



**AGENDA
CITY OF VICTOR
REGULAR CITY COUNCIL MEETING
MARCH 19, 2020 – 6:00 P.M.
REMOTE**

The Victor City Council encourages and appreciates the community's interest in attending City Council meetings. Members of the public who are called to speak on an agenda item will be limited to a three-minute presentation.

- I. **CONVENE REGULAR MEETING
PLEDGE OF ALLEGIANCE**
- II. **ROLL CALL**
- III. **CONSENT CALENDAR:** *(These items will be acted on as a whole, unless a specific item is called for discussion by a Council member or Mayor)*
 - A. **Minutes of City Council Meeting: February 20, 2020** ☒
 - B. **Financial Statement: February, 2020** ☒
- IV. **REPORTS/PRESENTATIONS**
 - A. **Mayor and Councilor Reports/Presentations**
 - B. **Fire Chief – Chivas Groves**
 - C. **Public Works – Kurt Yeater**
 - D. **Victor Main Street – Becky Frank**
 - E. **City Administrator – Richard Mann**
- V. **PUBLIC COMMENT WITHOUT PRIOR APPOINTMENT**
- VI. **ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA**
- VII. **ORDINANCES AND RESOLUTIONS**
 - A. **RESOLUTION NO. 2020-03-19.01 – A RESOLUTION CONSENTING TO AND EXTENDING THE ORDER DECLARING A LOCAL DISASTER EMERGENCY IN AND FOR THE CITY OF VICTOR, COLORADO.** ☒
- VIII. **NEW BUSINESS**
 - A. **REMOTE MEETING POLICY** ☒
 - B. **APPOINTMENT OF VICTOR MUNICIPAL COURT JUDGE DEBRA EILAND.**
- IX. **AN EXECUTIVE SESSION to consider the purchase, acquisition, lease transfer or sale of real, personal or other property, pursuant C.R.S. 24-6-402(4)(a), concerning the City's potential acquisition of property.**
- X. **AN EXECUTIVE SESSION to hold a conference with the Town's attorney to receive legal advice on specific legal questions, pursuant to C.R.S. 24-6-402(4)(b), concerning an employment issue.**
- XI. **RECONVENE IN REGULAR SESSION.**
- XII. **ADJOURN.**

PUBLIC WORKSESSIONS START AT 5 P.M. PRIOR TO REGULAR COUNCIL MEETINGS

Note: Any item on this agenda may be subject to a vote by City Council. Assistance for the hearing, visually, or physically impaired may be provided upon request. Please inquire at the office of the City Clerk, 1-719-689-2284, or to P. O. Box 86, Victor, CO 80860.

For persons with hearing impairments, please call RELAY COLORADO at 711 or 1-800-659-2656 and request "City of Victor at 719-689-2284."

The City of Victor supports efforts to affirmatively further fair housing.

THIS INSTITUTION IS AN EQUAL OPPORTUNITY PROVIDER AND EMPLOYER.

**MINUTES
CITY OF VICTOR REGULAR CITY COUNCIL MEETING
FEBRUARY 20, 2020 – 6:00 P.M.**

- I. **CONVENE REGULAR MEETING** Mayor Bruce Davis called the meeting to order at 6:00 p.m. and led the assembly in reciting the Pledge of Allegiance.
- II. **ROLL CALL:** Present were Mayor Bruce Davis, Councilors Buck Hakes, Michelle Wirtz, Mark Gregory and Barbara Manning. Also present were City Administrator, Richard Mann and City Clerk, Glori Thurston.
- III. **CONSENT CALENDAR:** *(These items will be acted on as a whole, unless a specific item is called for discussion by a Council member or Mayor)*
 - A. **Minutes of City Council Meeting: January 16, 2020**
 - B. **Financial Statement: January, 2020**

