Senior Water Engineer Jim Ford rang the bell to open the meeting.

1. CALL TO ORDER: The regular meeting of the City Council was called to order on Wednesday, October 9, 2019, 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 Cole, Fire Chief Woolley, Police Chief Lloyd, Finance Director Hillis, City Clerk/Administrative Services Director Greiner, Public Works Director Isbester, Senior Civil Engineers Ford and Reed, Community Planning & 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. 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. PUBLIC COMMENT: Deputy City Clerk Martin confirmed that no one had signed up to speak.
6. APPROVAL OF MINUTES: September 25, 2019

MOTION TO APPROVE

Alderman Armbright MOVED and was SECONDED by Alderman Bennett to approve the Minutes as presented.

MOTION PASSED

There was no discussion, and the motion passed unanimously.

7. PUBLIC HEARINGS:

None

8. ACTION ITEMS:

A. Resolution 70-2019, A Resolution Approving the City of Black Hawk Fee Schedule, as Amended

Mayor Spellman read the title.

Community Planning & Development Administrator Linker and Fire Chief Woolley presented their proposed changes. Ms. Linker said that recent legislation had passed to allow jurisdictions to set their own electrical fees if they are conducting their own inspections, so on advice from SAFEbuilt, the City’s contracted Building Inspectors, the suggested changes were highlighted in the proposed schedule. She said one item to note was the deletion of the reference to the state’s electrical fees.

Chief Woolley explained his expansion on the fees to accommodate for inspections the department is performing on a regular basis, as opposed to trying to capture those fees afterward. Also, he said, he added more sections for fire sprinklers and fire systems instead of changing building plan review fees for those circumstances.

MOTION TO APPROVE

Alderman Johnson MOVED and was SECONDED by Alderman Torres to approve Resolution 70-2019, a Resolution approving the City of Black Hawk Fee Schedule, as amended.

MOTION PASSED

There was no discussion, and the motion PASSED unanimously.
B. Resolution 71-2019, A Resolution Approving the Reclassification of the Position of Community Planning and Development Administrator to Community Planning and Development Director

Mayor Spellman read the title.

City Clerk/Administrative Services Director Greiner introduced this item on behalf of City Manager Cole in order to better reflect Ms. Linker’s current duties and responsibilities.

Alderman Torres commented on the Driver’s License section of the description and thought it should be located elsewhere. Mayor Spellman suggested talking with City Manager Cole and City Attorney Hoffmann on this separate from the Resolution.

MOTION TO APPROVE

Alderman Armbright MOVED and was SECONDED by Alderman Bennett to approve Resolution 71-2019, a Resolution approving the reclassification of the position of Community Planning and Development Administrator to Community Planning and Development Director.

MOTION PASSED

There was no discussion, and the motion PASSED unanimously.

C. Resolution 72-2019, A Resolution Approving the Judges Selected to Serve for the Special Municipal Election in the City of Black Hawk on November 5, 2019

Mayor Spellman read the title.

City Clerk/Administrative Services Director Greiner explained the requirement for election judges for the City’s upcoming Special Election on November 5.

MOTION TO APPROVE

Alderman Bennett MOVED and was SECONDED by Alderman Torres to approve Resolution 72-2019, a Resolution approving the judges selected to serve for the Special Municipal Election in the City of Black Hawk on November 5, 2019.

MOTION PASSED

There was no discussion, and the motion PASSED unanimously.


Mayor Spellman read the title.
Finance Director Hillis introduced this item to increase commercial user water rates. He said it had been over ten years since the rates have increased, and if approved, they would go in effect on January 1. He said this would repay the General Fund, which has transferred over $11,500,000 to capital water system projects and create a true Water Enterprise Fund.

**MOTION TO APPROVE**

Alderman Johnson moved and was seconded by Alderman Armbright to approve Resolution 73-2019, a Resolution establishing water rates pursuant to Section 12-23 of the Black Hawk Municipal Code.

**MOTION PASSED**

There was no discussion, and the motion passed unanimously.

9. **CITY MANAGER REPORTS:**

City Manager Cole noted for the record that the 2020 proposed annual budget had been distributed to Council. A 2:00 Budget Work Session has been scheduled on October 23rd, with formal adoption on November 13th.

10. **CITY ATTORNEY:**

City Attorney Hoffmann added that by delivering the budget today, the City satisfies its legal obligation to provide to City Council before October 15th.

11. **EXECUTIVE SESSION:**

City Attorney Hoffmann recommended items number 2 and 5 only for Executive Session, and the specific legal issue relates to land use issues.

**MOTION TO ADJOURN INTO EXECUTIVE SESSION**

Alderman Bennett moved and was seconded by Alderman Johnson to adjourn into Executive Session at 3:13 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), and to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. § 24-6-402(4)(e).

**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 3:55 p.m.
There was no discussion, and the motion PASSED unanimously.

12. ADJOURNMENT: Mayor Spellman declared the Regular Meeting of the City Council closed at 3:55 p.m.

Melissa A. Greiner, CMC
City Clerk

David D. Spellman
Mayor