

**PROCEEDINGS CITY OF VICTOR REGULAR COUNCIL MEETING: January 22, 2009 – 6:00 P.M.  
COUNCIL CHAMBERS, 500 VICTOR AVENUE**

**CORRECTED:**

**6:10 p.m.** Victor City Council convened in regular session with Mayor Serena E. Bielz presiding. The Mayor led the audience in reciting the Pledge of Allegiance.

**II.** In attendance were: Mayor Bielz; Council Members: Don Daniel, Veldean Petri, Buck Hakes and Richard May; City Attorney Alan Jensen.

**III. CEREMONIES, PRESENTATIONS, APPOINTMENT**

None

**IV. CONSENT CALENDAR:**

~ Mayor requested separation of items for approval.

**A. MOTION:** Council Member Don Daniel moved to approve the minutes of the December 11, 2008 meeting with the insertion of the verbatim into the minutes rather than the attachment as presented; second by Council Member Buck Hakes.

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

**B. MOTION:** Council Member Don Daniel moved to approve the Minutes of January 8, 2009; second by Council Member Richard May.

**Discussion:** Council Member Petri asked that on **X A. New Business:** Non Profit and Profit Insurance she wanted to reiterate that she is looking for a single standard not a double standard and questioned if the motion read otherwise. She would like to see one Standard for all.

**MOTION:** Council Member Richard May moved to table consideration on the minutes of January 8, 2009 until February 12;

~ **Discussion: Included:** Motion on the floor needed to be rescinded. Mayor's concerns with the minutes; Council Member Daniel requested Miss Patsy be changed to Patsy Brown; problems with Clerk's computer.

~ Council Member Richard May rescinded his second to approve the January 8 minutes; Council Member Daniel rescinded his motion to approve January 8 minutes.

**MOTION:** Council Member Richard May moved to table the minutes of January 8 until the February 12 meeting; second by Council Member Don Daniel.

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

**C. MOTION:** Council Member Don Daniel moved to approve expenditures in the amount of \$66,008.14 presented on January 22 meeting and authorize signing of checks; second by Council Member Buck Hakes.

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

**V. ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA**

~ Mayor, requested Police Commissioner report be placed under **IV- A** under Mayor's Report; requested items **X-A and B**; unfinished business be tabled until February 12 as she has received a letter from an employee who has requested to appear before council and he is in Denver for training and could not be in attendance. Would like council to have a work session because there are conflicting documents on the other salary items; and also requested the sidewalk snow removal be tabled as the ordinance has not been found.

**MOTION:** Council Member Veldean Petri moved that items **A & B** under **X**. Unfinished Business and **item B** under **XI** New Business be tabled until the February 12<sup>th</sup> meeting; second by Council Member Richard May.

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

~ Work Session with the Mayor, Veldean, Buck, Rick and Don was scheduled for Tuesday January 27. Members will contact Shirley if they wish to add additional items. The Mayor was considering scheduling a work session prior to each council meeting for discussion. Further discussion will be considered under Future Agenda Scheduling.

**VI. MAYOR, COUNCIL REPORTS**

**a. Mayor and Police Commissioners Report**

**Mayor Bielz:** Working toward transportation between Victor and Cripple Creek with the Ramblin' Express

~ Plan includes eleven daily trips hoping to begin March 1; may be April 1 as a start date; Planning to do another transportation survey

~ CDOT Grant: Very low competition in this region; application due March 1; looking at application for \$375,000 for sidewalks coming into Victor. Will speak with council at work session; Cripple Creek & Victor Gold Mining Company will partner with the City on this grant.

~ Contractors for mine extension interested in renting 140 additional spaces for parking in Victor; will pay for the parking. Would be good revenue for City; however, wouldn't want to compete with citizens.

~ C C & V Mine has another public hearing scheduled concerning their extension. The book is in the Clerk's office.

~ Mayor advised that one Officer and the Chief have resigned. Officer Lewis' last day was January 20; Chief Congemi's last day was January 22.

~ Announced she will exercise her authority under CRS that Council direct all questions to the Mayor for safety reasons. Officer Trump agreed this is a good idea as he needs to focus on being the only Officer on duty.

~ Cards and letters have poured into the Police Department; read letter from Chief Congemi to the citizens of Victor.

