

STERLING, COLORADO
NOVEMBER 28, 2017

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.

Reverend Ron Powers, Peace Lutheran Church, 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, November 28, 2017. Mayor Torres called the meeting to order at 7:00 p.m.

Councilmembers present:

Mayor	Torres
Councilmembers	Appelhans Flores McCarty Pitcher Rice
Councilmember elect	Rhodes

Councilmembers absent:

Councilmember	Lawson
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Also present:

City Manager	Saling
City Attorney	Penny
City Clerk	Forbes
Parks, Library and Recreation (PLR) Director	Gandee
Fire Chief	Ritter
Public Works Director	Good
Human Resource Director	Brown
Police Chief	Kerr
Sterling Emergency Communication Center Director	Lybrand (formerly Serl)
Street and Sanitation Superintendent	Rewoldt

Paralegal

Welsh

Citizens present: 17

CONSIDERATION OF CITY COUNCIL MINUTES OF NOVEMBER 14, 2017:

Councilmember Appelhans made a motion to approve the City Council minutes of November 14, 2017. Councilmember McCarty seconded the motion. By a six-yes vote, the motion was approved.

ADMINISTRATION OF OATH OF OFFICE TO NEWLY ELECTED MAYOR AND COUNCILMEMBERS:

District Judge Michael Singer gave the oath of office to newly elected Mayor, Dan Torres, Councilmember Bob McCarthy, Ward 1; newly elected Ward 2 Councilmember Brenda Rhodes and Dave Appelhans, Ward 3.

PRESENTATION OF OUTGOING COUNCILMEMBER PLAQUE:

Councilmember Lawson was not present to accept his plaque.

ELECTION OF MAYOR PRO-TEM:

Mayor Torres made a motion to nominate Councilmember Appelhans as Mayor Pro-Tem. Councilmember McCarty seconded the motion. By a six-yes and one-abstain vote, the motion was approved. Voting was as follows:

Torres	yes	McCarty	yes
Appelhans	abstain	Flores	yes
Pitcher	yes	Rhodes	yes
Rice	yes		

ADOPTION OF CITY COUNCIL RULES OF PROCEDURES:

Mayor Torres made a motion to adopt the Council Rules of Procedure. Councilmember Appelhans seconded the motion. By a seven-yes vote, the motion was approved.

CONSENT AGENDA:

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

Items on the consent agenda was: an application for renewal of retail liquor store license for Harold's Liquor located at 336 E. Chestnut Street.

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

None

UNFINISHED BUSINESS:

SECOND READING AND PUBLIC HEARING – ORDINANCE NO. 11, SERIES OF 2017 - AN ORDINANCE AMENDING THE STERLING CITY CODE, APPENDIX A, ZONING, CHAPTER IV, USE REGULATIONS, SEC. 402, SCHEDULE OF PERMITTED USES, TO REFLECT THAT BOARDING HOUSES AND ROOMING HOUSES IS NOW A CONDITIONAL USE IN THE LOW DENSITY RESIDENTIAL (R-1) DISTRICT ZONING CLASSIFICATION:

City Manager Saling advised Council first reading of this ordinance took place on November 14, 2017, and it was thereafter published. An application for a text amendment regarding Chapter IV, Sec. 402, Schedule of Permitted Uses, line item 17, was filed with the City by Karen Ramey-Torres. The Planning Commission, at its October 4, 2017 meeting, denied the request to make boarding houses and rooming houses a use by right in the Low Density Residential (R-1) District

Zoning classification. However, a motion was made to make boarding houses and rooming houses a Conditional Use in the Low Density Residential (R-1) District Zoning Classification. This Ordinance amends the Sterling City Code, Appendix A, Zoning, Chapter IV, Use Regulations, Sec. 402, Schedule of Permitted Uses, to provide that Boarding Houses and Rooming Houses is now a conditional use in areas classified as Low Density Residential (R-1) District.

Mayor Torres excused himself from Council Chambers.

Mayor Pro-tem Appelhans took over the meeting.

City Clerk Forbes read the ordinance by title.

Mayor Pro-Tem Appelhans opened the public hearing.

There were no comments.

Mayor Pro-Tem closed the public hearing.

Councilmember Rice made a motion to approve Ordinance No. 11, Series of 2017. Councilmember McCarty seconded the motion. By a six-yes and one-abstain vote, the motion was approved. Voting was as follows:

Rice	yes	McCarty	yes
Torres	abstain	Appelhans	yes
Flores	yes	Pitcher	yes
Rhodes	yes		

Mayor Torres returned to Council Chambers.

