

STERLING, COLORADO
NOVEMBER 8, 2016

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 Jared Sonnenberg, First Christian 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 8, 2016. Mayor Torres called the meeting to order at 7:00 p.m.

Councilmembers present:

Mayor	Torres
Councilmembers	Appelhans Flores Lawson McCarty Pitcher Rice

Also present:

City Manager	Saling
City Attorney	Penny
City Clerk	Forbes
Police Chief	Kerr
Fire Chief	Ritter
Parks, Library and Recreation (PLR) Director	Gandee
Public Works Director	Good
Human Resource Director	Brown
Paralegal	Welsh

Citizens present: 7

CONSENT AGENDA:

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

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

Items on the consent agenda were: City Council minutes of October 25, 2016, Special City Council minutes of November 1, 2016 and an application for renewal of tavern liquor license for Mi Ranchito LLC located at 203 Broadway.

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:

- Sidewalk program is done except for the cleanup
- 2016 Surface Treatment program is scheduled to start Wednesday, November 9
- The annual Trick or Treat Street event had over 3,000 participants
- The sales tax and lodging taxes were down
- The City received confirmation that its Transportation Alternatives program grant for the East Chestnut Trail was approved.
- The City offices will closed on Friday for observance of Veteran's Day

NEW BUSINESS:

INTRODUCTION OF NEW CITY EMPLOYEES:

Human Resource Director Brown introduced Amy Kailey, Library Assistant; Serena Perez, Library Assistant/Literacy Coordinator; Levi Ridhour, Mechanic; and Jamie Foster, Police Officer.

RESOLUTION NO. 11-1-16, SERIES OF 2016 - A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, APPROVING A GRANT APPLICATION TO THE STATE BOARD OF THE GREAT OUTDOORS COLORADO FOR A LOCAL PARKS AND OUTDOOR RECREATION PLANNING GRANT FOR THE CITY'S OVERLAND TRAIL RECREATION AREA EXPANSION PLAN:

City Manager Saling advised Council that this resolution approves the application for a Great Outdoors Colorado Planning Grant for the City's Overland Trail Recreation Area Expansion Plan, acknowledges that the grant application includes the responsibility of the City for matching funds, and authorizes the expenditure of funds necessary to meet the terms and obligations of any grant awarded. The anticipated project expense is \$40,000.00. Pursuant to the grant, if awarded, the City would be reimbursed for 75 percent of the actual project cost, up to the requested \$30,000.00, from Great Outdoors Colorado. The City would be required to appropriate the matching 25 percent of the project cost. Based on the anticipated project cost, it could be up to \$10,000.00; however, if the project exceeds the anticipated \$40,000.00, the City would only receive the \$30,000.00 grant and would be responsible for any balance of the project in addition to the \$10,000.00 matching funds.

Councilmember Appelhans made a motion to approve Resolution No. 11-1-16, Series of 2016. Councilmember McCarty seconded the motion. By a seven-yes vote, the motion was approved.

RESOLUTION NO. 11-2-16, SERIES OF 2016 – A RESOLUTION ESTABLISHING THE RATES AS REQUIRED IN CITY CODE CHAPTER 21, UTILITIES, ARTICLE IV, SEWER SYSTEM:

City Manager Saling advised Council the City Code Chapter 21 requires that City Council set certain rates which apply to sewer service. This resolution increases the minimum rate for all sewer accounts by \$5.00 monthly per equivalent residential and commercial groups. The \$5.00 per residential equivalent (i.e. Commercial Group 1 is equivalent to 1.55 residential, Group 2 is

equivalent to 1.69 residential, etc.) will, based on the current number of taps, generate an additional \$273,111.31 in revenue. The 2017 adopted budget takes into account this increase.

Councilmember Flores made a motion to approve Resolution No. 11-2-16, Series of 2016. Councilmember McCarty seconded the motion. By a seven-yes vote, the motion was approved.

