



**City of Black Hawk
City Council**

March 25, 2015

MEETING MINUTES

IT Support Technician Ryan Blenker rang the bell.

1. CALL TO ORDER: The regular meeting of the City Council was called to order on Wednesday, March 25, 2015 at 3:00 p.m. by Mayor Spellman.

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

Staff present: City Attorney Hoffmann, City Manager Lewis, Police Chief Cole, City Clerk/Administrative Services Director Greiner, Community Planning and Development Administrator Linker, IT Manager Tarik Muhammad, IT Support Technician Ryan Blenker, Senior Civil Engineer Matt Reed, 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: 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 EMPLOYEE:

IT Manager Tarik Muhammad introduced IT Support Technician Ryan Blenker to a warm welcome.

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

7. APPROVAL OF
MINUTES

March 11, 2015.

**MOTION TO
APPROVE**

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

MOTION PASSED

There was no discussion and the motion unanimously.

8. PUBLIC HEARINGS:

A. CB8, An Ordinance Approving the City of Black Hawk 2015 Pay Plan

Mayor Spellman read the title and opened the public hearing.

City Clerk/Administrative Services Director Greiner explained the process involved in preparing the market adjustment. She said there were some slight changes from the attachment in the packet and had handed out new versions to Council on their dais. Greiner said there would be some slight changes forthcoming to the hiring range as well.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on CB8, An Ordinance Approving the City of Black Hawk 2015 Pay Plan.

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 Bennett to Approve CB8, An Ordinance Approving the City of Black Hawk 2015 Pay Plan.

MOTION PASSED

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

9. ACTION ITEMS:

B. Resolution 23, A Resolution Approving both the Temporary Construction Easement and the Conveyance of Property from the Blake Family LLC for Construction of the Gregory Street Improvements

Mayor Spellman read the title.

Senior Civil Engineer Matt Reed explained the Temporary Construction Easements were for a future retaining wall or sidewalk improvements, and the Conveyance of Property was required to construct the Gregory Street improvements.

MOTION TO APPROVE

Alderman Johnson **MOVED** and was **SECONDED** by Alderman Torres to approve Resolution 23, A Resolution Approving both the Temporary Construction Easement and the Conveyance of Property from the Blake Family LLC for Construction of the Gregory Street Improvements.

MOTION PASSED

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

C. Resolution 24, A Resolution Approving an Extension of the Closings on the Property Exchange Agreement Between the City of Black Hawk and Quartz Valley Ranch Company

Mayor Spellman read the title.

City Attorney Hoffmann explained that due to weather, field work to create a plat was not able to be completed on time. The work has since been completed and it is scheduled before the Gilpin County Commissioners in April.

MOTION TO APPROVE

Alderman Armbricht **MOVED** and was **SECONDED** by Alderman Moates to approve Resolution 24, A Resolution Approving an Extension of the Closings on the Property Exchange Agreement Between the City of Black Hawk and Quartz Valley Ranch Company.

MOTION PASSED

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

D. Resolution 25, A Resolution Temporarily Waiving the Collection of Occupational Tax and Business License Fees for those Residential Service Providers that Provide a Service to Residences that Does Not Require a Building Permit

Mayor Spellman read the title.

City Attorney Hoffmann explained at their last meeting Council approved some revisions to Chapters 4 and 6 of the Municipal Code and a resolution setting forth a fee schedule. Hoffmann said part of the motion was to bring back a resolution to waive fees for contractors who provide services to residences that do not require a building permit. He said under TABOR laws, it must be a temporary waiver, and that this resolution will renew automatically each year unless modified or appealed by a separate resolution.

MOTION TO APPROVE

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Armbright to approve Resolution 25, A Resolution Temporarily Waiving the Collection of Occupational Tax and Business License Fees for those Residential Service Providers that Provide a Service to Residences that Does Not Require a Building Permit.

MOTION PASSED

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

E. Resolution 26, A Resolution Approving the Agreement Between the City of Black Hawk and Excavation and Construction Specialist, Inc. for Construction of a Waterline Loop Between Richman Street and Mill Street in an Amount Not To Exceed \$398,998.00

Mayor Spellman read the title.

Senior Civil Engineer Matt Reed explained the bid to construct a 12” waterline main in the SE lanes of Highway 119 from Richman Street to Mill Street to provide increased reliability and capacity, particularly for the Monarch Casino and other lower Main Street properties. He said if approved, the start date is April 6, with completion by May 21. City Attorney Hoffmann added that if approved, this would fulfill one of the City’s obligations under the current Subdivision Agreement with Monarch.

