



**AGENDA
CITY OF VICTOR
REGULAR COUNCIL MEETING
SEPTEMBER 24, 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**
- 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 Regular City Council Meeting: August 20, 2020** ☒
 - B. **Financial Statement: August, 2020** ☒
- IV. **REPORTS**
 - A. **Mayor and Councilor Reports**
 - B. **Public Works – Kurt Yeater**
 - C. **City Administrator – Richard Mann**
 - D. **City Clerk/Treasurer – Glori Thurston**
- V. **PROCLAMATION – ARTS MONTH IN COLORADO'S PIKES PEAK REGION** ☒
- VI. **PUBLIC COMMENT WITHOUT PRIOR APPOINTMENT**
- VII. **ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA**
- VIII. **ORDINANCES AND RESOLUTIONS**
 - A. **ORDINANCE NO. 513 – AN ORDINANCE OF THE CITY OF VICTOR TO VACATE CERTAIN ALLEYS WITHIN THE CITY OF VICTOR – FIRST READING** ☒
- IX. **NEW BUSINESS**
 - A. **CHANGE ORDER #2 – EARTHWORKS LAND DEVELOPMENT, INC. – SEWER PROJECT ADDITION - \$80,040.00** ☒
- X. **ADJOURN**

*To access the work session and meeting remotely, go to www.cityofvictor.com home page, under Public Notices and Other.

WORKSESSION STARTING AT 5:00 P.M. PRIOR TO REGULAR COUNCIL MEETING

*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 COUNCIL MEETING
AUGUST 20, 2020 – 6:00 P.M.
REMOTE AND IN-PERSON**

- I. **CONVENE REGULAR MEETING:** Mayor Bruce Davis called the meeting to order at 6:00 p.m. and led the assembly to recite the Pledge of Allegiance. (Because of the State of Colorado's requirement of social distancing and maximum of ten persons per room, attendance was on a first come first serve basis. Due to the City's Disaster Declaration on June 18, 2020 related to the COVID-19 virus, the meeting was held by means of virtual access provided through Zoom.)
- II. **ROLL CALL:** Present were Mayor Davis, Councilors Mark Gregory, Buck Hakes, Michelle Wirtz 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 Regular City Council Meeting: July 23, 2020**
 - B. **Financial Statement: June, 2020**
 - C. **Financial Statement: July, 2020**A motion by Counselor Wirtz to approve the Consent Calendar was seconded by Counselor Gregory. All were in favor and the motion carried.
- IV. **PRESENTATIONS**
 - A. **CliftonLarsonAllen Auditor – Allison Slife:** Ms. Allison Slife, CliftonLarsonAllen Auditor, explained the results of the 2019 year end audit of the financial statements. She stated the independent auditor report resulted in a clean or unmodified opinion meaning it is the best opinion a city can receive. Ms. Slife congratulated the City on achieving it, again. She explained the management discussion and analysis, and end results.
 - B. **Black Monarch Hotel – Adam Zimmerli:** Ms. Becky Frank, Main Street Representative, stated Mr. Adam Zimmerli, owner of Black Monarch, submitted an application to place an awning on the side of his commercial building for preservation. Mr. Zimmerli presented and explained the awning plan.
- V. **REPORTS**
 - A. **Mayor and Councilor Reports:** Mayor Davis presented a certificate of appreciation to Burt Ryding, for allowing the City to place the Victor sign on his property. Mr. Davis stated Becky Frank is moving on with her career and recognized her for her hard work, enthusiasm, and support during her employment with the City of Victor. Councilor Manning stated school is back in session. She explained the school and bus schedules, and COVID-19 compliance guidelines.
 - B. **Public Works – Kurt Yeater:** Mr. Yeater reported on water taps, projects and other public work matters.
 - C. **Main Street - Becky Frank:** Ms. Becky Frank introduced Kim Lottig as the new Main Street Manager. Ms. Lottig thanked Becky and staff for their support during the transition to Main Street Manager. She reported on the mini-grant application, scholarship application, orientation and other Main Street matters.
 - D. **City Administrator – Richard Mann:** Mr. Richard Mann, reported on long term parking and the progress of the Miners Union Hall and Dove projects. Mr. Mann stated Becky Frank is a great asset to the City of Victor and will be for Teller County as Deputy Director for Emergency Management. He reported on other administrative matters.
 - E. **City Clerk/Treasurer – Glori Thurston:** Ms. Thurston reported the CML District 4 meeting scheduled for September 9, 2020 has been cancelled due to COVID-19. She stated the City of Victor will host this meeting in 2021.
- VI. **PROCLAMATION – BPOE #367 VICTOR ELKS NATIONAL PATRIOTISM WEEK, SEPTEMBER 7-13, 2020:** Mayor Davis read and signed the proclamation.
- VII. **PUBLIC COMMENT WITHOUT PRIOR APPOINTMENT:** Ms. Sue Kochevar, Teller County Veterans Memorial Representative and Victor Business Alliance Representative, reported on the progress of the Veterans Memorial Wall project, and the city wide garage sale event hosted by Victor Business Alliance. Ms. Kochevar requested City Council to waive City fees associated to the event. A motion by Councilor Wirtz to waive City fees associated to the City Wide Garage Sale hosted by Victor Business Alliance was seconded by Councilor Hakes. All were in favor and the motion carried.

