



**NOTICE AND AGENDA
SPECIAL MEETING
IDAHO SPRINGS CITY COUNCIL
MONDAY, JUNE 7, 2021
5:30 P.M.**

WILL BE CONDUCTED AS A REMOTE MEETING

CALL TO ORDER

ROLL CALL

Executive session under C.R.S. section 24-6-402(4)(b) and (e) to receive legal advice concerning quasi-judicial hearing procedures and matters that may be subject to negotiation involving City-owned real property.

ADJOURNMENT



**NOTICE AND AGENDA OF A
WORK SESSION
Idaho Springs City Council
June 7, 2021
6:30 p.m.**

- ❖ Re-enacted gun fights
- ❖ Planning Commission Membership
- ❖ Draft ordinance City Clerk changes
- ❖ Ballot measures

The Public will be able to view and hear this meeting remotely at the following address:
<https://www.colorado.gov/pacific/idahosprings/city-council-live>

Diane Breece, City Clerk

From: Sadie Peak <s.peak@spiceandtea.com>
Sent: Friday, June 4, 2021 10:01 AM
To: Diane Breece, City Clerk
Cc: Jonathan Cain; Michael Hillman, Mayor; Mike Hillman; Andrew Marsh, City Administrator
Subject: City Council--Fwd: Wild Bunch

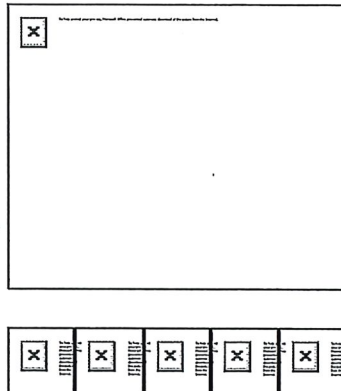
Below is an email I received from the Wild Bunch. I would love to attend the City Council meeting on Monday, just curious about the options and outcome. I don't need participate unless I can answer specific questions.

Thank you
Sadie

Sent via the Samsung Galaxy S20 FE 5G, an AT&T 5G smartphone
Get [Outlook for Android](#)

Sadie Peak
Store Owner
The Spice & Tea Exchange®
of Idaho Springs

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Idaho Springs, CO 80452
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This communication and any files transmitted with it may contain information that is privileged, confidential and/or exempt from disclosure under applicable law.

From: Joseph <28keeler@gmail.com>
Sent: Wednesday, June 2, 2021 12:50:56 PM
To: Sadie Peak <s.peak@spiceandtea.com>
Subject: Wild Bunch

Sadie:

First of all The Central City Wild Bunch would like to thank you for all your support, we had a great time and everybody enjoyed taking pictures with us, and enjoyed all our props even the children, and everyone asked us a lot of questions about Idaho Springs, we actually felt like ambassadors for your beautiful city. We did have a lot of your merchants ask us why we were not doing shows for everyone, and I said there was a problem with the permit. We have been doing shows for over 14 years, and also have been invited to do shows in other states, so our insurance covers us everywhere we go. Also the skits that we do is why different cities, and other states have invited us to do our shows for them. We have 4 different shows so people will come back every hour on the hour to see us. Our guns we use are 100% safe, they are reenactment pistols with sealed barrels, so nothing will or can shoot out. The Wild Bunch would love to do more shows in Idaho Springs if possible, here are some dates to check if you might want us back. Now we are still doing shows in Central City, but these dates are shows we can be available for you.

June 19th, 26th, July 3rd, 10th, and 31st, Aug 7th, 14th, 21st, Sep 4th, 11th, 25th. We did our first show for free, so you

CITY OF IDAHO SPRINGS
Clear Creek County, Colorado
Ordinance No , Series 2021

AN ORDINANCE OF THE CITY COUNCIL DEFINING AND CLARIFYING THE DUTIES OF THE CITY CLERK AFTER THE 2021 MUNICIPAL ELECTION AND REPEALING AND REENACTING SECTION 2-41 OF THE IDAHO SPRINGS MUNICIPAL CODE

WHEREAS, the Clerk of the City of Idaho Springs is an elected position and serves as an officer of the City whose duties are prescribed by state statute and local ordinance in accordance with C.R.S. § 31-4-110; and

WHEREAS, the Idaho Springs City Council (“City Council”) finds and determines that the state statutes and City ordinances currently contain lengthy and detailed lists of City Clerk duties that are impractical and unreasonable for an elected official with no training or experience in the field to perform; and

WHEREAS, the City Council further finds that the majority of the currently-allocated City Clerk duties are of critical importance to the proper legal day-to-day functioning of the City; and

WHEREAS, the City Council therefore determines that it would increase efficiency and stability in City operations to ensure that a full-time City Staff person, or combination of City staff people, with proper training and experience in such day-to-day tasks, perform such work, with the elected City Clerk performing only those statutorily mandated duties such as serving as records custodian, certifying documents and records and authenticating signatures and records; and

WHEREAS, this re-allocation of some of the duties of the City Clerk’s office as between the elected City Clerk and a deputy city clerk or other administrative employees will promote cost-savings, by allowing the full-time duties to be performed by full-time employees paid as such and the part-time ceremonial and perfunctory duties to be performed by an elected official; and

WHEREAS, the City Council finds that it possesses the ultimate authority under C.R.S. § 31-4-110 to prescribe the City Clerk’s duties, including duties involving delegation, subordination or review of tasks performed by a deputy clerk and other non-elected City employees.

