



**City of Black Hawk  
City Council**

**December 12, 2018**

**MEETING MINUTES**

Acting Police Chief Tory Jantz rang the bell to open the meeting.

1. **CALL TO ORDER:** The regular meeting of the City Council was called to order on Wednesday, December 12, 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, Acting City Manager Cole, Acting Police Chief Jantz, Fire Captain Castro, Fire Lieutenant Williams, 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:

November 14, 2018

**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. CB33, An Ordinance Levying General Property Taxes for the Year 2018 to Help Defray the Costs of Government for the City of Black Hawk, Colorado for the 2019 Budget Year, and Repealing Ordinance 2018-26**

Mayor Spellman read the title and opened the public hearing.

Finance Director Hillis explained the need to update the Mill Levy to the County's re-certified assessed values. He said it is only a slight difference now setting the Mill Levy at .036 mills for 2018.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on CB33, an Ordinance levying general property taxes for the year 2018 to help defray the costs of government for the City of Black Hawk, Colorado for the 2019 Budget Year, and repealing Ordinance 2018-26 open and invited anyone wanting to address the Board either "for" or "against" the proposed resolution and ordinance to come forward.

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

**MOTION TO  
APPROVE**

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Bennett to approve CB33, an Ordinance levying general property taxes for the year 2018 to help defray the costs of government for the City of Black Hawk, Colorado for the 2019 Budget Year, and repealing Ordinance 2018-26.

**MOTION PASSED**

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

**B. CB34, An Ordinance Adopting the City of Black Hawk Comprehensive Plan**

Mayor Spellman read the title and continued this item until the March 27, 2019 meeting.

**MOTION TO APPROVE**

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Bennet to continue CB34, an Ordinance adopting the City of Black Hawk Comprehensive Plan, to the March 27, 2019, City Council Meeting.

**MOTION PASSED**

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

**C. CB35, An Ordinance Approving the Intergovernmental Agreement Between the City of Black Hawk and the Gilpin Ambulance Authority Regarding Maintenance of the Authority's Ambulances**

Mayor Spellman read the title and opened the public hearing.

Public Works Director Isbester said this was the annual maintenance agreement for the Fleet Department to service the ambulances. He said the rate increased by \$2.00.

**PUBLIC HEARING:**

Mayor Spellman declared a Public Hearing on CB35, an Ordinance approving the Intergovernmental Agreement between the City of Black Hawk and the Gilpin Ambulance Authority regarding maintenance of the Authority's ambulances 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 CB35, an Ordinance approving the Intergovernmental Agreement between the City of Black Hawk and the Gilpin Ambulance Authority regarding maintenance of the Authority's ambulances.

**MOTION PASSED**

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

**D. CB36, An Ordinance Amending Section 8-24 of the Black Hawk Municipal Code Regarding Penalties for Parking Violations**

Mayor Spellman read the title and opened the public hearing.

City Attorney Hoffmann introduced this item and said the purpose is to increase the penalty for violations of the City's parking ordinance to account for the penalties contemplated at the St. Charles Parking Garage and Carriage House. Discussion took place on this being a deterrent for employees to use the spaces.

**PUBLIC HEARING:** Mayor Spellman declared a Public Hearing on CB36, an Ordinance amending Section 8-24 of the Black Hawk Municipal Code regarding penalties for parking violations 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 Moates to approve CB36, an Ordinance amending Section 8-24 of the Black Hawk Municipal Code regarding penalties for parking violations.

**MOTION PASSED**

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

**8. ACTION ITEMS:**

**A. Resolution 72-2018, A Resolution Approving the Fourth Amendment to the Subdivision/Site Improvement Agreement Between the City of Black Hawk and JIJE, LLC.**

Mayor Spellman read the title.

City Attorney Hoffmann introduced this item and said this amendment is a clean up to reflect the change in the date for the completion of the channel rehabilitation work from September 30, 2018, to November 30, 2018, and to note that the work has been completed by the November 30, 2018 date.

**MOTION TO APPROVE**

Alderman Armbricht **MOVED** and was **SECONDED** by Alderman Torres to approve Resolution 72-2018, a Resolution approving the Fourth Amendment to the Subdivision/Site Improvement Agreement between the City of Black Hawk and JIJE, LLC.

