

STERLING, COLORADO
NOVEMBER 23, 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, November 23, 2021. Mayor Appelhans called the meeting to order at 5:30 p.m.

Councilmembers present:

Mayor	Appelhans
Councilmembers	Anderson Blecha Desormeaux McCarty

Councilmembers absent:

Councilmembers	Janes Ritter
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Also present:

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

New Councilmember present: Martin Gaines

Citizens present: 17

Councilmember Anderson made a motion to approve the City Council minutes of November 9, 2021. Councilmember Blecha seconded the motion. By a four-yes and one-abstain vote, the motion was approved. Voting was as follows:

Anderson	yes	Blecha	yes
Desormeaux	abstain	Appelhans	yes
McCarty	yes		

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

Judge Michael K. Singer, 13th Judicial District, gave the oath of office to newly elected Mayor, Brenda Desormeaux and Councilmember, Martin Gaines, Ward 1.

Mayor Desormeaux presented outgoing Mayor Appelhans and Councilmember McCarty with a plaque for their years of service to the City of Sterling.

APPOINTMENT OF MAYOR PRO-TEM:

Mayor Desormeaux made a motion to appoint Councilmember Janes as Mayor Pro-Tem. Councilmember Anderson seconded the motion. By a four-yes vote, the motion was approved.

ADOPTION OF CITY COUNCIL RULES OF PROCEDURE:

Councilmember Anderson made a motion to adopt the Council Rules of Procedure. Councilmember Blecha seconded the motion. By a four-yes vote, the motion was approved.

CONSENT AGENDA:

Councilmember Blecha made a motion to approve the consent agenda. Councilmember Anderson seconded the motion. By a four-yes vote, the motion was approved.

Items on the consent agenda were: application for renewal of Tavern Liquor License for Mi Ranchito Mexican Restaurant located at 203 Broadway Street, application for renewal of Fermented Malt Beverage License for Family Foods Market located at 217 South 3rd Avenue, application for renewal of Tavern Liquor License for The Hot Spot Smokehouse located at 4002 Main Street and application for renewal of Retail Liquor Store License for Elm Street Liquor located at 201 Elm 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 2021 - AN ORDINANCE APPROVING AN AMENDMENT TO LEASE AGREEMENT DATED SEPTEMBER 9, 2021, BETWEEN THE CITY OF STERLING, COLORADO (OWNER), AND C. ALAN HOAL AND LUCINDA HOAL, TRUSTEES OF THE C. ALAN HOAL TRUST DATED MAY 10, 2011, AND ANY AMENDMENTS THERETO, AS TO AN UNDIVIDED ½ INTEREST, AND C. ALAN HOAL AND LUCINDA HOAL, TRUSTEES OF THE LUCINDA HOAL TRUST DATED MAY 10, 2011, AND ANY AMENDMENTS THERETO, AS TO AN UNDIVIDED ½ INTEREST; AND AUTHORIZING THE MAYOR TO SIGN SAID AMENDMENT:

City Manager Blankenship advised Council first reading of this Ordinance took place on November 9, 2021, and it was thereafter published. By Resolution No. 8-5-21, Series of 2021, the City approved a Donation Agreement pertaining to land described as Lots 1 and 2 in Horace B. Davis' Sub-Division of Lot 4, Block 16, City of Sterling, Logan County, Colorado, known and numbered as 330 Main Street, Sterling, Colorado. As a condition of that Agreement, a portion of

said land was leased back to the donees – the Trustees of the C. Alan Hoal Trust dated May 10, 2011, and any amendments thereto, as to an undivided ½ interest, and the Lucinda Hoal Trust dated May 10, 2011, and any amendments thereto, as to an undivided ½ interest.

The Trustees of the Hoal Trusts have requested an amendment to said Lease Agreement for the purpose of the City, as the primary consumer of electricity through the meter on the Leased Property, to assume responsibility of the electrical services, under the terms and conditions more particularly set forth in an Amendment to Lease Agreement.

This Ordinance approves said Amendment to the Lease Agreement. Colorado Revised Statutes, Section 31-15-719(1)(c), as amended, requires that any lease for a period of more than one year shall be by ordinance. This Amendment creates new terms of a lease that is for a period of more than one year.

The present use of electricity at the Leased Property is nominal, averaging fewer than 10 kilowatts per month primarily to open and close a garage door. If the electrical consumption at the Leased Property materially changes, in the City's subjective discretion, City shall be entitled to revoke the Amendment to Lease Agreement.

