

STERLING, COLORADO  
MAY 25, 2021

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 Kristie Firme, Christ United Methodist Church, gave the invocation. Mayor Appelhans 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 25, 2021. Mayor Appelhans called the meeting to order at 5:31 p.m.

Councilmembers present:

Mayor	Appelhans
Councilmembers	Anderson Blecha (present by telephone) Desormeaux Janes McCarty

Councilmembers absent:

Councilmember	Ritter
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Also present:

City Manager	Saling
City Attorney	Penny
Deputy City Attorney	Richardson
City Clerk	Forbes
Fire Chief	Ritter
Police Chief	Kerr
Public Works Director	Good
Human Resource Director	Brown

Citizens present: 6

**CONSENT AGENDA:**

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

Anderson	yes	Janes	yes
Desormeaux	abstain	Appelhans	yes
Blecha	yes	McCarty	yes

Items on the consent agenda were: City Council minutes of May 11, 2021 and an application for renewal of Fermented Malt Beverage license for Wal-Mart #924 located at 1510 West Main Street.

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

Present to address Council was Mr. Tom Kiel, 17470 Skyline Court. Mr. Kiel advised he was present as the Logan County Economic Development Corporation (LCEDC) President. Council was given the LCEDC Resolution 2021-0401, which is a Resolution supporting City Council in their search of City Manager. Mr. Kiel advised that there are a group of business leaders who have a list of what they are looking for in a new City Manager. He suggested having a roundtable or an informal discussion for comments and suggestions that they have.

**UNFINISHED BUSINESS:**

**SECOND READING AND PUBLIC HEARING – ORDINANCE NO. 3, SERIES OF 2021 – AN ORDINANCE GRANTING A NON-EXCLUSIVE ELECTRIC LINE – RIGHT OF WAY TO HIGHLINE ELECTRIC ASSOCIATION:**

City Manager Saling advised Council first reading of this Ordinance took place on May 11, 2021, and it was thereafter published. Highline Electric Association's current electric line located in the East Half of the Northeast Quarter of Section 28, Township 8 North, Range 52 West of the Sixth P.M. is located primarily east of the Lowline Canal on City property, but its access is not favorable due to the proximity of the South Platte River and the vegetation that restricts access during inclement weather or spring flooding. Highline has also acquired an electric line Right of Way which is in disrepair. For these reasons, Highline is requesting a right-of-way easement on City-owned property to establish a better route to build a new electric line. This Ordinance approves a Non-Exclusive Electric Line – Right of Way to Highline Electric Association on City-owned property in Section 28, Township 8 North, Range 52 West of the Sixth P.M., more specifically described in the Ordinance.

City Clerk Forbes read the ordinance by title.

Mayor Appelhans opened the public hearing.

There were no comments.

Mayor Appelhans closed the public hearing.

Councilmember Janes made a motion to approve Ordinance No. 3, Series of 2021. Councilmember McCarty seconded the motion. By a six-yes vote, the motion was approved.

**CITY MANAGER'S REPORT:**

City Manager Saling updated Council on the following:

- North 4<sup>th</sup> Avenue Curb and Gutter Public Improvement District costs
- City Hall Closure – Memorial Day
- Pool opening on Memorial Day from 1:00 to 5:00 p.m.
- June 8, 2021 starts the Movies in the Park
- June 5, 2021 is the Fishing Derby

- Sterling lost power for 3 hours and Xcel is tentatively looking at another outage on June 3, 2021 from 6:00 to 9:00 p.m.

Sterling Community Fund Gala 2021 will be held September 25, 2021. Previously the City participated at the Bronze level for \$1,500.00, which includes 10 tickets.

Councilmember McCarty made a motion to participate at the Bronze Level for \$1,500.00. Councilmember Desormeaux seconded the motion. By a five-yes and one-no vote, the motion was approved. Voting was as follows:

McCarty	yes	Desormeaux	yes
Blecha	no	Anderson	yes
Appelhans	yes	Janes	yes

Just 406 LLC – Women’s Sober Living Home – 406 Jefferson Street – one-year review – City Manager Saling advised Council on May 26, 2020, City Council approved a Conditional Use Permit for 406 Jefferson Street for a Women’s Sober Living Home with five (5) conditions recommended by the Planning Commission and a City Council requirement that the “use” be reviewed by July 1, 2021 to ensure that the “use” has not negatively impacted the neighborhood.

It was the consensus of City Council to have the owner present at a Council meeting to review this.

Human Resource (HR) Director Brown updated Council on the City Manager recruitment process. There are 12 applicants, at this time, with a May 31, 2021 deadline. KRW Associates LLC will present a summary to Council, as far as ranking. HR Director Brown advised they will be meeting with Council to find out what the next step is.

**NEW BUSINESS:**

**MAYOR’S RECOMMENDATION OF APPONTMENTS TO THE CITIZENS ADVISORY BOARD:**

Mayor Appelhans made a motion to re-appoint Ms. Kim Sellers and Mr. Alex Wright to the Citizens Advisory Board. Councilmember Anderson seconded the motion. By a six-yes vote, the motion was approved.

