



**City of Black Hawk  
City Council**

**April 10, 2019**

**MEETING MINUTES**

New employees Troy Cooper and Justin Storms took turns ringing the bell to open the meeting.

1. **CALL TO ORDER:** The regular meeting of the City Council was called to order on Wednesday, April 10, 2019, 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 Cole, Police Commander Jantz, Finance Director Hillis, City Clerk/Administrative Services Director Greiner, Public Works Director Isbester, Senior Civil Engineers Ford and Reed, Water Superintendent Fredericks, Community Planning and Development Administrator Linker, 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. No conflicts were 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. **EXECUTIVE SESSION:** City Attorney Hoffmann recommended item number 2 only for Executive Session for specific legal issues related to Gregory Street and Intergovernmental issues.

**MOTION TO  
ADJOURN INTO  
EXECUTIVE  
SESSION**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn into Executive Session at 3:03 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).

**MOTION PASSED**

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

**MOTION TO RESUME  
TO OPEN, REGULAR  
SESSION OF MEETING**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to reconvene to the open, regular session of the meeting at 3:15 p.m.

**MOTION PASSED**

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

6. INTRODUCTION OF  
NEW EMPLOYEES:

Justin Storms, Communications Officer  
Troy Cooper, Police Sergeant

Commander Jantz introduced the City's newest employees and provided their background. They were warmly welcomed.

7. PUBLIC COMMENT:

Deputy City Clerk Martin confirmed no one had signed up to speak.

8. APPROVAL OF  
MINUTES:

March 13, 2019

**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.

9. PUBLIC HEARINGS:

**A. CB34, 2018-34, An Ordinance Adopting the City of Black Hawk Comprehensive Plan  
(continued from December 12, 2018)**

Mayor Spellman read the title and re-opened the public hearing.

City Attorney Hoffmann introduced this item and said the recommendation at this time is to continue this indefinitely as staff does not know the precise time the updated Comprehensive Plan will be finished, yet he believes it should be sometime later this year. Staff will continue to work on refining it, and the Clerk's office will re-notice the public hearing when it is ready to come back before Council.

**MOTION TO APPROVE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Armbright to continue indefinitely CB34, 2018-34, an Ordinance adopting the City of Black Hawk Comprehensive Plan.

**MOTION PASSED**

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

10. ACTION ITEMS:

**A. Resolution 19-2019, A Resolution Approving the Cooperation Agreement Including a License Agreement and a Temporary Construction Easement Between the City of Black Hawk and the Rocky Mountain Free Evangelical Church**

Mayor Spellman read the title.

City Attorney Hoffmann introduced this agreement that would grant a License Agreement to allow the City to evaluate the church structure as part of the Gregory Street project, and a Temporary Construction Easement for the entire church property for one year, with a one year extension, if necessary. In exchange, the City will provide a space and move all of their furniture to 271 Gregory Street, and will also rehabilitate the exterior of the church property during the duration of the Temporary Construction Easement. He said this agreement was reviewed by the Church Board and was found to be acceptable.

**MOTION TO APPROVE**

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Bennett to approve Resolution 19-2019, a Resolution approving the Cooperation Agreement including a License Agreement and a Temporary Construction Easement between the City of Black Hawk and the Rocky Mountain Free Evangelical Church.

**MOTION PASSED**

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

**B. Resolution 20-2019, A Resolution Approving the Purchase of a 2019 Hurco Waterline Valve Exerciser & Vacuum Trailer from Ten Point Sales and Marketing, LLC in an Amount Not to Exceed \$76,990.45**

Mayor Spellman read the title.

Public Works Water Superintendent Fredericks and Senior Civil Engineer Ford were present to introduce this item for the Water Department.

**MOTION TO APPROVE**

Alderman Johnson **MOVED** and was **SECONDED** by Alderman Moates to approve Resolution 20-2019, a Resolution approving the purchase of a 2019 Hurco Waterline Valve Exerciser & Vacuum Trailer from Ten Point Sales and Marketing, LLC in an amount not to exceed \$76,990.45.

**MOTION PASSED**

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

**C. Resolution 21-2019, A Resolution Approving the Agreements for Asbestos Abatement and Interior Demolition of Various Properties with Weecycle Environmental Consulting in a Total Amount Not to Exceed \$75,870.00**

Mayor Spellman read the title.

Community Planning and Development Administrator Linker explained that the Asbestos Survey showed asbestos in all the sheet flooring and floor tile in the mobile home at 500 Chase Street and in the windows of 426 Gregory Street. She noted that once they get into the mitigation of the mobile home, they may find that the whole thing will have to be dismantled to perform additional work, so she has prepared a Change Order, if needed.

Linker added that Weecycle will also provide interior demolition for 211, 221, and 261 Gregory Street to open those buildings up for the architects to prepare their drawings for the Gregory Street Redevelopment Project. She said those buildings were found to be free of asbestos.

Alderman Bennett questioned why the mobile home just couldn't be torn down, and staff said the asbestos would still have to be removed first.

**MOTION TO APPROVE**

Alderman Armbricht **MOVED** and was **SECONDED** by Alderman Johnson to approve Resolution 21-2019, a Resolution approving the agreements for Asbestos Abatement and Interior Demolition of various properties with Weecycle Environmental Consulting in a total amount not to exceed \$75,870.00.

**MOTION PASSED**

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

11. CITY MANAGER  
REPORTS:

City Manager Cole had nothing to report.

12. CITY ATTORNEY:

City Attorney Hoffmann had nothing to report.

13. EXECUTIVE  
SESSION:

City Attorney Hoffmann recommended that Council continue its Executive Session, subject to the previous motion, as they did not finish discussing all of the items. Mayor Spellman made a Motion to adjourn back into Executive Session at 3:30 p.m.

**MOTION TO  
ADJOURN**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn the Executive Session at 4:10 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 4:10 p.m.



Melissa A. Greiner, CMC  
City Clerk



David D. Spellman  
Mayor