A motion by Buck Hakes to approve the Consent Calendar was seconded by Michelle Wirtz. All were in favor and the motion carried.
- IV. **REPORTS/PRESENTATIONS**
 - A. **Mayor and Councilor Reports/Presentations:** Mayor Davis reported on Victor Main Street's new program, Distinguished Citizen of the Year Award and recognized Elery Jackson for that award. Mr. Davis thanked Mr. Jackson for his voluntary services. Mr. Davis continued his report on business opportunities, CPACE program, the housing project open house and introduced the City of Victor's City Administrator, Richard Mann. Buck Hakes reported on the local real estate market.
 - B. **Public Works – Kurt Yeater:** Mr. Yeater reported on the GIS equipment, snow plowing, the state sanitary survey, and other public work matters. Richard Mann praised the Public Works Department for their hard work and accomplishments.
 - C. **Victor Main Street – Becky Frank:** Ms. Frank reported on the GOCO grant, the housing project open house, Victor Main Street's appointment to graduate status, and other Victor Main Street matters.
 - D. **City Administrator – Richard Mann:** Mr. Mann praised Becky Frank for her participation in the Salamander emergency management program, and other City matters.
- V. **PUBLIC COMMENT WITHOUT PRIOR APPOINTMENT:** Tory Richie introduced himself as the Superintendent of Cripple Creek and Victor School District. He gave a brief background about himself, reported on and explained staffing, snow days, and other school district matters. Ralph Copley introduced himself as President of Gold Camp Fishing Club, gave a brief background about himself, and stated to contact him with fishing club matters. Sue Kochevar, Victor Resident, reported on details regarding the Veterans Wall.
- VI. **ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA:** None
- VII. **NEW BUSINESS**
 - A. **AMENDMENT TO SQUAW MOUNTAIN TOWER LEASE WITH COMMNET FOUR CORNERS, LLC.** Mr. Mann reported Commnet Four Corners, LLC is requesting to add apparatuses to existing equipment on Tower One. A motion by Michelle Wirtz to amend the Squaw Mountain Tower Lease with Commnet Four Corners, LLC was seconded by Barbara Manning. All were in favor and the motion carried.
 - B. **DONATION OF BURIAL PLOT AT VICTOR'S SUNNYSIDE CEMETERY – KIRK AND VELDEAN MYERS.** Mr. Mann reported Kirk and Veldean Myers are requesting a donation of one burial plot. A motion by Buck Hakes to donate one burial plot at Victor's Sunnyside Cemetery to Kirk and Veldean Myers was seconded by Michelle Wirtz. All were in favor and the motion carried.
 - C. **PUBLIC HEARING: SPECIAL EVENTS PERMIT – BPOE VICTOR ELKS #367: MEMORIAL DAY BBQ (MAY 23, 2020), GEM AND MINERAL SHOW (JUNE 19-21, 2020), GOLD RUSH DAYS (JULY 17-19, 2020), VCTA (SEPTEMBER 4-7, 2020), PACK BURRO RACE (SEPTEMBER 12, 2020), STRONG MINE EVENT (OCTOBER 3, 2020) AND COMMUNITY THANKGIVING (NOVEMBER 22, 2020).** Mayor Davis opened a public hearing. Reed Grainger, Victor Elks Club #367 office, commented on the dates and activities. Mr. Reed requested to waive the special event liquor fee for all 2020 events. There were no further public comment. Mayor Davis closed the public hearing. A motion by Buck Hakes to grant the special events permits was seconded by Mark Gregory. All were in favor and the motion carried.
 - D. **REQUEST BY BPOE VICTOR ELKS #367 TO WAIVE SPECIAL EVENT LIQUOR FEE FOR ALL 2020 EVENTS.** A motion by Michelle Wirtz to waive the special event liquor fees was seconded by Mark Gregory. All were in favor and the motion carried.

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VIII. ADJOURN: : A motion by Buck Hakes to adjourn was seconded by Michelle Wirtz. All were in favor and the motion carried. Mayor Bruce Davis closed the meeting at 6:41 p.m.

ATTEST:

Bruce M. Davis, Mayor

Glori Thurston, City Clerk

RESOLUTION NO. 2020-03-19.01

CITY OF VICTOR

**A RESOLUTION CONSENTING TO AND EXTENDING THE ORDER
DECLARNG A LOCAL DISASTER EMERGENCY IN AND FOR THE
CITY OF VICTOR, COLORADO**

WHEREAS, the Colorado Disaster Emergency Act, C.R.S. § 24-33.5-701, *et seq.* (the "Act"), provides procedures for statewide and local prevention of, preparation for, response to, and recovery from disasters and emergencies;

WHEREAS, pursuant to the Act, an "emergency" is an unexpected event that places life or property in danger and requires an immediate response through the use of state and community resources and procedures, and an "emergency epidemic" is cases of an illness or condition, communicable or noncommunicable, caused by bioterrorism, pandemic influenza, or novel and highly fatal infectious agents or biological toxins;

WHEREAS, pursuant to C.R.S. § 24-33.5-709, a local disaster emergency may be declared "only by the principal executive officer of a political subdivision," here, the Mayor;

WHEREAS, on March __, 2020, the Mayor did issue an order declaring a local disaster, which order is attached hereto as **Exhibit A**;

WHEREAS, pursuant to C.R.S. § 24-33.5-709(1), the declaration of a local emergency shall not be continued or renewed for a period in excess of seven days except by or with the consent of City Council;

WHEREAS, pursuant to C.R.S. § 24-33.5-709(1), any order declaring, continuing, or terminating a local disaster emergency shall be given prompt and general publicity and shall be filed promptly with the City Clerk, the County Clerk and with the state office of emergency management; and

WHEREAS, immediately after it was issued, the attached order was given prompt and general publicity, was filed with the City Clerk and the Teller County Clerk and Recorder, and it was submitted to the Colorado Office of Emergency Management.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VICTOR, COLORADO, AS FOLLOWS:

Section 1. The City Council hereby consents to and supports the Order Declaring a Local Disaster Emergency in and for the City of Victor, Colorado.

