

CITY OF VICTOR: PROCEEDINGS MARCH 12, 2009
REGULAR COUNCIL MEETING: 7:00P.M.
COUNCIL CHAMBERS, 500 VICTOR AVENUE

I. CONVENE/PLEDGE OF ALLEGIANCE:

The regular meeting of the Victor City Council convened with Mayor Serena Bielz presiding. The Pledge of Allegiance was led by the Mayor.

II. ROLL CALL: Richard May: Present; Don Daniel: Present; Veldean Petri: Present; Buck Hakes: Present
Mayor Serena E. Bielz: Present; City Attorney: Present

III. CEREMONIES, PRESENTATIONS, APPOINTMENT

PRESENTATION: Jane Mannon: Presented a brief Annual Up Date on Mining Operations Cripple Creek & Victor Mining Company

PRESENTATION: Steven Veatch: Presented a brief review of Lake George Gem Club's Project: A Study on the Mines and Minerals of Victor.

IV. CONSENT CALENDAR:

A. Approval of Minutes February 12, 2009 Regular Meeting

ACTION: Council Member Richard May moved to approve minutes of the February 12 meeting as corrected and attached letters; second by Mayor Serena Bielz.

Roll Call Vote: Council Member May, yes; Mayor Bielz, yes; Council Members: Petri, yes; Hakes, yes; Daniel, yes.

B. Approval of Minutes February 26, 2009 Regular Meeting

ACTION: Council Member Richard May moved to table minutes of the February 26 meeting until the March 26 meeting; second by Council Member Buck Hakes.

Roll Call Vote: Council Members: May, yes; Hakes, yes; Daniel, no; Petri, yes; Mayor Bielz, yes.

C. Approve Statement of Expenditures and Authorization to Sign Checks

ACTION: Council Member Richard May moved to approve expenditures and authorize signing of checks for the time period February 26 through March 12 in the amount of \$15,331.86 excluding 3/12/09 payroll; second by Mayor Serena Bielz.

Roll Call Vote: Council member May, yes; Mayor Bielz, yes; Council Members: Daniel, yes; Petri, yes; Hakes, yes.

D. BUSINESS LICENSE APPLICATION:

James Cooper Cole dba Gold Camp Tattoo: 318 Victor Ave.

ACTION: Council Member Don Daniel moved to approve the Business License Application for James Cooper Cole dba Gold Camp Tattoo; second by Council Member Veldean Petri.

Roll Call Vote: Council Members: Daniel, yes; Petri, yes; Hakes, yes; May, yes; Mayor Bielz, yes.

V. ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA

ACTION: Reschedule: Item XI-E March 26, 2009; Reschedule Item X- B April 9, 2009; Request by Council Member Daniel for addition of Executive Session between agenda items XI- C and XI- D; to receive legal advice from the City Attorney regarding the Planning Commission; in accordance with CRS 24-6-401(4)(b). No objections from Council: **SO ORDERED:** Mayor Bielz.

VI. MAYOR, COUNCIL REPORTS

a. Mayor's Report/ Police Commissioner:

Mayor Bielz: Continuing with CDBG application for Waste water Treatment Plant

~ Continuing to work with Colorado Natural Gas Co. to complete the natural gas project. Would like to attend April 23rd Work Session ~ Would like Council Comments.

~ Ramblin Express surveys near completion; will be having a meeting to bring all parties together.

~ Attended CDOT work shop in Pueblo today. Funding available for transit funding. Excited about the Ramblin Express project.

~ Recommended that Buck and Rodney look into stimulus funds for road projects.

b. EDC/ Resources:

Council Member: Petri

~ Asked Mayor Bielz to let Council know when the meeting regarding Ramblin Express will be held.

~ Mayor made contact today that may make Federal Funds available for this project also.

~ Teller County Transportation work group conference call March 4th with Community Transportation Association of America in Washington D.C. Will be speaking with them again March 16 and will know whether funding will be available for a transportation needs assessment for Teller County.

~ Will be looking at each piece of transportation in Teller County through the needs assessment to determine how it can all come together.

~ Will be forwarding photos to Grace Walsh from the Government's Resident Preservation Group who works with Mrs. Ritter who is looking at developing a web site of Colorado's Treasurers. Hopefully those will become part of that web site.

~ Has received one letter of interest with regard to the citizen/council police department committee. Requested extension of deadline to generate more interest.

ACTION: Council Member Veldean Petri moved to extend the deadline for committee applicants until March 26; second by Council Member Don Daniel.

Joe Stevens volunteered to serve on the committee.

Roll Call Vote: Council Members: Petri, yes; Daniel, yes; Hakes, yes; May, yes; Mayor Bielz, yes.

Hoping someone from the discussion arena will step forward.

~ Applauded the entrepreneurs of our community.

