

STERLING, COLORADO
OCTOBER 24, 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 Roger Griffith, Rock Assembly of God, 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 24, 2017. Mayor Torres called the meeting to order at 7:00 p.m.

Councilmembers present:

Mayor	Torres
Councilmembers	Lawson Pitcher Rice

Councilmembers absent:

Councilmembers	Appelhans Flores McCarty
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Also present:

City Manager	Saling
City Attorney	Penny
City Clerk	Forbes
Parks, Library and Recreation (PLR) Director	Gandee
Fire Chief	Ritter
Public Works Director	Good
Human Resource Director	Brown
Sterling Emergency Communication Center Director	Serl
Paralegal	Welsh

Citizens present: 16

CONSENT AGENDA:

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

Items on the consent agenda were: City Council minutes of October 10, 2017 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:

None

UNFINISHED BUSINESS:

CITY MANAGER'S REPORT:

City Manager Saling updated Council on the following:

- October 28 the Police Department will be holding their "Drug Take Back" from 10 a.m. to 2 p.m.
- Reported on water production and water demand for the month of September.
- Parks, Library and Recreation are having a 3K and 5K Fun Run on October 30, 2017.
- The Library will be having a pumpkin carving event on October 30 from 10:30 a.m. to 2:30 p.m. The pumpkins will be used for the fun-run-walk.
- The annual Trick or Treat Street at the Recreation Center is scheduled for October 31 from 5-8 p.m. The theme is Trolls.
- The annual Fall Cleanup started on October 23.
- The Logan County Board of Realtors September 2017 sales report.
- The City has an outside auditor for sales tax and currently the auditors have found three businesses that have potential of owing back money of \$200,000.

City Manager Saling advised Council the Police Department had a 2015 car damaged by hail and the insurance has reimbursed the City \$18,000. The Police Department has found a 2018 Ford for \$29,832 which will require an additional \$11,832. City Manager Saling asked Council if they had a problem with this being brought forward on a reappropriation.

NEW BUSINESS:

PRESENTATION FROM KAREN RAMEY-TORRES REGARDING CREATIVE ARTS DISTRICT:

Present to address Council was Ms. Ramey-Torres. Ms. Ramey-Torres gave a presentation regarding a creative arts district. She asked if Council would consider a resolution to support this.

Ms. Bernice Artzer-Mills was in the audience and advised this was the first time she had heard of this. She suggested that Council hold off until all the community is informed of what is going on.

There was discussion regarding going forward with the resolution just to start the process and later the boundaries would be discussed. City Manager Saling advised Council he would check with Greeley regarding their resolutions. City Manager Saling went through a list of requirements to obtain the State designation.

PUBLIC HEARING – APPLICATION FOR TRANSFER OF TAVERN LIQUOR LICENSE – THE MUG – THE FROSTED MUG – 137 NORTH FRONT STREET:

City Manager Saling advised Council that the Mug has filed an application for transfer of the tavern liquor license for The Frosted Mug, 137 North Front 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 Mr. Dewayne Clary, 137 North Front.

Mayor Torres opened the public hearing.

There were no comments.

Mayor Torres closed the public hearing.

Councilmember Lawson made a motion to approve the transfer of tavern liquor license for the Frosted Mug located at 137 North Front Street. Councilmember Rice seconded the motion. By a four-yes vote, the motion was approved.

FIRST READING – ORDINANCE NO. 10, SERIES OF 2017 - AN ORDINANCE AMENDING THE STERLING CITY CODE, APPENDIX A, ZONING, CHAPTER IV, USE REGULATIONS, SEC. 402, SCHEDULE OF PERMITTED USES, TO REFLECT THAT DWELLING-SINGLE FAMILY IS NOW A CONDITIONAL USE IN THE COMMUNITY BUSINESS (CB) DISTRICT ZONING CLASSIFICATION:

