



**City of Black Hawk
City Council**

May 26, 2021

MEETING MINUTES

Police Chief Michelle Moriarty rang the bell to open the meeting.

1. CALL TO ORDER: Mayor Spellman called the regular meeting of the City Council to order on Wednesday, May 26, 2021, at 3:00 p.m.

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

Virtual/Present Staff: Acting City Attorney Graham, City Manager Cole, Fire Chief Woolley, Police Chief Moriarty, Finance Director Hillis, City Clerk/Administrative Services Director Greiner, Public Works Director Isbester, Community Planning & Development Director Linker, Baseline Engineering Consultants Harris and Esterl, 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 Graham 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. City Council noted no conflicts.

Acting City Attorney Graham asked the virtual audience if there were any objections to any member of Council voting on any issue on the agenda this afternoon. There were no objections noted.

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

6. APPROVAL OF
MINUTES: May 12, 2021

**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.

7. PUBLIC HEARINGS:

A. Resolution 32-2021, A Resolution Conditionally Approving the Site Development Plan and Certificate of Architectural Compatibility for the Golden Gilpin Mill Located at 7593 State Highway 119 (Black Hawk Boulevard)

Mayor Spellman read the title and opened the public hearing.

Baseline Consultant Harris introduced this project that has been in the works over the past couple of years. Baseline Consultant Esterl went through their presentation of the future improvements at the Golden Gilpin Mill for mining and milling activities and limited tourism. Those improvements include replacing the bridge over the creek, construction of a sand barn and a thickening tank, extension of water and electric services, and construction of temporary sanitary facilities. Staff recommends approval with one condition in the resolution.

Alderman Midcap had a question about the sediment pond.

The applicant, Matt Collins, introduced himself for the record. He said he was emotional at this moment as he had started working with the property owner George Otten back in 2017 to keep the structure from being reclaimed by the state due to it being unsafe. He went on to say they saw a better future for the property, it's been a lot of work, and everyone has been great to work with. They plan to showcase how small mills are run. He then introduced the rest of the team with him and explained the project. He said the sediment pond is for stormwater control and was done under the EPA's work in 2008. He explained the proposed sand barn is for the tailings, the thickening tank is to dewater the tailings, the processing is through gravity and floatation, and the plan to have the future sanitation line deferred until 2027 will help them greatly.

When asked about the look of the retaining wall, Mr. Collins responded

that the goal is to match and be as compatible with the City as possible.

Mayor Spellman asked about the noise from the mill, and Mr. Collins said the loudest piece of equipment would be the jaw crusher and then the ball mill and that they are under OSHA regulations for employees inside the building. He added that there shouldn't be much to hear; they have foam insulation, and the building is all wood.

Mayor Spellman asked about the timeframe for processing, and Mr. Collins said they have about 300 lbs. of material contained in those super sacs, and they will be the first material processed; it could be as early as Fall. He ended by saying it is very exciting to be bringing back a mill to the City of Mills, to which it was added that no gold coming out of Central City gets by without going through Black Hawk first!

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on Resolution 32-2021, a Resolution conditionally approving the Site Development Plan and Certificate of Architectural Compatibility for the Golden Gilpin Mill located at 7593 State Highway 119 (Black Hawk Boulevard) open and invited anyone wanting to address the Board either "for" or "against" the proposed Resolution to come forward.

No one wished to speak, and Mayor Spellman declared the Public Hearing closed.

**MOTION TO
APPROVE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Midcap to approve Resolution 32-2021, a Resolution conditionally approving the Site Development Plan and Certificate of Architectural Compatibility for the Golden Gilpin Mill located at 7593 State Highway 119 (Black Hawk Boulevard).

MOTION PASSED

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

8. ACTION ITEMS:

- A. Resolution 33-2021, A Resolution Approving a Temporary Construction Easement from Thomas David Greiner Co-Tr, Owner of 185 Clear Creek Street to the City of Black Hawk Granting Temporary Construction Access for the Exterior Painting of 191 Clear Creek Street**
- B. Resolution 34-2021, A Resolution Approving a Temporary Construction Easement from John Edward Blake, the Property Owner of 193 Clear Creek Street to the City of Black Hawk Granting Temporary Construction Access for the Exterior Painting of 195 Clear Creek Street and 191 Clear Creek Street**

- C. **Resolution 35-2021, A Resolution Approving a Temporary Construction Easement from Nancy Alice Works, Power of Attorney Representing the Property Owner of 171 Marchant Street to the City of Black Hawk Granting Temporary Construction Access for the Exterior Painting of 161 Marchant Street**
- D. **Resolution 36-2021, A Resolution Approving a Temporary Construction Easement from Robert Cameron, the Property Owner of 200 Dubois Street to the City of Black Hawk Granting Temporary Construction Access for the Exterior Painting of 201 Chase Street**

Mayor Spellman said instead of reading all the titles, he would do these all together under one umbrella motion; they are all Temporary Construction Easements for the paint program.

Community Planning & Development Director Linker explained the need to obtain neighboring property authority to access their property to paint the paint program's houses. She said everyone complied.

