

STERLING, COLORADO
SEPTEMBER 22, 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.

Human Resource Director Brown 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, September 22, 2020. Mayor Appelhans called the meeting to order at 6:00 p.m.

Councilmembers present:

Mayor	Appelhans
Councilmembers	Anderson Blecha Desormeaux McCarty Ritter

Councilmember absent:

Councilmember	Janes
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Also present:

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

Firefighters present: 5

Citizens present: 5

Citizens participating in ZOOM: 1

CONSENT AGENDA:

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

Items on the consent agenda were: City Council minutes of September 8, 2020, an application for renewal of lodging & entertainment liquor license for Ice Lanes located at 208 North 10th Avenue and an application for renewal of beer & wine liquor license for Wonderful House Restaurant located at 100 Broadway, Suite 2.

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

None

UNFINISHED BUSINESS:

PUBLIC HEARING FOR 2021 PROPOSED BUDGET:

Mayor Appelhans opened the public hearing.

There were no comments from those in the audience.

City Manager Saling reviewed the revenue, expenses and fund balances.

Mayor Appelhans closed the public hearing.

Mayor Appelhans had questions regarding the engineering fees for the deep well. Council was advised this is for the second well.

City Manager Saling advised Council the Resolution to adopt the 2021 Budget would be at the next regular Council meeting, along with the appropriation Ordinance.

CITY MANAGER'S REPORT:

City Manager Saling updated Council on the following:

- Colorado Municipal League Fall District meeting
- Swimming Pool Resurfacing
- Conditional Use Permit – Logan County Planning Commission – Force Main
- City Council Meeting – October 13, 2020
- Tornado siren testing

Statement of Opposition – City Manager Saling advised Council the City's Water Attorneys and Engineers are recommending to the City that we file a "Statement of Opposition" to the application for non-tributary water underlying 24,000 acres in Weld County filed by Lazy D Grazing. They do not believe the water is non-tributary and there could be potential injury to Sterling's water rights.

Councilmember Desormeaux made a motion to approve a Statement of Opposition on Water Case 20CW3113. Councilmember McCarty seconded the motion. By a six-yes vote, the motion was approved.

Water/Wastewater Shut-off Accounts – City Manager Saling advised Council on March 20, 2020, Governor Polis issued Executive Order D 2020-012 which directed the Public Utilities Commission (PUC) to work with all public utilities in the State to suspend service disconnections for delayed or missed payments from residential and small business consumers related to the impacts of COVID-19. The definition of Public Utilities included municipalities. The Executive Order has been extended three times and the last extension on September 7th continued the suspension of late and reconnection fees but did not revive the moratorium on shutoffs.

Currently, late payments (349 accounts) after five months is \$245,483. Since the moratorium has been lifted on shutoffs, he would like to recommend that the City begin notifying utility accounts that are past due by 30 days that they need to contact the Finance Department to make arrangements for their overdue accounts and to advise them that there will be no late fees, penalties or reconnection fees assessed at this time. Shut offs for non-payment will begin in December for customers who have not contacted the Finance Department to make payment arrangements or those who have defaulted on prior payment arrangements.

After discussion, Council agreed to give the customers a year to get their past due portion caught up; however, they would still have to pay the current monthly amount.

NEW BUSINESS:

PRESENTATION OF FIRE PREVENTION WEEK PROCLAMATION:

Mayor Appelhans presented the Fire Prevention Week Proclamation to Fire Lieutenant Dowis for the Fire Department.

FIRST READING - 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 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.

Councilmember Anderson made a motion to introduce Ordinance No. 13, Series of 2020. Councilmember Blecha seconded the motion. City Clerk read the Ordinance by title. By a six-yes vote, the motion was approved.

RESOLUTION NO. 9-2-20, SERIES OF 2020 - A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, ACCEPTING THE BID FROM MAXWELL ASPHALT, INC., AND APPROVING THE EXPENDITURE OF CITY FUNDS AS REQUIRED, FOR THE CITY OF STERLING MUNICIPAL AIRPORT PAVEMENT MAINTENANCE PROJECT:

City Manager Saling advised Council this Resolution approves the bid received from Maxwell Asphalt, Inc. in the amount of \$213,299.26 for Schedule I Pavement Maintenance on Runway 15/33 and Schedule II Pavement Maintenance on Taxiway A and Apron, at the Sterling Municipal Airport. This was the lowest bid that was received for the project and is an acceptable amount for said project. Armstrong Consultants, Inc., the City's Airport Consultants, recommends awarding the project to Maxwell Asphalt, Inc., and the State of Colorado concurs with the recommendation. This Resolution also approves expenditure of the City's required 10% share for the total project cost. The bid amount of \$213,299.26 is an acceptable amount for the work to be performed by Maxwell Asphalt, Inc. The total amount for the project, including engineering and administration fees, is \$264,169.26. The City has been awarded a grant from the Colorado Department of Transportation, Colorado Aeronautical Board, Division of Aeronautics for this project; the State's 90% share of the total cost of the project is \$237,752.33; and there are sufficient funds in the Public Works budget for the required 10% share of the City in the amount of \$26,416.93.

Councilmember Desormeaux made a motion to approve Resolution No. 9-2-20, Series of 2020. Councilmember Blecha seconded the motion. By a six-yes vote, the motion was approved.

RESOLUTION NO. 9-3-20, SERIES OF 2020 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, APPROVING A GRANT APPLICATION TO COLORADO PARKS AND WILDLIFE, DEPARTMENT OF NATURAL RESOURCES, FOR A NON-MOTORIZED TRAILS GRANT FOR THE CITY’S STERLING LOOP TRAIL:

City Manager Saling advised Council this Resolution approves the application for a Colorado Parks and Wildlife grant for the City's Sterling Loop Trail, and acknowledges that the grant application includes the responsibility of the City for 30% matching funds and authorization of the expenditure of funds necessary to meet the terms and obligations of any Grant awarded. The anticipated project expense is \$182,000.00. Pursuant to the grant, if awarded, the City would be reimbursed for 70% of the actual project cost, up to the requested \$140,000.00, from Colorado Parks and Wildlife. The City would be required to appropriate the matching 30% of the project cost. Based on the anticipated project cost, it could be up to \$42,000.00; however, if the project exceeds the anticipated \$182,000.00, the City would only receive up to the \$140,000.00 and would be responsible for any balance of the project in addition to the matching funds.

The trail would be going from Cheyenne Boulevard to West Main Street. There was discussion regarding the Sterling Loop group and to have City Manager Saling ask them if they could contribute \$5,000.

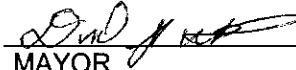
Councilmember McCarty made a motion to approve Resolution No. 9-3-20, Series of 2020. Councilmember Desormeaux seconded the motion. By a six-yes vote, the motion was approved.

MISCELLANEOUS COUNCIL BUSINESS:


Councilmember Blecha thanked City Manager Saling for all the work he did. City Manager Saling in turned thanked all the City employees.

ADJOURNMENT:

There being no further business to come before Council the meeting adjourned at 7:53 p.m.


MAYOR

ATTEST:


CITY CLERK