



**City of Black Hawk
City Council**

October 26, 2016

MEETING MINUTES

City Council and Management Team participated in a Budget Workshop beginning at 1:00 p.m. The Workshop ended at 2:30 p.m., at which time it was decided to dispense with the bell ringing, call the meeting to order, and then make a motion to go into Executive Session to await the press.

1. CALL TO ORDER: The regular meeting of the City Council was called to order on Wednesday, October 26, 2016, at 2:30 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 Works Director Isbester, Fire Chief Taylor, 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 noted that Action Item 8A had been pulled from 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. 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

October 12, 2016.

**MOTION TO
APPROVE**

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

MOTION PASSED

There was no discussion and the motion passed unanimously.

EXECUTIVE SESSION:

City Attorney Hoffmann recommended items number 2 and 5 for Executive Session for specific legal issues related to pending legislation and potential litigation.

**MOTION TO
ADJOURN INTO
EXECUTIVE
SESSION**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Armbright to adjourn into Executive Session at 2:33 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 Moates **MOVED** and was **SECONDED** by Alderman Johnson to adjourn the Executive Session at 3:35 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 3:35 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, Fire Chief Taylor, and Deputy City Clerk Martin.

7. PUBLIC HEARINGS:

A. CB27-2016, An Ordinance Approving a Certain City of Black Hawk Fire Department Standard Operating Guideline

Mayor Spellman read the title and opened the public hearing.

Fire Chief Taylor had a guideline to update for Swift Water. He said the two changes were to include annual training requirements for shore support and swimmers, and to address concerns for non-victim recoveries, such as vehicles.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on CB27, An Ordinance Approving a Certain City of Black Hawk Fire Department Standard Operating Guideline 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 CB27, An Ordinance Approving a Certain City of Black Hawk Fire Department Standard Operating Guideline.

MOTION PASSED

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

B. CB28-2016, An Ordinance Amending Chapter 4 of the Black Hawk Municipal Code to Add a New License Type to the Occupational Tax; Amending Chapter 6 of the Black Hawk Municipal Code to Add a New License Type; Amending Chapter 6 of the Black Hawk Municipal Code to Allow Transfers of Retail Liquor Store and Liquor Licensed Drugstore Licenses and to Enact Other Changes

Mayor Spellman read the title and opened the public hearing.

City Attorney Hoffmann explained that this Ordinance would bring the City of Black Hawk’s Liquor Code into conformance with recently passed State laws.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on CB28, An Ordinance Amending Chapter 4 of the Black Hawk Municipal Code to Add a New License Type to the Occupational Tax; Amending Chapter 6 of the Black Hawk Municipal Code to Add a New License Type; Amending Chapter 6 of the Black Hawk Municipal Code to Allow Transfers of Retail Liquor Store and Liquor Licensed Drugstore Licenses and to Enact Other Changes 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 CB28, An Ordinance Amending Chapter 4 of the Black Hawk Municipal Code to Add a New License Type to the Occupational Tax; Amending Chapter 6 of the Black Hawk Municipal Code to Add a New License Type; Amending Chapter 6 of the Black Hawk Municipal Code to Allow Transfers of Retail Liquor Store and Liquor Licensed Drugstore Licenses and to Enact Other Changes.

MOTION PASSED

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

C. CB29-2016, An Ordinance Extending the Electric and Gas Franchise Granted by the City of Black Hawk, Gilpin County, Colorado, to Public Service Company of Colorado

Mayor Spellman read the title and opened the public hearing.

City Attorney Hoffmann said that the City Manager, Public Works Director, and he have been in franchise negotiation conversations with Xcel and hope to have the agreement resolved by the end of the year.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on CB29, An Ordinance Extending the Electric and Gas Franchise Granted by the City of Black Hawk, Gilpin County, Colorado to Public Service Company of Colorado 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 Armbright **MOVED** and was **SECONDED** by Alderman Moates to Approve CB29, An Ordinance Extending the Electric and Gas Franchise Granted by the City of Black Hawk, Gilpin County, Colorado, to Public Service Company of Colorado.

MOTION PASSED

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

8. ACTION ITEMS:

A. Resolution 76-2016, A Resolution Authorizing a Change Order for the Installation of a Fire Pump at 911 Miners Mesa Road in an Amount Not to Exceed \$100,000

This item was removed from the agenda.

9. CITY MANAGER REPORTS:

City Manager Lewis had nothing to report.

10. CITY ATTORNEY: City Attorney Hoffmann had nothing to report, yet did want Council to know that on Monday, in addition to other municipalities, the City of Black Hawk filed a brief in the Colorado Supreme Court in support of the City of Arvada's case against Denver Health in that cities should not be required to pay medical expenses of defendants in custody.

11. EXECUTIVE SESSION: Held prior to Regular Meeting.

12. ADJOURNMENT: Mayor Spellman declared the Regular Meeting of the City Council closed at 3:40 p.m.



Melissa A. Greiner
City Clerk



David D. Spellman
Mayor

