



**City of Black Hawk  
City Council**

**May 22, 2019**

**MEETING MINUTES**

New City of Black Hawk firefighters Norman, Zoetewey, and Jones took turns ringing the bell to open the meeting.

1. **CALL TO ORDER:** The regular meeting of the City Council was called to order on Wednesday, May 22, 2019, by Mayor Spellman immediately following a work session at 2:50 p.m.

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

Staff present: City Attorney Hoffmann, City Manager Cole, Police Chief Lloyd, Fire Captain Castro, Fire Lieutenant Williams, Fire Engineers Christian and Wellington, Firefighters Stone, Skeen, Norman, Zoetewey, and Jones, Executive Administrative Assistant Blondo, Finance Director Hillis, City Clerk/Administrative Services Director Greiner, Public Works Director Isbester, Senior Civil Engineer Reed, and Community Planning and Development Administrator Linker.

**PLEDGE OF ALLEGIANCE:** Mayor Spellman led the meeting in the recitation of the Pledge of Allegiance.

3. **AGENDA CHANGES:** City Clerk Greiner 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. INTRODUCTION OF  
NEW EMPLOYEES:

Marc Norman, Firefighter  
Jonathan Zoetewey, Firefighter  
Ryan Jones, Firefighter

Fire Captain Castro introduced the City's newest firefighters and provided their background. They were warmly welcomed.

6. PUBLIC COMMENT: City Clerk Greiner confirmed no one had signed up to speak.

7. APPROVAL OF  
MINUTES:

May 8, 2019

**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.

8. PUBLIC HEARINGS:

**None**

9. ACTION ITEMS:

**A. CB11, An Ordinance Repealing and Reenacting Sections 8-1 and 8-2 of the Black Hawk Municipal Code and Adopting by Reference the 2018 Model Traffic Code**

Mayor Spellman read the title.

City Attorney Hoffmann explained the two-step process to adopt a code by reference and reminded Council that they had the public hearing and first reading of this ordinance at their last meeting, so this meeting is simply to approve and adopt the second reading. He added that the City adopts new versions of the Model Traffic Code every several years as they update.

**MOTION TO  
APPROVE**

Alderman Armbricht **MOVED** and was **SECONDED** by Alderman Johnson to approve CB11, an Ordinance repealing and reenacting Sections 8-1 and 8-2 of the Black Hawk Municipal Code and Adopting by Reference the 2018 Model Traffic Code.

**MOTION PASSED**

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

**B. Resolution 27-2019, A Resolution Approving the Agreement of Lease Between the City of Black Hawk as Lessor and Ed & Shirley, Inc. as Lessee for Property Located at 200 Gregory Street, Black Hawk, Colorado**

Mayor Spellman read the title.

Finance Director Hillis introduced this lease of 25 parking spaces in the Crook's parking lot to Ed and Shirley Smith. This is the same location the Smith's had rented before.

**MOTION TO APPROVE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Moates to approve Resolution 27-2019, a Resolution approving the Agreement of Lease between the City of Black Hawk as lessor and Ed & Shirley, Inc. as lessee for property located at 200 Gregory Street, Black Hawk, Colorado.

**MOTION PASSED**

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

**C. Resolution 28-2019, A Resolution Approving the Proposal from CIGNA for 2019-2021 Ancillary Coverage**

Mayor Spellman read the title.

City Clerk/Administrative Services Director Greiner explained this was a 24-month renewal, subject to appropriations. She added that once again, they have not increased their rates.

**MOTION TO APPROVE**

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Bennett to approve Resolution 28-2019, a Resolution approving the proposal from CIGNA for 2019-2021 Ancillary Coverage.

**MOTION PASSED**

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

**D. Resolution 29-2019, A Resolution Approving the Purchase of a Bobcat E85 Compact Excavator From Bobcat of the Rockies in an Amount Not To Exceed \$73,090.00**

Mayor Spellman read the title.

Public Works Director Isbester said their 19-year-old piece of equipment has finally worn out and this purchase would be its replacement. They will trade in the old one.

**MOTION TO APPROVE**

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Bennett to approve Resolution 29-2019, a Resolution approving the purchase of a Bobcat E85 Compact Excavator from Bobcat of the Rockies in an amount not to exceed \$73,090.00.