**Minutes
City of Victor
Regular Council Meeting
August 20, 2020 – 6:00 p.m.
Remote and In-Person
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Mrs. Mary Bielz, Co-Owner of commercial building – Doyle Block and President of Friends of St. Victors for St. Victors Catholic Church, commented on the Veterans Memorial Wall paint over. Mrs. Beilz recommended consistent preservation practices that are put forward in regard to the historic landmark district. She presented and commented on the City of Victor's preservation master plan, design guidelines handbook and historic building survey. Mayor Davis commented on a formation of a design and review committee. Councilor Hakes discussed the development of a planning commission.

VIII. ADDITIONS, DELETIONS OR CORRECTIONS TO AGENDA: Councilor Hakes motioned to add items:

IX. New Business

A. Earthworks Land Development Contract Amendment - \$1,300.00

The motion was seconded by Councilor Wirtz. All were in favor and the motion carried.

IX. NEW BUSINESS

A. Earthworks Land Development Contract Amendment to Agreement – \$1,300.00: Mr. Mann explained the amendment is to remove and replace sewer lines and connections located in designated areas within the city limits. Mr. Jeff Register, Earthworks Land Development Owner, reported on the progress of the Dove Project. After further discussion, a motioned by Councilor Hakes to approve the amendment to the contract with Earthworks Land and Development in the amount of \$1,300.00 was seconded by Councilor Wirtz. All were in favor and the motion carried.

X. PUBLIC HEARING: PLANNING AND ZONING COMMISSION – REQUEST TO AMEND PLATS FOR PROPERTY LOCATED AT 200, 202 AND 209 N. 3RD STREET: Ms. Becky Frank, City of Victor Planning and Zoning, explained the request is for the approval of lot line eliminations, alley vacations and rezoning to commercial. Ms. Frank stated staff recommends the approval of the request with the inclusion of utility easement in the ordinance and the omission of Lots 20-22 on Block 7 in proposed new parcel, and eliminating lot lines between the residential Lots 20-22 on Block 7 to create a separate parcel which would be ready to be developed as a home site and remain residential. Mayor Davis opened a public hearing. No public comment. Mayor Davis closed the public hearing. Council voted to move forward on the vacation and lot line elimination with staff recommendations.

XI. 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: Council Members convened into executive session approximately 6:25 p.m. 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.

The Executive Session concluded at approximately 6:22 p.m. The participants in the executive session were Mayor Davis, Counselor Hakes, Counselor Wirtz, Counselor Manning, Counselor Gregory, Mr. Richard Mann, City Administrator and Glori Thurston, City Clerk/Treasurer.