RESOLUTION NO. 11-3-16, SERIES OF 2016 – A RESOLUTION ESTABLISHING NEW CHARGES AND FEES AS REQUIRED IN THE CITY CODE, CHAPTER 21, UTILITIES, ARTICLE III, WATER SERVICE:

City Manager Saling advised Council the City Code Chapter 21 requires that City Council set certain rates which apply to water service. This resolution increases the minimum rate for all water accounts by \$5.00 monthly per 3/4 inch water tap equivalent. The \$5.00 per 3/4 inch water tap equivalent will, based on the current number of taps, generate an additional \$366,399.00 in revenue. The 2017 adopted budget takes into account this increase.

Councilmember Flores made a motion to approve Resolution No. 11-3-16, Series of 2016. Councilmember Appelhans seconded the motion. By a seven-yes vote, the motion was approved.

RESOLUTION NO. 11-4-16, SERIES OF 2016 - A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO ACCEPTING THE BID FROM COLORADO BARRICADE CO. FOR THE CITY OF STERLING 2016 PAVEMENT MARKING PROJECT #16-010, AND APPROVING AN AGREEMENT:

City Manager Saling advised Council this resolution accepts the bid submitted by Colorado Barricade Co. for the City's 2016 Pavement Marking Project #16-010, and approves and authorizes the Mayor to sign the related agreement. The City published a request for bid proposals relating to its 2016 Pavement Marking project #16-010. The only bid received was from Colorado Barricade Co. in the amount of \$77,770.00. That bid amount is an acceptable amount for the project, and the Public Works Department has budgeted for the work to be performed.

Councilmember Rice made a motion to approve Resolution No. 11-4-16, Series of 2016. Councilmember McCarty seconded the motion. By a seven-yes vote, the motion was approved.

RESOLUTION NO. 11-5-16, SERIES OF 2016 - A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, REQUESTING A STATE AVIATION SYSTEM GRANT AND APPROVING THE GRANT AGREEMENT WITH THE COLORADO DEPARTMENT OF TRANSPORTATION, COLORADO AERONAUTICAL BOARD, DIVISION OF AERONAUTICS, AND ALL GUIDELINES, PROCEDURES, STANDARDS, REQUIREMENTS, TERMS AND CONDITIONS OF SUCH GRANT:

City Manager Saling advised Council this resolution formally requests assistance from the State of Colorado in the form of a grant and approves and authorizes the City to sign the grant agreement with the Colorado Department of Transportation, Colorado Aeronautical Board, Division of Aeronautics for the funding of airport improvements at the Sterling Municipal Airport. The agreement states that the Colorado Department of Transportation, Colorado Aeronautical Board, Division of Aeronautics shall provide matching funds to participate in the local match for federally-funded airport improvements. The funds anticipated to be received through this State Aviation System grant will be used for the installation of the Perimeter Fencing (Phase 1 – Construction) at the Sterling Municipal Airport. By Resolution No. 8-6-16, Series of 2016 – Council approved a grant agreement with the United States of America acting through the Federal Aviation Administration, and the expenditure of the City's funds as necessary to meet the terms and conditions of the grant agreement. It was determined that the State's share of matching funds would be \$8,581.00 and the City's share of matching funds would be \$8,581.00. Thereafter, the City's airport consultant was advised that the Colorado Department of Transportation had already programmed the typical 5 percent match on a standard grant based on one year's non-primary entitlements, resulting in a project budget of \$8,333.00 to be paid by CDOT, and CDOT cannot increase the programmed amount. Therefore, the City will be responsible for \$8,829.45 as its match.

Councilmember Appelhans made a motion to approve Resolution No. 11-5-16, Series of 2016. Councilmember Rice seconded the motion. By a seven-yes vote, the motion was approved.