Section 2. The City Council hereby extends the Order Declaring a Local Disaster Emergency in and for the City of Victor, Colorado, **until** _____, 2020, unless sooner terminated by action of the City Council, at which time the Order may be extended by

action of City Council.

Section 3. This Resolution shall be given prompt and general publicity, filed with the City Clerk and the Teller County Clerk and Recorder, and it shall be submitted to the Colorado Office of Emergency Management

ADOPTED THIS ____ DAY OF _____, 2020, AT A REGULAR MEETING OF THE CITY OF VICTOR CITY COUNCIL

CITY OF VICTOR, COLORADO

Bruce M. Davis, Mayor

ATTEST:

Glori Thurston, City Clerk

**ORDER DECLARING A LOCAL DISASTER EMERGENCY IN AND FOR
THE CITY OF VICTOR, COLORADO**

WHEREAS, the Colorado Disaster Emergency Act, C.R.S. § 24-33.5-701, *et seq.* (the "Act"), provides procedures for statewide and local prevention of, preparation for, response to, and recovery from disasters and emergencies;

WHEREAS, pursuant to the Act, an "emergency" is an unexpected event that places life or property in danger and requires an immediate response through the use of state and community resources and procedures, and an "emergency epidemic" is cases of an illness or condition, communicable or noncommunicable, caused by bioterrorism, pandemic influenza, or novel and highly fatal infectious agents or biological toxins;

WHEREAS, pursuant to C.R.S. § 24-33.5-709, a local disaster emergency may be declared unilaterally by the principal executive officer of a political subdivision, here the Mayor;

WHEREAS, pursuant to C.R.S. § 24-33.5-709, such a declaration activates the response and recovery aspects of any applicable disaster emergency plans and authorizes the furnishing of aid and assistance under such plans;

WHEREAS, pursuant to C.R.S. § 24-33.5-709(1) the declaration of a local emergency shall not be continued beyond a period of 7 days or removed except by action of the City Council;

WHEREAS, pursuant to C.R.S. § 24-33.5-709(1), any order declaring, continuing, or terminating a local disaster "shall be given prompt and general publicity and shall be filed promptly with the county clerk and recorder, the [City] clerk...and with the office of emergency management"; and

WHEREAS, because of the COVID-19 pandemic, which was recognized by the Governor of the State of Colorado on March 10, 2020, the City of Victor is suffering and has suffered a disaster emergency as defined in the Act.

NOW, THEREFORE, IT IS HEREBY ORDERED, this ____ day of _____, 2020, that a disaster emergency is declared in and for the City of Victor, Colorado, beginning on this day and ending _____, 2020 [7 days later], unless extended by action of the City Council.

IT IS FURTHER ORDERED that this Order shall be given prompt and general publicity, filed immediately with the City of Victor City Clerk, and a copy of it shall be sent to the Teller County Clerk and Recorder as well as to the Colorado Office of Emergency Management.

Bruce M. Davis, Mayor

ATTEST:

Glori Thurston, City Clerk and Treasurer



City of Victor REMOTE MEETING POLICY

Purpose:

The purpose of this Policy is to specify the circumstances under which meetings of the City Council and other City boards, committees and commissions may be held without the physical presence of the members, City staff or the public at a designated meeting location (a "Remote Meeting").

Procedure:

- A. General. Remote Meetings are appropriate only in emergency situations when meeting in-person is not practical or prudent due to a health pandemic or other emergency.
- B. Conditions. Remote Meetings may be held if all the following conditions are met:
1. The State of Colorado or the City or both have declared a state of emergency.
 2. The members can hear one another and can hear or read all discussion and testimony in a manner designed to provide maximum notice and participation.
 3. The public has the opportunity to participate to the greatest extent possible.
 4. Hearings on quasi-judicial matters shall only be held with the prior written consent of the applicant, in which the applicant waives any legal challenge to the hearing being conducted at a Remote Meeting.
 5. All votes shall be conducted by roll call. Each member may vote on all matters at a Remote Meeting in the same manner as other meetings.
 6. Minutes of the meeting shall be taken in the same manner as other meetings.
- C. Determination. The decision to hold a Remote Meeting shall be made by the Mayor or the chair of the board, commission or committee, and arrangements shall be made, to the extent possible, to ensure full and timely notice is given to the public. Notice shall set forth the time of the meeting as well as the fact it will be a Remote Meeting.

Applicability:

Upon implementation, this Policy will apply to regular and special meetings, including study

sessions, of the City Council, as well as meetings of other City boards, committees and commissions.

Reasonable Accommodation.

The City shall provide reasonable accommodations and shall waive or modify provisions of this Policy as necessary to provide disabled individuals full and equal access to Remote Meetings.

ADOPTED THIS _____ DAY OF _____, 2020, AT A REGULAR MEETING OF THE CITY OF VICTOR CITY COUNCIL.

Glori Thurston, City Clerk