SECOND READING AND PUBLIC HEARING - ORDINANCE NO. 12, SERIES OF 2017 – AN ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE AMOUNT OF THIRTY-SEVEN THOUSAND ONE HUNDRED FORTY-NINE DOLLARS (\$37,149) AND REGULATING THE PAYMENT OF MONEY OUT OF THE CITY TREASURY, AND INCREASING THE AMOUNT OF THE REVENUE BUDGET FOR 2017 BY EIGHTEEN THOUSAND FOUR HUNDRED FIVE DOLLARS (\$18,405):

City Manager Saling advised Council first reading of this ordinance took place on November 14, 2017 and it was thereafter published. This ordinance relates to projects in 2017 and revenues received in 2017 after the budget. This will increase expenses in the amount of \$37,149 and revenue in the amount of \$18,405.

City Clerk Forbes read the ordinance by title.

Mayor Torres opened the public hearing.

There were no comments.

Mayor Torres closed the public hearing.

Councilmember McCarty made a motion to approve Ordinance No. 12, Series of 2017. Councilmember Rice seconded the motion. By a six-yes and one-abstain vote, the motion was approved. Voting was as follows:

McCarty	yes	Rice	yes
Torres	abstain	Appelhans	yes
Flores	yes	Pitcher	yes
Rhodes	yes		

SECOND READING AND PUBLIC HEARING – ORDINANCE NO. 13, SERIES OF 2017 - AN ORDINANCE AMENDING THE STERLING CITY CODE, APPENDIX A, ZONING, CHAPTER III, RULES AND DEFINITIONS, SEC. 302, DEFINITIONS, TO ADD A DEFINITION FOR DWELLING-SINGLE FAMILY, LIVE/WORK SPACE, AND IN CONJUNCTION THEREWITH AMENDING CHAPTER IV, USE REGULATIONS, SEC. 402, SCHEDULE OF PERMITTED USES, TO ADD A CATEGORY FOR DWELLING-SINGLE FAMILY, LIVE/WORK SPACE, AS A CONDITIONAL USE IN THE COMMUNITY BUSINESS (CB) DISTRICT ZONING CLASSIFICATION:

City Manager Saling advised Council first reading of this ordinance took place on November 14, 2017, and it was thereafter published. An application for a text amendment regarding Chapter IV, Sec. 402, Schedule of Permitted Uses, line item 46, was filed with the City by Bernice Artzer Mills. The Planning Commission, at its October 4, 2017 meeting, denied the request to make dwelling-single family a use by right in the Community Business (CB) District Zoning Classification, but made an alternative recommendation.

At the November 14, 2017, Council meeting, a motion was passed approving the revision of the definition of Dwelling-Single Family Live/Work Space, to omit the restriction of the use to an Owner/Operator. This ordinance, as revised, amends Appendix A, Zoning, Chapter III, Rules and Definitions, Sec. 302, Definitions, to add a definition for Dwelling-Single Family, Live/Work Space, and Chapter IV, Use Regulations, Sec. 402, Schedule of Permitted Uses, to add a category for Dwelling-Single Family, Live/Work Space, as a conditional use in the Community Business (CB) District Zoning Classification.

City Clerk Forbes read the ordinance by title.

Mayor Torres opened the public hearing.

Present to address Council was Ms. Linda Gebauer, 116 Hamilton Street. Ms. Gebauer advised Council she was coming forward as a property owner in a community business zone and also as a Planning Commission member. She advised Council that the Planning Commission goes over and reviews their packets to reduce the time Council has to spend on the matters. She advised there were six that voted for the Live/Work space being owner occupied; only one did not.

Ms. Gebauer also advised that being a property owner in community business she would like to see more teeth in the code to make the property more attractive.

There were no more comments.

Mayor Torres closed the public hearing.

Councilmember Rice made a motion to approve Ordinance No. 13, Series of 2017. Councilmember Appelhans seconded the motion. By a seven-yes vote, the motion was approved.

CITY MANAGER'S REPORT:

City Manager Saling updated Council on the following:

- Christmas Street lighting
- Damaged decorative street light poles on West Main Street
- Electrical/cable power lines on West Main Street
- Public Works projects: Street still patching potholes. The Water Treatment Division has been cleaning one of the three "Reverse Osmosis" filter trains. The preliminary design work on the Wastewater Plant improvements and the Water/Wastewater Rate Study is progressing
- Parade of Lights float
- Christmas Bonfire
- Employee luncheon on December 15, 2017

NEW BUSINESS:

MAYOR'S RECOMMENDATION OF MEMBER APPOINTMENTS TO THE PLANNING COMMISSION, LOGAN COUNTY ECONOMIC DEVELOPMENT CORPORATION, CML POLICY COMMITTEE AND RURAL TRANSPORTATION AUTHORITY:

Mayor Torres advised he would like to nominate Cathy Segelke to be reappointed to the Planning Commission. By a seven-yes vote, the appointment was approved.