~ Will be looking into stimulus funding for economically distressed communities.

c. Water/Wastewater/Public Works:

Council Member: Daniel

~ Conference call March 9 for discussion on water issues with Mayor, Water Attorney, Water Engineer, Victor Cripple Creek Mine.

d. Streets/Building/Parks:

Council Member: Hakes

~ Meeting with Elmo of Black Hills Energy; promised to repair damage to roads when hauling is completed

~ Meeting with County regarding taking over county roads; willing to assist with gravel and manpower to get roads up to par and willing to train City Staff. Meeting also concerned 5 year agreement for taking over the county building on second and Victor Avenue. Rodney would like the building for City storage.

e. Fire Department:

Council Member: May

~ Four contacts between 2-12-09 to 2-24-09. Two medical assists; two agency assists; one wild land fire; assisted with one lost party recovery.
~ Fire Department training this Thursday for any interested parties. Would love to have some new volunteers.
~ Request for updated roster. All persons on roster are on the fire department.
~ City Attorney working on Policies and Procedures.

f. City Attorney:

Alan Jensen:

~ Located Robert's Rules of Order edition for which he had been looking. Will review and look for something to add to Council Procedures.

VII. STAFF REPORTS

a. Fire Department: Chief Stephens is working and could not attend.

~ Council Member May will report on Fire Rating when he has that information.

b. Streets/ Mechanic –

Department Overseer Rodney Vannest:

~ 3 calls for service water and waste water in past two weeks ~ 2 calls for service streets ~ 1 miscellaneous service call
~ Bison maintaining at 46 inches Number 2 is at 17.8 feet. ~ Borrowing water department compressor the street department compressor is broken down ~ Replaced cutting edges on grader ~ replaced glass in backhoe that is to be traded. ~ New Backhoe should be received by March 20 and he will be on vacation the week of the 23rd.

c. Water/Waste Water –

ORC James Lottig: Treated 1.1 million gallons at waste water plant the month of February; average 39,000 gallons per day; sampling completed and in compliance; Five year permit application completed and submitted; brief power outage; UV chamber repaired; contacted by Divide Plumbing regarding grease trap ordinances; Engineer on site for training on 2-27; sludge hauling will increase.

~ Discussed discrepancy between water treated at water treatment plant and waste water plant and path being taken to determine reason for loss. Average monthly difference 2008: 1.6 million gallons; 2007: 1.1 million gallons; 2006: 1.4 million gallons. ~ Described trends of differences.

~ Treated 2.7 million gallons at water plant during February; average 96,000 per day; detailed chemical usage; cleanings not completed in February due to coupler failure; one water source change; mine sent reservoir water during the two days the plant was down; water samples compliant; source water sampling completed and in compliance. Fluoride at 2.1 which is high but is the nature of our water. ~ Discussed issues and resolutions at the water plant ~ discussed bleeder valve water loss.

d. Police Department –

Corporal Trump: ~ reported that Leona is out of the office due to an injury unable to get information for report~ received one application would not be for the benefit of the City ~ radio communication seems to have been remedied with tightening up cables etc. ~ working on getting the communications license ~ one person turned himself in today and was taken to the County jail ~ more domestics have occurred so far this year than in the past year due to the economy~ will get information for Mayor regarding agency back up. ~ Will get a purchase order to install a ring to secure prisoners while paper work is completed following an arrest.

8:35 p.m. Recess

8:45 p.m. Council reconvened in regular session.

VIII. PUBLIC HEARINGS:

None

IX. ORDINANCES AND RESOLUTIONS

SECOND READING: ORDINANCE NO. 468 AN ORDINANCE ESTABLISHING COMPENSATION FOR THE MAYOR AND FOR NEWLY ELECTED MEMBERS OF CITY COUNCIL

ACTION: Council Member Don Daniel moved to approve on second reading Ordinance 468; an Ordinance Establishing Compensation for the Mayor and for Newly Elected Members of City Council; second by Council Member Veldean Petri.

Roll Call Vote: Council Members: Daniel, yes; Petri, yes; May, yes; Hakes, yes; Mayor Bielz, yes.

INTRODUCE FOR FIRST READING: ORDINANCE NO. 469 AN ORDINANCE REQUIRING THE REMOVAL OF SNOW, DEBRIS, RUBBISH AND DIRT FROM SIDEWALKS WITHIN THE CITY

ACTION: Council Member Veldean Petri moved to postpone consideration of Ordinance No. 469 until April 9, 2009 at which time a draft will be available of an expanded ordinance which will blend in the currently useful and applicable portions of Ordinance No. 16; second by Council Member Byron Hakes.

~ Council should submit their input to the City Attorney or Clerk and Treasurer.

~ The Ordinance regarding sidewalk obstruction should be included in the zoning ordinance No. 358 which needs to be redone ~ City needs to make effort to plow snow to middle of street to avoid plowing snow back up on the sidewalk. and should not be affective until next year.

Roll Call Vote: Council Members: Petri, yes; Hakes, yes; May, yes; Daniel, yes; Mayor Bielz, yes.

