

City of Black Hawk  
City Council Minutes  
July 9, 2014

Police Chief Stephen Cole rang the bell.

1. CALL TO ORDER: The regular meeting of the City Council was called to order at 3:00 p.m. by Mayor Spellman, Wednesday, July 9, 2014.

2. ROLL CALL: Present were: Mayor Spellman, Aldermen Armbright, Bennett, Johnson, Midcap, Moates, and Torres.

Staff present: City Attorney Hoffmann, City Manager Lewis, City Clerk Greiner, Community Planning & Development Administrator Linker, Finance Director Hillis, Senior Civil Engineer Reed, IT Support Technician Muhammad, Fire Captain Martschinske, Police Chief Cole, and Public Works Director Isbester.

PLEDGE OF ALLEGIANCE:

Mayor Spellman led the meeting in the recitation of the Pledge of Allegiance.

3. AGENDA CHANGES: City Clerk Greiner informed Council there were no agenda changes.

4. CONFLICTS OF INTEREST:

City Attorney Hoffmann asked Council to declare any Conflicts of Interest on any issue appearing on the agenda this afternoon other than those previous disclosures and conflicts that have already been disclosed and are on file with the City Clerk and Secretary of State.

City Attorney Hoffmann asked the audience if there were any objections to any member of Council voting on any issue on the agenda this afternoon. The audience had no objections.

5. PUBLIC COMMENTS: No one came forward to speak.

6. APPROVAL OF MINUTES FOR June 25, 2014

**MOTION TO APPROVE**

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Torres to approve the Minutes of the meeting as presented.

**MOTION PASSED**

There was no discussion and the motion **PASSED** unanimously.

**7. PUBLIC HEARINGS:**

- A. CB12, An Ordinance Amending Article VII of Chapter 8 of the Black Hawk Municipal Code to Require Provision of an Ambulance for a Bicycle Event Permit**

Mayor Spellman read the title.

City Attorney Hoffman explained this ordinance, if adopted, would slightly revise the existing provisions of the Black Hawk Municipal Code regarding bicycle event permits. The revision would be more specific than the existing language by allowing the City to require the applicant to provide dedicated medical personnel as the City deems necessary at the applicant's own expense.

**PUBLIC HEARING:**

Mayor Spellman declared a Public Hearing on CB12, An Ordinance Amending Article VII of Chapter 8 of the Black Hawk Municipal Code to Require Provision of an Ambulance for a Bicycle Event Permit open and invited anyone wanting to address the Board either "for" or "against" the proposed ordinance to come forward.

No one came forward to speak and Mayor Spellman declared the Public Hearing closed.

**MOTION TO APPROVE**

Alderman Moates **MOVED** and was **SECONDED** by Alderman Johnson to approve CB12, An Ordinance Amending Article VII of Chapter 8 of the Black Hawk Municipal Code to Require Provision of an Ambulance for a Bicycle Event Permit.

**MOTION PASSED**

There was no discussion and the motion **PASSED** unanimously

- B. CB13 a Bill for an Ordinance Rezoning Certain Properties Located**

at 380 Gregory Street  
and 281 Church Street  
to the HARD – History  
Appreciation Recreation  
Destination District Mayor Spellman read the title.

Vince Harris with Baseline explained this is a rezoning application submitted by the City of Black Hawk to City Council to rezone 380 Gregory Street and 281 Church Street. The proposal is to rezone them to the HARD district with four findings. Staff recommended approval of the rezoning application.

**PUBLIC HEARING:** Mayor Spellman declared a Public Hearing on a Bill for an Ordinance Rezoning Certain Properties Located at 380 Gregory Street and 281 Church Street to the HARD – History Appreciation Recreation Destination District open and invited anyone wanting to address the Board either “for” or “against” the proposed ordinance to come forward.

No one came forward to speak and Mayor Spellman declared the Public Hearing closed.

**MOTION TO  
APPROVE**

Alderman Johnson **MOVED** and was **SECONDED** by Alderman Bennett to approve CB13, a Bill for an Ordinance Rezoning Certain Properties Located at 380 Gregory Street and 281 Church Street to the HARD – History Appreciation Recreation Destination District.

**MOTION PASSED** There was no discussion and the motion **PASSED** unanimously.

C. Resolution 49-2014,  
A Resolution Approving  
a Certificate of  
Appropriateness for the  
Demolition of a Structure  
Located at 281 Church  
Street

Mayor Spellman read the title and noted the item was continued from the June 25, 2014 meeting.

Community Planning and Development Administrator Linker explained the applicant is the City of Black Hawk and is requesting a complete demolition of the house at 281 Church Street and stated the Park Service has determined the building to be non-contributing to the National Historic Landmark District. Staff recommended approval of the application.

**PUBLIC HEARING:** Mayor Spellman declared a Public Hearing on Resolution 49-2014, A Resolution Approving a Certificate of Appropriateness for the Demolition of a Structure Located at 281 Church Street open and invited anyone wanting to address the Board either “for” or “against” the proposed resolution to come forward.

No one came forward to speak and Mayor Spellman declared the Public Hearing closed.

**MOTION TO APPROVE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Armbright to approve Resolution 49-2014, A Resolution Approving a Certificate of Appropriateness for the Demolition of a Structure Located at 281 Church Street.

**MOTION PASSED**

There was no discussion and the motion **PASSED** unanimously.

**D.** Resolution 50-2014,  
A Resolution Approving  
a Certificate of  
Appropriateness for the  
Demolition of a Structure  
Located at 380 Gregory  
Street

Mayor Spellman read the title.

