

STERLING, COLORADO
OCTOBER 13, 2020

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 Roger Griffith, Rock Assembly of God, 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, October 13, 2020. Mayor Appelhans called the meeting to order at 6:00 p.m.

Councilmembers present:

Mayor	Appelhans
Councilmembers	Anderson Blecha Desormeaux Janes McCarty Ritter

Also present:

City Manager	Saling
Deputy City Attorney	Richardson
City Clerk	Forbes
Parks, Library and Recreation Director	Gandee
Police Chief	Kerr
Public Works Director	Good

Citizens present: 5

Citizens participating in ZOOM: 1

CONSENT AGENDA:

Councilmember Desormeaux made a motion to approve the consent agenda. Councilmember Blecha seconded the motion. By a six-yes and one abstain vote, the motion was approved.

Voting was as follows:

Desormeaux	yes	Blecha	yes
Janes	abstain	Anderson	yes
Appelhans	yes	McCarty	yes
Ritter	yes		

Item on the consent agenda was: City Council minutes of September 22, 2020.

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

None

UNFINISHED BUSINESS:

SECOND READING AND PUBLIC HEARING - ORDINANCE NO. 13, SERIES OF 2020 - AN ORDINANCE APPROVING A LOAN AGREEMENT WITH THE COLORADO WATER RESOURCES AND POWER DEVELOPMENT AUTHORITY AND A GOVERNMENTAL AGENCY BOND PAYABLE FROM THE CITY'S WASTEWATER UTILITY ENTERPRISE REVENUES TO FINANCE CERTAIN CAPITAL PROJECTS; RATIFYING ACTION PREVIOUSLY TAKEN CONCERNING THE PROJECT, THE LOAN AGREEMENT AND THE BOND; PROVIDING OTHER MATTERS RELATING THERETO; AND DECLARING AN EMERGENCY:

City Manager Saling advised Council that first reading of this Ordinance took place on September 22, 2020, and it was thereafter published. This Ordinance approves the loan agreement as to form with the Colorado Water Resources and Power Development Authority, and is a delegation ordinance as authorized by state law, and delegates to the Mayor or to the City Manager to make any final determinations and approve any changes to the loan agreement so long as the changes comply with the parameters of the ordinance. An emergency clause is also included so that this ordinance goes into effect immediately upon second reading and adoption. The debt for the Wastewater Utility Enterprise revenue bond is in the amount of \$37,000,000, with a net effective interest rate not to exceed 3.25%. Funds to pay for the bonds or other financial obligations will be generated by the monthly sewer fee.

City Clerk read the Ordinance by title.

Mayor Appelhans opened the public hearing.

There were no comments.

Mayor Appelhans closed the public hearing.

Councilmember McCarty made a motion to approve Ordinance No. 13, Series of 2020. Councilmember Anderson seconded the motion. By a seven-yes vote, the motion was approved.

RESOLUTION NO. 10-1-20, SERIES OF 2020 - A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2021:

City Manager Saling advised Council on September 8, 2020, the budget for the fiscal year beginning January 1, 2021 was submitted to the City Council and within two weeks thereof a public hearing was held, on September 22, 2020, as required by Section 5-7 of the City Charter. No revisions were made to the proposed budget, and this Resolution adopts the Budget submitted to Council on September 8, 2020. 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 Anderson made a motion to approve Resolution No. 10-1-20, Series of 2020. Councilmember Desormeaux seconded the motion. By a seven-yes vote, the motion was approved.

ORDINANCE NO. 14, SERIES OF 2020 – AN ORDINANCE MAKING AN APPROPRIATION FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2021, IN THE SUM OF TWENTY-NINE MILLION, SEVEN HUNDRED SEVENTY-EIGHT THOUSAND, TWO HUNDRED SEVEN DOLLARS (\$29,778,207); 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 this Ordinance appropriates the funds of the proposed 2021 budget.

Councilmember Desormeaux made a motion to approve Ordinance No. 14, Series of 2020. Councilmember Janes seconded the motion. City Clerk Forbes read the ordinance by title. By a seven-yes vote, the motion was approved.

