



**City of Black Hawk
City Council**

September 26, 2018

MEETING MINUTES

Jim Ford, Senior Civil Engineer, 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 26, 2018, at 3:00 p.m. by Mayor Spellman.

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

Absent: Alderman Johnson.

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, 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 that Agenda Item 7B, Ordinance 2018-21, has been revised to now include two directors.

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: September 12, 2018

MOTION TO APPROVE

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

MOTION PASSED

There was no discussion, and the motion passed unanimously with Alderman Moates abstaining.

7. PUBLIC HEARINGS:

A. CB20, An Ordinance Amending Article 6; Section 7-152; Section 10-145; and Section 18-302 of the Black Hawk Municipal Code

Mayor Spellman read the title and opened the public hearing.

City Attorney Hoffmann noted that State law was changed to move numerous sections of the Colorado Revised Statutes from Title 12, including alcohol and marijuana, to a newly created Title 44. He said if approved, this ordinance would change all reference to Title 12 in the Black Hawk Municipal Code to reference Title 44.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on CB20, an Ordinance amending Article 6; Section 7-152; Section 10-145; and Section 18-302 of the Black Hawk Municipal Code 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 Armbricht **MOVED** and was **SECONDED** by Alderman Moates to approve CB20, an Ordinance amending Article 6; Section 7-152; Section 10-145; and Section 18-302 of the Black Hawk Municipal Code.

MOTION PASSED

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

B. CB21, An Ordinance Appointing Directors to the Board of the Black Hawk Business Improvement District

Mayor Spellman read the title and opened the public hearing.

City Attorney Hoffmann explained that the Business Improvement District (BID) had two vacancies to fill and at the time of the packet being prepared there was a recommendation for only one of the two vacancies. He said after the packet was sent; a second recommendation from the BID was requested. The first request is for Rodney Turlan to replace Brian Watts of the Isle Casino, and the second is for Brandon Lenssen to replace Walter Northscott Grounsell of the Mardi Gras Casino.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on CB21, an Ordinance appointing Directors to the Board 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 else 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 CB21, an Ordinance appointing Directors to the Board of the Black Hawk Business Improvement District.

MOTION PASSED

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

8. ACTION ITEMS:

A. Resolution 60-2018, A Resolution Approving the Proposal from the Colorado Intergovernmental Risk Sharing Agency (CIRSA) for 2019 Property Casualty Coverage

Mayor Spellman read the title.

City Clerk/Administrative Services Director Greiner introduced the annual renewal from CIRSA. She said they had increased their rates substantially for the first time in a year, and that even with the City’s Loss Control and Loss Experience Credits of \$13,116.00; the City’s rates have increased by 9.83% over last year’s numbers.

MOTION TO APPROVE

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Bennett to approve Resolution 60-2018, a Resolution approving the

proposal from the Colorado Intergovernmental Risk Sharing Agency (CIRSA) for 2019 Property Casualty Coverage.

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

B. Resolution 61-2018, A Resolution Revising a Job Description for Police Sergeant

Mayor Spellman read the title.

Police Chief Cole explained the current restrictions placed on the Police Department to fill a Sergeant position, by approving this change it will allow them the flexibility to look outside the department at the Chief's discretion.

MOTION TO APPROVE

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Moates to approve Resolution 61-2018, a Resolution revising a job description for Police Sergeant.

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

C. Resolution 62-2018, A Resolution Approving an Agreement with Merrick & Company in the Amount of \$77,467.00 for the Design of the Green Lake Headgate Project

Mayor Spellman read the title.

Senior Civil Engineer Ford said that this scheduled item was the last large piece for the Green Lake project; it has been pushed up due to the slow flows. He said in the past few years flows had been down in Leavenworth Creek, and they have been stacking rocks to get more water into the headgate. He said the design could start this Fall into Spring with construction beginning after water delivery next year.

MOTION TO APPROVE

Alderman Torres **MOVED** and was **SECONDED** by Alderman Midcap to approve Resolution 62-2018, a Resolution approving an agreement with Merrick & Company in the amount of \$77,467.00 for the design of the Green Lake Headgate Project.

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

D. Resolution 63-2018, A Resolution Approving Change Order #9 for the St. Charles House in the Amount of \$64,749.00 for Installation of a License Plate Reader (LPR) Parking Management System

Mayor Spellman read the title.

Senior Civil Engineer Reed introduced this change order for the installation and start-up of a fully automated License Plate Reader System to include six cameras to record vehicle plates coming in and leaving each level of the parking garage. He explained there would be a fee billed to the owner after a certain amount of time had expired and there would be signs alerting drivers of this restriction. He added there would be annual operational costs to be handled under a separate contract at a later date.

City Manager Lewis said the City is still waiting on documentation as to how the system will operate in the future, which still needs to be reviewed. He would suggest not signing the Change Order at this time; to just approve the authorization to sign after staff has reviewed the documentation. Mayor Spellman added that Council still needs to determine the duration of parking and the fee.

MOTION TO APPROVE

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Moates to approve Resolution 63-2018, a Resolution approving Change Order #9 for the St. Charles House in the amount of \$64,749.00 for installation of a License Plate Reader (LPR) Parking Management System and to wait to sign the actual Change Order until staff is satisfied.

MOTION PASSED

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

9. CITY MANAGER REPORTS:

City Manager Lewis invited Community Planning and Development Administrator Linker to provide an update to Council on some changes to the Site Development Plans (SDP) for both the Canyon and Dakota sites. Linker explained the difference is on the Materials Board pages in both SDPs for the screen walls top cap. Both the Dakota and Canyon sites went with the Ashler dry stack pattern, but the top cap was changed to match and be consistent with the top cap of the stone walls at the Lodge Casino. Additionally, extra light poles were added to the Dakota site, and the style changed to match and be consistent with the style that is currently approved for the Canyon site. She said these changes could be approved administratively because it remains consistent with what was originally approved by Council. City Attorney Hoffmann confirmed that none of the changes were inconsistent with what Council had approved, so there was no reason to bring it back for approval.

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

11. EXECUTIVE SESSION: City Attorney Hoffmann recommended item number 2 only for Executive Session for specific legal issues related to potential legislation and legal issues related to parking.

MOTION TO ADJOURN INTO EXECUTIVE SESSION

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Armbright to adjourn into Executive Session at 3:16 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 Torres 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