**RESOLUTION NO. 5-7-21, SERIES OF 2021 – 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 Council by Resolution No. 7-5-20, Series of 2020. Council approved the expenditure of hotel tax revenues in the amount of \$10,000.00 specifically to be applied towards matching funds in connection with grant requirements of an “Our Town” grant application being submitted by the Logan County Arts League, for a mural painting project on structures located on Chestnut Street. Logan County Arts League was not awarded that grant, but would like to move forward with the project on a smaller scale, and is requesting \$10,000.00 towards the mural painting project. This Resolution approves expending the sum of \$10,000.00 to the Logan County Arts League for a mural painting project on structures located on Chestnut Street. There are sufficient funds in the Hotel Tax fund for this expenditure.

Councilmember Anderson made a motion to approve Resolution No. 5-7-21, Series of 2021. Councilmember Desormeaux seconded the motion. By a six-yes vote, the motion was approved.

**RESOLUTION NO. 5-8-21, SERIES OF 2021 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, APPROVING A CONTRIBUTION TO THE LOGAN COUNTY ARTS LEAGUE FROM THE CITY’S GENERAL FUND BALANCE DESIGNATED FOR THE ARTS:**

City Manager Saling advised Council by Resolution No. 7-5-20, Series of 2020. Council approved the expenditure of funds in the amount of \$15,000.00 from the City's General Fund Balance designated for the Arts, specifically to be applied towards matching funds in connection with grant requirements of an "Our Town" grant application being submitted by the Logan County Arts League, for a mural painting project on structures located on Chestnut Street. Logan County Arts League was not awarded that grant, but would like to move forward with the project on a smaller scale, and is requesting \$15,000.00 towards the mural painting project. This Resolution approves expending the sum of \$15,000.00 to the Logan County Arts League for a mural painting project on structures located on Chestnut Street. There are sufficient funds in the City's General Fund Balance designated for the Arts, for this type of expenditure.

Councilmember Desormeaux made a motion to approve Resolution No. 5-8-21, Series of 2021. Councilmember Janes seconded the motion. By a six-yes vote, the motion was approved.

**RESOLUTION NO. 5-9-21, SERIES OF 2021 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, APPROVING A COLORADO DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM IN ACCORDANCE WITH REGULATIONS OF THE U.S. DEPARTMENT OF TRANSPORTATION (DOT) 49 CFR PART 26:**

City Manager Saling advised Council as a condition of the City receiving Federal financial assistance from the U.S. Department of Transportation (DOT), the City must sign an assurance that it will comply with the regulations of the U.S. Department of Transportation, 49 CFR Part 26, and establish a Disadvantaged Business Enterprise (DBE) program. The Federal Aviation Administration has updated its DBE program template since the City adopted its DBE program in July, 2017. This Resolution approves the updated Disadvantaged Business Enterprise Program prepared by the City's airport consultant, Armstrong Consultants.

Councilmember Janes made a motion to approve Resolution No. 5-9-21, Series of 2021. Councilmember McCarty seconded the motion. By a six-yes vote, the motion was approved.

**RESOLUTION NO. 5-10-21, SERIES OF 2021 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, APPROVING, WITHOUT BID, THE PURCHASE OF SOLE SOURCED FUSIBLE PVC PIPE FROM UNDERGROUND SOLUTIONS, INC. FOR THE CITY OF STERLING WASTEWATER SYSTEM IMPROVEMENTS PROJECT – BID PACKAGE 200 (FORCE MAIN PROJECT #20-009):**


City Manager Saling advised Council following the City's design engineer's review of pipe materials in connection with replacing the existing aging force main and providing a second force main for redundancy and increased capacity, it was determined that sole sourced fusible PVC is recommended for the overall concerns in this aspect of the construction. Due to the timing of the production of the pipe and substantial price increases, it is in the best interests of the City to purchase the pipe and provide the pipe to the selected contractor as part of the Bid Package 200 (Force Main Project #20-009). This Resolution accepts a proposal received from Underground Solutions, Inc. who will sell the sole sourced fusible PVC pipe at the price it originally quoted in February, 2021, in the amount of \$1,320,880.00. This price is resulting in estimated saving to the City of \$252,000.00, based on price increases since February.

Councilmember Anderson made a motion to approve Resolution No. 5-10-21, Series of 2021. Councilmember McCarty seconded the motion. By a six-yes vote, the motion was approved.

**MISCELLANEOUS COUNCIL BUSINESS:**

Councilmember McCarty advised Council that citizens were asking about another tornado siren in the area of the south part of town by Ayres School as they did not hear the sirens. City Manager Saling suggested that they sign up for "Code Red" so they would get a telephone call, and he will get with the Emergency Manager to see if there are funds available.

There being no further business to come before Council the meeting adjourned at 6:15 p.m.

  
MAYOR

ATTEST:  
  
CITY CLERK