



**City of Black Hawk  
City Council**

**October 14, 2015**

**MEETING MINUTES**

Communications Officer Lori Montano rang the bell.

1. **CALL TO ORDER:** The regular meeting of the City Council was called to order on Wednesday, October 14, 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, IT Manager Muhammad, Community Planning and Development Administrator Linker, Baseline Corporation Consultant Vince Harris, 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 reported 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. 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:** Lori Montano, Communications Officer

Police Chief Cole introduced Lori Montano as the new Communications Officer. Chief Cole provided Ms. Montano's

extensive background experience as a dispatcher. She was warmly welcomed.

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

7. APPROVAL OF  
MINUTES

September 23, 2015.

**MOTION TO  
APPROVE**

Alderman Bennett **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. Resolution 68, A Resolution Conditionally Approving an Amendment to the Comprehensive Sign Plan and a Certificate of Appropriateness for the Sasquatch Casino**

Mayor Spellman read the title and opened the public hearing.

Baseline Corporation Consultant Vince Harris explained that this amended Comprehensive Sign Plan replaces signs where the Black Hawk Station signs had been, in addition to a new sign on the Eldorado space. Staff recommends approval with four conditions as listed in the packet.

Owners Ed and Shirley Smith were present for questions; they added that this amendment was to continue the look of the expansion for Sasquatch.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on Resolution 68, A Resolution Conditionally Approving an Amendment to the Comprehensive Sign Plan and a Certificate of Appropriateness for the Sasquatch Casino 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 Johnson to Approve Resolution 68, A Resolution Conditionally

Approving an Amendment to the Comprehensive Sign Plan and a Certificate of Appropriateness for the Sasquatch Casino.

**MOTION PASSED**

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

9. ACTION ITEMS:

**B. Resolution 69, A Resolution Approving the Professional Services Agreement with SAFEbuilt Colorado, LLC for Professional Building Official Services.**

Mayor Spellman read the title.

Community Planning and Development Administrator Linker explained the need for a new Building Official and Building Code Consultant. Linker said that all permits currently being handled by Colorado Code Consulting, including the Monarch parking garage, will be completed by Colorado Code. They have agreed to fulfill their current obligations.

Linker explained how the fee system, inspections, and the schedule would work with SAFEbuilt. She confirmed there will be a lot of changes, but encouraged that these would be changes for the better. Linker said if approved, SAFEbuilt would start tomorrow with a meet and greet scheduled for the community.

**MOTION TO APPROVE**

Alderman Johnson **MOVED** and was **SECONDED** by Alderman Torres to approve Resolution 69, A Resolution Approving the Professional Services Agreement with SAFEbuilt Colorado, LLC for Professional Building Official Services.

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

**C. Resolution 70, A Resolution Approving the Agreement of Lease Between the City of Black Hawk as Lessor and Wyoming Hi-Tech Hearing Aids, LLC as Lessee**

Mayor Spellman read the title.

Finance Director Hillis introduced this item and said the lease of 420 Gregory Street to Wyoming Hi-Tech Hearing Aids will have the same terms as the other tenant leases.

**MOTION TO APPROVE**

Alderman Armbricht **MOVED** and was **SECONDED** by Alderman Bennett to approve Resolution 70, A Resolution Approving the Agreement of Lease Between the City of Black Hawk as Lessor and Wyoming Hi-Tech Hearing Aids, LLC as Lessee.

**MOTION PASSED**

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

**10. CITY MANAGER  
REPORTS:**

City Manager Lewis asked Community Planning and Development Administrator Linker to update City Council on the Mountain Mocha Café issue. Linker admitted that the sign review process for Mountain Mocha had been mismanaged. She said after reviewing records, it was discovered that the application was not signed by the applicant until the middle of May, yet work had started on the project at the end of March, so technically the work was unauthorized by the applicant during that time. Linker provided two different rebate options, as well as outlining a new process for sign applications moving forward.

Linker's new proposal is a non-refundable \$125.00 application fee for a preliminary sign plan review to determine the scope of the project and whether the review could be conducted in-house, or if Baseline Corporation would need to be called in. If it was determined that Baseline was needed, then a formal application would be submitted, signed by the applicant acknowledging consultant fees to be deposited into an escrow account. Discussion ensued on commercial vs. residential and Alderman Torres added that Council was asking specifically for a distinction between gaming vs. non-gaming businesses. The application fee was also discussed. Linker said that residential and non-gaming business projects would more than likely fall into the in-house review and would not need consultants called in. Mayor Spellman suggested rounding off the application fee to \$100.00; all were in favor of the new fee and process.

Council agreed to rebate Mountain Mocha Café's first two invoices previous to the application being signed, totaling \$472.00, leaving a June invoice balance of \$273.00 to be paid by Mountain Mocha Café. Linker said in turn, Baseline Corporation would rebate the City that amount. Owner Jeremy Allensworth was in the audience and thanked Council for their decision.

City Manager Lewis continued his report by stating that staff has met the deadline of October 15 to submit the proposed 2016 budget to City Council. He then proceeded to hand out the draft budget and thanked Finance Director Hillis and staff for its preparation.

Lewis discussed the end of year meeting schedule. He suggested cancelling November 4 and December 2, and holding the public hearing for the proposed 2016 budget on November 11, with its adoption on December 9. He suggested holding the annual budget workshop on November 18 at 1:00 p.m. All were in agreement.

**11. CITY ATTORNEY:**

City Attorney Hoffmann had nothing to report.

12. EXECUTIVE SESSION: City Attorney Hoffmann recommended item number 2 for Executive Session, in regards to potential legislation and legal issues regarding the ambulance.

Prior to adjourning into Executive Session, IT Manager Muhammad queued up a two minute video where Black Hawk received the "Official Best Small Town Getaway" designation. The video was produced by "The Official Best Of" in conjunction with Black Hawk's Business Improvement District. It will be aired on the Discovery Channel and CBS Channel 4 Denver. Alderman Moates thanked Mayor Spellman for writing the script to the narrative that he read for the scenic video, which captured Black Hawk at its finest. Alderman Moates said there were a lot of folks involved, but one thing that really stood out was how clean and beautiful the City looked and he wanted to thank Public Works Director Isbester and his crew for keeping the City looking so nice!

**MOTION TO  
ADJOURN INTO  
EXECUTIVE  
SESSION**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn into Executive Session at 3:35 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).

**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 4:15 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 4:15 p.m.

  
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Melissa A. Greiner  
City Clerk

  
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David D. Spellman  
Mayor