City Clerk Forbes read the ordinance by title

Mayor Desormeaux opened the public hearing.

There were no comments.

Mayor Desormeaux closed the public hearing.

Councilmember Anderson made a motion to approve Ordinance No. 11, Series of 2021. Councilmember Blecha seconded the motion. By a four-yes vote, the motion was approved.

CITY MANAGER'S REPORT:

City Manager Blankenship updated Council on the following:

- Heritage Project
- Sewer Line Bid Status
- Head works pumping station.
- Street Sweeping
- Jacks Lane
- 2021 Fall and Spring Cleanup final tonnage
- PLR events for November and December
- Board of Realtors for Logan County meeting
- Sterling Retail Group meeting
- Councilmember Nominee

NEW BUSINESS:

APPOINTMENT OF TYLER BLOOD TO THE PARKS, LIBRARY AND RECREATION BOARD, AS THE REPRESENTATIVE FOR RE-1 VALLEY SCHOOL DISTRICT:

Councilmember Gaines made a motion to appoint Mr. Tyler Blood to the Parks, Library and Recreation Board, as the representative for RE-1 Valley School District. Councilmember Blecha seconded the motion. By a four-yes vote, the motion was approved.

RESOLUTION NO. 11-4-21, SERIES OF 2021 – A RESOLUTION REPEALING RESOLUTION NO. 12-1-20, SERIES OF 2020; AND ADOPTING A NEW CHARGES AND FEES POLICY; AND ESTABLISHING NEW CHARGES AND FEES AS REQUIRED IN NUMEROUS SECTIONS

OF THE STERLING CITY CODE, AS SET FORTH HEREIN; AND USER CHARGES AND FEES NOT REQUIRED TO BE SET BY SPECIFIC SECTIONS OF THE STERLING CITY CODE:

City Manager Blankenship advised Council this Resolution repeals Resolution No. 12-1-20, Series of 2020, and makes revisions to charges and fees of the City. Revisions have been made in Section I, Police Department (addition of some fees, increase in some fees, and clarifications). Revisions have been made in Section IV, Parks, Library and Recreation (addition of some fees and increase in some fees, relating to the Recreation Center, Recreation Division and the Museum). The Proposed changes are intended to cover increased service costs and do not amount to any significant increase in revenue.

Councilmember Anderson made a motion to approve Resolution No. 11-4-21, Series of 2021. Councilmember Gaines seconded the motion.

Council asked how the fees compare to other towns similar in size. Both Police Chief Kerr and PLR Director Gandee advised that Sterling is lower.

By a four-yes vote, the motion was approved.

RESOLUTION NO. 11-5-21, SERIES OF 2021 – A RESOLUTION ESTABLISHING THE RATES AS REQUIRED IN CITY CODE CHAPTER 16, SANITATION:

City Manager Blankenship advised Council this Resolution increase charges under Sec. 16-30 of the City Code. Charges for single family residences, and multiple family residences per dwelling unit, have been increased by \$2.50 per month, and additional rollouts have been increased by \$16.00 per 6-month use.

Councilmember Anderson made a motion to approve Resolution No. 11-5-21, Series of 2021. Councilmember Blecha seconded the motion. By a four-yes vote, the motion was approved.

RESOLUTION NO. 11-6-21, SERIES OF 2021 – A RESOLUTION ESTABLISHING CHARGES AND FEES INCIDENT TO OPERATING AND MANAGING SUNSET MEMORIAL GARDENS:

City Manager Blankenship advised Council this Resolution revises the previous charges and fees Resolution incident to operating and managing Sunset Memorial Gardens to omit wording regarding perpetual care, as that reference is not applicable to Sunset Memorial Gardens and the wording was inadvertently included on the previous Resolution.

Councilmember Blecha made a motion to approve Resolution No. 11-6-21, Series of 2021. Councilmember Gaines seconded the motion. By a four-yes vote, the motion was approved.

RESOLUTION NO. 11-7-21, 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 – HERITAGE PARK SCULPTURE:

City Manager Blankenship advised Council at the November 9, 2021 Council meeting, a representative of the Citizens Advisory Board gave a presentation and recommendation that the City pay \$100,000.00 from the City's Hotel Tax Fund for purpose of contributing that amount towards the \$150,000.00 estimated cost of purchasing and placing a bronze sculpture in Heritage Park. This Resolution approves expending the sum of \$100,000.00 towards the purchase and placement of a bronze sculpture in Heritage Park. There are sufficient funds in the Sterling Hotel Tax Fund for this \$100,000.00 expenditure.

