

STERLING, COLORADO
OCTOBER 9, 2018

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 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 9, 2018. Mayor Torres called the meeting to order at 7:00 p.m.

Councilmembers present:

Mayor	Torres
Councilmembers	Appelhans Desormeaux (Rhodes) Flores Pitcher Rice

Councilmembers absent:

Councilmembers	McCarty
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Also present:

City Manager	Saling
City Attorney	Penny
Deputy City Clerk	Brandt
Police Chief	Kerr
Fire Captain	Howell
Public Works Director	Good
Parks, Library and Recreation (PLR) Director	Gandee
Public Safety Communications (PSC) Director	Lybrand
Human Resource Director	Brown
Library Superintendent	VanDusen
Paralegal	Welsh

Citizens present: 8

Mayor Torres made a motion to remove the Executive Session from the agenda. Councilmember Appelhans seconded the motion. By a six-yes vote, the motion was approved.

CONSENT AGENDA:

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

Rice	yes	Pitcher	yes
Appelhans	abstain	Flores	abstain
Desormeaux	yes	Torres	yes

Items on the consent agenda were: City Council minutes of September 25, 2018 and a permit application and report of changes for Wal-Mart located at 1510 West Main Street.

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

None

UNFINISHED BUSINESS:

SECOND READING AND PUBLIC HEARING – ORDINANCE NO. 12, SERIES OF 2018 – AN ORDINANCE AMENDING THE STERLING CITY CODE, CHAPTER 4, ANIMALS, ARTICLE 1, IN GENERAL, SEC. 4-1, DEFINITIONS, BY THE ADDITION OF A DEFINITION OF SHELTER OPERATOR:

City Manager Saling advised Council first reading of this ordinance took place on September 25, 2018, and it was thereafter published. This ordinance amends Section 4-1 of the City Code, Definitions, to add a definition of *Shelter Operator*.

Deputy City Clerk Brandt read the ordinance by title.

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. 12, Series of 2018. Councilmember Desormeaux seconded the motion. By a six-yes vote, the motion was approved.

SECOND READING AND PUBLIC HEARING – ORDINANCE NO. 13, SERIES OF 2018 – AN ORDINANCE AMENDING THE STERLING CITY CODE, CHAPTER 4, ANIMALS, ARTICLE I, IN GENERAL, BY THE ADDITION THERETO OF A NEW SECTION 4-6.5, REGARDING IMPOUNDED ANIMALS:

City Manager Saling advised Council first reading of this ordinance took place on September 25, 2018, and it was thereafter published. This ordinance amends Chapter 4, Article I of the City Code to add a new Section 4-6.5 regarding impounded animals; costs of impoundment, provision, and care; disposition; procedures; application; and definition.

Deputy City Clerk Brandt read the ordinance by title.

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. 13, Series of 2018. Councilmember Rice seconded the motion. By a six-yes vote, the motion was approved.

SECOND READING AND PUBLIC HEARING – ORDINANCE NO. 14, SERIES OF 2018 – AN ORDINANCE APPROVING THE WELCH-ATENCIO SUBDIVISION IN THE CITY OF STERLING, LOGAN COUNTY, COLORADO; AND APPROVING THE PLAT THEREOF:

City Manager Saling advised Council first reading of this ordinance took place on September 25, 2018, and it was thereafter published. On September 5, 2018, the Planning Commission held a public hearing on the Subdivision application submitted by Marjorie J. Welch and James Eloy Atencio and found that the application met all requirements of Chapter 18, Subdivisions. The Planning Commission recommended approval of this subdivision, which will be known as the Welch-Atencio Subdivision in the City of Sterling, Logan County, Colorado. This ordinance sets forth findings by City Council and approves the subdivision and plat.

Deputy City Clerk Brandt read the ordinance by title.

Mayor Torres opened the public hearing.

There were no comments.

Mayor Torres closed the public hearing.

Councilmember Rice made a motion to approve Ordinance No. 14, Series of 2018. Councilmember Appelhans seconded the motion. By a six-yes vote, the motion was approved.

RESOLUTION NO. 10-1-18, SERIES OF 2018 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2019:

City Manager Saling advised Council on September 11, 2018, the budget for the fiscal year beginning January 1, 2019 was submitted to the City Council and within two weeks thereof a public hearing was held, on September 25, 2018, as required by Section 5-7 of the City Charter.

Revisions were made to the proposed budget at the September 25, 2018 Council meeting, following the public hearing, increasing the Police Department budget by \$51,580.00 and reducing the cost for employees' health insurance by \$88,920.00, from the projected increase to the confirmed increase for 2019. This resolution adopts the budget submitted to Council on September 11, 2018, 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.

Adoption of the budget presented to Council on September 11, 2018, as revised on September 25, 2018.