**MOTION PASSED**

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

**E. Resolution 30-2019, A Resolution Awarding the Bid and Approving the Construction Manager/General Contractor (CMGC) Contract Between the City of Black Hawk and Taylor Kohrs, LLC in an Amount Not To Exceed \$5,650.00 for Preconstruction Services Pertaining to the Hidden Treasure Trailhead Project**

Mayor Spellman read the title.

Public Works Director Isbester introduced this item and said the City has about 85% of the design done with Stolfus & Associates, to cut down with some of the long lead times and to get the contractor on board early, the City went out to bid. He said he would come back with an amendment to this agreement once the Guaranteed Maximum Price (GMP) was determined. He confirmed the plan is to have it finished by the end of the year.

**MOTION TO APPROVE**

Alderman Torres **MOVED** and was **SECONDED** by Alderman Bennett to approve Resolution 30-2019, a Resolution awarding the Bid and approving the Construction Manager/General Contractor (CMGC) Contract between the City of Black Hawk and Taylor Kohrs, LLC in an amount not to exceed \$5,650.00 for preconstruction services pertaining to the Hidden Treasure Trailhead Project.

**F. Resolution 31-2019, A Resolution Awarding the Bid and Approving the Contract Between the City of Black Hawk and Grapes & Sons Excavating in an Amount Not To Exceed \$43,300.00 for Construction of the Maryland Mountain Main Tramway Grading Project**

Mayor Spellman read the title.

Senior Civil Engineer Reed said that under their previous contract, Grapes & Sons Excavating has completed the removal of trees and installed a culvert. He said the next step is to grade the trail. He added that they would need to stabilize a few sections of the trail, grade and compact it, and place rocks as needed. He anticipates they will be finished by the end of September.

**MOTION TO APPROVE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Midcap to approve Resolution 31-2019, a Resolution awarding the Bid and approving the contract between the City of Black Hawk and Grapes & Sons Excavating in an amount not to exceed \$43,300.00 for construction of the Maryland Mountain Main Tramway Grading Project.

**MOTION PASSED**

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

**G. Resolution 32-2019, A Resolution Approving Amendment No. 1 to the Design-Build Contract Executed on February 27, 2019, Between the City of Black Hawk and Harrison Western Construction, Inc., Establishing the Guaranteed Maximum Price (GMP) of \$1,526,722.12 for Construction of the Bobtail Street Sculpted and Stained Shotcrete Project**

Mayor Spellman read the title.

Senior Civil Engineer Reed introduced this item and confirmed that the design and preconstruction work outlined in the February 27, 2019 contract is complete. This amendment is for the Guaranteed Maximum Price (GMP) for construction to establish the price and authorize the construction to begin. He anticipates the project to be completed by the end of August.

**MOTION TO APPROVE**

Alderman Moates **MOVED** and was **SECONDED** by Alderman Torres to approve Resolution 32-2019, a Resolution approving Amendment No. 1 to the Design-Build Contract executed on February 27, 2019 between the City of Black Hawk and Harrison Western Construction, Inc., establishing the Guaranteed Maximum Price (GMP) of \$1,526,722.12 for construction of the Bobtail Street Sculpted and Stained Shotcrete Project.

**MOTION PASSED**

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

**10. CITY MANAGER REPORTS:**

City Manager Cole reminded Council that the Daughters of the American Revolution have their monument dedication at the cemetery this Friday at 11:00 a.m., if they would like to attend. Also noted was the City-wide Clean-up Day scheduled for tomorrow. Staff will have to determine whether or not to cancel in the morning, as it's been snowing all week.

**11. CITY ATTORNEY:**

City Attorney Hoffmann had nothing to report.

12. EXECUTIVE  
SESSION:

City Attorney Hoffmann recommended item 2 only for Executive Session, and the specific legal issue relates to City licensing issues.

**MOTION TO  
ADJOURN INTO  
EXECUTIVE  
SESSION**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn into Executive Session at 3:11 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 3:20 p.m.

**MOTION PASSED**

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

13. ADJOURNMENT:

Mayor Spellman declared the Regular Meeting of the City Council closed at 3:20 p.m.



Melissa A. Greiner, CMC  
City Clerk



David D. Spellman  
Mayor

