

STERLING, COLORADO
OCTOBER 10, 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.

Pastor Dale Pierce, United Church of Crook, 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, October 10, 2017. 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
Parks, Library and Recreation (PLR) Director	Gandee
Fire Chief	Ritter
Police Chief	Kerr
Public Works Director	Good
Human Resource Director	Brown
Sterling Emergency Communication Center Director	Serl
Paralegal	Welsh

Citizens present: 16

CONSENT AGENDA:

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

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

Items on the consent agenda were: City Council minutes of September 26, 2017 and an application for renewal of hotel & restaurant liquor license for Old Town Bistro located at 402 Main Street.

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

None

UNFINISHED BUSINESS:

SECOND READING AND PUBLIC HEARING OF ORDINANCE NO. 8, SERIES OF 2017 - AN ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE AMOUNT OF ONE MILLION THIRTY-ONE THOUSAND THREE HUNDRED EIGHTY-THREE DOLLARS (\$1,031,383) AND REGULATING THE PAYMENT OF MONEY OUT OF THE CITY TREASURY, AND INCREASING THE AMOUNT OF THE REVENUE BUDGET FOR 2017 BY EIGHT HUNDRED FIFTY-NINE THOUSAND THREE HUNDRED TWENTY-FOUR DOLLARS (\$859,324):

City Manager Saling advised Council that first reading of this ordinance took place on September 26, 2017, and it was thereafter published. This ordinance relates to projects in 2017 and revenues received in 2017. This will increase expenses in the amount of \$1,031,383 and revenue in the amount of \$859,324.

Mayor Torres opened the public hearing.

There were no comments.

Mayor Torres closed the public hearing.

Councilmember Appelhans made a motion to approve Ordinance No. 8, Series of 2017. Councilmember Rice seconded the motion. By a seven-yes vote, the motion was approved.

CITY MANAGER'S REPORT:

City Manager Saling updated Council on the following:

- Staff met with PEC, the consultants on the water and sewer rate study.
- Street Division personnel have been working on patching 3rd Street where the new water line was installed.
- Sales tax was up for the month of August.
- Lodging tax was up over 2016.
- The Police Department will hold their "Drug Take Back" program on October 28 from 10 a.m. -2 p.m.
- The consultants for the Overland Trail Natural Area Master Plan will hold a public meeting on October 19 starting a 7 p.m. at the Museum.
- He handed out the Snow Plan for 2017-2018.
- Parks, Library and Recreation are having a 3K and 5K Fun Run on October 30, 2017.
- He had information from CDOT Region 4 meeting. The "S" Curve is to be bid in November of 2018.

NEW BUSINESS:

CITIZENS ADVISORY BOARD PRESENTATION FROM KIM SELLERS:

Present to address Council was Ms. Kim Sellers. Ms. Sellers informed Council that the Chamber is looking to refurbish the billboard by the Tourist Information Center. The Chamber is asking for the Citizens Advisory Board (CAB) to pay half and the Lodging Tax to pay half in an amount up to

\$1,750 each. This will only be a temporary fix. There was discussion. There will be a resolution prepared to bring this back to Council.

Ms. Sellers advised Council that the community has been looking forward for many years to have Brad Rhea's marble statue in the City. She feels this would be a huge impact to the City. The CAB would like to purchase the statue in the amount of \$50,000 for five years for a total of \$250,000. They will look at how they will display it, and the cost of the display later as it is not part of the \$250,000.

Council's concerns were: information on the maintenance cost and where it would be located. Council would like to look at a draft agreement for this project.

CITY OF STERLING FOUNDATION PRESENTATION FROM CINDY JOHNSON HORNER:

Ms. Cindy Johnson Horner was present to address Council. Ms. Horner advised Council that they would like to fund a Sterling Community Fund which would be funded by private donations. The funds could be used to do projects in the City. Some of the projects that have been suggested are: Community Center, the bike trail and a children's splash park. It is a way for anyone to give back to community. They would like the City and the County to be involved. The funds would be administered by a committee. They would like Council's expression of support. A resolution will be coming forward.

PUBLIC HEARING – APPLICATION FOR SPECIAL EVENT PERMIT – STERLING ELKS LODGE #1336 – 321 ASH STREET:

City Manager Saling advised Council that an application for a special event permit was filed by the Sterling Elks Lodge #1336 for the Logan County Literacy Coalition Trivia Bowl fundraiser, to be held on November 4, 2017 from 4:00 o'clock p.m. to 12:00 o'clock midnight, for the sale of malt, vinous and spirituous liquor. The application was timely filed and is in proper form and the required fee has been submitted. The premises were properly posted. A letter was sent to the applicant advising of the date of the public hearing and requesting a representative be present at this meeting to answer any questions City Council might have concerning the application.

Present to address Council was Mr. Frank Gower, Secretary for the Sterling Elks.

Mayor Torres opened the public hearing.

There were no comments.

Mayor Torres closed the public hearing.

Councilmember Lawson made a motion to approve the Special Event Permit for the Sterling Elks Lodge located at 321 Ash Street. Mayor Torres seconded the motion. By a seven-yes vote, the motion was approved.

