



**City of Black Hawk  
City Council**

**June 28, 2017**

**MEETING MINUTES**

Young Masters Warren and Jeremiah White, the grandsons of City Manager Lewis rang the bell. Mr. Lewis's youngest daughter Grace and her husband Captain Nate White of the U.S. Army, soon to be Major, were visiting.

1. CALL TO ORDER: The regular meeting of the City Council was called to order on Wednesday, June 28, 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, City Clerk/Administrative Services Director Greiner, Finance Director Hillis, Public Works Director Isbester, Senior Civil Engineer Reed, Community Planning and Development Administrator Linker, Fire Captain Schaller, 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 stated that the agenda had been revised to update Resolution 48-2017's title block.

Mayor Spellman said that City Council will go into Executive Session prior to acting on Action Item 8G, Resolution 48-2017, and then will reconvene to vote on it.

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

6. APPROVAL OF MINUTES: June 14, 2017

**MOTION TO APPROVE** Alderman Armbright **MOVED** and was **SECONDED** by Alderman Torres 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 42-2017, A Resolution Accepting City of Black Hawk 2016 Audit**

Mayor Spellman read the title.  
  
Finance Director Hillis introduced this item and said the City’s auditor, John Cutler and Associates, has issued an unqualified or clean opinion on the City’s 2016 Audit, which is the best type of opinion an auditee can receive.

**MOTION TO APPROVE** Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to approve Resolution 42-2017, a Resolution accepting the City of Black Hawk 2016 Audit.

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

**B. Resolution 43-2017, A Resolution Authorizing the Donation of 30 Kenwood Portable Radios and Associated Equipment to the Timberline Fire Protection District**

Mayor Spellman read the title.

Acting Fire Chief, Captain Mark Schaller, was present to introduce this item. He said the Department has 30 used portable radios that do not meet their current requirements. They would like to donate them to the Timberline Fire Protection District, who can use them to fill their immediate needs.

**MOTION TO APPROVE**

Alderman Armbricht **MOVED** and was **SECONDED** by Alderman Moates to approve Resolution 43-2017, a Resolution authorizing the donation of 30 Kenwood portable radios and associated equipment to the Timberline Fire Protection District.

**MOTION PASSED**

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

**C. Resolution 44-2017, A Resolution Revising a Job Description for Fleet Technician Aide to Fleet Custodian**

Mayor Spellman read the title.

Public Works Director Isbester explained that the previous title of Fleet Technician Aide led many applicants to the wrong impression of mechanic-related duties rather than the janitorial nature of the position.

**MOTION TO APPROVE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to approve Resolution 44-2017, a Resolution revising a job description for Fleet Technician Aide to Fleet Custodian.

**MOTION PASSED**

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

**D. Resolution 45-2017, A Resolution Approving a Purchase and Sale Agreement Between the City of Black Hawk and Daen Manriquez for Property Generally Known as 531 Chase Street, Consisting of the Somes Lode and Millsite Claims, and a Portion of Millsite 53**

Mayor Spellman read the title.

Public Works Director Isbester introduced this item and explained the location as part of the Maryland Mountain acquisition project.

**MOTION TO APPROVE**

Alderman Midcap **MOVED** and was **SECONDED** by Alderman Torres to approve Resolution 45-2017, a Resolution approving a Purchase and Sale Agreement between the City of Black Hawk and Daen Manriquez for property generally known as 531 Chase Street, consisting of the Somes Lode and Millsite Claims, and a portion of Millsite 53.

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

**E. Resolution 46-2017, A Resolution Approving a Revised Purchase and Sale Agreement Between the City of Black Hawk and Dorothy Lamb for the Surprise Lode**

Mayor Spellman read the title.

Public Works Director Isbester explained that this was another property that makes up the Maryland acquisition project. He said the City thought they had an agreement, but the owner changed her mind to include the mineral rights. City Attorney Hoffmann added that there has been a disagreement on what the fair market value is, yet the owner is getting the exact amount that her deceased husband had purchased the property for, no more and no less.

**MOTION TO APPROVE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to approve Resolution 46-2017, a Resolution approving a revised Purchase and Sale Agreement between the City of Black Hawk and Dorothy Lamb for the Surprise Lode.

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

**F. Resolution 47-2017, A Resolution Approving the Temporary Construction Easement From Ron Servis as the Personal Representative of the Property Owner of 191 Clear Creek to the City of Black Hawk Granting Temporary Construction Access for the Exterior Painting of 185 Clear Creek Street**

Mayor Spellman read the title.

Community Planning and Development Administrator Linker explained this housekeeping item. She said since 185 Clear Creek sits so close to the property line an easement with the neighboring property was necessary.

**MOTION TO APPROVE**

Alderman Moates **MOVED** and was **SECONDED** by Alderman Armbright to approve Resolution 47-2017, a Resolution approving the Temporary Construction Easement from Ron Servis as the personal representative of the property owner of 191 Clear Creek to the City of Black Hawk granting temporary construction access for the exterior painting of 185 Clear Creek Street.

**MOTION PASSED**

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

9. CITY MANAGER REPORTS:

City Manager Lewis reported that at the most recent CIRSA annual meeting, the City of Black Hawk was awarded for its outstanding accomplishment in the management of a successful Loss Control Program and thanked staff for all their work.

10. CITY ATTORNEY:

City Attorney Hoffmann had nothing to report.

11. EXECUTIVE SESSION:

City Attorney Hoffmann recommended items number 2 and 5 for Executive Session for specific legal issues related to potential legislation and legal issues related to the budget.

**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) 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 Moates to adjourn the Executive Session at 3:50 p.m.

**MOTION PASSED**

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

The open, regular session of the meeting resumed at 3:50 p.m. and continued with Action Item 8. G.

**G. Resolution 48-2017, A Resolution Awarding the Bid and Approving the Contract Between the City of Black Hawk and MW Golden Constructors in an Amount Not to Exceed \$5,427,864.00, Plus a Materials Testing Allowance of \$200,000.00 for Construction of the St. Charles Carriage House Public Parking Structure**

Mayor Spellman read the title.

Senior Civil Engineer Reed introduced this item as the next phase of the Gregory Street Redevelopment project. He said the construction plans were completed in 2016 and the engineer's estimate at that time was two million. He said six contractors had submitted bids and MW Constructors came in with the lowest. He went on to provide their history of experience in the City on previous projects, as well as work done for the Lodge Casino. He said they also have experience with this size of a project and have done parking structures for other municipalities. Staff recommends awarding the project this contractor.

**MOTION TO APPROVE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Armbright to approve Resolution 48-2017, a Resolution awarding the Bid and approving the Contract between the City of Black Hawk and MW Golden Constructors in an amount not to exceed \$5,427,864.00, plus a materials testing allowance of \$200,000.00 for construction of the St. Charles Carriage House public parking structure.

**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 3:55 p.m.

  
Melissa A. Greiner  
City Clerk

  
David D. Spellman  
Mayor