CITY MANAGER'S REPORT:

City Manager Saling updated Council on the following:

- Sales and lodging taxes
- Water Production/Demand for September
- Fall Clean-up
- Employee Appreciation luncheon
- Wastewater Treatment project – Bond issuance update

City Manager Saling advised Council back in July, the City and the County was approached about rail service to Sterling from Denver as part of the Rocky Mountain Rail Service plan. Mayor Appelhans, himself, Commissioner McBride and Trae Miller met with them to hear their proposal. City Manager Saling gave information to Council that explains what they are planning. For their project to move forward they need a Municipality or County to agree to help facilitate Revenue Bond Financing. To date, they have been unsuccessful in getting anyone to take on that responsibility. If you look at their proposed financials, Council will notice the Eastern Plains Intercity Passenger Rail service generates a negative \$13,365,404. City Manager Saling is unsure why they are proposing a negative route as their first area. The question for City Council is do you want to hear a presentation from them or should he advise them the City is not interested at this time?

After discussion, Council did not feel that the City is interested at this time.

NEW BUSINESS:

MAYOR'S RECOMMENDATION OF APPOINTMENTS TO THE PARKS, LIBRARY AND RECREATION BOARD:

Mayor Appelhans made a motion to re-appoint Ms. Kelly Lowery and Mr. Jim Smith to the Parks, Library and Recreation Board. Councilmember Desormeaux seconded the motion. By a seven-yes vote, the motion was approved.

APPLICATION FOR TRANSFER OF RETAIL LIQUOR STORE LICENSE – ELM STREET LIQUOR L.L.C. – 201 ELM STREET:

City Manager Saling advised Council Elm Street Liquor L.L.C. has filed an application for transfer of the Retail Liquor Store License for Elm Street Liquor, 201 Elm Street. 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) can 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. 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 Walter and Virginia Page.

Mayor Appelhans opened the public hearing.

There were no comments.

Mayor Appelhans closed the public hearing.

Councilmember McCarty made a motion to approve the transfer of Retail Liquor Store License for Elm Street Liquor L.L.C, located at 201 Elm Street. Councilmember Blecha seconded the motion. By a seven-yes vote, the motion was approved.

RESOLUTION NO. 10-2-20, SERIES OF 2020 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, ACCEPTING THE BID FROM SUEZ ADVANCED SOLUTIONS / UTILITY SERVICE CO., INC., FOR THE CITY OF STERLING 7.5 MILLION GALLON WATER STORAGE TANK RENOVATION PROJECT #20-004

City Manager Saling advised Council this Resolution approves the bid received from SUEZ Advanced Solutions / Utility Service Co., Inc. for the City of Sterling 7.5-million-gallon water storage tank renovation, which includes interior and exterior power washing, metal repair as necessary, epoxy coating, and other maintenance work, and also includes a 5-year maintenance requirement. The bid amount of \$1,118,581.00 is an acceptable amount for the work to be performed, and there are sufficient funds in the Public Works 2020 budget for this project. He advised Council there was \$1,235,000.00 in the 2020 budget.

Councilmember Janes made a motion to approve Resolution No. 10-2-20, Series of 2020. Councilmember Blecha seconded the motion. By a seven-yes vote, the motion was approved.

RESOLUTION NO. 10-3-20, SERIES OF 2020 – 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

City Manager Saling advised Council the Citizens Advisory Board has made a recommendation for the City to provide funds for one-half of the cost of a 12-month lease on a billboard located at the Iloff exit on I-76, which promotes tourism in the City and County, and to which Logan County will be contributing the other One-half cost. This is for the renewal of an existing lease to which the City contributed one-half of the lease payment in 2019 from the Sterling Hotel Tax fund. \$3,900.00 will be expended for the one-half lease payment, from the Sterling Hotel Tax fund, in accordance with Chapter 19, Article VII, of the Sterling City Code, and there are sufficient funds in that account.

Councilmember Desormeaux made a motion to approve Resolution No. 10-3-20, Series of 2020. Councilmember McCarty seconded the motion. By a seven-yes vote, the motion was approved.

MISCELLANEOUS COUNCIL BUSINESS:

Councilmember Desormeaux inquired about the backflow prevention devices and asked if these had not been checked. City Manager Saling advised Council there is a position in the 2021 budget that will assist in this.

ADJOURNMENT:

There being no further business to come before Council the meeting adjourned at 6:30 p.m.


MAYOR

ATTEST:


DEPUTY CITY CLERK