



**City of Black Hawk
City Council**

October 24, 2018

MEETING MINUTES

The Mayor dispensed with the ringing of the bell rang to go right into the regular meeting from the Budget Work Session.

1. **CALL TO ORDER:** The regular meeting of the City Council was called to order directly after the Budget Work Session on Wednesday, October 24, 2018, 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 Woolley, Finance Director Hillis, City Clerk/Administrative Services Director Greiner, Senior Civil Engineers Ford and Reed, 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. PUBLIC COMMENT: Deputy City Clerk Martin confirmed that no one had signed up to speak.

6. APPROVAL OF MINUTES: October 10, 2018

MOTION TO APPROVE Alderman Armbricht **MOVED** and was **SECONDED** by Alderman Bennett to approve the Minutes as presented.

MOTION PASSED There was no discussion, and the motion passed unanimously.

7. PUBLIC HEARINGS:

A. Resolution 65-2018, A Resolution Approving a Certificate of Appropriateness for the Demolition of the Residential Structure and Attached Garage on the Property Located at 531 Chase Street

Mayor Spellman read the title and opened the public hearing.

Community Planning and Development Administrator Linker introduced this item. She pointed out that in 1986 the National Park Service conducted a survey and concluded that this structure no longer contributed to the National Historic Landmark district due to the number of additions and alterations over the years. In 1991 the address was not included in the expanded National Historic Landmark district report or the topographic map of the district. She said the property is part of the Environmental Character Preservation district and not part of a residential district. In 2009 there was a fire which made the structure unsafe and unfit for human occupancy, according to the City's Building Official at that time. The City acquired the property in 2017. She also said the structure is located within the public right-of-way. The Historic Preservation Commission met on October 16 and recommended demolition of the structure. The City's Building Official SAFEbuilt also recommends demolition. All utilities will be cut off at the fire hydrant at 500 Chase Street.

PUBLIC HEARING: Mayor Spellman declared a Public Hearing on Resolution 65-2018, a Resolution approving a Certificate of Appropriateness for the demolition of the residential structure and attached garage on the property located at 531 Chase 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 Torres **MOVED** and was **SECONDED** by Alderman Bennett to approve Resolution 65-2018, a Resolution approving a Certificate of Appropriateness for the demolition of the residential structure and attached garage on the property located at 531 Chase Street.

MOTION PASSED

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

B. CB23, An Ordinance Approving the Inclusion of Property into the Black Hawk Business Improvement District and Changing the Boundaries of the District Consistent Therewith

C. CB24, An Ordinance Approving the Inclusion of Property into the Black Hawk Business Improvement District and Changing the Boundaries of the District Consistent Therewith

Mayor Spellman read the titles and opened the public hearings.

City Attorney Hoffmann said these ordinances clean-up legal descriptions for both the Canyon and Saratoga sites. He said their legal descriptions needed to be more specific and modified for the area they own that was not yet included in the Business Improvement District.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on CB23 and CB24, Ordinances approving the inclusion of properties into the Black Hawk Business Improvement District and changing the boundaries of the District consistent therewith open and invited anyone wanting to address the Board either “for” or “against” the proposed ordinances to come forward.

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

MOTION TO APPROVE

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Midcap to approve CB23 and CB24, Ordinances approving the inclusion of properties into the Black Hawk Business Improvement District and changing the boundaries of the District consistent therewith.

MOTION PASSED

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

D. CB25, An Ordinance Amending Section 306, Sick Leave Benefits, of the Black Hawk Employee Handbook Dated September 2018

Mayor Spellman read the title and opened the public hearing.

City Clerk/Administrative Services Director Greiner said this was a revision to the just recently approved Employee Handbook. She said

that Management Team had revisited this item after approval and are now proposing to change the need for a doctor's note from three days to five days.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on CB25, an Ordinance amending Section 306, Sick Leave Benefits, of the Black Hawk Employee Handbook dated September 2018 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 Moates **MOVED** and was **SECONDED** by Alderman Armbright to approve CB25, an Ordinance amending Section 306, Sick Leave Benefits, of the Black Hawk Employee Handbook dated September 2018.

MOTION PASSED

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

8. ACTION ITEMS:

None

9. CITY MANAGER REPORTS:

City Manager Lewis had nothing to report.

10. CITY ATTORNEY:

City Attorney Hoffmann let Council know that he and staff had met with the law firm retained for the Opioid litigation. He will provide updates throughout the process.

11. EXECUTIVE SESSION:

City Attorney Hoffmann recommended item number 2 only for Executive Session for specific legal questions related to potential legislation and a potential claim against the City.

MOTION TO ADJOURN INTO EXECUTIVE SESSION

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn into Executive Session at 3:15 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
ADJOURN**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn the Executive Session at 4:05 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 4:05 p.m.


Melissa A. Greiner, CMC
City Clerk


David D. Spellman
Mayor