MOTION TO APPROVE

Alderman Midcap **MOVED** and was **SECONDED** by Alderman Johnson to approve Resolution 26, A Resolution Approving the Agreement Between the City of Black Hawk and Excavation and Construction Specialist, Inc. for Construction of a Waterline Loop Between Richman Street and Mill Street in an Amount Not To Exceed \$398,998.00.

MOTION PASSED

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

F. Resolution 27, A Resolution Approving the Agreement Between the City of Black Hawk and Davis Custom Welding for Construction of the Green Lake Pipeline Replacement Project Phase V in an Amount Not To Exceed \$181,410.00

Mayor Spellman read the title.

Senior Civil Engineer Matt Reed explained that this was to continue the replacement of the Green Lake inflow pipeline project and said that Davis Custom Welding, who has completed the first four phases of the replacement, has been doing an excellent job on this project.

MOTION TO APPROVE

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Torres to approve Resolution 27, A Resolution Approving the Agreement Between the City of Black Hawk and Davis Custom Welding for Construction of the Green Lake Pipeline Replacement Project Phase V in an Amount Not To Exceed \$181,410.00.

MOTION PASSED

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

G. Resolution 28, A Resolution Approving the Agreement Between the City of Black Hawk and Whitestone Construction Services, Inc. for the Limited Rehabilitation of the Historic Home and Property Located at 401 Chase Street in an Amount Not To Exceed \$649,562.00

Mayor Spellman read the title.

Community Planning and Development Administrator Linker explained that bids were sent out in February to 338 registered contractors, only two showed up for the mandatory walk-through, and only one submitted a bid. Linker said staff felt the original bid was excessive and sat down with the contractor, home owner, and design team for 10 days trying to get it down to a more reasonable amount. She said this is the renegotiated price and it includes some mine waste clean-up, they will only clean-up what is needed for construction of the property and the clean-up will not be hauled off-site, but put back into the mine by conveyor and has been approved by Mined Land Reclamation. Linker said the remaining area's soil will be tested to see what would grow on that hillside. Linker noted some changes, such as moving the house off of the existing foundation to get it done faster with heavy equipment; not taking down the entire rock wall, only the area where utilities need to go in; and removing the concrete patio to plant native grass.

Mayor Spellman asked if the neighbor had been notified of the house temporarily moving over closer to their area, and Linker said yes and something would be put in writing between the contractor and home

owner in case of any disturbed property that needs to be put back to original condition.

MOTION TO APPROVE

Alderman Moates **MOVED** and was **SECONDED** by Alderman Johnson to approve Resolution 28, A Resolution Approving the Agreement Between the City of Black Hawk and Whitestone Construction Services, Inc. for the Limited Rehabilitation of the Historic Home and Property Located at 401 Chase Street in an Amount Not To Exceed \$649,562.00.

MOTION PASSED

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

10. CITY MANAGER REPORTS:

City Manager Lewis had nothing to report.

11. CITY ATTORNEY:

City Attorney Hoffmann had nothing to report, yet offered the fact that the City Manager would be representing the City for the signing, by the Governor, of the Entertainment District Bill during a ceremony tomorrow afternoon. Mayor Spellman, on behalf of City Council, he wished to send the Governor their best regards.

12. EXECUTIVE SESSION: City Attorney Hoffmann recommended item numbers 1 and 2 for Executive Session.

MOTION TO ADJOURN INTO EXECUTIVE SESSION

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn into Executive Session at 3:30 p.m. to hold a conference with the City's attorney to consider the purchase, acquisition, lease, transfer or sale of real, personal or other property, pursuant to C.R.S. § 24-6-402(4)(a) and to receive legal advice on specific legal questions, pursuant to C.R.S., § 24-6-402(4)(b).

MOTION PASSED

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

MOTION TO ADJOURN

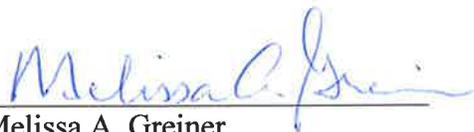
Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn the Executive Session at 3:40 p.m.

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 3:40 p.m.



Melissa A. Greiner
City Clerk



David D. Spellman
Mayor

