

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 Blankenship 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, November 14, 2023. Mayor Desormeaux called the meeting to order at 5:30 p.m.

Councilmembers present:

Mayor	Desormeaux
Councilmembers	Angell Blecha Delgado Haynie Janes Ritter

Also present:

City Manager	Blankenship
City Attorney	Richardson
City Clerk	Forbes
Fire Chief	Ritter
Police Chief	Kerr
Human Resources Director	Mentzel
Parks, Library and Recreation (PLR) Director	Gandee
Public Safety Communications (PSC) Director	Lybrand
Paralegal	Welsh

Citizens present: 16

CONSENT AGENDA:

Mayor Desormeaux asked if anyone wanted to break up the items on the Consent Agenda. Council advised yes.

CONSIDERATION OF CITY COUNCIL MINUTES OF OCTOBER 24, 2023:

Councilmember Janes made a motion to approve the City Council minutes of October 24, 2023. Councilmember Delgado seconded the motion. By a six-yes and one abstain vote, the motion was approved. Voting was as follows:

Janes	yes	Delgado	yes
Angell	abstain	Blecha	yes
Desormeaux	yes	Haynie	yes
Ritter	yes		

APPLICATION FOR RENEWAL OF CLUB LIQUOR LICENSE – B.P.O.E. LODGE 1336 – STERLING ELKS LODGE – 321 ASH STREET:

Councilmember Delgado made a motion to approve the renewal of Club Liquor License for Sterling Elks Lodge located at 321 Ash Street. Councilmember Blecha seconded the motion. By a seven-yes vote, the motion was approved.

PERMIT APPLICATION AND REPORT OF CHANGES - DISCOUNT LIQUORS L.L.C. – DISCOUNT LIQUORS L.L.C. – 1000 WEST MAIN STREET:

Councilmember Janes made a motion to approve the Permit Application and Report of Changes for Discount Liquors L.L.C. located at 1000 West Main Street. Councilmember Ritter seconded the motion. By a seven-yes vote, the motion was approved.

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

Present to address Council was Ms. Melisa Morris, 1010 North 7th Street, #13. Ms. Morris advised Council she has concerns about the dogs not being taken into custody after they attack a person or another animal. City Attorney Richardson advised they can be put in custody until a trial. Councilmember Delgado was concerned about the lack of clarity of what directions should be taken between the Police Department and the Humane Society. Councilmember Delgado advised City Manager Blankenship to find out what direction should be taken. Police Chief Kerr advised Council this issue is taken very seriously by the Police Department. He advised the main issue is the public safety.

Others who addressed Council regarding the dog issue:

- Mr. Lee Roth, 704 Elwood Street. Mr. Roth advised the Humane Society is no help, whatsoever. He brought up the muzzle proposal that he previously gave to Council. He advised that he feels this could help matters.
- Mr. Ken McDowell, 315 Delmar Street. Mr. McDowell was concerned about the dogs on South 3rd Avenue. There were dogs that attacked him and his dog.
- Ms. Missy McKay, 310 South 3rd Avenue. Ms. McKay also had concerns regarding animal control.
- Ms. Deb Dowis, 431 South 2nd Street and Ms. Jeannie Brown. These two women are the two new Board members for the Humane Society. They advised Council that they are very concerned about what they are hearing.

Mayor Desormeaux asked PSC Director Lybrand what the process was for people calling in regarding dogs.

Others who addressed Council regarding the dog issue continues:

- Ms. Michelle Teich, 105 Parkview Drive. Ms. Teich advised she felt that owners were responsible and asked what could be done for fines. City Attorney Richardson advised they are subject to criminal fines and jail time.
- Ms. Teich (Michelle Teich's mother), 105 Parkview Drive. She is concerned about dogs when going to her mailbox. City Attorney Richardson reiterated that the animal control officer can give tickets and try people into court.

Councilmember Delgado advised he felt that Council needs to know the number of calls to the Humane Society and Police Department regarding vicious dogs. He feels there is a breakdown when the situation occurs

UNFINISHED BUSINESS:

CITY MANAGER REPORT:

- WWTP Loan Application Update
- Waterline Project Update
- DOLA project has gone out for bids on Ballpark Road
- 2023 Resurfacing Update – There was discussion regarding this project
- Ayers Associates meeting – Housing Strategic Plan project
- City Christmas Float
- CU UTAP meeting – Potential City/County Convention Center joint project
- Emergency Education Event at Peace Lutheran Church
- 2023 Ballot Questions discussion – Chickens and Marijuana – City Attorney Richardson advised Council was given a draft Chicken Ordinance that will be on the November 28, 2023 Council agenda. The Chicken Ordinance will be in effect as of January 1, 2024. The Marijuana issue will take effect January 1, 2025.
- RE-1 Hat Day for homeless on November 17, 2023

NEW BUSINESS:

PUBLIC HEARING – APPLICATION FOR TRANSFER OF LODGING & ENTERTAINMENT LIQUOR LICENSE – T AND J'S AT ICE LANES, LLC – ICE LANES – 208 NORTH 10TH AVENUE:

City Manager Blankenship advised Council T and J's at Ice Lanes, LLC has filed an application for transfer of the Lodging and Entertainment Liquor License for Ice Lanes, 208 North 10th Avenue. All fees have been submitted. The premises has been previously licensed and pursuant to Colorado Revised Statutes, in determining whether to permit a transfer of ownership, the licensing authority (City Council) may only consider whether or not the applicant may hold a license, and whether or not any modification has been made to the premises. No modification has been made to the premises. The reports from the Police and Fire Departments were mailed to the applicant, along with letters advising that a representative must be present at this meeting to answer any questions Council might have.

