

STERLING, COLORADO
NOVEMBER 10, 2020

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.

City Manager Saling 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, November 10, 2020. Mayor Appelhans called the meeting to order at 6:00 p.m.

Councilmembers present:

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| Mayor | Appelhans |
| Councilmembers | Anderson Blecha Desormeaux Janes McCarty Ritter |

Also present:

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| City Manager | Saling |
| City Attorney | Penny |
| Deputy City Clerk | Brandt |
| Police Chief | Kerr |
| Paralegal | Welch |
| Records Supervisor | Cullip |
| Records Technician | Perez |

Citizens present: 1

Citizens participating in ZOOM: 2

CONSENT AGENDA:

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

Items on the consent agenda were: City Council minutes of October 27, 2020 and an application for renewal of tavern liquor license for Mi Ranchito Mexican Restaurant located at 203 Broadway Street.

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

None

UNFINISHED BUSINESS:

CITY MANAGER'S REPORT:

City Manager Saling updated Council on the following:

- Sales and lodging taxes for October – Lodging tax is down and Sales tax is up
- Water Production/Demand for September is up
- Bonds for the Wastewater Treatment project were issued. The City received 1.54 percent loan interest rate for a 30-year term.
- Water Efficiency Plan – There will be a presentation from BBA.
- 3rd Avenue Water Main Replacement project is done
- Water Storage Tank Rehabilitation project is underway. There were some problems with a valve once that is fixed the crew will start the tank rehabilitation.
- City Hall is closed Wednesday for Veterans Day

NEW BUSINESS:

PRESENTATION OF LAW ENFORCEMENT RECORDS PERSONNEL WEEK PROCLAMATION:

Mayor Appelhans read and presented the Law Enforcement Records Personnel Week proclamation to Records Supervisor Cullip and Records Technician Perez.

AMENDMENT TO CITY COUNCIL RULES OF PROCEDURE:

City Manager Saling advised Council Section 8.2 of the present City Council Rules of Procedure provides that the rules may be amended, or new rules adopted, by a majority vote of all members of the Council, provided that the proposed amendments or new rules shall have been placed on the agenda and provided to all councilmembers prior to the council meeting at which action is taken on the amended or new rules. Council is herewith provided with proposed Rules of Procedure that amend Sections 3.1 and 3.3 to change the meeting time from 6:00 p.m. to 5:30 p.m. The amended Rules of Procedure may be adopted by motion.

Councilmember Desormeaux made a motion to amend the City Council Rules of Procedure, Sections 3.1 and 3.3 to change the meeting time from 6:00 p.m. to 5:30 p.m. Councilmember Janes seconded the motion. By a seven-yes vote, the motion was approved.

PRESENTATION ON THE WATER EFFICIENCY PLAN BY BBA VIA ZOOM:

BBA Water Consultants, Ms. Tara Meininger and Mr. Jon George, presented Council, by ZOOM, the City of Sterling 2021 Municipal Water Efficiency Plan. After the presentation BBA consultants stated Council needs to approve the draft and have it go out for public comment for sixty days. The plan will come back to Council for adoption and then forwarded to the Colorado Water Conservation Board for their approval. Once the Colorado Water Conservation Board approves the report the City will be able to draw down on the loan for the Wastewater Treatment project.

Councilmember Desormeaux made a motion to put the Water Efficiency Plan out for public comment. Councilmember Janes seconded the motion. By a seven-yes vote, the motion was approved.

FIRST READING – ORDINANCE NO. 15, SERIES OF 2020 – AN ORDINANCE APPROVING A FIRST AMENDMENT TO THE PURCHASE AND SALE AGREEMENT BETWEEN THE CITY OF STERLING, COLORADO AND FOUR CORNERS DEVELOPMENT, LLC, DATED FEBRUARY 7, 2020:

City Manager Saling advised Council this Ordinance approves a First Amendment to the Purchase and Sale Agreement between the City and Four Corners Development, LLC, regarding City-owned property described as Lot 1 of Knowles Replat in the City of Sterling, Logan County, Colorado, in order to extend the Financing Contingency Deadline from December 1, 2020, to December 1, 2021, and to extend the anticipated closing date from February 1, 2021, to February 1, 2022. The City will receive \$10,000.00 from Four Corners Development for reimbursement of

legal fees and other expenses incurred by the City in connection with the Agreement and the First Amendment.

Councilmember Anderson made a motion to introduce Ordinance No. 15, Series of 2020. Councilmember McCarty seconded the motion. Deputy City Clerk Brandt read the Ordinance by title. By a seven-yes vote, the motion was approved.

FIRST READING – ORDINANCE NO. 16, SERIES OF 2020 – AN ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE AMOUNT OF TWO HUNDRED TWENTY THOUSAND FOURTEEN DOLLARS (\$220,014) AND REGULATING THE PAYMENT OF MONEY OUT OF THE CITY TREASURY, AND INCREASING THE AMOUNT OF THE REVENUE BUDGET FOR 2020 BY ONE HUNDRED TWENTY-FOUR THOUSAND FOUR HUNDRED TEN DOLLARS (\$124,410):

City Manager Saling advised Council this Ordinance more or less is a housekeeping project and relates to projects in 2020, and other revenue received in 2020. This will increase expenses of \$220,014 and revenue of \$124,410.

Councilmember McCarty made a motion to introduce Ordinance No. 16, Series of 2020. Councilmember Anderson seconded the motion. Deputy City Clerk Brandt read the Ordinance by title. By a seven-yes vote, the motion was approved.

**MISCELLANEOUS COUNCIL BUSINESS:
EXECUTIVE SESSION – TO DISCUSS THE PURCHASE, ACQUISITION, LEASE, TRANSFER, OR SALE OF REAL, PERSONAL, OR OTHER PROPERTY INTEREST UNDER C.R.S. SECTION 24-6-402 (4) (a) WASTEWATER TREATMENT PLANT EASEMENT AND 5TH STREET EXCESS RIGHT-OF-WAY:**

Mayor Appelhans made a motion to go into executive session to discuss the purchase, acquisition, lease, transfer, or sale of real, personal, or other property interest under C.R.S. Section 24-6-402 (4)(b). Councilmember Janes seconded the motion. By a seven-yes vote, the motion was approved.

Council went into executive session at 6:30 p.m.

Council came out of executive session at 7:00 p.m.

Mayor Appelhans 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 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 7:00 p.m.


MAYOR

ATTEST:


DEPUTY CITY CLERK