

STERLING, COLORADO
SEPTEMBER 28, 2021

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 Lee Champ, First Christian Church, 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 28, 2021. Mayor Appelhans called the meeting to order at 5:30 p.m.

Councilmembers present:

Mayor	Appelhans
Councilmembers	Anderson Blecha Desormeaux Janes McCarty

Councilmembers absent:

Councilmember	Ritter
Also present:	
City Manager	Blankenship
City Attorney	Richardson
City Clerk	Forbes
Police Chief	Kerr
Public Works Director	Good
Parks, Library and Recreation (PLR) Director	Gandee
Fire Chief	Ritter
Public Safety Communications (PSC) Director	Lybrand
Public Safety Dispatch Supervisor	Nall
Human Resource Director	Brown
Paralegal	Welsh

Citizens present: 6

CONSENT AGENDA:

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

Item on the consent agenda was: City Council minutes of September 14, 2021.

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

Present to address Council was Ms. Rethea Foxhovens, 901 Delmar Street. Ms. Foxhovens asked if you could do sluicing at the river bottom. Council advised there was nothing that said she could not.

UNFINISHED BUSINESS:

PUBLIC HEARING – 2022 PROPOSED BUDGET

Mayor Appelhans opened the public hearing.

City Manager Blankenship advised Council the proposed 2022 budget was handed out to Council on Tuesday, September 14, 2021. In accordance with Section 5-7 of the City Charter, a public hearing on the budget shall be held by the Council two (2) weeks after its submission. The required notice of the time and place of said hearing was properly published.

City Manager Blankenship reviewed with Council revenue, expenditures and fund balances.

Councilmember Anderson asked what the plan was if the revenues did not come in. Council was advised revenues are reviewed monthly.

Councilmember McCarty was pleased there were funds in the budget for an ATV for the Police Department so they could patrol the river bottom.

There were no further comments.

Mayor Appelhans closed the public hearing.

CITY MANAGER'S REPORT:

City Manager Blankenship updated Council on the following:

- Heritage Park project
- CML Special Conference
- Citizens Advisory Board meeting
- University of Colorado meeting
- Sterling Rural Fire Board meeting
- Logan County Commissioners meeting
- Gala event

NEW BUSINESS:

PUBLIC HEARING – PERMIT APPLICATION AND REPORT OF CHANGES – CHANGE OF LOCATION PERMIT – EL JACAL 3 LLC – 229 NORTH FRONT STREET – TO CHANGE LOCATION TO 115 NORTH 10TH AVENUE:

City Manager Blankenship advised Council El Jacal 3 LLC has filed an application to change its location to 115 North 10th Avenue. All fees have been submitted. Pursuant to the Colorado Liquor Code, a licensee may move its permanent location to any other place in the same city, town, or city and county for which the license was originally granted. The Applicant herein presently holds a Hotel & Restaurant Liquor License at 229 North Front Street, and wishes to relocate to 115 North 10th Avenue. In permitting a change of location, the licensing authorities

shall consider the reasonable requirements/desires of the neighborhood to which the applicant seeks to change its location. The premises at 115 North 10th Avenue was previously licensed for a beer and wine liquor license. The premises were properly posed for the public hearing. 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 applications.

Mayor Appelhans opened the public meeting.

There were no comments.

Mayor Appelhans closed the public meeting.

Councilmember McCarty made a motion to approve the permit Application and Report of Changes for change of location permit for El Jacal 3 LLC located at 229 North Front Street to change location to 115 North 10th Avenue. Councilmember Blecha seconded the motion. By a six-yes vote, the motion was approved.

APPLICATION FOR HOTEL & RESTAURANT LIQUOR LICENSE – LOGAN COUNTY BURRITO COMPANY, LLC – LOCO BURRITO COMPANY - 624 SOUTH 10TH AVENUE:

City Manager Blankenship advised Council Logan County Burrito Company, LLC has filed an application for a Hotel & Restaurant Liquor License for LoCo Burrito Company, 624 South 10th Avenue. All documentation and fees have been submitted. City Council needs to set a date for the public hearing. Council also needs to determine if it wants a survey to determine the needs and desires of the neighborhood, and if so, the number of contacts required and the designation of the neighborhood. It is requested that the public hearing be set on October 26, 2021, to allow for completion of the background investigation. This date would also allow time for a survey to be completed, if Council determines that a survey is necessary.

Councilmember Blecha made a motion to set the public hearing for October 26, 2021. Councilmember Janes seconded the motion. By a six-yes vote, the motion was approved.

Councilmember McCarty made a motion to forgo the survey. Councilmember Janes seconded the motion. There was discussion regarding what the purpose of the survey was for. By a six-yes vote, the motion was approved.

MISCELLANEOUS COUNCIL BUSINESS:

EXECUTIVE SESSION – FOR A CONFERENCE WITH THE CITY ATTORNEY FOR THE PURPOSE OF RECEIVING LEGAL ADVICE ON SPECIFIC LEGAL QUESTIONS UNDER C.R.S. SECTION 24-6-402 (4) (b) AND FOR A CONFERENCE WITH THE CITY ATTORNEY FOR THE PURPOSE OF RECEIVING LEGAL ADVICE ON SPECIFIC LEGAL QUESTIONS REGARDING THE CITY POST OFFICE BOX:

Mayor Appelhans made a motion to go into executive session for a conference with the City Attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. Section 24-6-402 (4)(b) and for a conference with the City Attorney for the purpose of receiving legal advice on specific legal questions regarding the City Post Office box. Councilmember McCarty seconded the motion. By a six-yes vote, the motion was approved.

Council went into executive session at 6:01 p.m.

Council came out of executive session at 6:36 p.m.

Mayor Appelhans advised the participants in the executive session were: City Councilmembers City Manager, City Attorney, Public Works Director and Finance 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.

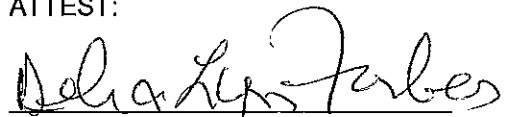
There was none.

Councilmember Desormeaux made a motion to file a Statement of Opposition of case 21CW3122 Timbro and case 21CW3125 Parker Water. Councilmember McCarty seconded the motion. By a six-yes vote, the motion was approved.

There being no further business to come before Council the meeting adjourned at 6:40 p.m.


MAYOR

ATTEST:


CITY CLERK