**MOTION PASSED**

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

**B. Resolution 73-2018, A Resolution Approving an On-Call Professional Services Agreement with SAFEbuilt Colorado, LLC**

Mayor Spellman read the title.

Community Planning and Development Administrator introduced this annual housekeeping item to request approval for professional Building Department services for 2019.

**MOTION TO APPROVE**

Alderman Johnson **MOVED** and was **SECONDED** by Alderman Armbright to approve Resolution 73-2018, a Resolution approving an On-Call Professional Services Agreement with SAFEbuilt Colorado, LLC.

**MOTION PASSED**

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

**C. Resolution 74-2018, A Resolution Approving Certain Service Agreements for Calendar Year 2019**

**D. Resolution 75-2018, A Resolution Approving Certain Service Agreements for Calendar Year 2019**

Mayor Spellman read the titles to be heard under an umbrella motion for Resolutions 74 and 75.

These are the annual on-call service agreements for both Community Planning & Development and Public Works.

**MOTION TO APPROVE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Torres to approve Resolution 74-2018 and Resolution 75-2018, Resolutions approving certain Service Agreements for calendar year 2019.

**MOTION PASSED**

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

**E. Resolution 76-2018, A Resolution Approving the Third Addendum to the Agreement for Transit Related Services for the Black Hawk & Central City Tramway for 2019 Between MV Transportation, Inc. and the City of Black Hawk**

Mayor Spellman read the title.

Public Works Director Isbester introduced this item and said there was a 0% increase for 2019.

**MOTION TO APPROVE**

Alderman Torres **MOVED** and was **SECONDED** by Alderman Moates to approve Resolution 76-2018, a Resolution approving the Third Addendum to the Agreement for Transit Related Services for the Black Hawk & Central City Tramway for 2019 between MV Transportation, Inc. and the City of Black Hawk.

**MOTION PASSED**

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

**F. Resolution 77-2018, A Resolution to Adopt the 2018 Group Transit Asset Management Plan**

Mayor Spellman read the title.

Public Works Director Isbester explained that the Federal Transit Administration requires grant recipients to participate in a Transit Asset Management Plan, and that CDOT provides one for smaller agencies to follow. He said filling this requirement continues to allow the City to utilize the 5311 Operating Grant and apply for new grants.

**MOTION TO APPROVE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Armbright to approve Resolution 77-2018, a Resolution to adopt the 2018 Group Transit Asset Management Plan.

**MOTION PASSED**

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

**G. Resolution 78-2018, A Resolution Approving Amendment No. 1 to the Design-Build Contract Executed on August 23, 2018 Between the City of Black Hawk and Symmetry Builders, Inc., Establishing the Guaranteed Maximum Price (GMP) of \$449,384.00 For Construction Services Pertaining to the Fire Station Restroom Renovation Project**

Mayor Spellman read the title.

Senior Civil Engineer Reed introduced this item and said back in August Council had approved the Design-Build agreement and the design fees. He said this amendment to that agreement is to establish the GMP, which includes the previous design fees and the kitchenette in the Fire Administration office. He said their first estimate was about \$477,000 back in September, and after refining the scope, the finalized price was less.

**MOTION TO APPROVE**

Alderman Midcap **MOVED** and was **SECONDED** by Alderman Armbright to approve Resolution 78-2018, a Resolution approving Amendment No. 1 to the Design-Build Contract executed on August 23, 2018 between the City of Black Hawk and Symmetry Builders, Inc., establishing the Guaranteed Maximum Price (GMP) of \$449,384.00 for construction services pertaining to the Fire Station Restroom Renovation Project.

**MOTION PASSED**

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

**H. Resolution 79-2018, A Resolution Approving the Purchase of Electric Extrication Tools and a Hydraulic Power Unit in the Total Amount Not to Exceed \$64,613.67**

Mayor Spellman read the title.

Captain Castro and Lieutenant Williams were present on behalf of this request. It was noted that the funds were budgeted in the 2018 Capital Budget and are the actual costs came in under budget. Alderman Midcap thanked them and the Fire Department for staying on top of details like this and said the City appreciates everything the Fire Department does.