WHEREAS, the City Council wishes to prescribe the manner in which the duties and powers of the Clerk shall be performed, by City employees and otherwise, to accomplish the duties assigned to the position.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF CITY OF IDAHO SPRINGS, COLORADO, AS FOLLOWS:

SECTION 1. Essential City Clerk Duties. For so long as the City Clerk of the City of Idaho Springs is an elected position and until and unless this Ordinance is repealed, amended or otherwise superseded, the provisions of this Ordinance shall control the duties and obligations of the City Clerk.

The personnel and support needs for the City Clerk's office shall be performed by one or more City employees, as designated by City Council by resolution, at least one of whom shall serve as the designated deputy city clerk. Other job titles and duties related to City Clerk support services shall be as specified and titled by resolution of the City Council from time to time, through such as means as the City's job descriptions. The City Clerk shall coordinate with the designated deputy city clerk to ensure that all of the Clerk's duties are fulfilled.

The following are the major categories of City Clerk duties and responsibilities and the manner in which those duties shall be allocated and performed amongst the elected City Clerk and City staff:

(1) **Keeping of Official City Records.** The City Clerk is the custodian of all records kept and maintained by the City. The City Clerk shall oversee the record-keeping operations of the City. The day-to-day keeping, filing and maintenance of records – whether physical, digital or otherwise – shall be performed by City staff. City staff is authorized to review and respond to public record requests and to perform other ministerial records duties, subject to City Clerk review and comment.

(2) **Certification and Authentication of Records.** The City Clerk possesses the authority to certify and authenticate City records and documents by affixing thereto her/his signature and the City seal. City staff may prepare such documents for the City Clerk's execution.

(3) **Signing, countersigning and attesting.** The City Clerk shall sign, countersign and attest signatures as required by law – e.g., ordinances, resolutions, agreements entered into by the City, financial warrants. When the City Clerk is unavailable to perform such tasks, the deputy city clerk may perform them after amending the signature line or making such other notation to duly document the deputy city clerk as the signing party.

(4) **Providing Legal Notices.** The day-to-day provision of legal notices, such as notices of public hearings and City Council meeting agendas and notices, shall be performed by the deputy city clerk and other City staff as directed. The City Clerk may review the performance of these functions.

(5) **Elections.** Most City elections are conducted as coordinated mail-ballot elections with the County Clerk and Recorder performing most of the election tasks required by law. In the case of such coordinated elections, the City Clerk shall work with the City Attorney and City Administrator to ensure that the City and County smoothly collaborate. In the case of non-coordinated elections,

the City Clerk shall work with the City Administrator and City Council, as needed, to apportion and delegate election tasks to City staff and/or City consultants and contractors, as the case may be.

SECTION 2. Participation in City Council Meetings. The City Clerk shall, at her or his discretion, be afforded time to address City Council on City Clerk matters at each regular meeting of the City Council. Further, the City Clerk is authorized to review and, at the Mayor's discretion, comment on the operations and performance of the deputy city clerk, but in no case shall the City Clerk interfere with or impede the ability of the deputy city clerk or other designated employee from carrying out his or her job duties.

SECTION 3. Availability of Records for Inspection. The books and records kept and maintained at the City's offices by the deputy city clerk or other City designee shall at all times be available for inspection by the City Clerk and any City Council member, subject to practices and procedures developed by the City Council to prevent their loss or alteration.

SECTION 4. Section 2-41 of the Idaho Springs Municipal Code, concerning the City Clerk, is hereby repealed and reenacted to read in its entirety as follows:

Sec. 2-41. - City Clerk.

(A) The City Clerk shall be elected to serve a term of office of four (4) years.

(B) The City Clerk shall participate in the performance of such duties and functions required by law as prescribed by Ordinance No. [REDACTED], Series 2021, and by such other ordinances as may be adopted by the City Council from time to time.

SECTION 5. Severability. If any portion of this Ordinance is found to be void or ineffective, it shall be deemed severed from this Ordinance and the remaining provisions shall remain valid and in full force and effect.

SECTION 6. Effective Date. This Ordinance shall become effective after the November 2, 2021 regular municipal election of the City of Idaho Springs – specifically, upon the date on which the person elected to the office of City Clerk at such municipal election assumes such office by taking the oath required by C.R.S. § 31-4-401 or the date of appointment of a person to fill such office in the event the office is not filled by the 2021 municipal election.

SECTION 7. Authorization. The officers of the City are authorized and directed to take actions necessary and appropriate to effect the provisions of this Ordinance.

INTRODUCED, READ, AND ORDERED PUBLISHED, at a Regular Meeting of the Council of the City of Idaho Springs, Colorado on the 14th of June, 2021.

Michael Hillman, Mayor

ATTEST:

Diane Breece, City Clerk

PASSED, ADOPTED AND APPROVED at a Regular Meeting of the City Council of the City of Idaho Springs, Colorado, held on the ____ day of _____, 2021.

Michael Hillman, Mayor

ATTESTED AND CERTIFIED:

Diane Breece, City Clerk