New Communication Officers Rebecka Allen and Amy Flynt rang the bell to open the meeting.

1. CALL TO ORDER: The regular meeting of the City Council was called to order on Wednesday, November 13, 2019, at 3:00 p.m. by Mayor Spellman.

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

Staff present: City Attorney Hoffmann, City Manager Cole, Fire Chief Woolley, Police Chief Lloyd, Finance Director Hillis, City Clerk/Administrative Services Director Greiner, Public Works Director Isbester, Senior Civil Engineer Reed, Community Planning & Development Director Linker, Baseline Engineering Consultants Harris, Watel and Nieske, 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. 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: Rebecka Allen, Communications Officer
Amy Flynt, Communications Officer

Police Chief Lloyd introduced new Communication Officers Rebecka Allen and Amy Flynt. Rebecka had graduated from Gilpin High School, and Amy Flynt had worked at Gilpin County Human Services. Both are Gilpin residents and were warmly welcomed by the Council.

6. PUBLIC COMMENT: Deputy City Clerk Martin confirmed that no one had signed up to speak.

7. APPROVAL OF MINUTES: October 23, 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:

A. 2020 Budget Adoption

   I. Resolution 75-2019, A Resolution Summarizing Expenditures and Revenues for Each Fund and Adopting a Budget for the City of Black Hawk, Colorado, for the Calendar Year Beginning on the First Day of January 2020 and Ending on the Last Day of December 2020, and Appropriating Sums of Money to Various Funds and Spending Agencies in the Amount, and for the Purposes Set Forth Within the Attached 2020 Budget

   II. CB24, An Ordinance Levying General Property Taxes for the Year 2019 to Help Defray the Costs of Government for the City of Black Hawk, Colorado for the 2020 Budget Year

Mayor Spellman read the titles and opened the public hearings.

Finance Director Hillis introduced the budget item and said there was only one change from what was discussed at the work session, the removal of $200,000 from the Council budget for the device tax rebate. Mayor Spellman said they zeroed out the line item for bus service since the casinos are not going to pursue bus service and will continue to use the current carriers.
City Attorney Hoffmann recommended a continuance of CB24 until December 11, 2019, as the County prefers for Black Hawk to wait for final assessed values related to property taxes before approval.

PUBLIC HEARING: Mayor Spellman declared a Public Hearing on Resolution 75-2019, a Resolution summarizing expenditures and revenues for each fund and adopting a Budget for the City of Black Hawk, Colorado, for the calendar year beginning on the first day of January 2020 and ending on the last day of December 2020, and appropriating sums of money to various funds and spending agencies in the amount, and for the purposes set forth within the attached 2020 Budget and on CB24, an Ordinance levying general property taxes for the year 2019 to help defray the costs of government for the City of Black Hawk, Colorado for the 2020 budget year open and invited anyone wanting to address the Board either “for” or “against” the proposed resolution and/or ordinance to come forward.

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

MOTION TO APPROVE Alderman Armbright MOVED and was SECONDED by Alderman Bennett to approve Resolution 75-2019, a Resolution summarizing expenditures and revenues for each fund and adopting a Budget for the City of Black Hawk, Colorado, for the calendar year beginning on the first day of January 2020 and ending on the last day of December 2020, and appropriating sums of money to various funds and spending agencies in the amount, and for the purposes set forth within the attached 2020 Budget.

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

MOTION TO CONTINUE Alderman Johnson MOVED and was SECONDED by Alderman Moates to continue until December 11, 2019 CB24, an Ordinance levying general property taxes for the year 2019 to help defray the costs of government for the City of Black Hawk, Colorado for the 2020 budget year.

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


Mayor Spellman read the title and opened the public hearing.

Ethan Watel, Senior Planner at Baseline Engineering, introduced this item and went through a brief presentation. He said the main changes were to remove references to the old Certificate of Appropriateness (COA) process and update with the new Certificate of Architectural
Compatibility (COAC) process, as well as additions of “small temporary signs” allowed without a permit in both residential and non-residential districts, the addition of temporary sign regulations in the History Appreciation Recreation Destination (HARD) District, and the creation of a Hard District Sign Committee made up of the City Manager, Community Planning and Development Director, and a City Manager designee to review applications and determine if they go before Council for approval or if they can be approved administratively. He said they plan to come back before Council in the future with a robust permanent sign program for the HARD District. Staff recommends approval.

City Attorney Hoffmann added that the City cannot regulate the content on a sign and that during an election season, one can have more signs subject to square footage.

**PUBLIC HEARING:** Mayor Spellman declared a Public Hearing on CB23, an Ordinance repealing and reenacting Chapter 15 of the Black Hawk Municipal Code entitled the Black Hawk Sign 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 Johnson **MOVED** and was **SECONDED** by Alderman Torres to approve CB23, an Ordinance repealing and reenacting Chapter 15 of the Black Hawk Municipal Code entitled the Black Hawk Sign Code.

**MOTION PASSED**

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

**C. CB25, An Ordinance Appointing a Director to the Board of the Black Hawk Business Improvement District**

Mayor Spellman read the title and opened the public hearing.

