



**City of Black Hawk
City Council**

June 8, 2016

MEETING MINUTES

Brian Buringa, contractor for the City, rang the bell.

1. CALL TO ORDER: The regular meeting of the City Council was called to order on Wednesday, June 8, 2016, at 3:00 p.m. by Mayor Spellman.

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

Staff present: City Attorney Hoffmann, Police Chief/Acting City Manager Cole, Community Planning and Development Administrator Linker, Public Works Director Isbester, Fire Chief Taylor, and Deputy City Clerk Martin.

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

3. AGENDA CHANGES: Deputy City Clerk Martin confirmed 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. There were no conflicts 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. PUBLIC COMMENTS: Deputy City Clerk Martin confirmed that no one had signed up to speak.

6. APPROVAL OF MINUTES May 25, 2016.

MOTION TO APPROVE

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

MOTION PASSED

There was no discussion and the motion passed unanimously.

7. PUBLIC HEARINGS:

A. Resolution 42-2016, A Resolution Approving a Certificate of Appropriateness to Rebuild the Collapsed Historic Dry-Stack Retaining Wall at 251 Church Street

Mayor Spellman read the title and opened the public hearing.

Community Planning and Development Administrator Linker introduced this application, which she explained is in conjunction with a forth coming Emergency Grant to rebuild a collapsed historic dry-stack retaining wall. Linker said the applicant, Eleanor Ceuleers, first reported the wall collapse on March 30, 2016. Linker said that since reporting the event, the foundation is now gone and Ms. Ceuleers has been working to secure a contractor and structural engineer to complete a scope of work and engineered drawings, at which time then Linker will bring the Emergency Grant before Council. Staff recommends approval.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on Resolution 42-2016, A Resolution Approving a Certificate of Appropriateness to Rebuild the Collapsed Historic Dry-Stack Retaining Wall at 251 Church Street 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 Armbricht **MOVED** and was **SECONDED** by Alderman Bennett to Approve Resolution 42-2016, A Resolution Approving a Certificate of Appropriateness to Rebuild the Collapsed Historic Dry-Stack Retaining Wall at 251 Church Street.

MOTION PASSED

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

8. ACTION ITEMS:

A. Resolution 43-2016, A Resolution Awarding the Contract for 400 Chase Street to Big Valley Construction in a Total Amount Not Exceed \$854,308

Mayor Spellman read the title.

Community Planning and Development Administrator Linker explained that the Request for Proposal went out to 300 registered contractors and only two responded due to the intensity of the project, as this isn't the typical residential project. Linker said that Big Valley Construction was the lowest bid and Brian Buringa is the superintendent for the job and has done many other projects for the City. The work is to begin on June 13 and be finished by December 21, 2016. She said the homeowner lives out of state, yet will be meeting with the contractor next week, at which time the remaining documents can be signed in preparation to come before Council on June 22.

Alderman Bennet had several questions related to the foundation and the flood plain zone of this application in comparison to another. City Attorney explained that the Flood Plain regulations have been updated since the other application.

Mayor Spellman asked Linker to go on the record to provide findings on the porch issue related to this property. Linker reminded Council that at their April 27 meeting where they approved a Certificate of Appropriateness for the exterior rehabilitation of 400 Chase Street, it was determined by a Wood Survey that the front porch was part original, with the other part being a non-historic addition. Council at that time felt that the addition should fall under the 50 year rule, so Linker had the wood surveyor come back out and he came up with the same conclusion due to finding plywood date stamped 1974. Linker then met with the Mayor, City Attorney, and City Manager and it was determined that based on the best information available, the project will move forward with the original scope of work and remove the addition to retain the original historic footprint.

MOTION TO APPROVE

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Torres to approve Resolution 43-2016, A Resolution Awarding the Contract for 400 Chase Street to Big Valley Construction in a Total Amount Not Exceed \$854,308.

MOTION PASSED

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

B. Resolution 44-2016, A Resolution Approving the Revised Title VI Plan for the Black Hawk Central City Tramway Operations

Mayor Spellman read the title.

Public Works Director Isbester said the Title VI plan was approved by Council back in April, but CDOT wanted some extra service standards added, which now requires Council's approval.

MOTION TO APPROVE

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Armbright to approve Resolution 44-2016, A Resolution Approving the Revised Title VI Plan for the Black Hawk Central City Tramway Operations.

MOTION PASSED

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

C. Resolution 45-2016, A Resolution Approving the Purchase of Self Contained Breathing Apparatus (SCBA) from Front Range Fire Apparatus

Mayor Spellman read the title.

Fire Chief Taylor introduced this item for the Fire Department replacement of self-contained air tanks and harnesses. He said last year he applied for a grant for this purchase. The grant wasn't approved, but he was able to budget for that amount, plus inflation, for this line item in the 2016 budget. He later came to find out that it is much less expensive to go directly to the manufacturer than through a grant. Due to the savings, the Fire Department can now also replace the Water Department's SCBA without an impact to their budget, and still be under his original budget. He said the new apparatus will now be compatible with the Water Department, and the Fire Department will provide the maintenance and upkeep on all the units, plus jointly train with the Water Department.

Chief Taylor referred to a comparison spreadsheet that was put together and part of Council's packet. He said there was one vendor, who came in less, yet one of the requirements is to be fit tested, and the lowest bidder was not able to provide that need. Staff recommends awarding the SCBA purchase to Front Range Fire Apparatus. He said they also offer multiple operational and safety options which would bring the units in compliance with the expected 2018 NFPA Standards, so Chief Taylor would also recommend the purchase of those options for a total of \$71,380. The budget line item is designated at \$240,000. With the addition of the Water Department equipment and the safety options, the Fire Department remains within budget at \$223,100.

MOTION TO APPROVE

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Torres to approve Resolution 45-2016, A Resolution Approving the Purchase of Self Contained Breathing Apparatus from Front Range Fire Apparatus.

MOTION PASSED

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

9. CITY MANAGER
REPORTS:

Acting City Manager Cole had nothing to report.

10. CITY ATTORNEY:

City Attorney Hoffmann had nothing to report. 2 and 5

11. EXECUTIVE SESSION: City Attorney Hoffmann recommended item number 2 and 5 for Executive Session specific legal issues relate to pending litigation and traffic control

**MOTION TO
ADJOURN INTO
EXECUTIVE
SESSION**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn into Executive Session at 3:25 p.m. to hold a conference with the City's attorney to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4)(b) and to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. § 24-6-402(4)(e).

MOTION PASSED

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

**MOTION TO
ADJOURN**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn the Executive Session at 4:05 p.m.

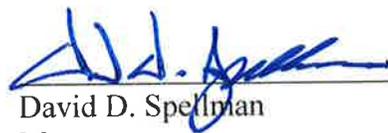
MOTION PASSED

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

12. ADJOURNMENT:

Mayor Spellman declared the Regular Meeting of the City Council closed at 4:05 p.m.


Michele Martin
Deputy City Clerk


David D. Spellman
Mayor

