

MINUTES
CITY OF VICTOR REGULAR CITY COUNCIL MEETING
MARCH 21, 2019 – 6:00 P.M.

- I. **CONVENE REGULAR MEETING/PLEDGE OF ALLEGIANCE/INVOCATION:** Mayor Don Daniel called the meeting to order and led the audience in the Pledge of Allegiance followed by an invocation by Terry Akins.
- II. **ROLL CALL:** Present were Mayor Don Daniel and Councilors Michelle Wirtz, Buck Hakes, Bruce Davis and Terry Akins. Also present were City Administrator, Deb Downs and City Clerk, Glori Thurston.
- III. **CONSENT CALENDAR:**
 - A. **Minutes of City Council Meeting 2/21/19**
 - B. **Financial Statement: February 2019**

A motion by Michelle Wirtz to approve the consent calendar was seconded by Bruce Davis. All were in favor and the motion carried
- IV. **REPORTS/PRESENTATIONS**
 - A. **Mayor and Councilor Reports/Presentations:** Bruce Davis gave an update on the activities of Pikes Peak Area Council of Governments to include the Colorado SB19-188, Family Medical Leave Insurance Program; the installation of fiber optics through Ute Pass and the Air Force Academy graduation date, May 30th. Terry Akins thanked the Public Work department employees for working above and beyond the call of duty on their immediate response to repairing broken water and sewer lines, and snowplowing streets. Buck Hakes reported that a dog tested positive for rabies in El Paso County and cautioned citizens to be aware of rabid wildlife and pets.
 - B. **Public Safety – Sheriff Mikesell:** Absent
 - C. **Public Works – Kurt Yeater:** Mr. Yeater reported on public works matters
 - D. **City Administrator – Deb Downs:** Ms. Downs reported on administrative matters.
- V. **PUBLIC COMMENT WITHOUT PRIOR APPOINTMENT:** Colt Simmons introduced himself as the new Teller County Assessor. He reported on and explained the Assessor department's goals and objectives, property tax revenue disbursements, and property taxation procedures. Mr. Simmons encouraged property owners to contact the Assessor's office for questions or concerns regarding property assessment valuation. Kevin Gilsbach, Victor Citizen, introduced himself and commented on various matters which included road improvements and drainage issues.
- VI. **ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA:** None.
- VII. **NEW BUSINESS**
 - A. **PUBLIC HEARING: PLANNING COMMISSION – Hanks Commercial Variance**

Request: Mayor Don Daniel opened a public hearing on Chris and Nancy Hank's zoning variance application to allow greater than 50% use of the first floor as residential in the commercial district at 102 S. 4th Street. Becky Frank, City of Victor P&Z, explained the staff report and recommendations. Reed Grainger, Grainger Realty, and Chris Hanks discussed the various reasons to amend the residential use on the ground floor from a maximum of 50% to a maximum of at least 82%. David Brandt commented that the diagram of the premises allows for the appropriate residential and commercial use on the ground floor. The Public Hearing was closed. After further Council discussion, Terry Akins motioned to approve the Hanks' variance request to a maximum of 80% of single family residential use and 20% commercial with the following conditions: 1). The building remains a commercial use until sold by the current owners; 2). Upon the sale of the building, the new owner, if he/she so chooses to invoke this variance, must, within six months of closing, acquire a building permit for residential modifications to the building. Furthermore, he/she must, within nine months of closing, have completed a majority of the work needed to remodel the building under the following conditions: a) up to 80% of the building may be changed to residential use, the remaining 20% continues its commercial designation; and, b) the commercial entrance and access must remain in the fifteen feet (15') of the 4th Street facing (north façade entrance) portion of the building. This would ultimately result in the commercial space remaining in the northwest portion of the building rather than the applicant's proposed southwest

portion. 3). If any of these conditions are not met, this variance will expire six months from the closing of the sale of the building.
Buck Hakes seconded the motion. All were in favor and the motion carried.

B. Fifth Amendment to Water Purchase Agreement – Cities of Cripple Creek and Victor: A motion by Bruce Davis to approve the Fifth Amendment to Water Purchase Agreement between the Cities of Cripple Creek and Victor in the amount of \$1,011.50 per acre foot was seconded by Terry Akins. All were in favor and the motion carried.

C. Resolution No. 2019-3-21.01 – IGA Between Cities of Victor and Cripple Creek on Housing Assessment: A motion by Michelle Wirtz to adopt Resolution No. 2019-3-21.01 an intergovernmental agreement between the Cities of Victor and Cripple Creek on Housing Assessment in the amount of \$22,450.00 was seconded by Bruce Davis. All were in favor and the motion carried.

VIII. EXECUTIVE SESSION pursuant to CRS 24-6-402(4)(f), to discuss a personnel matter. A motion by Bruce Davis to open executive session pursuant to CRS 24-6-402(4)(f), to discuss a personal matter was seconded by Terry Akins. All were in favor and the motion carried.

IX. RECONVENE IN REGULAR SESSION: Mayor Don Daniel re-opened regular session.

X. PERSONNEL ACTION – City Administrator: A motion by Michelle Wirtz to grant Debra Downs a performance bonus in the amount of \$10,000.00 was seconded by Buck Hakes. Passed by majority vote and the motion carried.

XI. ADJOURN: A motion to adjourn by Buck Hakes was seconded by Terry Akins. All were in favor and the motion carried. The meeting adjourned.

ATTEST:


Bruce Davis, Mayor Pro-Tem


Glori Thurston, City Clerk