RESOLUTION NO. 11-6-16, SERIES OF 2016 - A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, AUTHORIZING THE ENGAGEMENT OF THE LAW FIRM OF WHITE AND JANKOWSKI, LLP AND THE ENGINEERING FIRM OF BISHOP-BROGDEN ASSOCIATES, INC. TO PERFORM SERVICES FOR A GRAVEL POND AUGMENTATION PROJECT RELATING TO A PROPOSED RECREATIONAL POND TO BE CREATED FROM TWO PONDS PRESENTLY LOCATED ON CITY-OWNED LAND, DEFINED AS THE ROTHE GRAVEL PIT POND AUGMENTATION PROJECT; AND APPROPRIATING THE NECESSARY FUNDS:

City Manager Saling advised Council this resolution authorizes the engagement of the law firm of White & Jankowski, LLP and the engineering firm of Bishop-Brogden Associates, Inc. to perform services for the City in relation to the creation of a recreational pond on property presently owned by the City, and appropriates the fees for those services. The fees for the services to be provided by White & Jankowski, LLP and Bishop-Brogden Associates, Inc. are estimated to be \$26,500.00, if there is no heavy opposition to the Water Court supplemental proceedings that will need to be filed for this project. The funds to pay the fees will be appropriated from the Conservation Trust Fund account. If there is heavy opposition to those supplemental proceedings, Council will have to decide whether further official action and funds are appropriate.

Councilmember McCarty made a motion to approve Resolution No. 11-6-16, Series of 2016. Councilmember Appelhans seconded the motion. By a seven-yes vote, the motion was approved.

RESOLUTION NO. 11-7-16, SERIES OF 2016 - A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, APPROVING A GRANT AGREEMENT BETWEEN THE CITY OF STERLING AND THE STATE OF COLORADO DEPARTMENT OF LOCAL AFFAIRS PERTAINING TO THE MARIJUANA IMPACT GRANT PROGRAM; AND AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT:

City Manager Saling advised Council the City has been awarded grant funds from the State of Colorado Department of Local Affairs pertaining to the Marijuana Impact Grant program application previously submitted to DOLA. This resolution approves and authorizes the execution of a grant agreement with the State of Colorado Department of Local Affairs pertaining to that award. The City has been awarded the amount of \$26,397.00. There is no requirement for the City to provide matching funds.

Councilmember Appelhans made a motion to approve Resolution No. 11-7-16, Series of 2016. Councilmember McCarty seconded the motion. By a seven-yes vote, the motion was approved.

DEPARTMENT REPORT – FINANCE DEPARTMENT:

Finance Director Forbes gave the Finance Department report.

MISCELLANEOUS COUNCIL BUSINESS:

Councilmember Appelhans asked if there was money in the budget for Christmas bonus. City Manager Saling advised Council there was. He suggested \$100 for full-time employees and \$50 for permanent part-time employees.

It was the consensus of Council to have those checks go out before the Thanksgiving weekend.

City Manager Saling suggested holding a Citizens Academy to inform citizens about how City government runs. The consensus of Council was to have this move forward.

EXECUTIVE SESSION – PERSONNEL MATTER

Mayor Torres made a motion to go into executive session for discussion of a personnel matter under C.R.S. Section 24-6-402 (2) (f) and not involving: any specific employees who have

requested discussion of the matter in open session; any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official; or personnel policies that do not require the discussion of matters personal to particular employees. Councilmember Lawson seconded the motion. By a seven-yes vote, the motion was approved.

Council went into executive session at 7:40 p.m.

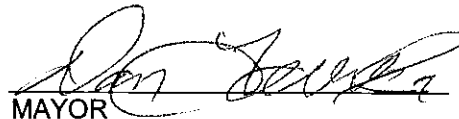
Council came out of executive session at 8:26 p.m.

Mayor Torres advised the participants in the executive session were: City Council, City Attorney and City Manager. 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, or that any improper action occurred during the executive session in violation of the Open Meetings Law, he asked that they state their concerns for the record.

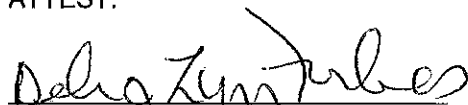
There was none.

ADJOURNMENT:

There being no further business to come before Council the meeting adjourned at 8:28 p.m.


MAYOR

ATTEST:


CITY CLERK