



**City of Black Hawk
City Council**

July 22, 2015

MEETING MINUTES

Water Utility Operator Sean Shirvan rang the bell.

1. **CALL TO ORDER:** The regular meeting of the City Council was called to order on Wednesday, July 22, 2015, at 3:00 p.m. by Mayor Spellman.

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

Absent: Aldermen Armbright and Torres.

Staff present: City Attorney Hoffmann, City Manager Lewis, Police Chief Cole, City Clerk/Administrative Services Director Greiner, Finance Director Hillis, Public Works Director Isbester, Senior Civil Engineer Reed, Water Department Superintendent Fredericks, Water Utility Operator Shirvan, 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 changes to the agenda.

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. There were no conflicts 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 EMPLOYEE:** Sean Shirvan, Water Utility Operator I

Water Department Superintendent Fredericks introduced new Water Utility Operator I Sean Shirvan who is now working at the Hidden Valley Plant.

6. PUBLIC COMMENTS: Deputy City Clerk Martin stated that Bill Berg had signed up to speak.

Bill Berg, 220 Chase Street, wanted to thank City Council and staff for the wonderful job they do. He said he has a vested interest in the City as a resident and home owner and really appreciates all that Council does for their residents, including the 4th of July fireworks. He ended by thanking Council for making his home a home.

Alderman Torres arrived after roll call and took his seat at the dais.

7. APPROVAL OF
MINUTES

July 8, 2015.

**MOTION TO
APPROVE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson 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. Resolution 53, A Resolution Amending the 2015 City of Black Hawk Fee Schedule to Add Fees for Solicitors pursuant to Article XIII of Chapter 6 of the Black Hawk Municipal Code

Mayor Spellman read the title.

City Clerk/Administrative Services Director Greiner explained that this resolution was a follow up from Ordinance 2015-16, which was approved by Council on July 8. The fees were to be set by a separate Resolution.

**MOTION TO
APPROVE**

Alderman Johnson **MOVED** and was **SECONDED** by Alderman Moates to approve Resolution 53, A Resolution Amending the 2015

City of Black Hawk Fee Schedule to Add Fees for Solicitors pursuant to Article XIII of Chapter 6 of the Black Hawk Municipal Code.

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

B. Resolution 54, A Resolution Approving the License Agreement Between the City of Black Hawk and Affinity Gaming Black Hawk, LLC

Mayor Spellman read the title.

City Clerk/Administrative Services Director Greiner explained that this License Agreement gives permission for the Mardi Gras to use the street for a special event taking place this Saturday, July 25, as well as Saturday, August 22.

MOTION TO APPROVE

Alderman Moates **MOVED** and was **SECONDED** by Alderman Midcap to approve Resolution 54, A Resolution Approving the License Agreement Between the City of Black Hawk and Affinity Gaming Black Hawk, LLC.

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

C. Resolution 55, A Resolution Approving the Agreement of Lease Between the City of Black Hawk as Lessor and Beacon Integrated Technologies as Lessee

Mayor Spellman read the title.

Finance Director Hillis confirmed that Beacon Integrated Technologies has agreed to lease the upper unit above the old Credit Union space at 137B Clear Creek Street for a standard three year lease.

MOTION TO APPROVE

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to approve Resolution 55, A Resolution Approving the Agreement of Lease Between the City of Black Hawk as Lessor and Beacon Integrated Technologies as Lessee.

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

D. Resolution 56, A Resolution Awarding the Bid for the Design of the Police Department Annex and Emergency Operations Center to Roche Constructors, Inc. in an Amount Not to Exceed \$64,000.00, Plus Reimbursable Expenses

Mayor Spellman read the title.

Senior Civil Engineer Reed, explained this was the City's first Design-Build proposal, and 12 bids were received. He said three firms stood out, yet Roche Constructors seemed to be the best fit and the least expensive. Reed said this was the design-only portion, and he anticipates coming back before Council with a construction contract later this year. City Attorney Hoffmann pointed out that the construction contract would be a Guaranteed Maximum Price Contract (GMP).

Alderman Midcap asked why a design-build at this time and Reed responded that this is the direction the industry is moving in and it is a way to manage costs a little better. Hoffmann added that there are still elements of risk, but the size and scope of this project offers less of a risk and this would be the perfect first project to initiate this type of system.

MOTION TO APPROVE

Alderman Johnson **MOVED** and was **SECONDED** by Alderman Torres to approve Resolution 56, A Resolution Awarding the Bid for the Design of the Police Department Annex and Emergency Operations Center to Roche Constructors, Inc. in an Amount Not to Exceed \$64,000.00, Plus Reimbursable Expenses.

MOTION PASSED

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

10. CITY MANAGER REPORTS:

City Manager Lewis had nothing to report.

11. CITY ATTORNEY:

City Attorney Hoffmann had nothing to report.

12. EXECUTIVE SESSION: City Attorney Hoffmann recommended item number 2 for Executive Session, in regards to pending legislation and property issues

MOTION TO ADJOURN INTO EXECUTIVE SESSION

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn into Executive Session at 3:15 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

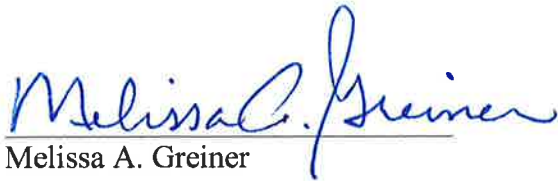
There was no discussion and the motion **PASSED** unanimously.

MOTION TO ADJOURN

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



Melissa A. Greiner
City Clerk



David D. Spellman
Mayor

