



**City of Black Hawk
City Council**

October 25, 2017

MEETING MINUTES

New Public Works employee Alex Hinojos rang the bell.

1. **CALL TO ORDER:** The regular meeting of the City Council was called to order on Wednesday, October 25, 2017, 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, Fire Chief Taylor, Finance Director Hillis, City Clerk/Administrative Services Director Greiner, Public Works Director Isbester, Street Superintendent Schaller, Street Maintenance Hinojos, Community Planning and Development Administrator Linker, 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 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. It was noted that Alderman Torres declared a Conflict of Interest with Agenda items 8A and 9A, no additional conflicts were noted from 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: Alex Hinojos, Street Maintenance Worker

Street Superintendent Schaller introduced Alex Hinojos, the City's newest Street Maintenance employee for Public Works. Alex is a Colorado native and was previously self-employed. He was warmly welcomed by Council.

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

7. APPROVAL OF
MINUTES: October 11, 2017

**MOTION TO
APPROVE**

Alderman Torres **MOVED** and was **SECONDED** by Alderman Bennett to approve the Minutes as presented.

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

8. PUBLIC HEARINGS:

A. Resolution 63-2017, A Resolution Approving a Certificate of Appropriateness for the Demolition of the Non-Historic Portion of a Shed on the Property Located at 211 Horn Street

Mayor Spellman read the title, opened the public hearing, and noted for the record that Alderman Torres had left the dais.

Community Planning and Development Administrator Linker introduced this item. She said this new Certificate of Appropriateness was in addition to the one originally received in May for the full construction, rehabilitation, and site work. She said the Historic Preservation Commission reviewed the application and found that the demolition of the non-historic portion of the shed did meet the intent of Black Hawk's criteria and would not negatively impact the status of the property, or the character of the Historic District overall, and approval was recommended.

PUBLIC HEARING: Mayor Spellman declared a Public Hearing on Resolution 63-2017, a Resolution approving a Certificate of Appropriateness for the demolition of the non-historic portion of a shed on the property located at 211 Horn 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 Midcap to approve Resolution 63-2017, a Resolution approving a Certificate of Appropriateness for the demolition of the non-historic portion of a shed on the property located at 211 Horn Street.

MOTION PASSED

There was no discussion and the motion **PASSED** unanimously 5-0.

9. ACTION ITEMS:

A. Resolution 64-2017, A Resolution Approving the First Amendment to the Historic Preservation Easement Agreement from Benito Torres to the City of Black Hawk for the Property Located at 211 Horn Street

Mayor Spellman read the title and noted for the record that Alderman Torres was still gone from the dais.

Community Planning and Development Administrator Linker explained that Resolution 35-2017, approved in May, amended the Historic Preservation Easement Program by deleting the release of the Historic Preservation Easement after a period of ten years, causing the easement to remain perpetual. She said staff had found three existing agreements that still had this language and reached out to the property owners to request they sign a First Amendment to their Historic Preservation Easement to reflect the intent of Resolution 35-2017. She said only the owners of 211 Horn Street were willing to sign the amendment, and though the other two chose not to sign, their easements will remain perpetual as per Resolution 35-2017.

Alderman Midcap thanked Linker for the amount of work that goes into her packet of material.

MOTION TO APPROVE

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Bennett to approve Resolution 64-2017, a Resolution approving the first amendment to the Historic Preservation Easement Agreement from Benito Torres to the City of Black Hawk for the property located at 211 Horn Street.

MOTION PASSED

There was no discussion and the motion **PASSED** unanimously 5-0.

Alderman Torres returned to his seat at the dais.

10. CITY MANAGER
REPORTS:

City Manager Lewis requested disposal of a City asset. The Police Department would like to donate a safe, which is no longer used, to the Gilpin County Sheriff's Department. There was unanimous approval to move forward with the donation.

City Manager Lewis suggested only one meeting each for November and December. He recommended vacating both November 8 and November 22, and hold the November meeting on November 15 instead. Alderman Torres could not make that date. It was decided to keep the November 8 meeting date and City Attorney Hoffmann assured that he could have the enabling legislation to implement the results from the November 7 election by that time. Lewis added that the budget also be on the November 8 agenda. It was also decided to only hold the December 13 meeting and cancel December 27.

11. CITY ATTORNEY:

City Attorney Hoffmann advised City Council that Black Hawk currently does not have any regulations on mobile homes or manufactured homes, which are by law allowed in every municipality. He said upon Council direction he is working on regulations to ensure those homes are compatible with the historic fabric of the City and its building and design aspects.

12. EXECUTIVE
SESSION:

City Attorney Hoffmann recommended item number 5 only for Executive Session.

**MOTION TO
ADJOURN INTO
EXECUTIVE
SESSION**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn into Executive Session at 3:15 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 Armbright **MOVED** and was **SECONDED** by Alderman Bennett to adjourn the Executive Session at 3:30 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 3:30 p.m.



Melissa A. Greiner
City Clerk



David D. Spellman
Mayor

