerleading fundraiser on June 24, 2023 from 10:00 a.m. to 12:00 midnight. The Application was timely filed and is in proper form and the required fee has 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 application.

Mayor Desormeaux opened the public hearing.

There were no comments.

Mayor Desormeaux closed the public hearing.

Councilmember Haynie made a motion to approve the Special Event Permit for the Sterling Elks Lodge #1336 located at 321 Ash Street. Councilmember Janes seconded the motion. By a five-yes vote, the motion was approved.

RESOLUTION NO. 5-6-23, SERIES OF 2023 - A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, APPROVING THE AMENDED PURCHASE ORDER FOR A BUCKET TRUCK RELATING TO THE BID FROM CUSTOM TRUCK ONE SOURCE, L.P. PREVIOUSLY ACCEPTED BY THE CITY:

Acting City Manager/Police Chief Kerr advised Council by Resolution No. 3-3-22, Series of 2022, the City accepted the bid submitted by Custom Truck One Source, L.P. in the amount of \$148,527.00 for the purchase of a bucket truck for the City's Parks, Cemetery and Forestry Division. Due to increases in the cost of materials, labor and delivery charges, the cost of the bucket truck is now \$165,067.00. This Resolution approves the increase in the bid amount for the purchase of the bucket truck and authorizes the submission of a new purchase order for the amount of \$165,067.00. There are sufficient funds in the Parks, Library and Recreation Department budget for that increase.

Councilmember Ritter made a motion to approve Resolution No. 5-6-23, Series of 2023. Councilmember Angell seconded the motion. By a five-yes vote, the motion was approved.

RESOLUTION NO. 5-7-23, SERIES OF 2023 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, APPROVING BASELINE ENGINEERING CORPORATION FOR ENGINEERING PLAN REVIEW AND ON-CALL SERVICES AT THE CITY'S WASTEWATER PLANT, AND APPROVING THE AGREEMENT BETWEEN OWNER AND ENGINEER FOR PROFESSIONAL SERVICES – TASK ORDER EDITION, WITH BASELINE ENGINEERING CORPORATION:

Acting City Manager/Police Chief Kerr advised Council this Resolution approves Baseline Engineering Corporation for engineering plan review and on-call services at the City's Wastewater Plant and approves and authorizes the Mayor to sign the Agreement between Owner

and Engineer for Profession Services – Task Order Edition. Compensation is determined by each project, and is approved separately as each project goes forward.

Councilmember Janes made a motion to approve Resolution No. 5-7-23, Series of 2023. Councilmember Hanie seconded the motion. By a five-yes vote, the motion was approved.

RESOLUTION NO. 5-8-23, SERIES OF 2023 - A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, APPROVING TASK ORDER NO. 01, TO AGREEMENT BETWEEN OWNER AND ENGINEER FOR PROFESSIONAL SERVICES WITH BASELINE ENGINEERING CORPORATION, AND AUTHORIZING THE MAYOR TO EXECUTE SAID TASK ORDER NO. 01:

Acting City Manager/Police Chief Kerr advised Council by Resolution No. 5-7-23, Series of 2023, the City approved Baseline Engineering Corporation for engineering plan review and on-call services at the City's Wastewater Plant. The services of Baseline Engineering Corporation described in Article 1 of the Agreement between Owner and Engineer for Profession Services with Baseline Engineering Corporation have been amended or supplemented with respect to the scope of work and fees for review of the Wastewater Treatment Facility plans and specifications, and such amendment of supplement is reflected in Task Order No. 01 to the Agreement. This Resolution authorizes the Mayor to sign Task Order 01 to the Agreement with Baseline Engineering Corporation. The cost for the services reflected in Task Order No. 01 will be charged on an hourly basis, time and materials not-to-exceed amount of \$75,000, and there are sufficient funds in the Public Works Department 2023 budget for this project.

Councilmember Janes made a motion to approve Resolution No. 5-8-23, Series of 2023. Councilmember Angell seconded the motion. By a five-yes vote, the motion was approved.

FIRST READING – ORDINANCE NO. 5, SERIES OF 2023 - AN ORDINANCE AMENDING THE STERLING CITY CODE, CHAPTER 5. BUILDINGS AND BUILDING REGULATIONS, ARTICLE III. INTERNATIONAL BUILDING CODE, SECTION 5-31, INTERNATIONAL BUILDING CODE ADOPTED:

Acting City Manager/Police Chief Kerr advised Council the City Code presently adopts the 2006 International Building Code. This Ordinance updates the City Code by adopting the 2018 International Building Code.

Councilmember Haynie made a motion to introduce Ordinance No. 5, Series of 2023. Councilmember Janes seconded the motion. City Clerk Forbes read the Ordinance by title. By a five-yes vote, the motion was approved.