RESOLUTION NO. 10-1-17, SERIES OF 2017 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2018:

City Manager Saling advised Council on September 12, 2017, the budget for the fiscal year beginning January 1, 2018 was submitted to the City Council and within two weeks thereof a public hearing was held, on September 26, 2017, as required by Section 5-7 of the City Charter. Revisions were made to the proposed budget at the September 26, 2017 Council meeting, following the public hearing, revising the cost for employees' health insurance, from the projected increase to the confirmed increase for 2018; revising the raise to be given to the employees, from 2 percent to 3 percent; and adding in \$1,500.00 for the needs assessment for a Youth Center, requested by the Family Resource Center. This resolution adopts the budget submitted to Council on September 12, 2017, as revised following the public hearing. Pursuant to Section 5-5

of the City Charter, the appropriation ordinance shall not be acted upon until after the adoption of the budget.

Councilmember Appelhans made a motion to approve Resolution No. 10-1-17, Series of 2017. Councilmember McCarty seconded the motion. By a six-yes and one no vote, the motion was approved. Voting was as follows:

Appelhans	yes	McCarty	yes
Lawson	no	Flores	yes
Pitcher	yes	Rice	yes
Torres	yes		

ORDINANCE NO. 9, SERIES OF 2017 – AN ORDINANCE MAKING AN APPROPRIATION FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2018, IN THE SUM OF TWENTY-EIGHT MILLION, THREE HUNDRED THIRTY-FIVE THOUSAND, SIX HUNDRED FIFTY-FIVE DOLLARS (\$28,335,655); REGULATING THE PAYMENT OF MONEY OUT OF THE CITY TREASURY; AND PROVIDING FOR A TAX TO BE LEVIED UPON ALL TAXABLE PROPERTY WITHIN THE CITY LIMITS WITHIN THE CITY OF STERLING, COLORADO, ACCORDING TO THE ASSESSED VALUATION OF SAID PROPERTY:

City Manager Saling advised Council that this ordinance appropriates the funds of the proposed 2018 budget.

Councilmember Appelhans made a motion to approve Ordinance No. 9, Series of 2017. Councilmember Rice seconded the motion. City Clerk Forbes read the ordinance by title. By a seven-yes vote, the motion was approved.

RESOLUTION NO. 10-2-17, SERIES OF 2017 - A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, SUPPORTING THE REAUTHORIZATION BY THE GENERAL ASSEMBLY OF THE COLORADO LOTTERY DIVISION IN 2018:

City Manager Saling advised Council the Colorado Lottery Division in the State Department of Revenue is set to expire unless extended by the General Assembly during its 2018 session, when legislation will be considered to extend the Division to 2039. This resolution expresses the City's support for the reauthorization by the General Assembly of the Colorado Lottery Division to 2039.

Councilmember Rice made a motion to approve Resolution No. 10-2-17, Series of 2017. Councilmember Flores seconded the motion.

Council was advised this was a resolution that CML handed out at their conference.

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

RESOLUTION NO. 10-3-17, SERIES OF 2017 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, APPROVING A MOTOR VEHICLE LEASE WITH THE STERLING RURAL FIRE PROTECTION DISTRICT:

City Manager Saling advised Council this resolution approves a motor vehicle lease with the Sterling Rural Fire Protection District for the transfer to the City of exclusive possession, use and control, but not ownership, of a truck to be used for the provision of fire protection service under the mutual aid agreements between the parties. The lease will enable the City to insure the said vehicle under the City's insurer. The lease provides for \$1.00 rent for the term of the lease.

Councilmember Appelhans made a motion to approve Resolution No. 10-3-17, Series of 2017. Councilmember McCarty seconded the motion. By a seven-yes vote, the motion was approved.

RESOLUTION NO. 10-4-17, SERIES OF 2017 - A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO APPROVING A REVISED INTERGOVERNMENTAL AGREEMENT CREATING E-911 AUTHORITY BOARD FOR RESIDENTS IN LOGAN COUNTY, COLORADO:

City Manager Saling advised Council this resolution approves a revised Intergovernmental Agreement with the County of Logan and area towns and fire protection districts who are parties to the original Intergovernmental Agreement creating E-911 Authority Board for residents in Logan County, Colorado, regarding participation in the organization, administration and common use of a central emergency telephone service serving all of Logan County. The revisions update the 2012 IGA for changed circumstances, gives the E-911 Authority Board authority to determine when and if a surcharge increase needs to occur, and provides for the County of Logan and the City of Sterling to enter into future amendments on behalf of all of the parties, absent any written objection from any of the other parties.

Councilmember McCarty made a motion to approve Resolution No. 10-4-17, Series of 2017. Councilmember Appelhans seconded the motion. By a seven-yes vote, the motion was approved.

DEPARTMENT REPORT – FINANCE DEPARTMENT:

The audit report was presented by Mr. Scott Szabo, Lauer, Szabo and Associates.

MISCELLANEOUS COUNCIL BUSINESS:

EXECUTIVE SESSION – PERSONNEL MATTERS AND NEGOTIATIONS:

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 and for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators, under C.R.S. Section 24-6-402 (4) (e). Councilmember Lawson seconded the motion. By a seven-yes vote, the motion was approved.

Council went into executive session at 8:15 p.m.

Council came out of executive session at 8:55 p.m.

Mayor Torres advised the participants in the executive session were: City Council, City Manager, City Attorney and Public Works Director. 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.

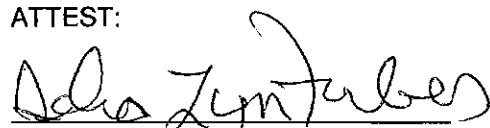
There was none.

ADJOURNMENT:

There being no further business to come before Council the meeting adjourned at 8:56 p.m.


MAYOR

ATTEST:


CITY CLERK