- ~ Read letters from citizens requesting return of Officer Lewis and Chief Congemi and requesting resignation of Council Members Don Daniel and Byron Hakes who they charge have jeopardized the safety of the City.
- ~ Stressed that Council is here to serve the City.
- ~ Received phone call from gentleman in Troutville, Virginia who has long time ties to Victor. His friend is Byron Hakes.
- ~ Read Qualifications of Colorado Officer.
- ~ **Andrew Watson** spoke to extra care that Officers are taking; Treatment of Officers has been shameful.
- ~ **Officer Trump** vowed to protect the residents of Victor as the only Officer on duty until we move forward.
- ~ **Council Members Richard May and Veldean Petri** expressed Council's appreciation for all that Officer Trump contributes to Victor and his excellent performance.
- ~ **Mayor** Contacted Teller County and the Sheriff's Office will be the law enforcement back up again. The **Mayor** related her discussion with Deputy Marcus Woodward and history of Officer Turn over rate; which through research of records since 2001 indicates Council interference as being a high reason for the turn over.
- ~ If Teller County assumes law enforcement in Victor the City will have to pay for three officers that Teller County will hire; it will take two months to initiate an Intergovernmental Agreement; they would not be here on 24 hour patrol; would only be here on demand; would only address hot cases; cold cases will be dealt with when they can; they will not be in the area patrolling and council will not have jurisdiction over them.
- ~ **Mayor**: Read CRS 31-4-102 (2); Mayors authority.

**b. EDC/ Resources:**

- Council Member Petri** : Reported attending the Gold Camp Fishing Club meeting January 12<sup>th</sup>; it was a great meeting where much was accomplished in a short period of time. Caretaker will be Jimmie Justice.
- ~ Working on Policies and Procedures for the City on Tuesday evenings
- ~ Spoke with Lisa Noble regarding Community Coalition Grants for Police Departments.
- ~ **The Mayor** responded that this department is seeking a breathalyzer machine. The Chief represented Victor at the meeting with Lisa Noble.

**c. Water/Wastewater/Public Works:**

- Council Member Daniel**: Reported a Procedure Manual has been completed for the Water Plant; both water and waste water plants now have procedure policies.
- ~ The Mayor met with Mr. Daniel and Staff of Water/Waste Water Department to begin the staff policies of work hours and duties.
- ~ Daniel Mick has been attending training in Denver this week.

**d. Streets/Building/Parks:**

- Council Member Hakes**: Reported that he had discussed plowing the alleys and not plowing the county roads with the Street Department Overseer. Rodney advised that the City had not plowed the alleys before and since the City owns the Cemetery he felt that the City may need to plow that road.
- ~ **Mayor** noted they would address that under the future agenda item.

**e. Fire Department:**

- Council Member May**: Urged increased awareness of the warm, dry outdoor conditions and increased fire danger.
- ~ Reported that the Fire Department was doing fine.

**f. City Attorney:**

- Mr. Jensen** : Prepared a Draft of Procedural Rules for City Council which includes an Agenda Policy which with Council's approval he will put in the form of a Resolution with additions.
- ~ Mayor would like to see a date for items to be turned in to the City Clerk's office.
- ~ The Attorney will add this to Article IX.

**VII. STAFF REPORTS**

**a. Fire Department**

**Fire Chief Kurt Stevens**: Not notified that he should attend and may be working.

**b. Streets/ Mechanic**

**Department Leader Rodney Vannest**: reported on activities and completions in the department.

- ~ Working with Water Department to alleviate an ice problem in Goldfield
- ~ Discussed proposals and requirements for meters for drive by computerized readings for the Grant Application
- ~ Backhoe will not be received until March; will be in touch with sales person to see about a loaner.

**c. Water/Waste Water**

**ORC Jim Lottig**: Reported that had called Woodland Park at 5:15 p.m. yesterday to offer his assistance with their water break.

- ~ presented a point by point review of his extensive written report for the Water and Waste Water Department
- ~ Waste Water Permit Application is in the very capable hands and will be completed by Dr. Innerebner.
- ~ Addressed water and waste water Plant improvements and sampling and chemical requirements of the State.
- ~ Reviewed chemical and water level procedure followed when structure fire occurred.
- ~ Addressed loss of pressure at the water plant and his call to Hydro Logics for assistance

7:20 p.m. Council recessed

7:35 p.m. Council reconvened in regular session.

**d. Police Department**

**Officer David Trump:** Reported from 01-09-09 to 01-21-09 totaled 180 field contacts. These included 4 attempts to contact; one parking violation; twelve traffic stops; one alarm at the mine building; one welfare check; one agency assist at Carlton Mine Site; one citizen assist; four suspicious activity calls; resolved problems with new vehicle; pick ups will be serviced at the shop and new P A systems will be installed; brakes will be fixed.

