

STERLING, COLORADO  
MAY 28, 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 Dan Hays, Peace Lutheran 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, May 28, 2019. Mayor Torres called the meeting to order at 7:00 p.m.

Councilmembers present:

Mayor	Torres
Councilmembers	Appelhans Desormeaux 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
Fire Chief	Ritter
Police Chief	Kerr
Paralegal	Welsh
Lead Public Safety Dispatcher	Friend

Citizens present: 13

Mayor Torres asked for a moment of silence for the late Councilmember Marcus Flores.

**CONSENT AGENDA:**

Councilmember Appelhans made a motion to approve the consent agenda. Councilmember McCarty seconded the motion. By a five-yes and one-abstain vote, the motion was approved. Voting was as follows:

Appelhans	yes	McCarty	yes
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Rice	abstain	Desormeaux	yes
Pitcher	yes	Torres	yes

Items on the consent agenda were: City Council minutes of May 14, 2019 and an application for renewal of hotel & restaurant liquor license and a permit application and report of changes for the Sterling Motel, LLC, Ramada Inn/Country Kitchen located at 2500 East Chestnut 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:

- Preliminary Effluent limits – Wastewater Treatment Facility
- Friday's hail storm
- Logan County Board of Realtors Sales Report for April
- Final Conceptual Design for the Urban Park at 4<sup>th</sup> and Main Streets
- Proposed time schedule for filling the vacancy in Ward 3
- Fishing Derby

**NEW BUSINESS:**

**PRESENTATION OF RELAY FOR LIFE "CLIMBING TO NEW HEIGHTS" DAY PROCLAMATION:**

Mayor Torres read the proclamation for Relay for Life "Climbing to New Heights" Day and presented it to representatives from that organization.

**PRESENTATION OF PARKS AND RECREATION MONTH PROCLAMATION:**

Mayor Torres read the proclamation for Parks and Recreation Month and presented it to the Parks, Library and Recreation Department employees.

**PRESENTATION OF GENERAL AVIATION APPRECIATION MONTH PROCLAMATION:**

Mayor Torres read the proclamation for General Aviation Appreciation Month. The proclamation will be e-mailed to the Alliance for Aviation Across America and the original will be kept at the Airport.

**FIRST READING – ORDINANCE NO. 9, SERIES OF 2019 – AN ORDINANCE RESCINDING ORDINANCE NO. 8, SERIES OF 2019, AND WITHDRAWING APPROVAL OF THE SALE OF REAL ESTATE OWNED BY THE CITY OF STERLING TO FOUR CORNERS DEVELOPMENT, LLC:**

City Manager Saling advised Council by Ordinance No. 8, Series of 2019, the City approved a proposed agreement for sale of Lot 1 Knowles Replat in the City of Sterling, Logan County, Colorado, to Four Corners Development, LLC. The City has now been informed by Four Corners Development, LLC that it will not be entering into the agreement that it had offered, due to its decision to pursue another project over the project it had proposed for the City's property. This ordinance rescinds Ordinance No. 8, Series of 2019, and withdraws the City's approval of the sale of said real estate to Four Corners Development, LLC.

Councilmember Appelhans made a motion to approve Ordinance No. 9, Series of 2019. Councilmember McCarty seconded the motion. City Clerk Forbes read the ordinance by title. By a six-yes vote, the motion was approved.

**RESOLUTION NO. 5-4-19, SERIES OF 2019 - A RESOLUTION BEFORE THE CITY OF STERLING, LOGAN COUNTY, COLORADO, PURSUANT TO C.R.S. §31-30.5-209,**

**PROVIDING FOR APPROPRIATE USES OF OLD HIRE POLICE OFFICERS' PENSION FUND WHERE NO BENEFICIARIES EXIST OR MAY EXIST:**

City Manager Saling advised Council the Fire & Police Pension Association of Colorado has identified that the Sterling Old Hire Police Pension Plan no longer has any participating members or beneficiaries. This resolution complies with the statutory procedures required in order to pursue the distribution of the remaining plan assets authorized under the Colorado Statutes. As of December 31, 2018, the plan had an ending balance of \$275,179.37. It is estimated that there will be \$24,236.00 left that exceeds three times the yearly employer contribution.

Councilmember Appelhans made a motion to approve Resolution No. 5-4-19, Series of 2019. Councilmember Desormeaux seconded the motion. By a six-yes vote, the motion was approved.

**DEPARTMENT REPORT – PARKS, LIBRARY AND RECREATION DEPARTMENT:**

Parks, Library and Recreation Director Gandee gave the PLR Department report.

**MISCELLANEOUS COUNCIL BUSINESS:**

**EXECUTIVE SESSION – NEGOTIATIONS:**

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 Appelhans seconded the motion. By a six-yes vote, the motion was approved.

Council went into executive session at 7:45 p.m.

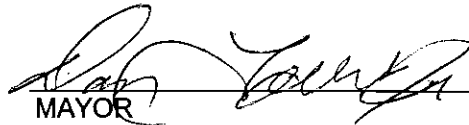
Council came out of executive session at 8:33 p.m.

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

**ADJOURNMENT:**

There being no further business to come before Council the meeting adjourned at 8:34 p.m.

  
MAYOR

ATTEST:

  
CITY CLERK