



**City of Black Hawk
City Council**

October 11, 2017

MEETING MINUTES

New Police Officer Stephanie Whitman rang the bell.

1. **CALL TO ORDER:** The regular meeting of the City Council was called to order on Wednesday, October 11, 2017, 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, City Manager Lewis, Police Chief Cole, Police Officer Whitman, Finance Director Hillis, Public Works Director Isbester, 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 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 EMPLOYEE:

Stephanie Whitman, Police Officer

Police Chief Cole introduced new Police Officer Stephanie Whitman. Officer Whitman was the top academic finisher in her academy and has a two-year degree in Criminal Justice. Chief Cole said the Department is very happy to have her. She was warmly welcomed by Council.

6. PUBLIC COMMENT:

Deputy City Clerk Martin confirmed that no one had signed up to speak.

7. APPROVAL OF
MINUTES:

September 27, 2017

**MOTION TO
APPROVE**

Alderman Johnson **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:

A. CB23, An Ordinance Approving the FTA Section 5311 Grant Agreement Between the Colorado Department of Transportation, Division of Transit and Rail and the City of Black Hawk

Mayor Spellman read the title and opened the public hearing.

Public Works Director Isbester introduced this item. He said the Division of Transit and Rail earmarked funds to assist with rural transit operations. He said these funds would help offset some of the cost of labor the City pays to MV Transportation.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on CB23, an Ordinance approving the FTA Section 5311 Grant Agreement between the Colorado Department of Transportation, Division of Transit and Rail and the City of Black Hawk 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 Armbright to approve CB23, an Ordinance approving the FTA Section 5311 Grant Agreement between the Colorado Department of Transportation, Division of Transit and Rail and the City of Black Hawk.

MOTION PASSED

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

9. ACTION ITEMS:

A. Resolution 60-2017, A Resolution Approving the Judges Selected to Serve for the Special Municipal Election in the City of Black Hawk on November 7, 2017

Mayor Spellman read the title.

City Attorney Hoffmann introduced this item. He said under the Colorado Municipal Election Code, as adopted by the City of Black Hawk's Charter, the City is to approve the appointment of the Election Judges to serve at the City's Special Municipal Election to be held November 7, 2017.

MOTION TO APPROVE

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Johnson to approve Resolution 60-2017, a Resolution approving the Judges selected to serve for the Special Municipal Election in the City of Black Hawk on November 7, 2017

MOTION PASSED

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

B. Resolution 62-2017, A Resolution Approving and Ratifying a Change Order in the Amount Not to Exceed \$500,00 for the Construction of an Additional Rock Wall and Fencing for the Gregory Street Relocation Project

Mayor Spellman read the title.

Public Works Director Isbester explained that this was the addition of slope paving and a handrail section, across from Lille Belle's on Gregory Street, in order to define that space so people won't drive through there. He said it would be safer for pedestrians.

MOTION TO APPROVE

Alderman Moates **MOVED** and was **SECONDED** by Alderman Bennett to approve Resolution 62-2017, a Resolution approving and ratifying a Change Order in the amount not to exceed \$500,00 for the construction of an additional wall and fencing for the Gregory Street Relocation Project.

MOTION PASSED

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

10. CITY MANAGER REPORTS:

City Manager Lewis acknowledged the proposed 2018 Budget that had been placed on Council's dais prior to the meeting. He said as per State Statute the City is obligated to submit a draft budget by October 15. He congratulated staff on an excellent job putting it together, thanked Council for their input during the Capital Workshop, and added that the items from that Workshop have been included in the draft budget.

11. CITY ATTORNEY:

City Attorney Hoffmann provided an update on the brief the City had filed in support of the City of Arvada against Denver Health. He said the Colorado Supreme Court issued a decision and he felt it was more favorable than not, in that the Statute does not create a private cause of action to allow for hospitals to go after cities for medical expenses of a defendant. He said Legislature still needs to fix this problem and he is on a committee working with Hospital Associations and CML to address it.

12. EXECUTIVE SESSION:

City Attorney Hoffmann recommended item number 2 for Executive Session for specific legal issues related to Senate Bill 16-73, the City's Residential Design Standards, and an IGA with the ambulance service.

MOTION TO ADJOURN INTO EXECUTIVE SESSION

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn into Executive Session at 3:12 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 Moates to adjourn the Executive Session at 3:55 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 3:55 p.m.



Michele Martin
Deputy City Clerk



David D. Spellman
Mayor

