



**City of Black Hawk
City Council**

September 11, 2019

MEETING MINUTES

Two co-owners of the newest non-gaming business in the City, The Green Solution (TGS), twins Eric and Kyle Speidell, 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, September 11, 2019, 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 Chief Lloyd, Fire Chief Woolley, Finance Director Hillis, Senior Civil Engineer Reed, City Clerk/Administrative Services Director Greiner, Community Planning & Development Administrator Linker, and Deputy City Clerk Martin.

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

Mayor Spellman asked everyone to continue to stand for a moment of silence to honor the victims of the 911 terrorist attack that took place on this great country 18 years ago.

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. PUBLIC COMMENT: Deputy City Clerk Martin confirmed that City resident Tom Feeney had signed up to speak.

Mr. Feeney wanted to compliment the City's Fire Department on the nice job they did on the 911 Memorial Stair Climb held at the Ameristar Casino this morning. He wanted to challenge the Mayor and Council to come up with some sort of marketing idea to invite New York firefighters to attend next year's event, maybe some sort of scholarship or money for steps type of idea. He added that the City looks great.

6. APPROVAL OF MINUTES:

August 28, 2019

MOTION TO APPROVE

Alderman Armbricht **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. CB19, A Bill for an Ordinance Repealing and Reenacting Article XIX of Chapter 6 of the Black Hawk Municipal Code, Eliminating Social Clubs and Creating a Licensing System for Marijuana Hospitality Establishments

Mayor Spellman read the title and opened the public hearing.

City Attorney Hoffmann explained that this Ordinance would repeal what the City had originally adopted as its version before the State had acted on theirs, and adopt one of the two current State authorized models. He touched on some of the attributes such as bring your own product, City Council approval of an original application and renewals approved administratively, the hours, limited to the HARD Zoning District, and limited to only one location.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on CB19, a Bill for an Ordinance repealing and reenacting Article XIX of Chapter 6 of the Black Hawk Municipal Code, eliminating Social Clubs and creating a licensing system for Marijuana Hospitality Establishments open and invited anyone wanting to address the Board either "for" or "against" the proposed ordinance to come forward.

Geoffrey Gordon, Gilpin County resident, was in opposition of a single location and asked Council to reconsider that requirement.

Tom Feeny, of Black Hawk, was in support saying he is involved in this business in another state and feels it is solid business for the economy and an opportunity to provide jobs.

Eric Speidell, Co-President of The Green Solution (TGS) of Denver, spoke in support of the ordinance. He said where he believes the State lacked a progressive nature was in allowing lounges too late. He said out-of-state people have no place to go, especially if hotels do not allow it, they are often forced to consume on streets or in vehicles. He feels this is a safe way to move forward with the cannabis agenda.

Kyle Spiedell, Co-President of TGS of Denver also spoke in support of the ordinance saying their business was second to none in the industry and that they take consumption very seriously in making sure they are capable and able to open a business that is safe and in compliance; they have over 20 stores right now. He was excited about this opportunity for people to go to one establishment to consume so that they are not consuming illegally all over the City.

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

MOTION TO APPROVE

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to approve CB19, a Bill for an Ordinance repealing and reenacting Article XIX of Chapter 6 of the Black Hawk Municipal Code, eliminating Social Clubs and creating a licensing system for Marijuana Hospitality Establishments.

MOTION PASSED

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

8. ACTION ITEMS:

A. Resolution 58-2019, A Resolution Setting a Public Hearing on the Proposed Material Modifications of the Service Plan of the Silver Dollar Metropolitan District

Mayor Spellman read the title.

City Attorney Hoffmann explained that this resolution merely sets a public hearing for the eighth amendment to the Silver Dollar Metropolitan District's (SDMD) Service Plan. He said City Council is only required to approve modifications for the SDMD and the proposed modifications are transportation services, business recruitment activities, and a change in the number of the members from five to nine. The public hearing would be set for September 25, 2019.

MOTION TO

APPROVE

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Johnson to approve Resolution 58-2019, a Resolution Setting a Public Hearing on the Proposed Material Modifications of the Service Plan of the Silver Dollar Metropolitan District.

