

STERLING, COLORADO
OCTOBER 22, 2019

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 Dan Hays, 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, October 22, 2019. Mayor Torres called the meeting to order at 6:00 p.m.

Councilmembers present:

Mayor	Torres
Councilmembers	Appelhans Desormeaux Janes McCarty Pitcher

Councilmembers absent:

Councilmembers	Rice
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Also present:

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

Citizens present: 8

CONSENT AGENDA:

Councilmember Appelhans made a motion to approve the consent agenda. Councilmember Desormeaux seconded the motion. By a three-yes and three-abstain vote, the motion failed. Voting was as follows:

Appelhans	yes	Desormeaux	yes
Janes	abstain	McCarty	abstain
Torres	abstain	Pitcher	yes

Councilmember Appelhans made a motion to move items 4B and 4C off of the Consent Agenda and table 4A. Councilmember Pitcher seconded the motion. By a five-yes and one-abstain vote, the motion was approved. Voting was as follows:

Appelhans	yes	Pitcher	yes
McCarty	abstain	Desormeaux	yes
Janes	yes	Torres	yes

Councilmember Appelhans made a motion to approve items 4B and 4C. Councilmember Janes seconded the motion. By a six-yes vote, the motion was approved.

Items on the consent agenda were: Application for renewal of fermented malt beverage off-premises liquor license for Family Foods located at 217 South 3rd Avenue and an application for renewal of retail liquor store license for Major Liquors located at 529 Iris Drive.

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

Present to address Council was Ms. Glenna Aurich, 1130 Westview Court. Ms. Aurich was present representing Logan County Chamber of Commerce and the Citizens Advisory Committee. There is a billboard at the I-70 exit that they went to the Logan County Taxing Board to get help with the lease. The Taxing Board has agreed to pay half of the lease. They are asking to use CAB money for the other half, which is \$4,050.00. This is for a 10 foot by 40 foot lighted billboard. The skins on the billboard can be changed four times yearly.

It was the consensus of Council to direct staff to go forward with a resolution for approval of this.

UNFINISHED BUSINESS:

CITY MANAGER'S REPORT:

City Manager Saling updated Council on the following:

- 2nd and Main Street bulb-out project
- Fall cleanup
- Undergrounding of the cables on West Main Street
- Third Annual "Howl-O-Ween" 5k and 3k walk run
- Trick or Treat Street
- DEA National Rx Take Back
- Street Reconstruction project
- City Hall closure on November 11 for Veteran's Day
- Election on November 5
- City Manager attended the Forum on October 16 with the Citizens Oversight Committee
- Handed out a copy of the new utility bill
- Next week is a fifth Tuesday
- New Council will be sworn in on November 26, 2019

NEW BUSINESS:

RESOLUTION NO. 10-5-19, SERIES OF 2019 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, ACCEPTING THE BID FROM AMERICAN BUILDING SYSTEMS, LLC FOR THE CITY OF STERLING FIRE DEPARTMENT STORAGE BUILDING PROJECT #19-007:

City Manager Saling advised Council this resolution approves the bid proposal received from American Building Systems, LLC in the amount of \$48,552.00, for construction of a building for use by the Fire Department, and approves and authorizes the Mayor to sign the related agreement. Only one bid was received for this project, from American Building Systems, LLC in the amount of \$48,552.00. This is an acceptable amount for the project and there are sufficient funds in the Fire Department's 2019 budget for the project. He advised there was \$49,000.00 approved in the 2019 budget.

Councilmember Appelhans made a motion to approve the Resolution No. 10-5-19, Series of 2019. Councilmember McCarty seconded the motion. By a six-yes vote, the motion was approved.

RESOLUTION NO. 10-6- 19, SERIES OF 2019 - A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, APPROVING A COOPERATIVE AGREEMENT BETWEEN LAW ENFORCEMENT AND LOGAN COUNTY DEPARTMENT OF HUMAN SERVICES CHILD PROTECTION:

City Manager Saling advised Council this resolution approves a Cooperative Agreement between Law Enforcement and the Logan County Department of Human Services Child Protection, which provides a general guideline for investigation of child abuse and neglect. The resolution also provides authority for the Police Chief to sign this same Cooperative Agreement in future years, so long as the City Attorney has approved the form prior to execution.

Councilmember Appelhans made a motion to approve Resolution No. 10-6-19, Series of 2019. Councilmember Desormeaux seconded the motion. By a six-yes vote, the motion was approved.

FIRST READING – ORDINANCE NO. 12, SERIES OF 2019 - AN ORDINANCE REZONING LOTS 17 THROUGH 28, BLOCK 9, BOWLING GREEN SUB-DIVISION OF THE NORTH ONE-HALF OF THE NORTHEAST QUARTER (N1/2NE1/4) OF SECTION THIRTY-ONE (31), TOWNSHIP EIGHT (8) NORTH, RANGE FIFTY-TWO (52) WEST OF THE SIXTH PRINCIPAL MERIDIAN, LOGAN COUNTY, COLORADO:

City Manager Saling advised Council this ordinance approves a request from Two Buttes, LLC for a zoning change for Lots 17 through 28 of Block 9, Bowling Green Sub-Division of the North One-Half of the Northeast Quarter (N1/2NE1/4) of Section Thirty-one (31), Township Eight (8) North, Range Fifty-two (52) West of the Sixth Principal Meridian, Logan County, Colorado, from R-3, High Density Residential, to CB, Community Business. The Planning Commission recommended approval of this request after a public hearing was held at its October 2, 2019 meeting. City Manager Saling advised this was in the 900 block of Phelps.

Councilmember Appelhans made a motion to introduce Ordinance No. 12, Series of 2019. Councilmember McCarty seconded the motion. City Clerk Forbes read the ordinance by title. By a six-yes vote, the motion was approved.

FIRST READING – ORDINANCE NO. 13, SERIES OF 2019 – AN ORDINANCE MAKING AN ADDITIONAL APPROPRIATION IN THE AMOUNT OF ONE MILLION FIVE HUNDRED FIFTY THOUSAND TWO HUNDRED EIGHTEEN DOLLARS (\$1,550,218) AND REGULATING THE PAYMENT OF MONEY OUT OF THE CITY TREASURY, AND INCREASING THE AMOUNT OF THE REVENUE BUDGET FOR 2019 BY ONE MILLION ONE HUNDRED NINE THOUSAND SIX HUNDRED SEVENTY-SEVEN DOLLARS (\$1,109,677):

City Manager Saling advised Council this ordinance relates to projects for 2019 and grant money received in 2019. The increased expenses of \$1,550,218 and revenue of \$1,109,677.

Councilmember Appelhans made a motion to introduce Ordinance No. 13, Series of 2019. Councilmember Desormeaux seconded the motion. City Clerk Forbes read the ordinance by title. By a six-yes vote, the motion was approved.

DEPARTMENT REPORT – POLICE DEPARTMENT:

Police Chief Kerr gave the Police Department report.

MISCELLANEOUS COUNCIL BUSINESS:

Mayor Torres made a motion to go into executive session 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 Appelhaus seconded the motion. By a six-yes vote, the motion was approved.

Council went into executive session at 6:37 p.m.

Council came out of executive session at 7:27 p.m.

Mayor Torres advised the participants in the executive session were: City Council, City Manager, City Attorney, Parks, Library and Recreation Director 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 7:28 p.m.


MAYOR

ATTEST:


CITY CLERK