



**City of Black Hawk
City Council**

March 13, 2019

MEETING MINUTES

1. CALL TO ORDER: The regular meeting of the City Council was called to order on Wednesday, March 13, 2019, at 3:00 p.m. by Mayor Spellman.

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

Staff present: City Attorney Hoffmann, Acting City Manager Cole, Acting Police Chief Lloyd, Finance Director Hillis, City Clerk/Administrative Services Director Greiner, Public Works Director Isbester, Senior Civil Engineer Reed, Community Planning and Development Administrator Linker and IT Systems Analyst Ryan Blenker.

PLEDGE OF ALLEGIANCE: Mayor Spellman led the meeting in the recitation of the Pledge of Allegiance.

3. AGENDA CHANGES: City Clerk Greiner stated Item 5, Introduction of New Employees had been postponed due to inclement weather. City Attorney Hoffmann said the minutes should reflect that only Mayor Spellman and Alderman Midcap are present in person and the remaining members of the Board of Alderman appear by telephone. Under the Colorado Open Meeting Law, a meeting can be done in person, by telephone, or otherwise. Attorney Hoffmann noted that none of the items on the agenda this afternoon involved quasi-judicial matters where the City Council would have to determine the credibility of witnesses so this is the type of meeting where in the case of an emergency can be conducted via telephone. It is currently blizzard conditions outside, so those that are appearing by phone are appearing by necessity, and we are still able to carry forward with the meeting under Colorado law.

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. No conflicts were noted from City Council.

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. INTRODUCTION OF NEW EMPLOYEES: Justin Storms, Communications Officer
Ellie Younger, Communications Officer

Item postponed until a future date due to inclement weather.

6. PUBLIC COMMENT: City Clerk Greiner confirmed that no one had signed up to speak.

7. APPROVAL OF
MINUTES: February 27, 2019

**MOTION TO
APPROVE**

Alderman Armbricht **MOVED** and was **SECONDED** by Alderman Torres to approve the Minutes as presented.

MOTION PASSED

There was no discussion, and the motion passed unanimously.

8. PUBLIC HEARINGS:

A. CB8, An Ordinance Repealing and Reenacting Section 6-563 of the Black Hawk Municipal Code Regarding the Location and Number of Retail Marijuana Stores

Mayor Spellman read the title and opened the public hearing.

City Attorney Hoffmann explained this ordinance if adopted would add one additional provision to the current provisions related to the location of retail marijuana stores in the City of Black Hawk. Currently, there are limitations in terms of location of Gregory Street where such businesses can be located, and this adds an additional provision that limits the number of licenses in the City to one. The City cannot accept a new retail license for filing in the event there is already a licensed retail store in the City of Black Hawk.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on CB8, an Ordinance repealing and reenacting Section 6-563 of the Black Hawk Municipal Code regarding the location and number of Retail Marijuana Stores 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 Paul **MOVED** and was **SECONDED** by Alderman Moates to approve CB8, an Ordinance repealing and reenacting Section 6-563 of the Black Hawk Municipal Code regarding the location and number of Retail Marijuana Stores.

MOTION PASSED

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

9. ACTION ITEMS:

A. Resolution 16-2019, A Resolution Awarding the Bid to Sun Valley Electric for the Hidden Valley Standby Generator Project in an Amount Not to Exceed \$557,700

Mayor Spellman read the title.

Public Works Director Isbester explained this is a project that has been contemplated for several years for the Hidden Valley Water Treatment Plant and two pump stations for standby generators at each of them. The generators will give the City redundancy in the water system due to emergency conditions. Right now the plant is shut down due to weather-related power outages.

MOTION TO APPROVE

Alderman Armbricht **MOVED** and was **SECONDED** by Alderman Bennett to approve Resolution 16-2019, a Resolution awarding the bid to Sun Valley Electric for the Hidden Valley Standby Generator Project in an amount not to exceed \$557,700.

MOTION PASSED

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

B. Resolution 17-2019, A Resolution Approving an Amended and Restated Gas Easement with Public Service Company of Colorado

Mayor Spellman read the title.

City Attorney Hoffmann explained that Xcel had approached the City needing additional space for an existing non-exclusive easement where they have a low-pressure gas line, and they are looking for a location for a new regulation station for a high-pressure gas line. This language expands the easement area, but it doesn't change the original language of the easement which was approved 15 years ago, give or take. It is a non-exclusive easement which means that other utilities can use the

easement. It is not in an area where we contemplate that we will build anything. It is expanding an existing easement.

MOTION TO APPROVE

Alderman Midcap **MOVED** and was **SECONDED** by Alderman Johnson to approve Resolution 17-2019, a Resolution approving an amended and restated Gas Easement with Public Service Company of Colorado.

MOTION PASSED

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

C. Resolution 18-2019, A Resolution Approving the Employment Agreement Between the City of Black Hawk and Stephen N. Cole

Mayor Spellman read the title.

MOTION TO APPROVE

Alderman Armbricht **MOVED** and was **SECONDED** by Alderman Bennett to approve Resolution 18-2019, a Resolution approving the Employment Agreement between the City of Black Hawk and Stephen N. Cole.

MOTION PASSED

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

10. CITY MANAGER REPORTS:

City Manager Cole stated that he appreciates the opportunity to serve as your next City Manager, the support from the Mayor and members of the Board and staff, and he looks forward to the future.

11. CITY ATTORNEY:

City Attorney Hoffmann had nothing to report.


12. EXECUTIVE SESSION:

Mayor Spellman stated that there would not be an Executive Session.

13. ADJOURNMENT:

Mayor Spellman declared the Regular Meeting of the City Council closed at 3:14 p.m. The Mayor thanked the Council members for dialing in.


Melissa A. Greiner, CMC
City Clerk


David D. Spellman
Mayor