City Attorney Hoffmann called to mind the formation documents of the Business Improvement District (BID), which requires City Council to appoint the Board of Directors. He said the BID has a vacancy and they have recommended Dodd Hanneman, of Z Casino, to fill that vacancy.

**PUBLIC HEARING:** Mayor Spellman declared a Public Hearing on CB25, an Ordinance appointing a Director 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 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 CB25, an Ordinance appointing a Director to the Board of the Black Hawk Business Improvement District.

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

### D. CB26, An Ordinance Approving the FTA Section 5311 Operating Grant Agreement Between the Colorado Department of Transportation, Division of Transit and Rail and the City of Black Hawk dba Black Hawk and Central City Tramway for 2020 in an Amount Not to Exceed $112,890.00

Mayor Spellman read the title and opened the public hearing.

Public Works Director Isbester commended Amy Ostrander, one of the City’s consultants, on her successful award of this Grant for another year. He said this Grant helps to offset some of the operating costs for the shuttle service.

**PUBLIC HEARING:**  
Mayor Spellman declared a Public Hearing on CB26, an Ordinance approving the FTA Section 5311 Operating Grant Agreement between the Colorado Department of Transportation, Division of Transit and Rail and the City of Black Hawk dba Black Hawk and Central City Tramway for 2020 in an amount not to exceed $112,890.00 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 Armbright **MOVED** and was **SECONDED** by Alderman Midcap to approve CB26, an Ordinance approving the FTA Section 5311 Operating Grant Agreement between the Colorado Department of Transportation, Division of Transit and Rail and the City of Black Hawk dba Black Hawk and Central City Tramway for 2020 in an amount not to exceed $112,890.00.

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


Mayor Spellman combined these items together, read the titles, and opened the public hearings.

Melanie Nieske, Planner at Baseline Engineering, went through her presentation of both sign plan applications. She said the Canyon Casino application is requesting the addition of 49 square feet of the allowed 172.8 square feet of sign area, and the Dakota application requests the addition of 32 square feet of their allowed 172.8 square feet of sign area. All the details were provided in Council’s packet, and staff recommends approval of both applications.

Mayor Spellman had asked to go back to one of the sculpted shotcrete slides to discuss it’s progress. Vince Harris, Planning Director at Baseline Engineering, said he had just been out to visit the site and is in the middle of writing up an inspection report on his findings. He, too, has noticed a coating or efflorescence of white remaining on the walls from water pushing through and believes there is an issue with the system for drainage behind the wall, as it is not functioning as it should be. He said he plans to suggest a maintenance program and to ask the owners to evaluate why it is happening. Mayor Spellman was concerned about the freeze/thaw cycle and potential for pieces of the wall popping off to expose the old original shotcrete. JJ Garcia, General Manager for the Lodge, was in the audience and acknowledged the issue and will communicate it back to the contractors. Mr. Harris said he’d prefer that the maintenance recommendation is made quickly before they get their CO or TCO to use the parking lot. Mr. Harris will send a copy of his report to City Attorney Hoffmann.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on Resolution 76-2019, a Resolution conditionally approving a Certificate of Architectural Compatibility for a Comprehensive Sign Plan for the Canyon Casino Parking Lot and Resolution 77-2019, a Resolution conditionally approving a Certificate of Architectural Compatibility for a Comprehensive Sign Plan for the Dakota Parking Lot open and invited anyone wanting to address the Board either “for” or “against” the proposed resolutions to come forward.

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

MOTION TO APPROVE

Alderman Johnson MOVED and was SECONDED by Alderman Armbright to approve Resolution 76-2019, a Resolution conditionally

**MOTION PASSED**

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

**MOTION TO APPROVE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Torres to approve Resolution 77-2019, a Resolution conditionally approving a Certificate of Architectural Compatibility for a Comprehensive Sign Plan for the Dakota Parking Lot.

**MOTION PASSED**

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

9. **ACTION ITEMS:**

None

10. **PRESENTATION OF MARYLAND MOUNTAIN RECREATIONAL PARK VIDEO**

11. **CITY MANAGER REPORTS:**

   **Holiday Bonus Discussion**

City Manager said the auditors like to see a motion for the Holiday bonus and that the new bridge is set to be swung into place on November 25th, with an alternate date of December 2nd. **A MOTION was made by Alderman Moates to approve an annual Holiday bonus of $300 for Council, commission members, and all employees,** **SECONDED by Alderman Bennett and approved unanimously.**

12. **CITY ATTORNEY:**

City Attorney Hoffmann had nothing to report.

13. **EXECUTIVE SESSION:**

City Attorney Hoffmann recommended two items, which both fell under item number 2 only for Executive Session, and the specific legal issues related to potential legislation and intergovernmental relations.

**MOTION TO ADJOURN INTO EXECUTIVE**
Alderman Bennett MOVED and was SECONDED by Alderman Johnson to adjourn into Executive Session at 3:40 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).

There was no discussion, and the motion PASSED unanimously.

Alderman Bennett MOVED and was SECONDED by Alderman Moates to adjourn the Executive Session at 4:00 p.m.

There was no discussion, and the motion PASSED unanimously.

Mayor Spellman declared the Regular Meeting of the City Council closed at 4:00 p.m.