



**City of Black Hawk
City Council**

August 10, 2016

MEETING MINUTES

Michael Schaller, Public Works Street Superintendent, rang the bell.

1. CALL TO ORDER: The regular meeting of the City Council was called to order on Wednesday, August 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, Fire Chief Taylor, City Clerk/Administrative Services Director Greiner, Finance Director Hillis, Community Planning and Development Administrator Linker, Street Superintendent Schaller, and Baseline Engineering Consultant Harris.

PLEDGE OF ALLEGIANCE: Mayor Spellman led the meeting in the recitation of the Pledge of Allegiance.

3. AGENDA CHANGES: City Clerk Greiner 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. PUBLIC COMMENTS: City Clerk Greiner confirmed that no one had signed up to speak.

6. APPROVAL OF
MINUTES

July 27, 2016.

**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 passed unanimously.

7. PUBLIC HEARINGS:

A. CB18, An Ordinance Stating the Intent of the City of Black Hawk to Acquire Certain Properties for Open Space and Recreational Purposes Within the Meaning of C.R.S. § 38-6-101, and C.R.S. § 31-25-201

Mayor Spellman read the title and opened the public hearing.

City Attorney Hoffmann explained that this ordinance, if approved, will authorize the City to acquire certain remaining properties on Maryland Mountain and 531 Chase Street which would complete the property acquisitions needed for the trail system and associated facilities. The acquisitions are authorized under Colorado law for open space and trail purposes. The intent is to negotiate with the property owners and attempt to acquire the properties voluntarily. However, if that is unsuccessful, this ordinance does give the City the authority to acquire the properties involuntarily. City Attorney Hoffmann noted the history of 531 Chase Street, and stated that the City hasn't heard anything from its owners in approximately a year in terms of any plans for the property. After viewing the property today in anticipation of Council hearing the ordinance, it is clear the property is abandoned in respects to the structure. Nothing has been done with the property except to board up the structure. Mayor Spellman noted there was no attempt to even board up the property securely. The property owner has not contacted the City to seek a land use approval or any other approval from the City. The tramway touches the property and the property is the gateway to the open space. City Attorney Hoffmann stated the acquisition of the property was certainly authorized.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on CB18, An Ordinance Stating the Intent of the City of Black Hawk to Acquire Certain Properties for Open Space and Recreational Purposes Within the Meaning of C.R.S. § 38-6-101, and C.R.S. § 31-25-201 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 Midcap **MOVED** and was **SECONDED** by Alderman Armbright to Approve CB18, An Ordinance Stating the Intent of the City of Black Hawk to Acquire Certain Properties for Open Space and Recreational Purposes Within the Meaning of C.R.S. § 38 6-101, and C.R.S. § 31-25-201.

MOTION PASSED

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

B. Resolution 60-2016, A Resolution Conditionally Approving a Certificate of Appropriateness Site Development Plan and License Agreement for the Monarch Hotel Tower Located at 488 Main Street

Mayor Spellman read the title and opened the public hearing.

Vince Harris, Baseline Corporation, introduced the item for a Certificate of Appropriateness for the Site Development Plan for the Monarch Hotel Tower and License Agreement for phase 3 of the project. The application is complete and meets all the requirements included in the PUD approved in 2013, and is ready for Council approval with six conditions.

Mr. John Farahi, CEO, Corporate Office, 3800 S. Virginia Street, Reno, NV, thanked the Council, City Attorney, and staff. Mr. Farahi gave an overview of the demolition of the existing parking structure and the future hotel tower.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on Resolution 60-2016, A Resolution Conditionally Approving a Certificate of Appropriateness Site Development Plan and License Agreement for the Monarch Hotel Tower Located at 488 Main Street 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 Resolution 60-2016, A Resolution Conditionally Approving a Certificate of Appropriateness Site Development Plan and License Agreement for the Monarch Hotel Tower Located at 488 Main Street, with six conditions.

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

8. ACTION ITEMS:

A. Resolution 61-2016, A Resolution Approving the Contract Between the City of Black Hawk and Andraos Construction, LLC for the Concrete Curb and Gutter Repair Project in an Amount Not To Exceed \$43,995.75

Mayor Spellman read the title.

Public Works Director Isbester introduced the annual curb and gutter maintenance contract.

MOTION TO APPROVE

Alderman Johnson **MOVED** and was **SECONDED** by Alderman Torres to approve Resolution 61-2016, A Resolution Approving the Contract Between the City of Black Hawk and Andraos Construction, LLC for the Concrete Curb and Gutter Repair Project in an Amount Not To Exceed \$43,995.75.

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:

City Attorney Hoffmann had nothing to report.

11. EXECUTIVE SESSION: City Attorney Hoffmann recommended item number 2 for specific legal issues related to 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 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 ADJOURN

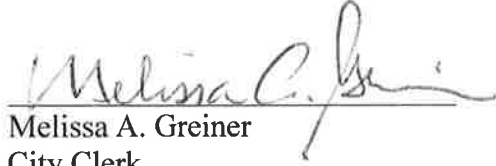
Alderman Bennett **MOVED** and was **SECONDED** by Alderman Torres to adjourn the Executive Session at 3:50 p.m.

MOTION PASSED

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

12. ADJOURNMENT:

Mayor Spellman declared the Regular Meeting of the City Council closed at 3:50 p.m.



Melissa A. Greiner
City Clerk



David D. Spellman
Mayor