**MOTION TO
APPROVE**

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Moates to approve Resolution 33-2021, a Resolution approving a Temporary Construction Easement from Thomas David Greiner Co-Tr, owner of 185 Clear Creek Street to the City of Black Hawk granting temporary construction access for the exterior painting of 191 Clear Creek Street, Resolution 34-2021, a Resolution approving a Temporary Construction Easement from John Edward Blake, property owner of 193 Clear Creek Street to the City of Black Hawk granting temporary construction access for the exterior painting of 195 Clear Creek Street and 191 Clear Creek Street, Resolution 35-2021, a Resolution approving a Temporary Construction Easement from Nancy Alice Works, Power of Attorney representing the property owner of 171 Marchant Street to the City of Black Hawk granting temporary construction access for the exterior painting of 161 Marchant Street, and Resolution 36-2021, a Resolution approving a Temporary Construction Easement from Robert Cameron, the property owner of 200 Dubois Street to the City of Black Hawk granting temporary construction access for the exterior painting of 201 Chase Street.

MOTION PASSED

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

- E. **Resolution 37-2021, A Resolution Approving the Paint Proposals and Grant Program Agreements for Residential Properties Located at 201 Chase Street, 311 Chase Street, 301 Chase Street, 195 Clear Creek Street, 191 Clear Creek Street, 161 Marchant Street, 101 Hillside Street, 171 Marchant Street, 151 Marchant Street, 271 Church Street, and 281 High Street in a Total Amount Not to Exceed \$102,650.00**

Mayor Spellman read the title.

Community Planning & Development Director Linker introduced this item. She said that staff sent 29 eligibility letters out to property owners to participate in the Residential Paint Program; 13 responded, two withdrew, leaving 11 deciding to move forward in the program. She said site visits were conducted, and property owners are responsible for any repairs required before painting. She said \$100,000 is budgeted for this program, but Gonzales's proposal came in \$2,650 over budget. She asked Council to consider approving the total amount since the program was canceled last year due to Covid.

**MOTION TO
APPROVE**

Alderman Torres **MOVED** and was **SECONDED** by Alderman Midcap to approve Resolution 37-2021, a Resolution approving the Paint Proposals and Grant Program Agreements for residential properties located at 201 Chase Street, 311 Chase Street, 301 Chase Street, 195 Clear Creek Street, 191 Clear Creek Street, 161 Marchant Street, 101 Hillside Street, 171 Marchant Street, 151 Marchant Street, 271 Church Street, and 281 High Street in a total amount not to exceed \$102,650.00.

MOTION PASSED

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

F. Resolution 38-2021, A Resolution Approving the Second Addendum to Professional Services Agreement with SAFEbuilt, LLC

Mayor Spellman read the title.

Community Planning & Development Director Linker informed Council that the Development Services Coordinator Ashley Wilson had given her notice and left last week. She had asked SAFEbuilt to fill that role temporarily, maybe 2 – 2 ½ days per week, until they can advertise and hire someone new. She said Emily Richards from SAFEbuilt trained with Ashley and is currently helping out. She asks for their original contract to be amended to add administrative services at \$50/hour.

**MOTION TO
APPROVE**

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Torres to approve Resolution 38-2021, a Resolution approving the Second Addendum to Professional Services Agreement with SAFEbuilt, LLC.

MOTION PASSED

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

G. Resolution 39-2021, A Resolution Approving the City of Black Hawk Fee Schedule, as Amended

Mayor Spellman read the title.

Community Planning & Development Director Linker introduced this item. The recommended changes were highlighted in yellow on the fee schedule included in the packet, they pertained to the Conveyance Fees and Public Works had some changes to their Right-of-Way Use Permit and added State Highway Access Permits.

MOTION TO APPROVE

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to approve Resolution 39-2021, a Resolution approving the City of Black Hawk Fee Schedule, as amended.

MOTION PASSED

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

H. Resolution 40-2021, A Resolution Approving the Agreement Regarding Access to City Property Adjacent to the Historic Gilpin Tramway Between the City and Bonanza Land LLC

Mayor Spellman read the title.

City Manager Cole introduced this item. He said the City has an existing gate on the tramway close to our City limits, but with the expansion of our growth area, the goal is to move the gate to the furthest point to the south of the growth area, which is the Bueno Mining Lode owned by Bonanza Land LLC. The agreement is to place the gate there, which will prevent vehicles from crossing our property and Bonanza LLC, he said. The public can still walk around it, but no vehicles can get through.

MOTION TO APPROVE

Alderman Midcap **MOVED** and was **SECONDED** by Alderman Moates to approve Resolution 40-2021, a Resolution approving the agreement regarding access to City property adjacent to the Historic Gilpin Tramway between the City and Bonanza Land LLC.

MOTION PASSED

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

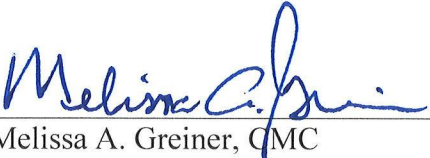
9. CITY MANAGER REPORTS:

City Manager Cole had nothing to report.

10. CITY ATTORNEY: Acting City Attorney Graham had nothing to report.

11. EXECUTIVE
SESSION: None

12. ADJOURNMENT: Mayor Spellman declared the Regular Meeting of the City Council adjourned at 3:40 p.m.


Melissa A. Greiner, CMC
City Clerk


David D. Spellman
Mayor