Councilmember Appelhans made a motion to approve Resolution No. 10-1-18, Series of 2018. Councilmember Rice seconded the motion. By a six-yes vote, the motion was approved.

ORDINANCE NO. 15, SERIES OF 2018 – AN ORDINANCE MAKING AN APPROPRIATION FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2019, IN THE SUM OF TWENTY-NINE MILLION, SIXTY THOUSAND, FIVE HUNDRED FORTY-NINE DOLLARS (\$29,060,549); 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 2019 budget.

Councilmember Appelhans made a motion to approve Ordinance No. 15, Series of 2018. Councilmember Rice seconded the motion. By a six-yes vote, the motion was approved.

CITY MANAGER'S REPORT:

City Manager Saling updated Council on the following:

- Lodging and Sales taxes
- Water Court – SWRRS and Consolidated Decrees Diligence and absolute claims
- Timbro Ranch and Cattle Company Water Cases
- Fall cleanup
- Logan County Citizens Oversight Committee ballot question presentation
- Public meeting for configuration of 3rd and 4th Streets when they become 2-way streets

NEW BUSINESS:

INTRODUCTION OF NEW CITY EMPLOYEES:

Human Resource Director Brown introduced Police Officer Cyrol "Alex" Masanja as a new City employee.

REQUEST FROM CITIZENS ADVISORY BOARD REGARDING WEST MAIN STREET BANNERS:

Present to address Council was Ms. Kim Sellers, Citizens Advisory Board. Ms. Sellers is requesting \$11,000 for the banners on the 21 light poles on West Main Street. She informed Council that they had a request from PLR Director Gandee to keep the banners simple and have four for the seasons. There would be a total of 42 banners. Ms. Sellers stated that CAB may come back to ask for more money for banners when the S-curve is completed.

City Manager Saling advised, with Council's permission, staff will prepare a resolution for the October 23, 2018 City Council meeting.

PUBLIC HEARING – APPLICATIONS FOR SPECIAL EVENT PERMITS – STERLING ELKS LODGE #1336 – 321 ASH STREET:

City Manager Saling advised Council that four applications for special event permits were filed by the Sterling Elks Lodge #1336, for the following events:

- October 13, 2018, from 5:00 o'clock p.m. to 12:00 o'clock midnight for the Elks Comedy Night fundraiser
- October 20, 2018, from 5:00 o'clock p.m. to 12:00 o'clock midnight for the Santa Miracle Letter Program fundraiser
- November 3, 2018, from 5:00 o'clock p.m. to 12:00 o'clock midnight for the Lion's Club Trivia Bowl fundraiser
- November 17, 2018, from 5:00 o'clock p.m. to 12:00 o'clock midnight for the Elks Comedy Night fundraiser

The application was timely filed and is in proper form and the required fees have 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, 221 Villa Vista.

Mayor Torres opened the public hearing.

There were no comments.

Mayor Torres closed the public hearing.

Councilmember Appelhans made a motion to approve the special event permits for the Sterling Elks Lodge #1336 located at 321 Ash Street. Mayor Torres seconded the motion. By a six-yes vote, the motion was approved.

RESOLUTION NO. 10-2-18, SERIES OF 2018 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, APPROVING A SECOND ADDENDUM TO MOTOR VEHICLE LEASE WITH THE COUNTY OF LOGAN RELATING TO THE AMBULANCE SERVICE TO BE PROVIDED BY THE CITY:

City Manager Saling advised Council under the terms of the Contract for Services between the City and County for the provision of ambulance service, the County is required to transfer to the City exclusive possession, use and control, but not ownership, of certain assets, which include ambulance vehicles. This resolution approves a Second Addendum to a Motor Vehicle Lease with the County of Logan due to the removal of a med unit in the ambulance inventory and the replacement by a different med unit. This second addendum is necessary in order for the City to insure the new unit under insurance protection provided by the City's insurer, and remove the replaced unit.

Councilmember Appelhans made a motion to approve Resolution No. 10-2-18, Series of 2018. Councilmember Desormeaux seconded the motion. By a five-yes vote, the motion was approved.

DEPARTMENT REPORT – PARKS, LIBRARY AND RECREATION (PLR) DEPARTMENT:

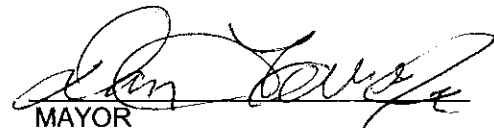
Library Superintendent VanDusen gave the PLR Department report.

MISCELLANEOUS COUNCIL BUSINESS:

Councilmember Rice advised Council that Saturday, October 13, 2018, is the 3rd annual "Step Out for Kids" chili supper at Durante's.

ADJOURNMENT:

There being no further business to come before Council the meeting adjourned at 7:45 p.m.


MAYOR

ATTEST:


DEPUTY CITY CLERK