

City of Black Hawk
City Council Minutes
September 10, 2014

Grant Collins, Police Officer I, 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, September 10, 2014.

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

Staff present: City Attorney Hoffmann, City Manager Lewis, Police Chief Cole, City Clerk/Administrative Services Director Greiner, Community Planning and Development Administrator Linker, Finance Director Hillis, Fire Chief Taylor, 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 explained there were no changes to the agenda.

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(a) INTRODUCTION

OF NEW EMPLOYEE Grant Collins, Police Officer I

5(b) PUBLIC COMMENTS: City Clerk Greiner explained no one had signed up for public comments.

6. APPROVAL OF
MINUTES FOR
AUGUST 27, 2014

**MOTION TO
APPROVE**

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

MOTION PASSED

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

7. PUBLIC HEARINGS:

- A. Resolution 65, A
Resolution Requesting
a Variance from the
Sign Code for 250
Chase Street

Mayor Spellman read the title and noted the item is continued until the September 24, 2014.

**MOTION TO
CONTINUE**

Alderman Moates **MOVED** and was **SECONDED** by Alderman Torres to continue Resolution 65, A Resolution Requesting a Variance from the Sign Code for 250 Chase Street.

MOTION PASSED

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

8. ACTION ITEMS:

- B. Resolution 66, A
Resolution Approving
a Certificate of
Appropriateness for
a New Garage Door
at 261 Church
Street

Mayor Spellman read the title.

Community Planning and Development Administrator Linker explained that the owner of 261 Church Street was requesting installation of a new garage door. HPC reviewed the request and recommends approval.

**MOTION TO
APPROVE**

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Torres to approve Resolution 67, A Resolution Approving a Certificate of Appropriateness for a New Garage Door at 261 Church Street.

C: Resolution 67, A
Resolution Approving
a Minor Amendment
to the Certificate of
Appropriateness to
Allow Construction
of a New Shed for the
Property at 301 Chase
Street

Mayor Spellman read the title.

Community Planning and Development Administrator Linker explained the owner of 301 Chase Street was requesting a minor amendment to the previous Certificate of Appropriateness which was approved by City Council in May of 2013. The proposed shed requires a Minor Certificate of Appropriateness. HPC reviewed the request and recommends approval.

**MOTION TO
APPROVE**

Alderman Midcap **MOVED** and was **SECONDED** by Alderman Torres to approve a Minor Amendment to the Certificate of Appropriateness to allow Construction of a New Shed for the Property at 301 Chase Street per HPC's recommendation.

D. Resolution 68, A
Resolution Approving
The Temporary
Construction Easement
Between the City of
Black Hawk and Public
Service Company of
Colorado, a Colorado
Corporation

Mayor Spellman read the title.

Public Works Director Isbester explained the temporary easement is for Excel to install a high pressure gas line across the Mesa from Lake Gulch down to Bobtail. Xcel will be using some of our property for staging and working next to and on top of our water line to install the gas line. In exchange for use of our property and cutting some of the trees on our property we will receive trees planted at our new Public Works facilities. Discussion ensued regarding the use of natural gas in the Public Works facilities on the Mesa. Public Works Director Isbester explained that he received notification on September 10, 2014 that the cost for running lines to the City facilities on the Mesa would be \$70,000.

**MOTION TO
APPROVE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Armbright to approve Resolution 68, A Resolution Approving the

Temporary Construction Easement Between the City of Black Hawk and Public Service Company of Colorado, a Colorado Corporation.

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

E. Resolution 69, A
Resolution Approving
the Agreement of
Lease Between the
City of Black Hawk
and 7 Healing Stars,
LLC for 460 Gregory
Street Combined with Item G

F. Resolution 70, A
Resolution Approving
the Agreement of
Lease Between the
City of Black Hawk
and 7 Healing Stars
Collective, LLC for
450 Gregory Street Combined with Item G

G. Resolution 71, A
Resolution Approving
the Agreement of
Lease Between the
City of Black Hawk
and 7 Healing Stars
Oneness Center, LLC
For 440 Gregory
Street
Mayor Spellman read the titles and asked the City Attorney Hoffmann if Agenda Items E, F, and G would be voted on in an umbrella motion. City Attorney Hoffmann confirmed they could be voted on in an umbrella motion.

Finance Director Hillis explained the leases for 7 Healing Stars are identical and gave an overview of their plans for the businesses. Finance Director Hillis noted that the tenant understood that alterations to the premises cannot be made without prior approval of the City or Black Hawk.

MOTION TO APPROVE

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Torres to approve Resolutions 69, 70, and 71 Resolutions Approving the Agreements of Lease Between the City of Black Hawk and 7 Healing Stars, LLC for 460 Gregory Street, 7 Healing Stars Collective, LLC for 450 Gregory Street, and 7 Healing Stars Oneness Center, LLC for 440 Gregory Street.

MOTION PASSED

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

H. Resolution 72, A
Resolution Approving
the Agreement of Lease
Between the City of Black
Hawk and Terry Peterson
for 420 Gregory Street

Mayor Spellman read the title.

Finance Director Hillis explained these are identical lease terms to the previous items. The activities for the business will be doing assembly and prototype work in designing a 3-D printer. There will be packaging and shipping in the office as well.

MOTION TO APPROVE

Alderman Moates **MOVED** and was **SECONDED** by Alderman Torres to approve Resolution 72, A Resolution Approving the Agreement of Lease Between the City of Black Hawk and Terry Peterson for 420 Gregory Street.

MOTION PASSED

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

I. Mountain City Roof
Replacement Project

Mayor Spellman read the title.

Public Works Director Isbester explained this is regular upkeep of City buildings at Mountain City. The shake shingles need replacement. Discussion ensued regarding the different types of shingles available.

MOTION TO APPROVE

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Armbright to approve the Mountain City Roof Replacement Project.

MOTION PASSED

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

J. CIRSA Property
Casualty 2015
Preliminary Quote

Mayor Spellman read the title.

For Council's information, Administrative Services Director Greiner explained that with the combined credits received for Loss Experience and Loss Control decreased the contributions for 2015 by 3% over 2014 contributions.

Council thanked Administrative Services Director Greiner.

9. CITY MANAGER
REPORTS:

City Manager Lewis had nothing to report.

10. CITY ATTORNEY:

City Attorney Hoffmann requested an Executive Session regarding items 2, and 5 with specific legal issues relate to pending litigation, pending contractual matters, and potential contractual matters.

11. EXECUTIVE SESSION:

**MOTION TO
ADJOURN INTO
EXECUTIVE SESSION**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Torres to adjourn into Executive Session at 3:30 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(b).

MOTION PASSED

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

**MOTION TO
ADJOURN**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Moates to adjourn the executive session.

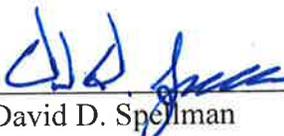
MOTION PASSED

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

12. ADJOURNMENT:

Mayor Spellman declared the Regular Meeting of the City Council closed at 4:36 p.m.


Melissa Greiner
City Clerk


David D. Spellman
Mayor