Councilmember Anderson made a motion to approve Resolution No. 11-7-21, Series of 2021. Councilmember Gaines seconded the motion. By a four-yes vote, the motion was approved.

RESOLUTION NO. 11-8-21, 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 – BILLBOARD LEASE:

City Manager Blankenship advised Council at the November 9, 2021 Council meeting, Glenna Aurich of the Logan County Chamber of Commerce presented information regarding the lease for a billboard located at the Iff exit on I-76, which promotes tourism in the City and the County, and a representative of the Citizens Advisory Board gave a recommendation that the City pay \$3,600.00 from the City's Hotel Tax Fund for one-half of the 12-month lease amount. This Resolution approves expending the sum of \$3,600.00 for one-half of that Billboard Lease. There are sufficient funds in the Sterling Hotel Tax Fund for this \$3,600.00 expenditure.

Councilmember Blecha made a motion to approve Resolution No. 11-8-21, Series of 2021. Councilmember Gaines seconded the motion. By a four-yes vote, the motion was approved.

RESOLUTION NO. 11-9-21, 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 – DOWNTOWN ARCHWAY:

City Manager Blankenship advised Council at the November 9, 2021 Council meeting, Glenna Aurich of the Logan County Chamber of Commerce presented information regarding three archways to be placed in downtown Sterling, and a representative of the Citizens Advisory Board gave a recommendation that the City pay \$70,000.00 from the City's Hotel Tax Fund for one of the three archways. This Resolution approves expending the sum of \$70,000.00 for one archway. There are sufficient funds in the Sterling Hotel Tax Fund for this \$70,000.00 expenditure.

Councilmember Anderson made a motion to approve Resolution No. 11-9-21, Series of 2021. Councilmember Gaines seconded the motion. By a four-yes vote, the motion was approved.

RESOLUTION NO. 11-10-21, SERIES OF 2021 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO APPROVING A LOW-INCOME HOUSEHOLD WATER ASSISTANCE PROGRAM (LIHWAP) WATER VENDOR AGREEMENT BETWEEN THE CITY OF STERLING AND THE STATE OF COLORADO, DEPARTMENT OF HUMAN SERVICES

City Manager Blankenship advised Council the Consolidated Appropriations Act, 2021 and the American Rescue Plan Act of 2021 provide for household drinking water and wastewater assistance to eligible households. This Resolution approves an agreement between the City of Sterling, as a drinking water and wastewater vendor, and the State of Colorado, Department of Human Services to establish an arrangement to carry out the provisions of the Acts and to assure that funds available under the Acts are used in accordance therewith, through Colorado's Low-Income Household Water Assistance Program (LIHWAP), which helps low-income Coloradans meet their drinking water and wastewater costs.

Councilmember Anderson made a motion to approve Resolution No. 11-10-21, Series of 2021. Councilmember Blecha seconded the motion. By a four-yes vote, the motion was approved.

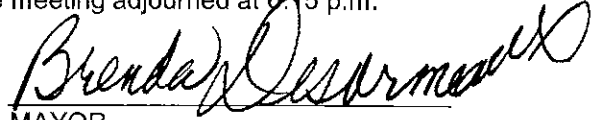
RESOLUTION NO. 11-11-21, SERIES OF 2021 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO APPROVING AN INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF STERLING AND THE COLORADO DEPARTMENT OF CORRECTIONS, STERLING CORRECTIONAL FACILITY:

City Manager Blankenship advised Council this Resolution approves an Intergovernmental Agreement with the Colorado Department of Corrections, Sterling Correction Facility, relating to the Sterling Police Department and assistance in providing and receiving emergency equipment and personnel for the purpose of responding to a major incident in each entity's respective area of responsibility.

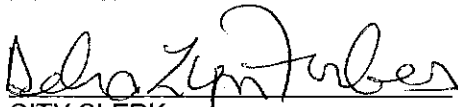
Councilmember Blecha made a motion to approve Resolution No. 11-11-21, Series of 2021. Councilmember Gaines seconded the motion. By a four-yes vote, the motion was approved.

MISCELLANEOUS COUNCIL BUSINESS:

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


MAYOR

ATTEST:


CITY CLERK