FIRST READING – ORDINANCE NO. 6, SERIES OF 2023 - AN ORDINANCE AMENDING THE STERLING CITY CODE, CHAPTER 5. BUILDINGS AND BUILDING REGULATIONS, ARTICLE IV. INTERNATIONAL MECHANICAL CODE, SECTION 5-43, INTERNATIONAL MECHANICAL CODE ADOPTED:

Acting City Manager/Police Chief Kerr advised Council the City Code presently adopts the 2006 International Mechanical Code. This Ordinance updates the City Code by adopting the 2018 International Mechanical Code.

Councilmember Ritter made a motion to introduce Ordinance No. 6, Series of 2023. Councilmember Janes seconded the motion. City Clerk Forbes read the Ordinance by title. By a five-yes vote, the motion was approved.

FIRST READING – ORDINANCE NO. 7, SERIES OF 2023 - AN ORDINANCE AMENDING THE STERLING CITY CODE, CHAPTER 5. BUILDINGS AND BUILDING REGULATIONS, ARTICLE V. INTERNATIONAL RESIDENTIAL CODE, SECTION 5-56, INTERNATIONAL RESIDENTIAL CODE ADOPTED:

Acting City Manager/Police Chief Kerr advised Council the City Code presently adopts the 2006 International Residential Code. This Ordinance updates the City Code by adopting the 2018 International Residential Code.

Councilmember Janes made a motion to introduce Ordinance No. 7, 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.

FIRST READING – ORDINANCE NO. 8, SERIES OF 2023 - AN ORDINANCE AMENDING THE STERLING CITY CODE, CHAPTER 5. BUILDINGS AND BUILDING REGULATIONS, ARTICLE VI, INTERNATIONAL ENERGY CONSERVATION CODE, SECTION 5-106, INTERNATIONAL ENERGY CONSERVATION CODE ADOPTED:

Acting City Manager/Police Chief Kerr advised Council the City Code presently adopts the 2006 International Energy Conservation Code. This Ordinance updates the City Code by adopting the 2018 International Energy Conservation Code.

Councilmember Haynie made a motion to introduce Ordinance No. 8, Series of 2023. Councilmember Janes seconded the motion. City Clerk Forbes read the Ordinance by title. By a five-yes vote, the motion was approved.

FIRST READING – ORDINANCE NO. 9, SERIES OF 2023 - AN ORDINANCE AMENDING THE STERLING CITY CODE, CHAPTER 5. BUILDINGS AND BUILDING REGULATIONS, ARTICLE VIII. INTERNATIONAL FUEL GAS CODE, SECTION 5-140. INTERNATIONAL FUEL GAS CODE ADOPTED:

Acting City Manager/Police Chief Kerr advised Council the City Code presently adopts the 2006 International Fuel Gas Code. This Ordinance updates the City Code by adopting the 2018 International Fuel Gas Code.

Councilmember Ritter made a motion to introduce Ordinance No. 9, Series of 2023. Councilmember Haynie seconded the motion. City Clerk Forbes read the Ordinance by title. By a five-yes vote, the motion was approved.

FIRST READING – ORDINANCE NO. 10, SERIES OF 2023 - AN ORDINANCE AMENDING THE STERLING CITY CODE, CHAPTER 5. BUILDINGS AND BUILDING REGULATIONS, BY THE ADDITION THERETO OF A NEW ARTICLE IX, INTERNATIONAL EXISTING BUILDING CODE:

Acting City Manager/Police Chief Kerr advised Council this Ordinance amends City Code Chapter 5, Buildings and Building Regulations, by the addition of a new Article IX, adopting the International Existing Building Code.

Councilmember Janes made a motion to introduce Ordinance No. 10, Series of 2023. Councilmember Ritter seconded the motion. City Clerk Forbes read the Ordinance by title. By a five-yes vote, the motion was approved.

FIRST READING – ORDINANCE NO. 11, SERIES OF 2023 - AN ORDINANCE AMENDING THE STERLING CITY CODE, CHAPTER 7, FIRE PREVENTION AND PROTECTION, ARTICLE II, INTERNATIONAL FIRE CODE ADOPTED, SECTION 7-6, INTERNATIONAL FIRE CODE ADOPTED:

Acting City Manager/Police Chief Kerr advised Council the City Code presently adopts the 2006 International Fire Code. This Ordinance updates the City Code by adopting the 2018 International Fire Code, with amendments.

Councilmember Haynie made a motion to introduce Ordinance No. 11, 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.

MISCELLANEOUS COUNCIL BUSINESS:

MISCELLANEOUS MATTERS:

Councilmember Haynie asked if the scooters were coming back. Logan County Economic Development Executive Director Trae Miller advised the scooters would not be coming back.

Councilmember Angell asked if a work session was needed for the annexation and sales tax exemptions. Mayor Desormeaux advised this would be reviewed when City Attorney Richardson and City Manager Blankenship return. However, she would let them know that a work session was brought up.

There will be a new mural revealed on June 16, 2023.

ADJOURNMENT:

There being no further business to come before Council the meeting adjourned at 6:01 p.m.



MAYOR

ATTEST:



CITY CLERK