

MINUTES CITY OF VICTOR REGULAR COUNCIL MEETING
May 28, 2009 – 7:00 P.M.: COUNCIL CHAMBERS, 500 VICTOR AVENUE

I. The regular meeting of the Victor City Council convened with Mayor Pro tem Richard May presiding. The Pledge of Allegiance was led by the Mayor Pro tem.

II. Roll Call was answered by Council Members: Don Daniel; Veldean Petri; Buck Hakes; Mayor Pro tem Richard May; and City Attorney Alan Jensen. Mayor Serena Bielz was absent.

III. CEREMONIES, PRESENTATIONS, APPOINTMENT
There were none.

IV. PUBLIC COMMENT WITHOUT PRIOR APPOINTMENT

Daniel Mick, City Employee, questioned Council regarding when a personnel matter may be resolved. The City Attorney responded to his question.

V. CONSENT CALENDAR:

MOTION: Council Member Don Daniel moved to approve the minutes of the May 14 meeting and vouchers in the amount of \$47,479.92 and authorizing checks to be signed; second by Mayor Pro tem, Richard May.

Roll Call Vote: Councilman Daniel, yes; Mayor Pro tem May, yes; Council Members: Hakes, yes; Petri, yes.

VI. ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA
None

VII. NEW BUSINESS:

- A.** City of Victor Policies and Procedures (Standing Agenda Item)
a. Policy & Procedure Re: Return of VPD Badges, I.D. Cards, Insignias & Uniforms
When Officer Leaves City Service

MOTION: Council Member Don Daniel moved to approve Policy No. 2009-5; concerning the return of Victor Police Department Badges, I.D. Cards, Insignias and Uniforms upon leaving service with the City; second by Council Member Byron Hakes.

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

- B.** City Facilities Cleanup at WW Treatment Plant Grounds, Former WW Treatment Plant Grounds and City Shop Grounds

Discussion concerning the need to clean up City Properties followed with Council Member Byron Hakes offering to work with the City employees to clean up the properties in order to improve the image of and encourage staff to take pride in the work place.

- C.** Cell Phone Contract Proposals

MOTION: Council Member Byron Hakes moved to accept the Verizon Cell Phone Plan with 1400 anytime minutes for five phones at a cost of \$130.16 per month; second by Council Member Don Daniel.

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

- D.** Copy Machine Contract Proposals

MOTION: Council Member Don Daniel moved to accept the Minolta contract for lease of copy machine services; second by Council Member Byron Hakes.

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

VIII. PUBLIC HEARINGS:

Victor Elks Club Association BPOE # 367 (Posted May 18,2009)
Application for Special Events Permits: July 17, 18, 19 and September 5, 6, 7 -2009
8:00 a.m. ~2:00 a.m. Request for waiver of City Fee.

The Public Hearing Convened. Application for Special Events Permits was received from the Victor Elks Club Association May 15, 2009 and the premises was posted for the required ten days. The appropriate State Fee was received and application is signed by the Secretary of the Fraternal Organization. A drawing of the premises is attached together with proof of ownership of the premises and Certificate of Good Standing for the Lodge.

MOTION: Council Member Byron Hakes moved to approve the Special Events Permit application for Victor Elks Club Association BPPOE # 367 waiving the City fees; second by Mayor Pro tem, Richard May.

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

IX. ORDINANCES AND RESOLUTIONS

A. INTRODUCE FOR FIRST READING: ORDINANCE NO. 470 AN ORDINANCE ESTABLISHING A SCHEDULE OF FEES FOR THE USE OF CERTAIN CITY-OWNED FACILITIES

MOTION: Council Member Byron Hakes moved to postpone action on Ordinance No. 470 until the June 11 regular meeting to allow further time to develop fees and hours of availability; second by Mayor Pro tem Richard May.

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

B. INTRODUCE FOR FIRST READING: ORDINANCE NO. 471: AN ORDINANCE AMENDING ORDINANCE 338, REPEALING PARAGRAPHS A, B AND C OF SECTION 2 OF ORDINANCE 432, CONCERNING FLOATING WATER TAPS

MOTION: Council Member Don Daniel moved to approve on first reading Ordinance No. 471 amending Ordinance 338, Repealing paragraphs A, B and C of Section 2 of Ordinance 432, concerning Floating Water Taps; second by Council Member Byron Hakes.

Discussion: Joe Stephens requested no action on this ordinance because once again copies are not available for public review. The City Clerk retrieved copies of the Ordinance from the hallway and presented to Mr. Stevens. Action continued.

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

C. RESOLUTION NO. 2009-4 A RESOLUTION ENACTING RULES AND REGULATIONS FOR OPERATION AND USE OF THE SUNNYSIDE CEMETERY

Discussion of corrections from last meeting followed. Council Member Hakes suggested returning the fees to \$250 for burial plot and \$150 for cremains plot due to costs the City will incur up front and eliminating non resident burials. The City Attorney will make the corrections and email the final document to the City Clerk.

MOTION: Council Member Byron Hakes moved to adopt Resolution 2009-4, a Resolution Enacting Rules and Regulations for the Operation and Use of Sunnyside Cemetery; second by Council Member Don Daniel.

Public Discussion: Mickie Nothaus, Dale Roy, Joe Stevens, Jack Lorenz regarding Fraternal plots not being exempt from the fees; people on fixed incomes not being able to afford to purchase a plot; people not on the City water service and who do not live in the City; the flagging of unmarked graves and plotting burial sites.

ACTION: Council Member Don Daniel called for the Question; second by Council Member Byron Hakes.

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

Roll Call Vote on Motion: Council Members: Daniel, yes; Hakes, yes; Petri, yes; Mayor Pro tem May, no.

X. CITY ATTORNEY

Executive Session Pursuant to CRS Section 24-6-401 (4) (f) For Discussion of Personnel Matters

MOTION: Mayor Pro tem Richard May moved to recess to Executive Session pursuant to CRS Section 24-6-401 (4)(f) to receive legal advice concerning a personnel matter; second by Council Member Byron Hakes.

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

9:05 p.m. Council reconvened in regular session. No action was taken and no decision made as a result of the executive session/

XI. UNFINISHED BUSINESS

Brief discussion regarding trash that is being stacked in front of residences and plan for assisting those who are unable to transport the debris to the roll offs.

XII. CORRESPONDENCE:

None

XIII. UNSCHEDULED MATTERS

None

XIV. Council Member Don Daniel moved to adjourn; second by Mayor Pro tem Richard May. The meeting was adjourned on unanimous voice vote of Council.

ATTEST: _____
Shirley Beach, City Clerk

APPROVED: _____
Richard May, Mayor Pro tem