



**City of Black Hawk
City Council**

September 12, 2018

MEETING MINUTES

John Helerich, Director of Security and Surveillance for the Saratoga Casino, rang the bell to open the meeting.

1. **CALL TO ORDER:** The regular meeting of the City Council was called to order on Wednesday, September 12, 2018, at 3:00 p.m. by Mayor Spellman.

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

Absent: Alderman Moates

Staff present: City Attorney Hoffmann, City Manager Lewis, Police Chief Cole, Fire Chief Woolley, Finance Director Hillis, City Clerk/Administrative Services Director Greiner, Public Works Director Isbester, 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:** August 22, 2018

MOTION TO APPROVE

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Armbright to approve the Minutes as presented.

MOTION PASSED

There was no discussion and the motion passed unanimously.

7. PUBLIC HEARINGS:

A. CB18, An Ordinance Adopting the Black Hawk Employee Handbook Dated September 2018

Mayor Spellman read the title and opened the public hearing.

City Clerk/Administrative Services Director Greiner introduced this item. Alderman Torres suggested including more detail in regards to the term advancement, similar to what the term demotion included. City Attorney Hoffmann stated that under the Due Process Clause, there are property and liberty interests associated with demotion and that is why there was much more detail provided under that term.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on CB18, an Ordinance adopting 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 Johnson **MOVED** and was **SECONDED** by Alderman Armbright to approve CB18, an Ordinance adopting the Black Hawk Employee Handbook dated September 2018.

MOTION PASSED

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

B. CB19, An Ordinance Approving the 2019 Operating Plan and Budget of the Black Hawk Business Improvement District

Mayor Spellman read the title and opened the public hearing.

City Attorney Hoffmann stated that the Business Improvement District (BID) submitted their annual budget and Operating Plan for 2019 as required under State law to be considered and approved by the City. Mayor Spellman added that the BID is in compliance with the Marketing IGA.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on CB19, an Ordinance approving the 2019 Operating Plan and Budget of the Black Hawk

Business Improvement District 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 Bennett **MOVED** and was **SECONDED** by Alderman Torres to approve CB19, an Ordinance approving the 2019 Operating Plan and Budget of the Black Hawk Business Improvement District.

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 referred to a memo he had distributed along with a draft ordinance for proposed changes to the Municipal Code to reflect changes in State law that go into effect on October 1. He said all references to Title 12 have now been changed to Title 44. The draft ordinance will be brought forward at the next meeting on September 26. He added, that if Council so desired and with further action, there is now an allowance for open containers of alcoholic beverages in the City’s public spaces.


11. EXECUTIVE SESSION:

None

12. ADJOURNMENT:

Mayor Spellman declared the Regular Meeting of the City Council closed at 3:11 p.m.


Melissa A. Greiner, CMC
City Clerk


David D. Spellman
Mayor