XII. ADJOURN: Meeting adjourned at 6:22 p.m.

ATTEST:

Bruce M. Davis, Mayor

Glori Thurston, City Clerk



OCTOBER IS ARTS MONTH in the Pikes Peak Region

WHEREAS, the month of October has been recognized as National Arts and Humanities Month by thousands of arts and cultural organizations, communities, and states across the country, as well as by the White House and Congress for more than two decades:

WHEREAS, the arts and humanities embody much of the accumulated wisdom, intellect, and imagination of humankind;

WHEREAS, the arts and humanities enhance and enrich the lives of every American, including those of us living in the Pikes Peak region;

WHEREAS, the arts and humanities play a unique role in the lives of our families, our communities, and our country;

WHEREAS, the nonprofit arts industry also strengthens our national economy by generating \$166.3 billion in total economic activity annually (\$153.3 million of annual economic impact in the Pikes Peak region), and by supporting the full-time equivalent of 4.6 million jobs across the nation (5,070 jobs locally);

NOW, THEREFORE, BE IT RESOLVED, that I, Bruce Davis, Mayor of the City of Victor, do hereby proclaim October as Arts Month in Colorado's Pikes Peak Region and call upon our citizens to celebrate and promote the arts and culture in Victor and to specifically encourage the greater participation by those said citizens in taking action for the arts and humanities in their community.

PROCLAIMED this 24th day of September, 2020.

Bruce Davis, Mayor

ATTEST:

Glori Thurston, City Clerk/Treasurer

**CITY COUNCIL
OF THE CITY OF VICTOR, COLORADO**

ORDINANCE NO. 513

**AN ORDINANCE OF THE CITY OF VICTOR TO VACATE CERTAIN ALLEYS
WITHIN THE CITY OF VICTOR**

WHEREAS, Joseph and Marjorie Stevens have petitioned the City for vacation of certain public rights-of-way within the City;

WHEREAS, there are no existing public improvements or foreseeable future improvements in the portions of right of way proposed for vacation;

WHEREAS, all utility companies have been contacted regarding the proposed vacation of said right-of-way and none expressed any concerns regarding such;

WHEREAS, there has been no previous vacation of this right-of-way; and

WHEREAS, the City Council desires to vacate certain portions of public right-of-way as described below.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VICTOR, COLORADO:

Section 1. The City Council finds and determines that:

1. Vacation of the following alleys, as shown on the attached vacation map known as **Exhibit A** (the "Alleys") is in the public interest:

a. The Alley in Block 7, Little Montana Addition, from Diamond Avenue to the northeasterly line of said Little Montana Addition;

b. The Alley in Block 7, Victor (original) from said northeasterly line of Little Montana Addition to the extension of the northerly line of Lots 10 and 23, said Block 7, Victor (original); and

c. The Alley in Block 8, said Victor (original) from the aforesaid Diamond Avenue to the extension of the northerly line of Lots 9 and 24 said Block 8, Victor (original).

2. Vacation of these Alleys will not leave any property without access to an established public road.

3. The Alleys are not necessary for any public purpose.

4. No utility facilities serving the public need must be relocated as a result of the vacation of these Alleys.

5. Vacation of these Alleys will not adversely affect abutting or surrounding properties.

Section 2. The City Council finds and determines that:

1. Title to the Alleys, as shown on **Exhibit A**, shall vest as set forth in C.R.S. § 43-2-302.

Section 3. Safety Clause. The City Council hereby finds, determines, and declares that this Ordinance is promulgated under the general police power of the City of Victor, that it is promulgated for the health, safety, and welfare of the public, and that this Ordinance is necessary for the preservation of health and safety and for the protection of public convenience and welfare. The City Council further determines that this Ordinance bears a rational relation to the proper legislative object sought to be attained.

Section 4. Severability. If any article, section, paragraph, sentence, clause, or phrase of this Ordinance is held to be unconstitutional or invalid for any reason, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed this Ordinance and each part or parts hereof irrespective of the fact that any one, or part, or parts be declared unconstitutional or invalid.

Section 5. Repealer. All provisions of prior City ordinances, regulations, policies, procedures, and official actions irretrievably inconsistent with this Ordinance are hereby repealed and superseded by this Ordinance only to the extent of such inconsistency.