**MOTION TO APPROVE**

Alderman Midcap **MOVED** and was **SECONDED** by Alderman Bennett to approve Resolution 79-2018, a Resolution approving the purchase of electric extrication tools and a hydraulic power unit in the total amount not to exceed \$64,613.67.

**MOTION PASSED**

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

**I. Resolution 80-2018, A Resolution Approving the Seventh Addendum to Personal Agreement with 5280 Strategies, LLC**

Mayor Spellman read the title.

City Clerk/Administrative Services Director Greiner introduced this Seventh Addendum with no increase in fees.

**MOTION TO APPROVE**

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Torres to approve Resolution 80-2018, a Resolution approving the Seventh Addendum to Personal Agreement with 5280 Strategies, LLC.

**MOTION PASSED**

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

**J. Resolution 81-2018, A Resolution Adopting the 2019 Holiday Schedule**

**K. Resolution 82-2018, A Resolution Adopting the 2019 City Council Regular Meeting Schedule**

Mayor Spellman read the titles to be heard under an umbrella motion for Resolutions 81 and 82.

City Clerk/Administrative Services Director Greiner was present for any questions.

**MOTION TO APPROVE**

Alderman Johnson **MOVED** and was **SECONDED** by Alderman Moates to approve Resolution 81-2018, a Resolution adopting the 2019

Holiday Schedule and Resolution 82-2018, a Resolution adopting the 2019 City Council Regular Meeting Schedule.

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

**L. Resolution 83-2018, A Resolution Approving the 2019 Contract with Pinnacol Assurance for Workers' Compensation Insurance**

Mayor Spellman read the title.

City Clerk/Administrative Services Director Greiner introduced this item. She said there was a premium increase of 16.44% for 2019 over the 2018 premium; details were in the packet.

**MOTION TO APPROVE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Armbright to approve Resolution 83-2018, a Resolution approving the 2019 Contract with Pinnacol Assurance for Workers' Compensation Insurance.

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

**M. Resolution 84-2018, A Resolution Approving the First Addendum to Personal Services Agreement with M & C Communications, LLC**

Mayor Spellman read the title.

City Clerk/Administrative Services Director Greiner explained the rate increase for this First Addendum with the City's Public Relations Firm. She said the rate increased by a total of \$750 more per month due to M & C's analysis of their actual time spent vs. their projected time, and the additional social media contract with new software. M & C will provide a year in review report that will be forwarded to Council once received. She said M & C provides monthly reports, which she will start to include in her monthly reports. Greiner added that new for 2019 would be emergency preparedness training and template responses provided by M & C, noting Ms. Mulligan's crisis experience as a News Director in New York City during 9/11, and on a news team during the tragedy at Columbine High School.

**MOTION TO APPROVE**

Alderman Torres **MOVED** and was **SECONDED** by Alderman Midcap to approve Resolution 84-2018, a Resolution Approving the First Addendum to Personal Services Agreement with M & C Communications, LLC.



**MOTION PASSED**

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

9. ACTING CITY  
MANAGER  
REPORTS:

Acting City Manager Cole reminded everyone about the Holiday Party tomorrow at 11:30 a.m., and asked for approval for the annual employee bonus, which had been budgeted for. Alderman Moates **MOVED** and was **SECONDED** by Alderman Johnson to approve the employee bonus. The motion **PASSED** unanimously. Alderman Midcap wanted to thank Acting City Manager Cole for his comment about Maryland Mountain being the crown jewel of Black Hawk. All were in agreement that the tramway, trail system, and the history associated with the area will make it something special that people will want to visit Black Hawk to see.

10. CITY ATTORNEY:

City Attorney Hoffmann had nothing to report.

11. EXECUTIVE  
SESSION:

City Attorney Hoffmann recommended item number 5 only for Executive Session.

**MOTION TO  
ADJOURN INTO  
EXECUTIVE  
SESSION**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn into Executive Session at 3:25 p.m. 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 4:10 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 4:10 p.m.

  
Melissa A. Greiner, CMC  
City Clerk

  
David D. Spellman  
Mayor

