

STERLING, COLORADO
FEBRUARY 12, 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.

Reverend Jim Calhoun, Christ United Methodist 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, February 12, 2019. Mayor Torres called the meeting to order at 7:00 p.m.

Councilmembers present:

Mayor	Torres
Councilmembers	Appelhans Desormeaux Flores McCarty Pitcher Rice

Also present:

City Manager	Saling
City Attorney	Penny
City Clerk	Forbes
Public Works Director	Good
Parks, Library and Recreation (PLR) Director	Gandee
Human Resource Director	Brown
Police Chief	Kerr
Public Safety Communications (PSC) Director	Lybrand (arrived late)
Museum Curator	Rich

Citizens present: 9

CONSENT AGENDA:

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

Items on the consent agenda were: City Council minutes of January 22, 2019, renewal of hotel & restaurant liquor license for Sam & Louie's Italian Restaurant & Pizzeria located at 310 Main Street and renewal of hotel & restaurant liquor license for Ay! Chihuahua Family Mexican Restaurant located at 229 North Front Street.

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:

- Sales and lodging taxes
- Logan County Board of Realtors Sales report for December 2018
- Annual report
- Sam Mamet Open House
- Bids received for Finance Software
- Bids received for Salary Benefit Survey
- City Hall will be closed Monday, February 18, 2019
- S-Curve information was handed out

City Manager Saling advised Council he met with Logan County on the special election for the ballot question for the loan. The County is estimating \$50,000 for a special election. City Manager Saling recommended to Council not having this election due to the timing of information needed on the loan. If the City waits until the November election staff can fill the application out in January and have the funds in April or May.

It was the consensus of Council not to have the special election.

City Manager Saling advised Council that the bid for the new hangar at the airport would cost approximately \$390,000. The bid was from The American Building System. There was discussion regarding what the possible rent would be for the hangar. It was the consensus of Council to go forward with a Resolution being brought to Council in two weeks. Council advised they would like to see tracking of the expense and revenue coming in on this hangar.

NEW BUSINESS:

INTRODUCTION OF NEW CITY EMPLOYEES:

None

CITIZENS ADVISORY BOARD PRESENTATION:

Present to address Council was Ms. Kim Sellers. Ms. Sellers advised the Citizens Advisory Board (CAB) met with Sterling Urban Renewal Authority (SURA) and SURA has agreed to give \$110,000 per intersection; the County will assist with 3rd and 4th Street corners, and the City will fix the storm drainage. CAB recommends spending \$330,000 for all three intersections. There are funds available in their budget.

RESOLUTION NO. 2-1-19, SERIES OF 2019 – 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 January 8, 2019 Council meeting, a representative from the Citizens Advisory Board presented a recommendation for the City to provide funds for the cost of expanding and beautifying the intersections of 2nd and Main Streets, 3rd and Main Streets and 4th and Main Streets. This resolution approves the expenditure of an amount not to

exceed \$330,000.00 for that purpose, which is the estimated \$110,000.00 for each of the three intersections. Not more than \$330,000.00 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 there are sufficient funds for the project.

Councilmember McCarty made a motion to approve Resolution No. 2-1-19, Series of 2019. Councilmember Desormeaux seconded the motion. By a seven-yes vote, the motion was approved.

RESOLUTION NO. 2-2-19, SERIES OF 2019 – A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO ACCEPTING THE BID FROM CONCRETE SPECIALTIES AND UTILITIES CONSTRUCTION, INC., FOR THE CITY OF STERLING 2ND & MAIN STREETS STREETScape PROJECT #18-009:

City Manager Saling advised Council this resolution approves the bid proposal received from Concrete Specialties and Utilities Construction, Inc. for the City of Sterling 2nd & Main Streets Streetscape Project #18-009, and approves and authorizes the Mayor to sign the related agreement. The bid was the lowest bid received. The bid submitted and approved by Resolution is in the amount of \$261,171.70. This is an acceptable amount for the project. The project is a qualifying expenditure for use of funds from the Sterling Hotel Tax Fund, and by Resolution No. 2-1-19, Series of 2019, Council approved \$110,000.00 for this project; the Sterling Urban Renewal Authority has committed funds in the amount of \$110,000.00 for this project; and there are sufficient funds in the Public Works 2019 budget for the balance in the amount of \$41,171.70, for storm drain work which relates to the project.

Councilmember Appelhans made a motion to approve Resolution No. 2-2-19, Series of 2019. Councilmember Rice seconded the motion. By a seven-yes vote, the motion was approved.