Section 6. Effective date. This Ordinance shall become effective thirty (30) days after final publication.

INTRODUCED, FIRST READ, PASSED AND ORDERED PUBLISHED IN FULL ON FIRST READING THIS 24TH DAY OF SEPTEMBER, 2020.

Bruce Davis, Mayor

ATTEST:

Glori Thurston, City Clerk & Treasurer

A PUBLIC HEARING ON THIS ORDINANCE WILL BE HELD ON THE 15th DAY OF OCTOBER, 2020, AT 500 VICTOR AVE., 2ND FLOOR, VICTOR, COLORADO AT 6:00PM. NOTICE OF PUBLIC HEARING PUBLISHED SEPTEMBER 30, 2020.

PASSED, ADOPTED, APPROVED AND ORDERED PUBLISHED BY TITLE ONLY
ON SECOND READING THIS ___ DAY OF _____, 2020.

Bruce Davis, Mayor

ATTEST:

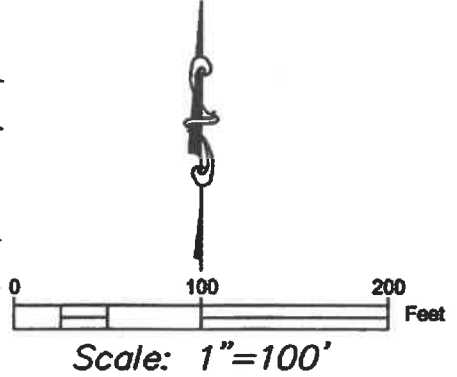
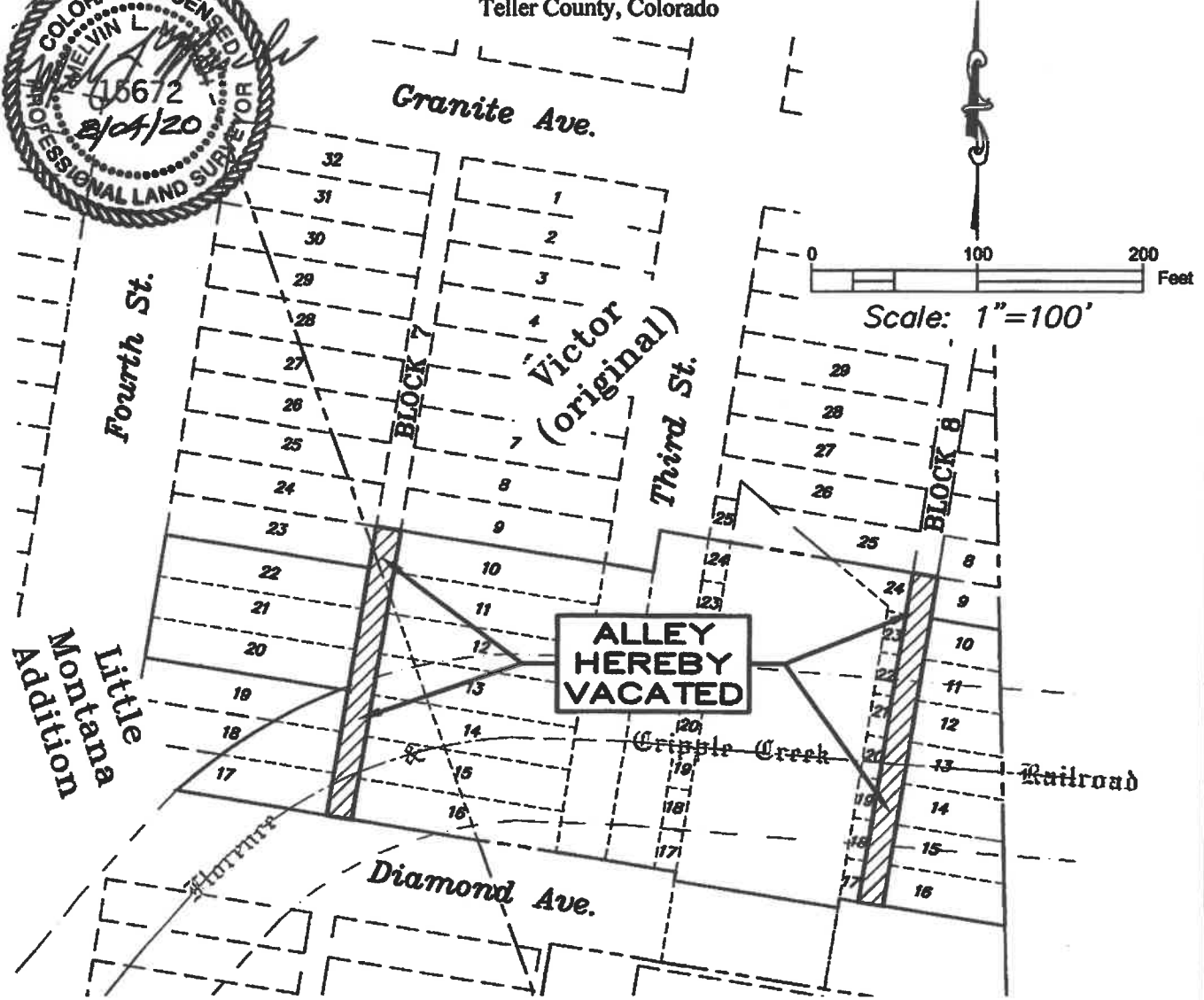
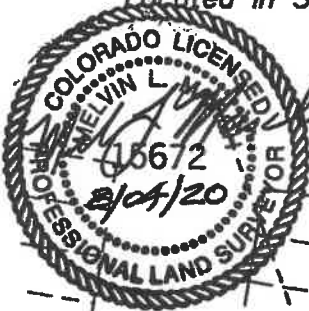
Glori Thurston, City Clerk & Treasurer

