

City of Black Hawk
City Council Minutes
March 12, 2014

Mike Ikeler, Commander of VFW rang the bell.

1. CALL TO ORDER: The regular meeting of the City Council was called to order by Mayor Spellman Wednesday, March 12, 2014 at 3:00 p.m.

2. ROLL CALL: Present were: Mayor Spellman, Aldermen Armbright, Bennett, Cales, Johnson, Moates, and Torres.

Staff present: City Attorney Hoffmann, City Manager Lewis, City Clerk Magno, IT Director Young, Assistant to City Manager for Administration Greiner, Fire Chief Taylor, Finance Director Hillis, Public Works Director Isbester, and Police Chief Cole.

PLEDGE OF
ALLEGIANCE:

Mayor Spellman led the meeting in the recitation of the Pledge of Allegiance.

3. AGENDA CHANGES: Mayor Spellman explained 8-G, Contribution to VFW and American Legion was added 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. Council declared no conflicts.

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: No one came forward to address Council.

6. APPROVAL OF
MINUTES for
February 26, 2014

**MOTION TO
APPROVE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Armbright to approve the Minutes of the February 26, 2014 meeting as presented.

MOTION PASSED

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

7. PUBLIC HEARINGS:

- A. CB 6, An Ordinance
Amending Sections
16-392 and 16-401
of the Black Hawk
Municipal Code
Concerning
Modifications to
Commercial Mobile
Radio Facilities

Mayor Spellman read the title.

City Attorney Hoffmann explained this ordinance attempts to eliminate confusion and pass regulations passed by the Legislature. This ordinance states the changes where the Legislature did not.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on CB 6, An Ordinance Amending Sections 16-392 and 16-401 of the Black Hawk Municipal Code Concerning Modifications to Commercial Mobile Radio Facilities 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 Torres to approve CB 6, An Ordinance Amending Sections 16-392 and 16-401 of the Black Hawk Municipal Code Concerning Modifications to Commercial Mobile Radio Facilities.

MOTION PASSED

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

- B. Resolution 13-2014,
A Resolution Conditionally
Approving a Certificate
of Appropriateness for
Reconstruction and
Site Improvements
for 201 Church
Street

Moved to March 26, 2014 meeting.

8. ACTION ITEMS:

- C. Resolution 14-2014,
A Resolution
Approving the
License Agreement
Between the City
of Black Hawk and

Smithloch, LLC

Mayor Spellman read the title.

MOTION TO APPROVE

Alderman Cales **MOVED** and was **SECONDED** by Alderman Armbright to approve Resolution 14-2014, A Resolution Approving the License Agreement Between the City of Black Hawk and Smithloch, LLC.

MOTION PASSED

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

D. Resolution 15-2014,
A Resolution
Approving the
License Agreement
Between the City
of Black Hawk and
Edward E. Smith,
Shirley J. Smith,
and Sherell J.
Kelly

Mayor Spellman read the title.

MOTION TO APPROVE

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Bennett to approve Resolution 15-2014, A Resolution Approving the License Agreement Between the City of Black Hawk and Edward E. Smith, Shirley J. Smith, and Sherell J. Kelly.

MOTION PASSED

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

E. Resolution 16-2014,
A Resolution Approving
the License Agreement
Between the City of
Black Hawk and JZ
Gaming, LLC dba
Z's Casino

Mayor Spellman read the title.

MOTION TO APPROVE

Alderman Cales **MOVED** and was **SECONDED** by Alderman Moates to approve Resolution 16-2014, A Resolution Approving the License Agreement Between the City of Black Hawk and JZ Gaming, LLC dba Z's Casino.

MOTION PASSED

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

F. Resolution 17-2014,
A Resolution Adopting
the Revised Community
Restoration and

Programs, Dated
March, 2014

Mayor Spellman read the title.

**MOTION TO
APPROVE**

Alderman Cales **MOVED** and was **SECONDED** by Alderman Johnson to approve Resolution 17-2014, A Resolution Adopting the Revised Community Restoration and Preservation Guide to Programs, Dated March, 2014.

MOTION PASSED

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

G. Contribution to VFW
and American Legion

Mayor Spellman read the title.

Tito Dominquez, Commander American Legion, and Mike Ikeler, Commander VFW, went over the renovation of the Veterans Memorial at Gilpin County Justice Center. There will be a brick wall finished for seating and new stepping stones.

**MOTION TO
APPROVED**

Alderman Johnson **MOVED** and was **SECONDED** by Alderman Armbricht to donate \$5,000 towards the renovation of the Veterans Memorial with a plaque with all the names of the City of Black Hawk veterans.

MOTION PASSED

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

9. CITY MANAGER REPORTS:

There was no report.

10. CITY ATTORNEY:

City Attorney Hoffmann requested an Executive Session regarding potential litigation, legal issues on property rights, and potential legislation.

11. EXECUTIVE SESSION:

**MOTION TO
ADJOURN**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn into Executive Session 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
RECONVENE**

Alderman Cales **MOVED** and was **SECONDED** by Alderman Bennett at 4:10 p.m.

MOTION PASSED

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

MOTION TO APPROVE

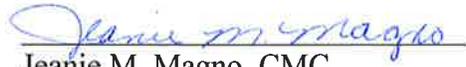
Alderman Moates **MOVED** and was **SECONDED** by Alderman Johnson to authorize the City Manager to enter into a contract for \$220,000 for 281 Church Street.

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 4:12 p.m.



Jeanie M. Magno, CMC
City Clerk



David D. Spellman
Mayor