City Manager Saling advised Council an application for a text amendment regarding Chapter IV, Sec. 402, Schedule of Permitted Uses, line item 46, was filed with the City by Bernice Artzer Mills. The Planning Commission, at its October 4, 2017 meeting, denied the request to make dwelling-single family a use by right in the Community Business (CB) District Zoning Classification. However, a motion was made to make dwelling-single family a conditional use in the Community Business (CB) District Zoning Classification. This ordinance amends the Sterling City Code, Appendix A, Zoning, Chapter IV, Use Regulations, Sec. 402, Schedule of Permitted Uses, to provide that Dwelling-Single Family is now a conditional use in areas classified as Community Business (CB) District.

Councilmember Rice made a motion to introduce Ordinance No. 10, Series of 2017. Councilmember Lawson seconded the motion. City Clerk Forbes read the ordinance by title. By a four-yes vote, the motion was approved.

FIRST READING – ORDINANCE NO. 11, SERIES OF 2017 - AN ORDINANCE AMENDING THE STERLING CITY CODE, APPENDIX A, ZONING, CHAPTER IV, USE REGULATIONS, SEC. 402, SCHEDULE OF PERMITTED USES, TO REFLECT THAT BOARDING HOUSES AND ROOMING HOUSES IS NOW A CONDITIONAL USE IN THE LOW DENSITY RESIDENTIAL (R-1) DISTRICT ZONING CLASSIFICATION:

Mayor Torres made a motion to table Ordinance No.11, Series of 2017. Councilmember Lawson seconded the motion. By a four-yes vote, the motion was approved.

RESOLUTION NO. 10-5-17, SERIES OF 2017 – 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 at the October 10, 2017 Council meeting, a representative from the Citizens Advisory Board presented a request from the Logan County Chamber of Commerce for the City to provide one-half of the cost to refurbish the commercial electronic variable message sign at the Sterling Rest Area adjacent to State Highway 6. The Citizens Advisory Board recommended the expenditure of funds for the cost of one-half of the project, estimated to be \$1,750.00, with the understanding that the Chamber of Commerce will be approaching the County of Logan Lodging Tax Board for a contribution of the other one-half of the cost of the project. This resolution approves the expenditure of an amount not to exceed \$1,750.00, on the condition that Logan County approves a matching amount for said project, through its Logan County Lodging Tax. Not more than \$1,750.00 will be expended for the project, from the Sterling Hotel Tax Fund, in accordance with Chapter 19, Article VII, of the Sterling City Code and only on the condition that the County of Logan approves a matching amount.

Council was advised this was approved by Logan County.

Councilmember Rice made a motion to approve Resolution No. 10-5-17, Series of 2017. Councilmember Pitcher seconded the motion. By a four-yes vote, the motion was approved.

RESOLUTION NO. 10-6-17, SERIES OF 2017 - A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, SUPPORTING THE CONCEPT OF THE STERLING COMMUNITY FUND:

City Manager Saling advised Council this resolution expresses the City Council's support of the concept of the Sterling Community Fund, which is organized under the auspice of the Eastern Colorado Community Fund, which is organized under the auspice of the Community Foundation of Northern Colorado, a nonprofit corporation which promotes local philanthropy.

Councilmember Rice made a motion to approve Resolution No. 10-6-17, Series of 2017. Councilmember Lawson seconded the motion. By a four-yes vote, the motion was approved.

DEPARTMENT REPORT – HUMAN RESOURCE DEPARTMENT:

Human Resource Director Brown was present to make a presentation.

MISCELLANEOUS COUNCIL BUSINESS:

Mayor Torres advised that he had received two letters addressed to him with no return address or signature. He advised that he would not look at letters received like this.

EXECUTIVE SESSION – PERSONNEL MATTERS:

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

Council went into executive session at 8:17 p.m.

Council came out of executive session at 8:32 p.m.

Mayor Torres advised the participants in the executive session were: City Council and City Attorney. 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 8:35 p.m.


MAYOR

ATTEST:


CITY CLERK