Mayor Torres advised he would like to nominate Casey Cooper as a new applicant to the Planning Commission. By a seven-yes vote, the appointment was approved.

Present to address Council was Mr. Casey Cooper. Mr. Cooper advised Council that he has lived in the Sterling area for three years and would like to be more active in the community.

Mayor Torres advised Council there is still one vacancy on the Planning Commission if anyone is interested.

Mayor Torres advised he would like to nominate Councilmember Rice to the Logan County Economic Development Corporation Board. By a six-yes and one-abstain vote, the appointment was approved. Voting was as follows:

Torres	yes	Rice	abstain
Appelhans	yes	Flores	yes
McCarty	yes	Pitcher	yes
Rhodes	yes		

Mayor Torres advised he would like to nominate Councilmember Appelhans to CML Policy Committee. By a six-yes and one-abstain vote, the appointment was approved. Voting was as follows:

Torres	yes	Appelhans	abstain
Flores	yes	McCarty	yes
Pitcher	yes	Rhodes	yes
Rice	yes		

Mayor Torres advised he would like to nominate Councilmember Rhodes to the Rural Transportation Authority. By a six-yes and one-abstain vote, the appointment was approved. Voting was as follows:

Torres	yes	Rhodes	abstain
Appelhans	yes	Flores	yes
McCarty	yes	Pitcher	yes
Rice	yes		

RESOLUTION NO. 11-8-17, SERIES OF 2017 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO APPROVING A CONTRACT BETWEEN THE CITY AND THE STATE OF COLORADO, STATE BOARD FOR COMMUNITY COLLEGES AND OCCUPATIONAL EDUCATION FOR THE USE AND BENEFIT OF NORTHEASTERN JUNIOR COLLEGE, FOR THE 2017/2018 FIRE FIGHTER I ACADEMY:

City Manager Saling advised Council this resolution approves a contract with the State of Colorado and State Board of Community Colleges and Occupational Education for the use and benefit of Northeastern Junior College for the purpose of the Sterling Fire Department providing instruction, equipment and facilities for the 2017/2018 Fire Fighter I Academy. The City will be reimbursed for services, equipment and facility use as set forth in the contract that is the subject of this resolution.

Councilmember Appelhans made a motion to approve Resolution No. 11-8-17, Series of 2017. Councilmember McCarty seconded the motion. By a seven-yes vote, the motion was approved.

RESOLUTION NO. 11-9-17, SERIES OF 2017 - A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, APPROVING THE CONTRIBUTION OF FUNDS TO THE RE-1 VALLEY SCHOOL DISTRICT FOR INSTALLATION OF A WOOD COURT SURFACE ON TWO COURTS IN THE WALLY POST GYMNASIUM AT STERLING HIGH SCHOOL; AND APPROPRIATING ADDITIONAL FUNDS FROM THE CONSERVATION TRUST FUND FOR SAID CONTRIBUTION:

City Manager Saling advised Council RE-1 Valley School District has initiated a project for the installation of a wood court surface on two courts in the Wally Post Gymnasium, and is requesting a contribution of \$25,000 towards the project. A presentation regarding this project was given to the City Council at its November 14, 2017 Council meeting. This is an appropriate use of funds received by the City from the State of Colorado Conservation Trust Fund, and the project would serve the interests of the citizens of Sterling. This resolution approves the contribution of \$25,000 toward the project and appropriates the funds from the City's Conservation Trust Fund account.

Councilmember Appelhans made a motion to approve Resolution No. 11-9-17, Series of 2017. Councilmember Rice seconded the motion. By a seven-yes vote, the motion was approved.

DEPARTMENT REPORT – PUBLIC WORKS DEPARTMENT:

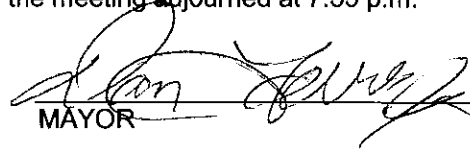
Public Works Director Good gave the department report.

MISCELLANEOUS COUNCIL BUSINESS:

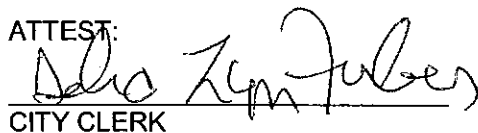
None

ADJOURNMENT:

There being no further business to come before Council the meeting adjourned at 7:55 p.m.


MAYOR

ATTEST:


CITY CLERK