Community Planning and Development Administrator Linker explained the applicant is the City of Black Hawk is requesting complete demolition of the house at 380 Gregory Street and stated the Park Service has determined the building to be non-contributing to the National Historic Landmark District. Staff recommended approval of the application.

**PUBLIC HEARING:** Mayor Spellman declared a Public Hearing on Resolution 50-2014, A Resolution Approving a Certificate of Appropriateness for the Demolition of a Structure Located at 380 Gregory Street open and invited anyone wanting to address the Board either “for” or “against” the proposed resolution to come forward.

No one came forward to speak and Mayor Spellman declared the Public Hearing closed.

**MOTION TO APPROVE**

Alderman Johnson **MOVED** and was **SECONDED** by Alderman Torres to approve Resolution 50-2014, A Resolution Approving a Certificate of Appropriateness for the Demolition of a Structure Located at 380 Gregory Street.

**MOTION PASSED**

There was no discussion and the motion **PASSED** unanimously.

**E.** Resolution 51-2014,  
A Resolution  
Conditionally  
Approving a  
Certificate of  
Appropriateness  
for a Comprehensive  
Sign Plan for the  
Red Dolly Casino

Mayor Spellman read the title.

Vince Harris with Baseline explained this is a Certificate of Appropriateness for a Comprehensive Sign Plan for the Red Dolly Casino. Their sign plan proposed 168.2 square feet of sign area and they are allowed 217 square feet of signage. The application is for two designs. Staff recommended approval of the Certificate of Appropriateness for the Red Dolly Casino

**PUBLIC HEARING:**

Mayor Spellman declared a Public Hearing on Resolution 51-2014, A Resolution Conditionally Approving a Certificate of Appropriateness for a Comprehensive Sign Plan for the Red Dolly Casino open and invited anyone wanting to address the Board either “for” or “against” the proposed resolution to come forward.

No one came forward to speak and Mayor Spellman declared the Public Hearing closed.

**MOTION TO APPROVE**

Alderman Armbricht **MOVED** and was **SECONDED** by Alderman Johnson to approve Resolution 51-2014, a Resolution Conditionally Approving a Certificate of Appropriateness for a Comprehensive Sign Plan for the Red Dolly Casino.

**MOTION PASSED**

There was no discussion and the motion **PASSED** unanimously.

**F.** Certificate of  
Appropriateness  
for a Comprehensive  
Sign Plan for the  
Saratoga Casino

Mayor Spellman read the title and asked Council to make a motion to continue the Certificate of Appropriateness for a Comprehensive Sign Plan for the Saratoga Casino to the July 23, 2014 meeting.

**MOTION TO**

**APPROVE**

Alderman Midcap **MOVED** and was **SECONDED** by Alderman Johnson to continue the Certificate of Appropriateness for a Comprehensive Sign Plan for the Saratoga Casino to the July 23, 2014.

**MOTION PASSED**

There was no discussion and the motion **PASSED** unanimously.

8. ACTION ITEMS:

- G. Resolution 52-2014,  
A Resolution Adopting  
the Revised Community  
Restoration and  
Preservation Guide to  
Programs, dated  
July 2014

Mayor Spellman read the title.

Community Planning and Development Administrator Linker, with Jessica Killian, Consilium Partners, explained the need for revisions to the City of Black Hawk Historic Restoration and Community Preservation Fund Guide to Programs to provide the best opportunities available for the City's residents to improve the habitability, rehabilitation, and sustainability of residential homes. The items recommended for change are highlighted in staff's report. Two questions were posed to Council before they made a decision on the resolution 1) could the materials list be increased to keep up with inflation, and 2) stain vs. painting on the exterior painting program.

Council members recalled a provision for inflationary increases when the current program passed. City Manager Lewis asked Council to consider moving the painting program under the general fund from the Historic Preservation fund. Council directed staff to return at the next meeting with recommendations for moving the exterior painting program.

Alderman Torres requested hard copies for review whenever there is a large volume of documentation on agenda items.

City Attorney Hoffmann recommended Council continue Resolution 52-2014 until the next meeting to review and approve the recommended changes at one time.

**MOTION TO APPROVE**

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Moates to continue Resolution 52-2014, A Resolution

Adopting the Revised Community Restoration and Preservation Guide to Programs, dated July 2014.

**MOTION PASSED** There was no discussion and the motion **PASSED** unanimously.

**H. Approval of Change  
Order for Demolition  
of 380 Gregory Street  
and 281 Church  
Street**

Mayor Spellman read the title.

Public Works Director Isbester explained the change order would provide for the demolition of the structures at 380 Gregory Street and 281 Church Street.

Alderman Midcap asked if Public Works Director had reviewed the change order thoroughly and if he agreed with the exclusions. Public Works Director Isbester confirmed that he had.

**MOTION TO  
APPROVE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Armbright to approve the Change Order for Demolition of 380 Gregory Street and 281 Church Street.

**MOTION PASSED** There was no discussion and the motion **PASSED** unanimously.

**9. CITY MANAGER REPORTS:**

City Manager Lewis distributed to Council a list of City property recommended for auction.

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Armbright to approve the City Manager request to arrange to have surplus City property sent to auction for disposal.

City Manager Lewis asked Council their opinion of the Boom Town fireworks. The Mayor and Council members all agreed that it was a spectacular show. Everyone appreciated closing the residential streets to the public and thoroughly enjoyed the dual finale.

**10. CITY ATTORNEY:**

City Attorney Hoffmann had nothing to share with Council and stated there was no need for an Executive Session.

11. ADJOURNMENT:

Mayor Spellman declared the Regular Meeting of the City Council closed at 3:32 p.m.



Melissa Greiner  
Melissa Greiner  
City Clerk



David D. Spellman  
David D. Spellman  
Mayor