**VIII. PUBLIC HEARINGS:**

None

**IX. ORDINANCES AND RESOULTUIONS**

None

**X. UNFINISHED BUSINESS**

A. Formalize Promotion of Streets/Mechanic Employee: **ACTION: Tabled 02-12-09**

B. Formalize Employee Salaries for 2009 for Audit Purposes **ACTION: Tabled 02-12-09**

C. **Betty Ward** and **Patsy Brown** Re: Response to Council Member Petri's Letter

C C & V Mining Co. Donation to Aspen Mine Senior Club

~ Reported that Betty Ward contacted the Mining Company and was told that their donation was made to the Senior Club for use on what was needed.

~ Will be giving the City of Victor \$3,000 and the remainder of the donation will be used for transportation costs.

**XI. NEW BUSINESS:**

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

~ Purchase Order Policy: By Law action items must be specified on the agenda for council to consider

B. Enforcement of Sidewalk Snow Removal Ordinance **ACTION: Tabled 02-12-09**

C. **Agenda Policy**

~ Will discuss at Work Session

**MOTION:** Council Member Richard May moved to table the Agenda Policy as part of Rules of Procedure for Council until the February 12 regular meeting; second by Council Member Veldean Petri.

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

D. **Ordinance Regarding Mayor's Salary**

~ Will return Mayor's compensation to nearer council's and council's compensation will only affect newly elected members.

~ Council will discuss at work session and set first reading for the February 12<sup>th</sup> meeting.

**MOTION:** Council Member Byron Hakes moved on the Ordinance establishing compensation for Mayor and newly elected members of City Council to set \$600 per month for Mayors compensation and \$400 per month for Council with first reading of the Ordinance to be scheduled February 12<sup>th</sup>; second by Council Member Don Daniel.

~ Councilman May questioned how doubling council's compensation can be justified with the economy as it is.

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

~ Richard Grater Presentation of deterioration of sidewalks and drainage in Victor.

E. **Consideration of Bid for completion of City Hall Weatherization and Repair to Balke Building**

Doors: **Balke Bldg. Door Repair Deleted from Bid by Terry Jones dba Terry's Handyworks.**

**MOTION:** Council Member Don Daniel moved to approve the \$1,125 bid submitted by Terry's Handyworks for completion of the weatherization of City Hall; second by Council Member Veldean Petri.

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

F. **Representative of Al Packer Chapter # 100: Request Use of Reclaimed Landfill Site for Camping**

**Presentation:** Johnny Walker of Al Packer Chapter # 100 also known as Clampers

**MOTION:** Council Member Byron Hakes moved to approve Al Packer Chapter # 100 request to use City Property at the reclaimed landfill site for their camping site the last week end in June; with the City receiving a Certificate of Insurance naming the City as an additional insured; second by Council Member Don Daniel.

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

G. Request: Film Shoot Victor Jail "We do Monsters"

**E mail Request:**

**MOTION:** Council Member Don Daniel moved not to allow the movie shoot in the Victor Jail; second by Council Member, Veldean Petri.

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

**XII. CORRESPONDENCE: None**

**XIII. UNSCHEDULED MATTERS**    None

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**XIV. FUTURE AGENDA SCHEDULING**

**Topics Presented:**

Purchase Order Policy; Adopt Mission Statement; New Balke Building Double Bay Doors; Grants that may fund replacement of doors; Condition of Balke Building; Consideration of Work Sessions; IGA With Teller County Re: 3.5 miles of road that City Equipment maintains and plows; Maintenance of Alleys; Cemetery Regulations.

**XV. PUBLIC COMMENT WITHOUT PRIOR APPOINTMENT**

**Presentation:** Mike Wallace discussed plans for the repair of the Trolley owned by Maurice Woods and interest of the Heritage Society, Mr. Woods and Mr. Wallace to revisit the Trolley Project. He will be responding to the questions Council asked last summer.

~ Mayor Bielz clarified that the former County Barn has to be used by the City of Victor per agreement with Teller County.

**XVI. ADJOURN**

**MOTION:** Council Member Don Daniel moved to adjourn; second by Council Member Richard May. Meeting was adjourned by unanimous voice vote.

ATTEST: \_\_\_\_\_  
Shirley A. Beach, City Clerk

APPROVED: \_\_\_\_\_  
Serena E. Bielz, Mayor