



**City of Black Hawk
City Council**

February 11, 2015

MEETING MINUTES

Acting City Attorney Kendra Carberry rang the bell.

1. CALL TO ORDER: The regular meeting of the City Council was called to order on Wednesday, February 11, 2015 at 3:00 p.m. by Mayor Spellman.

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

Absent: Aldermen Midcap and Torres.

Staff present: Acting City Attorney Carberry, City Manager Lewis, Police Chief Cole, City Clerk/Administrative Services Director Greiner, Public Works Director Isbester, Community Planning and Development Administrator Linker, Finance Director Hillis, 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 changes to the agenda.

4. CONFLICTS OF INTEREST: Acting City Attorney Carberry 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.

Acting City Attorney Carberry 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 stated no one had signed up for public comments.

6. APPROVAL OF MINUTES January 28, 2015.

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

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

7. PUBLIC HEARINGS:

A. CB5, An Ordinance Amending the Black Hawk Municipal Code by the Repeal of Article XV of Chapter 6 Concerning Medical Marijuana Dispensaries and the Revision of Certain Licensing Requirements within Article XVIII of Chapter 6 Regarding Retail Marijuana Establishments

Mayor Spellman read the title and opened the public hearing.

City Clerk/Administrative Services Director Greiner explained the repeal to medical was as per Council's direction, and the revision to retail was to align with State licensing requirements.

PUBLIC HEARING: Mayor Spellman declared a Public Hearing on CB5, An Ordinance Amending the Black Hawk Municipal Code by the Repeal of Article XV of Chapter 6 Concerning Medical Marijuana Dispensaries and the Revision of Certain Licensing Requirements within Article XVIII of Chapter 6 Regarding Retail Marijuana Establishments.

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

MOTION TO APPROVE Alderman Moates **MOVED** and was **SECONDED** by Alderman Johnson to Approve CB5, An Ordinance Amending the Black Hawk Municipal Code by the Repeal of Article XV of Chapter 6 Concerning Medical Marijuana Dispensaries and the Revision of Certain Licensing Requirements within Article XVIII of Chapter 6 Regarding Retail Marijuana Establishments.

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

8. ACTION ITEMS:

B. Resolution 12, A Resolution Approving Participation in a Multi-Agency Grant through the North Central Region for the Replacement of Breathing Apparatus

Mayor Spellman read the title.

Fire Chief Taylor explained that the Fire Department is currently using 2002 standard apparatus, which is not interoperable with adjoining agencies and does not have the same safety features such as “buddy breathing” techniques, cannot exchange bottles, or hook up to other agencies apparatus. There is a \$5,000 match required that is not budgeted for, but Taylor said he would absorb it in the safety budget.

MOTION TO APPROVE

Alderman Armbricht **MOVED** and was **SECONDED** by Alderman Bennett to approve Resolution 12, A Resolution Approving Participation in a Multi-Agency Grant through the North Central Region for the Replacement of Breathing Apparatus.

MOTION PASSED

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

C. Resolution 13, A Resolution Approving the Third Addendum to Personal Services Agreement with 5280 Strategies, LLC.

Mayor Spellman read the title.

City Clerk/Administrative Services Director Greiner explained this was a housekeeping measure to extend the agreement for 2015, keeping the same fees as 2014. The funds have been budgeted and appropriated for 2015.

MOTION TO APPROVE

Alderman Johnson **MOVED** and was **SECONDED** by Alderman Moates to approve Resolution 13, A Resolution Approving the Third Addendum to Personal Services Agreement with 5280 Strategies, LLC.

MOTION PASSED

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

D. Resolution 14, A Resolution Approving the Temporary Construction Easement for the Rehabilitation of 301 High Street Between the City of Black Hawk and Maria Vela, Property Owner of 281 High Street

Mayor Spellman read the title.

Community Planning and Development Administrator Linker explained that this was the final temporary construction easement necessary to rehabilitate 301 High Street allowing access to the east side. Staff recommends approval.

MOTION TO APPROVE

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Bennett to approve Resolution 14, A Resolution Approving the Temporary Construction Easement for the Rehabilitation of 301 High Street Between the City of Black Hawk and Maria Vela, Property Owner of 281 High Street.

MOTION PASSED

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

E. Resolution 15, A Resolution Approving the Temporary Construction Easement for a Temporary Construction Laydown Area Associated with the Rehabilitation of 401 Chase Street Between the City of Black Hawk and Kathryn Lorenz, Property Owner of Lot 5, Block 17

Mayor Spellman read the title.

Community Planning and Development Administrator Linker explained that this was the final temporary construction easement needed for 401 Chase Street and would provide a construction laydown area for the contractor. Staff recommends approval.

MOTION TO APPROVE

Alderman Moates **MOVED** and was **SECONDED** by Alderman Johnson to approve Resolution 15, A Resolution Approving the Temporary Construction Easement for a Temporary Construction Laydown Area Associated with the Rehabilitation of 401 Chase Street Between the City of Black Hawk and Kathryn Lorenz, Property Owner of Lot 5, Block 17.

MOTION PASSED

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

F. Resolution 16, A Resolution Directing the City Manager to Apply for Local Landmark Designation for the Property Located at 201 Selak Street and Generally Known as Black Hawk City Hall

Mayor Spellman read the title.

Community Planning and Development Administrator Linker explained that this resolution directs the City Manager to approve Local Landmark Designation, which then allows the Historic Preservation

Commission to begin the research and bring the application before Council. Staff recommends approval.

MOTION TO APPROVE

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Armbright to approve Resolution 16, A Resolution Directing the City Manager to Apply for Local Landmark Designation for the Property Located at 201 Selak Street and Generally Known as Black Hawk City Hall.

MOTION PASSED

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

G. Resolution 17, A Resolution Approving the City's Professional Service Agreements for 2015

Mayor Spellman read the title.

Public Works Director Isbester explained that Public Works uses many select contractors during their day-to-day operations. These agreements capture those services.

MOTION TO APPROVE

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Moates to approve Resolution 17, A Resolution Approving the City's Professional Service Agreements for 2015.

MOTION PASSED

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

9. CITY MANAGER REPORTS:

City Manager Lewis had nothing to report.

10. CITY ATTORNEY:

Acting City Attorney Carberry had nothing to report.

11. EXECUTIVE SESSION: Acting City Attorney Carberry recommended item number 5 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 hold a conference with the City's attorney 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 Moates to adjourn the Executive Session at 4:05 p.m.

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

The Meeting reconvened at 4:30 p.m.

12. PRESENTATION: Mayor Spellman presented former Historic Preservation Commission Chairman Richard Smith with a plaque for his years of service, as a member and also as the chairman. Smith said it had been a great six years, having joined in 2008. He said he saw many great things the City was able to do and it was an honor to serve the City and its residents.

13. ADJOURNMENT: Mayor Spellman declared the Regular Meeting of the City Council closed at 4:32 p.m.



Melissa A. Greiner
City Clerk



David D. Spellman
Mayor