RESOLUTION NO. 2-3-19, SERIES OF 2019 - A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO ACCEPTING THE BID FROM MCATEE CONSTRUCTION COMPANY FOR THE CITY OF STERLING 2019 SURFACE TREATMENT PROJECT #19-001:

City Manager Saling advised Council this resolution approves the bid proposal received from McAtee Construction Company for the City of Sterling 2019 Surface Treatment Project #19-001 and approves and authorizes the Mayor to sign the related agreement. This bid was the only bid received. The bid submitted is in the amount of \$604,394.50. The amount is acceptable for this project and the Public Works Department has sufficient funds in its 2019 budget for this project.

Councilmember Appelhans made a motion to approve Resolution No. 2-3-19, Series of 2019. Councilmember Desormeaux seconded the motion. By a seven-yes vote, the motion was approved.

FIRST READING - ORDINANCE NO. 2, SERIES OF 2019 – AN ORDINANCE AMENDING THE STERLING CITY CODE, CHAPTER 21, UTILITIES, ARTICLE III, WATER SERVICE, BY THE ADDITION OF A NEW DIVISION 3, CROSS-CONNECTION CONTROL:

City Manager Saling advised Council the Colorado State Health Department reviewed the City's backflow prevention and cross-connection control program, in response to the notification of a recent suspected backflow contamination event. This ordinance amends the Sterling City Code, Chapter 21, Utilities, Article III, Water Service, by the addition of a new Division 3, Cross-Connection Control, to meet the requirements of the Colorado State Health Department for an adequate legal mechanism to perform the required surveys and require customers to control cross-connections and/or maintain and test/inspect assemblies or methods, as set forth in Regulation 11 of the Colorado Primary Drinking Water Regulations. This ordinance has been reviewed by the Colorado State Health Department and will meet its requirements.

Councilmember Rice made a motion to introduce Ordinance No. 2, Series of 2019. Councilmember Appelkans seconded the motion. City Clerk Forbes read the ordinance by title. By a seven-yes vote, the motion was approved.

FIRST READING – ORDINANCE NO. 3, SERIES OF 2019 – AN ORDINANCE AMENDING THE STERLING CITY CODE, CHAPTER 12, OFFENSES, SECTION 12-22, FURNISHING TOBACCO PRODUCTS TO MINORS; SALE OF TOBACCO PRODUCTS IN VENDING MACHINES, SUBPARAGRAPH (a), DEFINITIONS:

City Manager Saling advised Council this ordinance updates the definition of “tobacco products” in Chapter 12, Offenses, of the City Code, in line with the State’s definition.

Councilmember Appelkans made a motion to introduce Ordinance No. 3, Series of 2019. Councilmember Pitcher seconded the motion. City Clerk Forbes read the ordinance by title.

Council asked if the schools are aware of this. Police Chief Kerr advised they are.

By a seven-yes vote, the motion was approved.

DEPARTMENT REPORT – PARKS, LIBRARY AND RECREATION DEPARTMENT:

Museum Curator Rich gave a report on the museum. Museum Curator Rich advised that the Museum wants to put a life size bronze Bison sculpture in front of the Museum. They would be seeking donations for this and assistance from the City.

City Manager Saling advised Council there are funds available for this in the designation for arts line item.

Councilmember Rice made a motion to go forward with the Bison sculpture project. Councilmember Appelkans seconded the motion.

Council advised they would rather fund the \$24,000 out of the designation for the arts at this time, and any donations could go back into the fund.

By a seven-yes vote, the motion was approved.

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 Appelkans seconded the motion. By a seven-yes vote, the motion was approved.

Council went into executive session at 8:05 p.m.

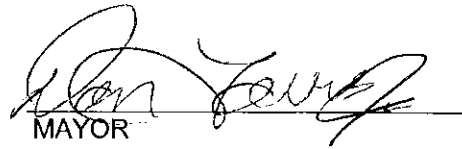
Council came out of executive session at 8:40 p.m.

Mayor Torres advised the participants in the executive session were: City Council, City Manager, City Attorney 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.

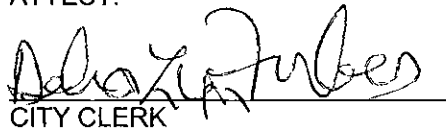
There was none.

ADJOURNMENT:

There being no further business to come before Council the meeting adjourned at 8:41 p.m.


MAYOR

ATTEST:


CITY CLERK