RESOLUTIONS:

RESOLUTION 2009 – 2

A RESOLUTION REQUIRING APPLICANTS, SEEKING PERMISSION TO USE CITY PROPERTY FOR AN EVENT, TO SUBMIT TO THE CITY A CERTIFICATE OF INSURANCE NAMING THE CITY AS AN ADDITIONAL INSURED FOR SUCH EVENT

ACTION: Council Member Don Daniel move to accept Resolution 2009 – 2; second by Council Member Veldean Petri. Following discussion Council Member Petri withdrew her second. Motion by Council Member Daniel was withdrawn.

ACTION: Council Member Byron Hakes moved to postpone Resolution 2009-2 until April 23rd meeting; second by Council Member Richard May.

Roll Call Vote: Council Members: Hakes, yes; May, yes; Petri, yes; Daniel, yes; Mayor Bielz, yes.

X. UNFINISHED BUSINESS

A. Acceptance and Signing of Energy and Mineral Impact Assistance Grant for the Development and Installation of a City-Wide Remote Water and Meter Reading System for the City of Victor: Grant Amount \$ 121,578 City Match: \$59,882. Total Project: \$181,460 (City Required Match increased by \$14,882 from original proposal)

ACTION: Council Member Don Daniel moved to accept and authorize signing of the Mineral Impact Assistance Grant for the development and installation of a City-Wide remote water and meter reading system for the City of Victor; second by Council Member Byron Hakes.

Roll Call Vote: Council Members: Daniel, yes; Hakes, yes; Petri, yes; May, yes; Mayor Bielz, yes.
All Residential and Commercial meters will be replaced.

B. Radio/Communications Contract

ACTION: Tabled until April 9, 2009

XI. NEW BUSINESS:

B. Colorado Hill Climb Association: Daniel Wells; 2009 Races May 29& 30 and August 29 & 30

ACTION: Mr. Wells will discuss changes of dates requested by the City with his Board and return at a later date. Club members are investigating new race routes as the mine route is very short now.

C Shorty Bielz, Gold Camp Fishing Club: Lease Acceptance

ACTION: Council Member Don Daniel moved to extend the existing lease with the Gold Camp Fishing Club; second by Council Member Byron Hakes.

Roll Call Vote: Council Members: Daniel, yes; Hakes, yes; Petri, yes; May, yes; Mayor Bielz, yes.

A. City of Victor Policies and Procedures (Standing Agenda Item)

a. Per Diem, Travel, Training and Development Reimbursement Policy

ACTION: Council Member Don Daniel moved to accept Policy 2009-2 Per Diem, Travel, Employee Trainee and Development Reimbursement for Costs with the correction of the rate for mileage in accordance with the personnel policy; second by Council Member Byron Hakes.

Roll Call Vote: Council Members: Daniel, yes; Hakes, yes; Petri, yes; May, yes; Mayor Bielz, no.

10:15 p.m. Council recessed.

10:25 p.m. Council reconvened in regular session.

ACTION: Council Member Don Daniel moved to recess to executive session in accordance with CRS 24-6-401(4) (b)for conference to receive legal advice from the City Attorney regarding the Planning Commission and the appointment to fill a vacancy; second by Council Member Byron Hakes. Conference has nothing to do with the merits of the applicants. The City Attorney clarified that members of Council and members of City commissions are not regarded as personnel.

Roll Call Vote: Council Members: Daniel, Hakes, yes; May, yes; Petri, yes; Mayor Bielz, yes.

11: 00 p.m. Council reconvened in regular session. The Mayor announced that no decisions were made in executive session.

D Appointment to fill a vacancy: City Planning Commission

ACTION: Council Member Don Daniel moved to postpone filling the vacancy on the Planning Commission until the April 23 regular meeting to allow an opportunity to review Ordinance No. 359; second by Council Member Richard May.

Toll Call Vote: Council Members: Daniel, yes; May, yes; Petri, yes; Hakes, yes; Mayor Bielz, yes.

Discussion regarding roommates being qualified to serve on the commission and number of members to serve.

E. Barbara McMillan, James Smith, Dan Mullet; the Page Building 123 N 4th Street Approval of Plans for Stabilization/Restoration of Building

ACTION: Postponed until March 26 regular meeting.

F. Colorado Municipal League 2009 State of our Cities and Towns Report

ACTION: Due to the lateness of the hour presentation postponed.

XII. CORRESPONDENCE:

Discussion regarding whether to accept unsigned correspondence and consideration of a policy on the subject.

XIII. UNSCHEDULED MATTERS: None

XV. PUBLIC COMMENT WITHOUT PRIOR APPOINTMENT

~ Marshall Winblood addressed Ordinance No. 358. Planning Commission will propose a draft of changes which corresponds with zoning maps for Council's consideration.

XVI. ADJOURN

11:30 p.m. Meeting was adjourned on motion by Council Member Don Daniel; second by Council Member Richard May with all Members and Mayor voting yes.

ATTEST: _____ **APPROVED:** _____