

City of Black Hawk  
City Council Minutes  
August 27, 2014

Rebecca Blondo, Executive Administrative Assistant, Administrative Services Department, rang the bell.

1. CALL TO ORDER: The regular meeting of the City Council was called to order at 3:00 p.m. by Mayor Spellman Wednesday, August 27, 2014.

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

Staff present: City Attorney Hoffmann, Acting City Manager and Police Chief Cole, City Clerk/Administrative Services Director Greiner, Community Planning and Development Administrator Linker, Finance Director Hillis, Fire Chief Taylor, Public Works Director Isbester, and IT Technician Muhammad.

PLEDGE OF  
ALLEGIANCE:

Mayor Spellman led the meeting in the recitation of the Pledge of Allegiance.

3. AGENDA CHANGES: City Clerk Greiner explained 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.

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(a) INTRODUCTION

OF NEW EMPLOYEE

Rebecca Blondo, Executive Administrative Assistant,  
Administrative Services Department

5(b) PUBLIC COMMENTS: M.K. & G.L. Schopen addressed Council to discuss their concerns on site improvements grant application which was denied by City

staff. Mr. and Mr. Schopen requested an appeal to staff's position to deny their site improvements grant application.

6. APPROVAL OF  
MINUTES FOR  
AUGUST 13, 2014

**MOTION TO  
APPROVE**

Alderman Johnson **MOVED** and was **SECONDED** by Alderman Torres to approve the Minutes of the meeting as presented.

**MOTION PASSED**

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

7. PUBLIC HEARINGS:

A. CB15, An Ordinance  
Approving the Inclusion  
of Property into the  
Black Hawk Business  
Improvement District  
and Changing the  
Boundaries of the  
District Consistent  
Therewith

Mayor Spellman read the title.

City Attorney Hoffman explained that at the previous meeting, the City authorized the petition for inclusion of 201 Selak Street, City Hall, within the Business Improvement District and the property will not be assessed the BID tax. The only thing the inclusion would do would be to allow for posting notices by the BID at City Hall.

**PUBLIC HEARING:**

Mayor Spellman declared a Public Hearing on CB15, An Ordinance Approving the Inclusion of Property into the Black Hawk Business Improvement District and Changing the Boundaries of the District Consistent Therewith 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 Johnson to approve CB15, An Ordinance Approving the

Inclusion of Property into the Black Hawk Business Improvement District and Changing the Boundaries of the District Consistent Therewith.

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

B. CB16, An Ordinance  
Appointing Directors  
to the Board of the  
Black Hawk Business  
Improvement  
District

Mayor Spellman read the title and added that Sean Demeule, Ameristar GM, and Craig Pleva, Monarch GM, are the nominees.

City Attorney Hoffmann explained under the same ordinance that created the Black Hawk Business Improvement District, you are also the entity to approve the Directors based on a recommendation received from the Business Improvement District. The Business Improvement District has provided these gentlemen as nominees to be appointed based on their positions with the respective casinos.

**PUBLIC HEARING:**

Mayor Spellman declared a Public Hearing on 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 came forward to speak and Mayor Spellman declared the Public Hearing closed.

**MOTION TO  
APPROVE**

Alderman Moates **MOVED** and was **SECONDED** by Alderman Torres to approve CB16, An Ordinance Appointing Directors to the Board of the Black Hawk Business Improvement District.

C. CB17, An Ordinance  
Approving The City  
of Black Hawk Fire  
Department Rules  
and Regulations and  
Standard Operating  
Guidelines

Mayor Spellman read the title.

Fire Chief Taylor explained this is a yearly update to the document. It has been updated to match the City’s Employee Handbook, and some new sections have been added. The document was changed from SOPs to SOGs to reflect the national

trend so Officers may make decisions based on field condition using the guidelines instead of having to adhere to strict policies.

**PUBLIC HEARING:**

Mayor Spellman declared a Public Hearing on An Ordinance Approving the City of Black Hawk Fire Department Rules and Regulations and Standard Operating Guidelines 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.

Alderman Torres commended staff on how well the document was written. Chief Taylor stated he would pass it on to his senior staff.

**MOTION TO APPROVE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Armbright to approve CB17, An Ordinance Approving The City of Black Hawk Fire Department Rules and Regulations and Standard Operating Guidelines.

**8. ACTION ITEMS:**

- D. Adoption of the General Fund Paint Program Guide to Programs (Continued from August 13, 2014 Resolution 56-2014)

Mayor Spellman read the title.

Community Planning and Development Administrator Linker explained the document has captured all of the direction and request given to her by Council. Clarification on duration of the program and paint warranties was given by Mrs. Linker. A question was raised on building permits. Discussion ensued.

**MOTION TO APPROVE**

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Johnson to approve the Adoption of the General Fund Paint Program Guide to Programs (Continued from August 13, 2014 – Resolution 56-2014).

**MOTION PASSED**

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

- E. Holiday Decoration Contract for

2014-2015

Mayor Spellman read the title.

Public Works Director Isbester explained staff was going through and fixing up holiday decorations and would be adding a new display at the entry into town for 2014. This is the same contractor as last year.

**MOTION TO APPROVE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Moates to approve the Holiday Decoration Contract for 2014-2015.

**MOTION PASSED**

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

9. CITY MANAGER REPORTS:

Flu Shot Clinic October 9, 2014 8 a.m. – 10:00 a.m. (PW Admin Building)  
Short Term Disability Contract Modification  
Disposal of Street Sweeper and 2 Blue Bird Buses

Council directed the Flu Shot Clinic should be offered to residents within City limits, employees, and eligible dependents.

Council agreed with the modification of the Short Term Disability Contract.

Council approved the disposal of a Street Sweeper and 2 Blue Bird Buses.

10. CITY ATTORNEY:

City Attorney Hoffmann requested an Executive Session regarding potential litigation regarding specific legal issues on legal advice, personnel policies, property acquisition, pending legislation, and pending land use applications.

11. EXECUTIVE SESSION:

**MOTION TO ADJOURN**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn into Executive Session at 3:45 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(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 4:50 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 4:50 p.m.

  
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Melissa Greiner  
City Clerk

  
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David D. Spellman  
Mayor