



**City of Black Hawk  
City Council**

**September 23, 2015**

**MEETING MINUTES**

Fire Inspector Alan Azur rang the bell.

1. CALL TO ORDER: The regular meeting of the City Council was called to order on Wednesday, September 23, 2015, 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, City Manager Lewis, Police Chief Cole, City Clerk/Administrative Services Director Greiner, Finance Director Hillis, Public Works Director Isbester, Fire Chief Taylor, Fire Inspector Azur, 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 stated that the agenda had been revised to delete the report on the response to Mountain Mocha Café from the City Manager's Report.

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. INTRODUCTION OF NEW EMPLOYEE: Alan Azur, Fire Inspector

Fire Chief Taylor introduced Alan Azur as the new Fire Inspector. Mr. Azur comes to the City with a wealth of experience both as an

instructor and as an inspector mainly coming from military and civilian operations in the Middle East. He was warmly welcomed.

6. PUBLIC COMMENTS: Deputy City Clerk Martin confirmed that no one had signed up to speak.

7. APPROVAL OF MINUTES September 9, 2015.

**MOTION TO APPROVE** Alderman Johnson **MOVED** and was **SECONDED** by Alderman Armbright to approve the Minutes as presented.

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

8. PUBLIC HEARINGS:

**A. CB 22, An Ordinance Approving Certain City of Black Hawk Fire Department Standard Operating Guidelines**

Mayor Spellman read the title and opened the public hearing.

Fire Chief Taylor explained the addition of some new Standard Operating Procedures (SOP) and some clarifications and clean-up from existing SOPs, all have been included in the packet.

PUBLIC HEARING: Mayor Spellman declared a Public Hearing on CB22, An Ordinance Approving Certain City of Black Hawk Fire Department Standard Operating Guidelines 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 Bennett **MOVED** and was **SECONDED** by Alderman Torres to Approve CB22, An Ordinance Approving Certain City of Black Hawk Fire Department Standard Operating Guidelines.

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

**B. Local Liquor License Authority Consideration of a New Beer and Wine Liquor License for Chicago Dogs Eatery, Inc. dba Chicago Dogs Eatery, 444 Main Street**

Mayor Spellman read the title.

City Attorney Hoffmann reminded Council that they were now acting as the Local Liquor Licensing Authority and of the requirements to be considered, such as whether or not the applicant is eligible to be a liquor licensee, whether the reasonable needs and desires of the neighborhood are currently not being met, and other facts and evidence. Hoffman added that this license, if approved, is part of the Promotional Association and Common Consumption Area application next on the agenda.

Adam Stapen, Attorney for the applicant, and Lisa Boyer, sole Officer and Director for the applicant, were present and introduced. Stapen went over the details of what had been submitted and the requirements that have been met.

Mayor Spellman said the goal of the City was to drive an increase in visitor velocity and asked the applicant if she believed an approval of this license would achieve the goal. Boyer responded yes.

**PUBLIC HEARING:**

Mayor Spellman declared the Public Hearing for the Liquor License Application for Chicago Dogs Eatery, Inc. dba Chicago Dogs Eatery, 444 Main Street open and invited anyone wanting to address the Board either “for” or “against” the license 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 Moates to approve the New Beer and Wine Liquor License for Chicago Dogs Eatery at 444 Main Street.

**9. ACTION ITEMS:**

**C. Local Liquor Authority Consideration of the Certification of a Promotional Association and Common Consumption Area for the Monarch Promotional Association, Inc.**

Mayor Spellman read the title.

Adam Stapen, Attorney for the Promotional Association, Craig Pleva on behalf of the Monarch Casino, and Lisa Boyer on behalf of Chicago Dogs Eatery were present for questions. Stapen said the Common Consumption Area would be in front of the valet area and monitored at all times while someone is utilizing the area, and he mentioned that a

petition had also been submitted at the Clerk's office. He also stated that this all is contingent upon State approval of the Chicago Dogs Eatery Liquor License.

City Attorney Hoffmann confirmed authorization for the Common Consumption Area to operate 24 hours, as recommend by staff, to better regulate policing.

**MOTION TO APPROVE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to approve the Certificate for a Promotional Association and Common Consumption Area for Chicago Dogs Eatery, 444 Main Street and to authorize operations for 24 hours.

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

**D. Resolution 65, A Resolution Approving the Proposal from the Colorado Intergovernmental Risk Sharing Agency (CIRSA) for 2016 Property Casualty Coverage**

Mayor Spellman read the title.

City Clerk/Administrative Services Director Greiner explained the renewal of the 2016 CIRSA contributions and said that total participation costs came in 3% under for a second year in a row. Greiner said staff is working hard to keep costs under control and claims down.

**MOTION TO APPROVE**

Alderman Armbricht **MOVED** and was **SECONDED** by Alderman Johnson to approve Resolution 65, A Resolution Approving the Proposal from the Colorado Intergovernmental Risk Sharing Agency (CIRSA) for 2016 Property Casualty Coverage.

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

**E. Resolution 66, A Resolution Ratifying the Professional Services Agreement with A Smart Elevator Solution, LLC for Elevator Inspection Services**

**F. Resolution 67, A Resolution Ratifying the Professional Services Agreement with A Smart Elevator Solution, LLC in an amount Not To Exceed \$10,760.00**

Mayor Spellman agreed to combine agenda items 9E and 9F.

City Manager Lewis explained that Resolution 66 was to ratify his action to enter into a Professional Agreement with A Smart Elevator Solution to take over for Colorado Code and the pass through fees will be on the City's fee schedule. He said that Resolution 67 has a not to exceed amount and this is the cost to bring all elevators, lifts and

escalators up to speed and to determine the status of each unit. Staff is recommending approval of both resolutions.

**MOTION TO APPROVE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to approve Resolution 66, A Resolution Ratifying the Professional Services Agreement with A Smart Elevator Solution, LLC for Elevator Inspection Services and Resolution 67, A Resolution Ratifying the Professional Services Agreement with A Smart Elevator Solution, LLC in an amount Not To Exceed \$10,760.00.

**MOTION PASSED**

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

10. CITY MANAGER REPORTS:

City Manager Lewis passed out a Hazard Mitigation Questionnaire for Council to fill out. Clear Creek County and Gilpin County had applied for a grant to produce a Hazard Mitigation Plan, and since it was approved, the City now gets to participate and create one. Lewis said there is no dollar cost, just his and the Fire Chief's time as part of the match. He said this was very important for FEMA funding to have in place if a natural hazard were to occur. Fire Chief Taylor will also be handing this out to all residents for their participation.

11. CITY ATTORNEY:

City Attorney Hoffmann had nothing to report.

12. EXECUTIVE SESSION:

City Attorney Hoffmann recommended item number 5 for Executive Session, in regards to pending legislation.

**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 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 3:44 p.m.

**MOTION PASSED**

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

13. ADJOURNMENT:

Mayor Spellman declared the Regular Meeting of the City Council closed at 3:44 p.m.



Melissa A. Greiner  
City Clerk



David D. Spellman  
Mayor