MOTION PASSED

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

B. Resolution 59-2019, A Resolution Approving the First Addendum to Trade Contractor Agreement for the Complete Demolition of 500 Chase Street and 531 Chase Street with Grapes & Sons Excavation

Mayor Spellman read the title.

Community Planning & Development Administrator Linker introduced this item. She said the State wanted to come up and do site inspections of both properties and found a small amount of additional asbestos left over at 500 Chase Street and identified more asbestos at 531 Chase Street, so denied both permits. She said everything had been removed and they should be ready to resubmit to the State this week. The original agreement term ended on September 30, so this first addendum would extend the term until the end of October.

MOTION TO APPROVE

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Torres to approve Resolution 59-2019, a Resolution approving the First Addendum to Trade Contractor Agreement for the complete demolition of 500 Chase Street and 531 Chase Street with Grapes & Sons Excavation.

MOTION PASSED

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

C. Resolution 60-2019, A Resolution Approving the Professional Services Agreement Between the City of Black Hawk and PEH Architects in an Amount Not To Exceed \$262,070.00 for Design Services Pertaining to the Gregory Street Commercial Building

Mayor Spellman read the title.

Senior Civil Engineer Reed provided the background on this project of rehabilitating the buildings at 211 and 221 Gregory Street, also known as the Eureka and Lucky Star buildings. He noted that for continuity staff had asked PEH Architects to provide this service since they have been with the Gregory Street Phase 2 Project since the beginning.

Nathan Pillatzke and Peter Heinz of PEH Architects in Boulder went through their presentation. Mr. Heinz said that when gaming came into the City, historical buildings were modified. He said they are proposing

to take those modifications back to a period view and update them from an energy and accessibility point of view to make them into great retail spaces. He elaborated on some of the details, such as placing the elevator in the middle of the building with two retail shops on either side with their own entrance and bathrooms, this proved to be more practical and also allows them to group individual utility meters together outside. He said the upper level would be the same layout with two retail spaces on either side. He continued to address the Lincoln building, which was in the worst condition as the wood frame was built right against the dirt and is now completely rotted out.

Mr. Pillatzke noted the addition of an awning to the middle of the building to draw people into the common area where the elevator is to access the upper levels, and how they intend to create a more uniform appearance on the street side by extending the cornice around the building.

Mayor and Council were very pleased with the design and feel it captures the resort appeal they are seeking.

**MOTION TO
APPROVE**

Alderman Armbricht **MOVED** and was **SECONDED** by Alderman Moates to approve Resolution 60-2019, a Resolution approving the Professional Services Agreement between the City of Black Hawk and PEH Architects in an amount not to exceed \$262,070.00 for design services pertaining to the Gregory Street commercial building.

MOTION PASSED

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

9. ACTING CITY
MANAGER
REPORTS:

City Manager Cole reported on the Baseline commercial building inspections. Reports are back, and they are ready to be sent out to businesses. A cover letter on behalf of Council was handed out for their review. Some thought the letter was a bit too harsh, while others thought it was spot on since the casinos are well aware of the investment the City has been pouring into making it a resort destination. Mayor Spellman added that the goal should be that the businesses finish up their repairs as the City finishes up their projects to get that resort appeal. The letter is intended to go out now so that the casinos can budget accordingly in next year's budget cycle. It was felt that if the tone of the letter is lessened then they may not take it seriously and it would be put off for another budget cycle.

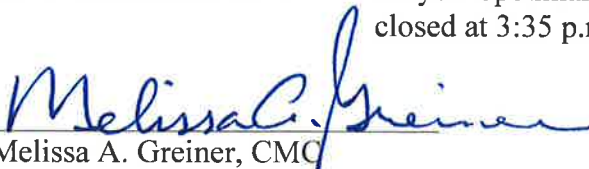
Community Planning & Development Administrator Linker added that staff did not exclude City properties from the inspection list. This was not a double standard; the City has items to rectify as well. Mayor

Spellman asked City Manager Cole to maybe embellish more on that in the letter to express how much the City has invested in this goal of a resort destination.

10. CITY ATTORNEY: City Attorney Hoffmann had nothing to report.

11. EXECUTIVE SESSION: None

12. ADJOURNMENT: Mayor Spellman declared the Regular Meeting of the City Council closed at 3:35 p.m.


Melissa A. Greiner, CMC
City Clerk


David D. Spellman
Mayor

