



**City of Black Hawk
City Council**

September 28, 2016

MEETING MINUTES

Craig Pleva, General Manager of the Monarch Casino, rang the bell.

1. CALL TO ORDER: The regular meeting of the City Council was called to order on Wednesday, September 28, 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, City Manager Lewis, Police Chief Cole, City Clerk/Administrative Services Director Greiner, Finance Director Hillis, Public Works Director Isbester, and Fire Chief Taylor.

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

3. AGENDA CHANGES: City Clerk Greiner said the agenda had been revised to add Council Bill 24 to the Public Hearings.

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

6. APPROVAL OF MINUTES September 14, 2016.

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.

7. PUBLIC HEARINGS:

A. CB23-2016, An Ordinance Approving an Intergovernmental Agreement Between the City of Black Hawk and the City and County of Denver

Mayor Spellman read the title and opened the public hearing.

Fire Chief Taylor felt it was in the best interest of the City to seek outside technical assistance for the pending Monarch parking garage structure implosion. He said he reached out to Denver Fire Chief Tade who has agreed to assist the City with technical consultation.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on CB23, An Ordinance Approving an Intergovernmental Agreement Between the City of Black Hawk and the City and County of Denver 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 CB23, An Ordinance Approving an Intergovernmental Agreement Between the City of Black Hawk and the City and County of Denver.

MOTION PASSED

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

B. CB24-2016, An Ordinance Stating the Intent of the City of Black Hawk to Acquire Certain Properties for Open Space and Recreational Purposes Within the Meaning of C.R.S. § 38-6-101, and C.R.S. § 31-25-201

Mayor Spellman read the title and opened the public hearing.

City Attorney Hoffmann introduced this item and said this Ordinance would authorize the City to obtain two additional pieces in the Maryland Mountain area in order to complete the trail and open space system.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on CB24, An Ordinance Stating the Intent of the City of Black Hawk to Acquire Certain Properties for Open Space and Recreational Purposes Within the Meaning of C.R.S. § 38-6-101, and C.R.S. § 31-25-201 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 Torres **MOVED** and was **SECONDED** by Alderman Midcap to Approve CB24, An Ordinance Stating the Intent of the City of Black Hawk to Acquire Certain Properties for Open Space and Recreational Purposes Within the Meaning of C.R.S. § 38-6-101, and C.R.S. § 31-25-201.

MOTION PASSED

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

8. ACTION ITEMS:

A. Resolution 70-2016, A Resolution Adopting NFPA 1582 – The Standard on a Comprehensive Occupational Medical Program for Fire Departments

Mayor Spellman read the title.

Fire Chief Taylor introduced this item and said since his arrival in 2012 he has been tasked with getting City of Black Hawk firefighters through national standard physicals and to move forward with a comprehensive medical program. He said this is the last step of that project. The details were included in the packet.

Mayor Spellman included Action Item 8B under this discussion and umbrella motion.

Fire Chief Taylor said under Resolution 71-2016, the job descriptions were revised to reflect the new NFPA 1582 standards.

MOTION TO APPROVE

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Johnson to approve Resolution 70-2016, A Resolution Adopting NFPA 1582 – The Standard on a Comprehensive Occupational Medical Program for Fire Departments and Resolution 71-2016, A Resolution Approving the Revised Job Descriptions for the City of Black Hawk Fire Department Associated with the City’s Adoption of NFPA 1582.

MOTION PASSED

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

B. Resolution 71-2016, A Resolution Approving the Revised Job Descriptions for the City of Black Hawk Fire Department Associated with the City's Adoption of NFPA 1582

See above.

C. Resolution 72-2016, A Resolution Approving the 2016 Gilpin County Hazard Mitigation Plan

Mayor Spellman read the title.

Fire Chief Taylor explained the plan. He said the City was previously part of a DRCOG generic plan, but in order for the community to be eligible for federal grants FEMA said the City had to have a local plan in place. Chief Taylor said it was a joint effort with Clear Creek and Gilpin Counties and all the municipalities within. He said the final step is to have local authorities adopt the plan.

Alderman Midcap had a question regarding the Chase Gulch Dam and wondered, since it is listed as a high-hazard, if the City or the Colorado Division of Water Resources could conduct an evaluation of the dam and establish what the hazard truly is? The last time it was inspected was July 2015. Chief Taylor replied yes, they could ask.

MOTION TO APPROVE

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to approve Resolution 72-2016, A Resolution Approving the 2016 Gilpin County Hazard Mitigation Plan.

MOTION PASSED

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

D. Resolution 73-2016, A Resolution Conditionally Approving an Amendment to the Certificate of Appropriateness for the Monarch Hotel Tower Located at 488 Main Street

Mayor Spellman read the title.

Vince Harris of Baseline Engineering introduced this item. He said this was an amendment to a previously approved Certificate of Appropriateness for the exterior façade of the existing casino building. He said louvers and vent pipes would be installed to the northern façade that faces the creek to provide an exhaust opening for the emergency generator that is being moved from the existing garage due to its demolition. He said this would be the permanent location of the generator. Staff recommends approval with two conditions as listed on the resolution.

MOTION TO APPROVE

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Armbright to approve Resolution 73-2016, A Resolution Conditionally Approving an Amendment to the Certificate of Appropriateness for the Monarch Hotel Tower Located at 488 Main Street.

MOTION PASSED

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

E. Resolution 74-2016, A Resolution Conditionally Approving an Amendment to the Certificate of Appropriateness for the Monarch Casino Parking Garage to Address the North Retaining Wall

Mayor Spellman read the title.

Vince Harris with Baseline Engineering introduced this item. He said this was an amendment to a previously approved Certificate of Appropriateness for the parking garage; the amendment is for the 100-foot long retaining wall on the eastern end of the project facing north. He said the existing material of masonry blocks is not appropriate, so Monarch now plans to apply stone veneer in keeping with the City's Design Guidelines. Staff recommends approval with two conditions as listed on the resolution.

City Attorney Hoffmann suggested adding this amendment to Monarch's Site Development Plan and listing it as another condition of approval.

MOTION TO APPROVE

Alderman Moates **MOVED** and was **SECONDED** by Alderman Armbright to approve Resolution 74-2016, A Resolution Conditionally Approving an Amendment to the Certificate of Appropriateness for the Monarch Casino Parking Garage to Address the North Retaining Wall and adding an additional condition of approval to incorporate this into their Site Development Plan.

MOTION PASSED

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

9. CITY MANAGER REPORTS:

City Manager Lewis had nothing to report.

10. CITY ATTORNEY:

City Attorney Hoffmann had nothing to report.

11. EXECUTIVE SESSION: City Attorney Hoffmann recommended item number 2 for Executive Session for specific legal issues related to intergovernmental agreements, pending legislation, and pending litigation.

**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).

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 at 4:50 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 4:50 p.m.



Melissa A. Greiner
City Clerk



David D. Spellman
Mayor

