



**City of Black Hawk
City Council**

February 10, 2016

MEETING MINUTES

New CP&D Permit Technician Janice Beecher rang the bell.

1. CALL TO ORDER: The regular meeting of the City Council was called to order on Wednesday, February 10, 2016, 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, City Clerk/Administrative Services Director Greiner, Finance Director Hillis, Community Planning and Development Administrator Linker, Public Works Director Isbester, Senior Civil Engineer Ford, 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 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. INTRODUCTION OF NEW EMPLOYEES: Janice Beecher, CP&D Permit Technician

Community Planning and Development Administrator Linker introduced Janice Beecher. She said Ms. Beecher first came to the City

through a temporary agency back in August of 2014 to help Community Planning and Development with their records management project and, once completed, moved on to other various tasks for the Department. Linker said when the new Permit Technician position became available Ms. Beecher applied and ultimately got the job. Ms. Beecher was welcomed into the Black Hawk family as a permanent employee.

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

7. PRESENTATION: Mary Boardman – North Clear Creek Water Treatment Plant

Mary Boardman, project manager for Colorado Department of Public Health and Environment (CDPHE) presented a slide show of the construction project located at the south end of the City. She provided a background on the history of the Superfund sites, the impacts to wildlife, and the cost and goals of remediation. She said the construction schedule is 14 months, with the full operation up and running by the first quarter of 2017. Council had a few questions and thanked Ms. Boardman for her time. Mayor Spellman wanted to specifically thank CDPHE on the record for working with the City, and when the City is ready to do some sort of a Gateway; they would appreciate their cooperation on that as well.

8. APPROVAL OF MINUTES January 27, 2016.

MOTION TO APPROVE Alderman Armbright **MOVED** and was **SECONDED** by Alderman Torres to approve the Minutes as presented.

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

9. PUBLIC HEARINGS:

A. CB2-2016, An Ordinance Amending Section 10-222, Subsection (e) of the Black Hawk Municipal Code Regarding False Alarms is Repealed and Reenacted

Mayor Spellman read the title and opened the public hearing.

Fire Chief Taylor introduced this item. He said after reinstating False Alarm fees in 2013 and 2014 as an incentive for businesses to maintain or upgrade their systems and to recoup expenses from responding to these alarms, he reviewed the data in early 2015 and it showed there

was no impact to the reduction in false alarms. He is now recommending a modification to the fee schedule.

PUBLIC HEARING: Mayor Spellman declared a Public Hearing on CB2, An Ordinance Amending Section 10-222, Subsection (e) of the Black Hawk Municipal Code Regarding False Alarms is Repealed and Reenacted 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 CB2, An Ordinance Amending Section 10-222, Subsection (e) of the Black Hawk Municipal Code Regarding False Alarms is Repealed and Reenacted.

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

B. CB3-2016, An Ordinance Amending Section 6-536 of the Black Hawk Municipal Code Regarding Administrative Approvals of the Recertification of Promotional Associations

Mayor Spellman read the title and opened the public hearing.

City Attorney Hoffmann introduced this item. He said this Ordinance would give administrative approval to the City Clerk to recertify Promotional Associations, similar to Liquor License renewals, as long as there was no negative information received against the Association or their establishments.

PUBLIC HEARING: Mayor Spellman declared a Public Hearing on CB3, An Ordinance Amending Section 6-536 of the Black Hawk Municipal Code Regarding Administrative Approvals of the Recertification of Promotional Associations 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 Torres to Approve CB3, An Ordinance Amending Section 6-536 of the Black Hawk Municipal Code Regarding Administrative Approvals of the Recertification of Promotional Associations.

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

10. ACTION ITEMS:

A. Resolution 6-2016, A Resolution Cancelling the April 5, 2016 Election and Declaring Candidates Elected

Mayor Spellman read the title.

City Attorney Hoffmann said the City is authorized under Colorado Law to cancel an election 63 days prior to an election if the same number of candidate petitions received is equal to the number of offices to be filled.

The four candidates are deemed elected, but since their terms don't expire until April, they won't be sworn in until the first meeting in April.

MOTION TO APPROVE

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Johnson to approve Resolution 6-2016, Resolution Cancelling the April 5, 2016 Election and Declaring Candidates Elected.

MOTION PASSED

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

B. Resolution 7-2016, A Resolution Approving a Contract to Exchange Real Estate Between the City of Black Hawk and Sandy Hoffman

Mayor Spellman read the title.

City Attorney Hoffmann said this approval would authorize the exchange of real estate to Mr. Sandy Hoffman from the recently acquired Blake transactions. He confirmed there was no dollar amount exchanged; it was simply a property for property exchange.

MOTION TO APPROVE

Alderman Moates **MOVED** and was **SECONDED** by Alderman Torres to approve Resolution 7-2016, A Resolution Approving a Contract to Exchange Real Estate Between the City of Black Hawk and Sandy Hoffman.

MOTION PASSED

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

C. Resolution 8-2016, A Resolution Approving a Contract to Buy and Sell Real Estate Between the City of Black Hawk and AA&S, Inc.

Mayor Spellman read the title.

City Manager Lewis introduced this item and said it is a transaction of very small claims on Maryland Mountain close to the tramway, which would help to clean up ownership for the City.

MOTION TO APPROVE

Alderman Midcap **MOVED** and was **SECONDED** by Alderman Armbright to approve Resolution 8-2016, A Resolution Approving a Contract to Buy and Sell Real Estate Between the City of Black Hawk and AA&S, Inc.

MOTION PASSED

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

11. CITY MANAGER REPORTS:

City Manager Lewis and Public Works Director Isbester provided an update on the undergrounding project on Selak Street and the plan to manage traffic for the next couple of weeks. Gregory Street is included in the project because the primary electric lines run from the gazebo to underneath Z's Casino to Selak Street and Xcel wants it moved out from underneath. Isbester said they will use the WB lane of Gregory Street and there will be various message boards out in both directions. Estimated time-frame is three weeks.

12. CITY ATTORNEY:

City Attorney Hoffmann had nothing to report.

13. EXECUTIVE SESSION: City Attorney Hoffmann recommended item number 2 and 5 for Executive Session regarding potential legislation.

MOTION TO ADJOURN INTO EXECUTIVE SESSION

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn into Executive Session at 3:35 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 4:45 p.m.

MOTION PASSED

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

14. ADJOURNMENT: Mayor Spellman declared the Regular Meeting of the City Council closed at 4:45 p.m.


Melissa A. Greiner
City Clerk


David D. Spellman
Mayor