Present to address Council was Mr. John White, 632 Columbine Street; Mr. Jason Littlefield, 13821 County Road 37 and Ms. Trudie Littlefield, 13821 County Road 37

Mayor Desormeaux opened the public hearing.

Present to address Council was Mr. Lee Roth, 704 Elwood Street. Mr. Roth advised he is a bowler and have known these people a long time and they do a great job.

Mayor Desormeaux closed the public hearing.

Councilmember Janes made a motion to approve the application for Transfer of Lodging & Entertainment Liquor License for the T and J's at Ice Lanes, LLC located at 208 North 10th Avenue. Councilmember Angell seconded the motion. By a seven-yes vote, the motion was approved.

RESOLUTION NO. 11-1-23, SERIES OF 2023 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF STERLING AND THE STATE OF COLORADO ACTING BY AND THROUGH THE DEPARTMENT OF PUBLIC SAFETY, DIVISION OF FIRE PREVENTION AND CONTROL, FOR A LIVE FIRE TRAINING FACILITY:

City Manager Blankenship advised Council this Resolution approves an Intergovernmental Agreement between the City of Sterling and the State of Colorado acting by and through the Department of Public Safety, Division of Fire Prevention and Control ("DFPC"), for the purpose of DFPC providing a live fire training facility to the City, and the City maintaining and allowing for use of the facility by the City's Fire Department and other public safety entities on an approved schedule. The modular live fire training facility will be provided without financial cost to the City, and the City will be responsible for preparation of the concrete pad upon which the facility will be placed. The City will allow use of the facility by other public safety entities pursuant to this Intergovernmental Agreement, and may charge a usage fee as may be determined by the City.

Councilmember Haynie made a motion to approve Resolution No. 11-1-23, Series of 2023. Councilmember Blecha seconded the motion. By a seven-yes vote, the motion was approved.

RESOLUTION NO. 11-2-23, SERIES OF 2023 – A RESOLUTION ESTABLISHING CHARGES AND FEES INCIDENT TO OPERATING THE FIRE DEPARTMENT LIVE FIRE TRAINING FACILITY:

City Manager Blankenship advised Council by Resolution No. 11-1-23, Series of 2023, the City has approved an Agreement with the State of Colorado acting by and through the Department of Public Safety, Division of Fire Prevention, for the purpose of the City receiving a live fire training facility for use by the City Fire Department and various other public safety entities on an approved schedule. This Resolution establishes charges and fees in connection with the use of the City's Fire Department Live Fire Training Facility by other entities.

Councilmember Delgado made a motion to approve Resolution No. 11-2-23, Series of 2023. Councilmember Blecha seconded the motion. By a seven-yes vote, the motion was approved.

RESOLUTION NO. 11-3-23, SERIES OF 2023 – 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 – BILLBOARD LEASE:

City Manager Blankenship advised Council at the October 24, 2023 Council meeting, a representative of the Citizens Advisory Board put forth a recommendation that the City expend \$3,708.00 from the City's Hotel Tax Fund to contribute one-half of the 12-month lease amount for a billboard located at the Iff exit on I-76, which promotes tourism in the City and County. This Resolution approves expending the sum of \$3,708.00 for that stated purpose.

Councilmember Ritter made a motion to approve Resolution No. 11-3-23, Series of 2023. Councilmember Haynie seconded the motion. By a seven-yes vote, the motion was approved.

FIRST READING – ORDINANCE NO. 17, SERIES OF 2023 – AN ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE AMOUNT OF SIX MILLION, SIX HUNDRED ONE THOUSAND, FIVE HUNDRED NINETY-SEVEN DOLLARS (\$6,601,597) AND REGULATING THE PAYMENT OF MONEY OUT OF THE CITY TREASURY, AND INCREASING THE AMOUNT OF THE REVENUE BUDGET FOR 2023 BY THREE HUNDRED NINETEEN THOUSAND FOUR HUNDRED EIGHTY-TWO DOLLARS (\$319,482):

City Manager Blankenship advised Council this Ordinance relates to projects and revenues received in 2023 after the 2023 budget was completed. Increased expenses of \$6,601,597.00 and revenue of \$319,482.00.

Councilmember Janes made a motion to introduce Ordinance No. 17, Series of 2023. Councilmember Angell seconded the motion. City Clerk Forbes read the Ordinance by title. By a seven-yes vote, the motion was approved.

MISCELLANEOUS COUNCIL BUSINESS:

MISCELLANEOUS MATTERS:

Councilmember Blecha thanked the people that voted for Dean Haynes in Ward 3.

ADJOURNMENT:

There being no further business to come before Council the meeting adjourned at 6:52 p.m.


MAYOR

ATTEST:


CITY CLERK