



**City of Black Hawk
City Council**

July 27, 2016

MEETING MINUTES

City Council and Management Team participated in a Budget Workshop at 1:00 p.m. Due to finishing early, it was decided to call the meeting to order and make a motion to go into Executive Session.

1. **CALL TO ORDER:** The regular meeting of the City Council was called to order on Wednesday, July 27, 2016 at 2:00 p.m. by Mayor Spellman.

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

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, Public Work Director Isbester, and Fire Chief Taylor.

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

EXECUTIVE SESSION: City Attorney Hoffmann recommended item numbers 2 and 5 for Executive Session regarding specific legal issues related to law enforcement and potential legislation.

**MOTION TO
ADJOURN INTO
EXECUTIVE
SESSION**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn into Executive Session at 2:15 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 3:00 p.m.

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

The Regular Meeting of the City of Black Hawk City Council was reconvened at 3:02 p.m.

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, Public Work Director Isbester, Senior Civil Engineer Ford, Fire Chief Taylor, and Deputy City Clerk Martin.

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** July 13, 2016.

MOTION TO APPROVE Alderman Armbricht **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. CB16-2016, An Ordinance Calling a November 8, 2016 Special Election to be Coordinated with the County, Submitting a Ballot Question, and Setting the Ballot Title Therefor

Mayor Spellman read the title and opened the public hearing.

City Attorney Hoffmann explained that, if approved, this Council Bill would put on the November 8th Special Election a one-half percent increase in current sales tax to be used for marketing purposes, specifically the fireworks displays, holiday light displays and the public flower boxes. He said an estimated amount to be generated in the first year, as required by TABOR, is \$325,000.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on CB16, An Ordinance Calling a November 8, 2016 Special Election to be Coordinated with the County, Submitting a Ballot Question, and Setting the Ballot Title Therefor 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 Johnson **MOVED** and was **SECONDED** by Alderman Bennett to Approve CB16, An Ordinance Calling a November 8, 2016 Special Election to be Coordinated with the County, Submitting a Ballot Question, and Setting the Ballot Title Therefor.

MOTION PASSED

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

B. CB17-2016, An Ordinance Amending Article IV of Chapter 4 of the Black Hawk Municipal Code to Clarify the Location of the Retail Sale of a Gaming Device or Gaming Equipment

Mayor Spellman read the title and opened the public hearing.

City Attorney Hoffmann explained a potential issue of a casino possibility buying a gaming device and having it delivered somewhere in unincorporated Gilpin County to avoid paying the City of Black Hawk sales tax. He said this Council Bill better defines the location of a sale to be where the gaming device ends up and is used.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on CB17, An Ordinance Amending Article IV of Chapter 4 of the Black Hawk Municipal Code to Clarify the Location of the Retail Sale of a Gaming Device or Gaming Equipment 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 Torres to Approve CB17, An Ordinance Amending Article IV of Chapter 4 of the Black Hawk Municipal Code to Clarify the Location of the Retail Sale of a Gaming Device or Gaming Equipment.

MOTION PASSED

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

C. Resolution 57-2016, A Resolution Approving a Certificate of Appropriateness for Roof Alterations at 201 Selak Street

Mayor Spellman read the title and opened the public hearing.

Community Planning and Development Administrator Linker and Senior Civil Engineer Ford introduced this item which consists of removing the three short chimney vents above the roof on City Hall in order to provide a flat surface for a new roof treatment to be installed. Linker said this has been reviewed by consulting staff and has been determined not to have a negative impact on the historic character of the building or on the district as a whole, and staff recommends conditional approval as listed in the resolution.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on Resolution 57-2016, A Resolution Approving a Certificate of Appropriateness for Roof Alterations at 201 Selak 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 Bennett **MOVED** and was **SECONDED** by Alderman Johnson to Approve Resolution 57-2016, A Resolution Approving a Certificate of Appropriateness for Roof Alterations at 201 Selak Street.

MOTION PASSED

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

8. ACTION ITEMS:

A. Resolution 58-2016, A Resolution Accepting City of Black Hawk 2015 Audit

Mayor Spellman read the title.

Finance Director Hillis introduced the Comprehensive Annual Financial Report for 2015. He said the City’s Auditor, John Cutler & Associates,

issued a clean or unqualified opinion, which is the best type of opinion to receive. Council thanked staff for their work.

MOTION TO APPROVE

Alderman Johnson **MOVED** and was **SECONDED** by Alderman Moates to approve Resolution 58-2016, A Resolution Accepting City of Black Hawk 2015 Audit.

MOTION PASSED

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

B. Resolution 59-2016, A Resolution Awarding the Bid for Construction of the Central City Parking Lot Lighting Project to Encore Electric, Inc. in the Amount of \$81,830

Mayor Spellman read the title.

Public Works Director Isbester explained that lighting was one of the conditions for approval on the Special Review Use Permit with the City of Central on the Colvin Tract parking lot. Council said they would come up with a new name for the lot.

MOTION TO APPROVE

Alderman Johnson **MOVED** and was **SECONDED** by Alderman Moates to approve Resolution 59-2016, A Resolution Awarding the Bid for Construction of the Central City Parking Lot Lighting Project to Encore Electric, Inc. in the Amount of \$81,830.

MOTION PASSED

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

9. CITY MANAGER REPORTS:

City Manager Lewis had nothing to report.

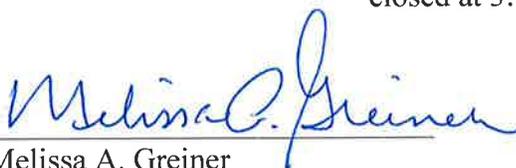
10. CITY ATTORNEY:

City Attorney Hoffmann had nothing to report.

11. EXECUTIVE SESSION: Held prior to Regular Meeting.

12. ADJOURNMENT:

Mayor Spellman declared the Regular Meeting of the City Council closed at 3:14 p.m.


Melissa A. Greiner
City Clerk


David D. Spellman
Mayor

