

City of Black Hawk  
City Council Minutes  
March 26, 2014

Community Planning and Development Administrator Linker rang the bell.

1. CALL TO ORDER: The regular meeting of the City Council was called to order by Mayor Spellman Wednesday, March 26, 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, Acting City Manager Police Chief Cole, City Clerk Magno, Community Planning and Development Administrator Linker, IT Support Staff Muhammad, Assistant to City Manager for Administration Greiner, Fire Chief Taylor, and Public Works Director Isbester.

PLEDGE OF  
ALLEGIANCE:

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

3. AGENDA CHANGES: City Clerk Magno informed Council 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. 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  
March 12, 2014  
**MOTION TO  
APPROVE**

Alderman Johnson **MOVED** and was **SECONDED** by Alderman Torres to approve the Minutes of the March 12, 2014 meeting as presented.

**MOTION PASSED**

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

7. PUBLIC HEARINGS:

- A. Resolution 13-2014,  
A Resolution Conditionally  
Approving a Certificate of  
Appropriateness for  
Reconstruction of the  
Property at 201  
Church Street

Mayor Spellman read the title.

Community Planning and Development Administrator Linker explained this resolution was for the reconstruction of the information technology building. It is for the building and rock walls.

Administrator Linker stated the original plan was for rehabilitation; however, that was not possible because of the deterioration of the building.

Administrator Linker explained the portion of Church Street in front of the information technology building would be widened and paved.

Administrator Linker inquired about gutters and down spouts. She stated currently they are commercial grade. Would Council rather have more a residential type? Consensus of Council was residential.

Administrator Linker recommended keeping the outside lights identical to the other buildings.

Administrator Linker stated Staff requests approval with condition that during excavation if something is found in the archeological aspect, the City has a plan in place to handle the artifact.

**PUBLIC HEARING:**

Mayor Spellman declared a Public Hearing on Resolution 13-2014, A Resolution Conditionally Approving a Certificate of Appropriateness for the Reconstruction of the Property at 201 Church Street open and invited anyone wanting to address the Board either "for" or "against" the proposed resolution to come forward.

No one came forward to speak and Mayor Spellman declared the Public Hearing closed.

Alderman Torres inquired about more parking for over flow for the church. Mayor Spellman explained there were no plans to make Church Street a through street.

**MOTION TO**

**APPROVE** Alderman Armbright **MOVED** and was **SECONDED** by Alderman Johnson to approve Resolution 13-2014, A Resolution Conditionally Approving a Certificate of Appropriateness for the Reconstruction of the Property at 201 Church Street.

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

B. Resolution 18-2014,  
A Resolution Conditionally  
Approving a Certificate  
of Appropriateness for  
the Site Work, Landscape,  
for the Property at 301  
Chase Street

Mayor Spellman read the title.

Jessica Killian, Consilium, went over the Certificate of Appropriateness.

**PUBLIC HEARING:** Mayor Spellman declared a Public Hearing on Resolution 18-2014, A Resolution Conditionally Approving a Certificate of Appropriateness for the Site Work, Landscape for the Property at 301 Chase Street open and invited anyone wanting to address the Board either “for” or “against” the proposed resolution to come forward.

No one came forward to speak and Mayor Spellman declared the Public Hearing closed.

**MOTION TO APPROVE**

Alderman Cales **MOVED** and was **SECONDED** by Alderman Torres to approve Resolution 18-2014, A Resolution Conditionally Approving a Certificate of Appropriateness for the Site Work, Landscape for the Property at 301 Chase Street.

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

8. ACTION ITEMS:

C. 271 Church Street –  
Temporary  
Construction  
Easement

Mayor Spellman read the title.

**MOTION TO APPROVE**

Alderman Johnson **MOVED** and was **SECONDED** by Alderman Armbright to approve 271 Church Street – Temporary Construction Easement.

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

D. 121 Marchant Street – Historic Preservation Grant Mayor Spellman read the title.

**MOTION TO APPROVE**

Alderman Cales **MOVED** and was **SECONDED** by Alderman Bennett to approve 121 Marchant Street – Historic Preservation Grant.

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

E. Resolution 19-2014, A Resolution Approving the License Agreement Between the City of Black Hawk and Mardi Gras Casino Mayor Spellman read the title.

Public Works Director Isbester stated he was contacted by the Mardi Gras with a concern when the coaches and private charters drop off passengers. The process is difficult for the drivers and passengers.

Director Isbester explained Staff evaluated the right-of-way under the bridge. It is plenty wide enough to park another bus.

Director Isbester stated Mardi Gras would pay for new stop. It is in the City's right-of-way; therefore the City will maintain it.

Director Isbester explained the new stop would free up the main shuttle and bus stop. He stated Mardi Gras had 95 buses scheduled for the month of March.

**MOTION TO APPROVE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Armbright to approve Resolution 19-2014, A Resolution Approving the License Agreement Between the City of Black Hawk and Mardi Gras Casino.

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

F. Retitling Current Staff Positions Mayor Spellman read the title.

Public Works Director Isbester explained as part of the annual evaluation process positions and duties are looked at. Two positions did not align with the comparison cities.

Director Isbester stated the Project Manager and Water Coordinator were more closely aligned to a Senior Engineer position. He explained the positions needed to be adjusted to match their current duties.

**MOTION TO APPROVE**

Alderman Johnson **MOVED** and was **SECONDED** by Alderman Cales to approve Retitling Current Staff Positions.

**MOTION PASSED**

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

9. CITY MANAGER REPORTS:

No report.

10. CITY ATTORNEY:

City Attorney Hoffmann requested an Executive Session regarding legal issues on property acquisition 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 Moates **MOVED** and was **SECONDED** by Alderman Bennett at 3:50 p.m.

**MOTION PASSED**

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

**MOTION TO APPROVE**

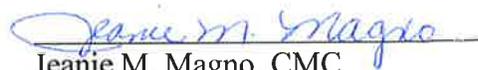
Alderman Armbricht **MOVED** and was **SECONDED** by Alderman Moates to authorize the acquisition of the convenience store property for \$540,000 and other terms and conditions at City Attorney's discretion.

**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 3:51 p.m.

  
Jeanie M. Magno, CMC  
City Clerk

  
David D. Spellman  
Mayor