PUBLISHED: _____, Pikes Peak Courier

PUBLIC RIGHT-OF-WAY VACATION EXHIBIT

The alley in Block 7, Little Montana Addition, from Diamond Avenue to the northeasterly line of said Little Montana Addition, and the alley in Block 7, Victor (original) from said northeasterly line of Little Montana Addition to the extension of the northerly line of Lots 10 and 23, said Block 7, Victor (original) and the alley in Block 8, said Victor (original) from the aforesaid Diamond Avenue to the extension of the northerly line of Lots 9 and 24 said Block 8, Victor (original)

Located in Section 29, Township 15 South, Range 69 West of the 6th P.M.
City of Victor
Teller County, Colorado



MARCH SURVEYING
 P.O. BOX 572
 304 SHAWANO CIRCLE
 FLORENCE, CO 80816
 (719) 748-3854

JOB NO. 20-011 Aug. 4, 2020

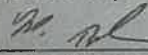
CITY OF VICTOR CONTRACT MODIFICATION ORDER	Project: Sewer Project addition	
	Location: 4 th & Lee. South 4 th to Lawrence St.	
	Date: September 14, 2020	
Contractor: EarthWorks Land Development , INC	Estimated cost to project: <input checked="" type="checkbox"/> Increase <input type="checkbox"/> Decrease \$80,040.00	
Complete Address: PO Box 1608, Cripple Creek, CO 80813	Total additional days allowed to complete work: 30	
Modification Title: Addition of Schedule B, Increase in total Project Cost		

Your contract is hereby modified to include a price decrease under schedules A and B and the inclusion of Schedule C at an increased price to address additional curb, gutter, flatwork, lighting and paving on Diamond Avenue. Detailed line items are attached.

BID SCHED #	Item Description	Original Bid Amount	Price Changes	New Bid Amount
Original Proposal - A	5 th St. Sewer Project	\$155,850		\$155,850
B	4 th & Lee South 4 th to Lawrence St. Sewer Project addition	155,850	+80,040	
TOTALS				\$235,890

The Contractor accepts this Change Order for work to be performed and prices on which payment is to be based.

REQUIRED FOR ALL CHANGE ORDERS

Authorized by Engineer: N/A	Date:
Contractor Representative: 	Date: 09.17.20
Approved by City:	Date: