



**City of Black Hawk  
City Council**

**August 28, 2019**

**MEETING MINUTES**

New Public Works employees Flesh, Groves, Ho, and Shomler shared a four-way handoff to ring the bell today.

1. **CALL TO ORDER:** The regular meeting of the City Council was called to order on Wednesday, August 28, 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, Acting Street Superintendent Jackson, Street Maintenance Workers Flesh, Groves, Ho, and Shomler, 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 Action Item B, Resolution 57-2019 had been added 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:

Garrett Flesh, Street Maintenance 1  
Eric Groves, Street Maintenance 1  
Henry Ho, Street Maintenance 1  
Robert Shomler, Street Maintenance 1

Acting Street Superintendent Jackson introduced the new Street employees. Their bios were included in the packet. They were warmly welcomed, and the Mayor and City Council told them the City looks great and that they are doing a good job!

6. EXECUTIVE  
SESSION:

Mayor Spellman dispensed with this Executive Session.

7. PUBLIC COMMENT:

Deputy City Clerk Martin confirmed that resident Tom Feeney had signed up to speak.

Tom Feeney, of Black Hawk, just wanted to let Council know that he was very pleased to see the fresh coat of paint on the stairs and that everything looked great.

8. APPROVAL OF  
MINUTES:

August 14, 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.

9. PUBLIC HEARINGS:

**A. CB18, An Ordinance Approving the 2020 Operating Plan and Budget of the Black Hawk Business Improvement District**

Mayor Spellman read the title and opened the public hearing.

City Attorney Hoffmann introduced this annual requirement under Colorado law. He added that this 2020 Operating Plan and Budget has already been approved by the Business Improvement District.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on CB18, an Ordinance approving the 2020 Operating Plan and Budget 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 Johnson **MOVED** and was **SECONDED** by Alderman Armbright to approve CB18, an Ordinance approving the 2020 Operating Plan and Budget of the Black Hawk Business Improvement District.

**MOTION PASSED**

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

10. ACTION ITEMS:

- A. Resolution 56-2019, A Resolution Approving the Professional Services Agreement Between the City of Black Hawk and Alpine Artisan Studios for the 2019 Christmas Décor Program in an Amount Not To Exceed \$147,285.04**

Mayor Spellman read the title.

Public Works Director Isbester introduced this item. He said this is the annual contract with a few changes. They plan to retire most of the old metal structures, add onto the new parking structure, and provide photo opportunity decorations, such as a large ornament and a reindeer on a bench.

**MOTION TO APPROVE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Moates to approve Resolution 56-2019, a Resolution approving the Professional Services Agreement between the City of Black Hawk and Alpine Artisan Studios for the 2019 Christmas Décor Program in an amount not to exceed \$147,285.04.

**MOTION PASSED**

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

- B. Resolution 57-2019, A Resolution Approving the Revised and Updated Proposal from CIGNA for 2019-2021 Ancillary Coverage**

Mayor Spellman read the title.

City Clerk/Administrative Services Director Greiner introduced this item. She said she went back to the benefits broker and asked them to review the weekly benefit for the short-term disability and the monthly benefit for long-term disability since more than half of the City’s

employees make more than what both disabilities currently pay. The broker came back with a modified agreement for short-term disability from \$1,250 to \$2,000 per week, and the long-term disability from \$6,000 to \$8,000 per month. She said the modification would only add \$1,338 a year and that the City had a rate pass this year, but had also budgeted for a 10% increase for both plans, so the money is already budgeted for in 2019. She added these new amounts would become effective September 1.

**MOTION TO APPROVE**

Alderman Armbricht **MOVED** and was **SECONDED** by Alderman Johnson to approve Resolution 57-2019, a Resolution approving the revised and updated proposal from CIGNA for 2019-2021 Ancillary Coverage.

**MOTION PASSED**

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

11. CITY MANAGER REPORTS:

City Manager Cole had nothing to report.

12. CITY ATTORNEY:

City Attorney Hoffmann updated Council on the Opioid litigation. He said there is a lot of action right now and a status letter will be sent out to all municipalities soon attempting to put together a negotiating class. He said Black Hawk is already a participant, but this letter will try to round up all the other municipalities that are not participating yet. He expects to be able to provide more updates shortly.

13. EXECUTIVE SESSION:

City Attorney Hoffmann recommended item number 2 only for Executive Session, and the specific legal advice relates to potential legislation.

**MOTION TO ADJOURN INTO EXECUTIVE SESSION**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn into Executive Session at 3:10 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 3:20 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 3:20 p.m.



Melissa A. Greiner, CMC  
City Clerk



David D. Spellman  
Mayor

