



**City of Black Hawk
City Council**

January 9, 2019

MEETING MINUTES

Acting City Manager Steve Cole rang the bell to open the meeting.

1. **CALL TO ORDER:** The regular meeting of the City Council was called to order on Wednesday, January 9, 2019, 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, Acting City Manager Cole, Acting Police Chief Jantz, Fire Chief Woolley, Finance Director Hillis, Public Works Director Isbester, 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.

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: December 12, 2018

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. CB1, An Ordinance Amending Section 4-41 of the Black Hawk Municipal Code Regarding Out of State Retailers Doing Business in Colorado

Mayor Spellman read the title and opened the public hearing.

Finance Director Hillis introduced this item and said the City was just piggybacking off the state, which just made a change based on a Supreme Court case ruling that allowed tax jurisdictions to collect sales tax from out of state retailers.

PUBLIC HEARING: Mayor Spellman declared a Public Hearing on CB1, an Ordinance amending Section 4-41 of the Black Hawk Municipal Code regarding out of State retailers doing business in Colorado 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 Bennett to approve CB1, an Ordinance amending Section 4-41 of the Black Hawk Municipal Code regarding out of State retailers doing business in Colorado.

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

8. ACTION ITEMS:

A. Resolution 1-2019, A Resolution Establishing a Designated Public Place for the Posting of Meeting Notices as Required by the Colorado Open Meetings Law

Mayor Spellman read the title.

City Clerk/Administrative Services Director Greiner said this was the usual housekeeping item for the first meeting of every year. She explained that new message boards were ordered and received in, and once installed in the plaza next to City Hall; she will come back before Council to transition the posting place from the Post Office back to City Hall.

MOTION TO APPROVE

Alderman Armbricht **MOVED** and was **SECONDED** by Alderman Bennett to approve Resolution 1-2019, a Resolution establishing a designated public place for the posting of meeting notices as required by the Colorado Open Meetings Law.

MOTION PASSED

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

B. Resolution 2-2019, A Resolution Approving the City of Black Hawk Fee Schedule, As Amended

Mayor Spellman read the title.

Community Planning and Development Administrator introduced this housekeeping item for the beginning of the year. She said they have refined the wording even further under sign fees for a clearer understanding for the applicants.

MOTION TO APPROVE

Alderman Johnson **MOVED** and was **SECONDED** by Alderman Torres to approve Resolution 2-2019, a Resolution approving the City of Black Hawk Fee Schedule, as amended

MOTION PASSED

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

C. Resolution 3-2019, A Resolution Approving the Supplemental Change Order to the Professional Services Agreement for the Hidden Treasure Final Trailhead Design with Stolfus and Associates, Inc. in the Amount Not to Exceed \$109,060.00

Mayor Spellman read the title.

Public Works Director Isbester explained that this project was ready to be taken off the shelf for final design, and that Stolfus will obtain the environmental clearances and access permits that CDOT requires, prepare the contract documents, assist in the bidding, and then come back with another change order to help with inspections and construction management of the project itself, but right now this agreement only authorizes the final design.

MOTION TO APPROVE

Alderman Midcap **MOVED** and was **SECONDED** by Alderman Johnson to approve Resolution 3-2019, a Resolution approving the supplemental change order to the Professional Services Agreement for the Hidden Treasure Final Trailhead Design with Stolfus and Associates, Inc. in the amount not to exceed \$109,060.00

MOTION PASSED

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

D. Resolution 4-2019, A Resolution Approving a Job Description for Corporal in the Police Department

Mayor Spellman read the title.

Acting Chief Jantz introduced this item and said this proposal is a strategy to develop new supervisors by introducing staff to minimal supervisory tasks, and allowing them to work closely with supervisors. He said this will assist in their future development.

MOTION TO APPROVE

Alderman Torres **MOVED** and was **SECONDED** by Alderman Bennett to approve Resolution 4-2019, a Resolution approving a job description for Corporal in the Police Department.

MOTION PASSED

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

9. ACTING CITY MANAGER REPORTS:

Acting City Manager Cole said the City was asked to co-host a tour of Black Hawk and Central City as part of the National Trust conference held in October. He said the emphasis is to show off how gaming dollars affect historical renovations. The Community Planning and Development Department will submit the application, and if the submission is approved, he said, he'd like the City to host lunch for about 50 people. Mayor Spellman added that lunch would be catered and held at Crooks Palace with a presentation of some of the City's projects. All were in favor.

Acting City Manager Cole said the Christmas lights will begin to be taken down on January 27th, and asked Council to consider any changes for next year, taking into account the new St. Charles Carriage House. Alderman Johnson commented that he would like to see red bows on every street light. Public Works Director Isbester will come back with a full estimate to include more bows and something on the Carriage House.

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

11. EXECUTIVE SESSION: City Attorney Hoffmann recommended items number 1, 2, and 5 only for Executive Session specific legal questions related to potential legislation.

**MOTION TO
ADJOURN INTO
EXECUTIVE
SESSION**

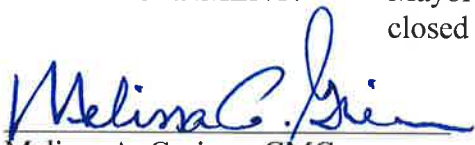
Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn into Executive Session at 3:20 p.m. to consider the purchase, acquisition, lease, transfer or sale of real, personal or other property, pursuant to C.R.S. § 24-6-402(4)(a), to hold a conference with the City's attorney to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4)(b), and to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. § 24-6-402(4)(e).

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 4:15 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 4:15 p.m.


Melissa A. Greiner, CMC
City Clerk


David D. Spellman
Mayor

