



**City of Black Hawk
City Council**

February 13, 2019

MEETING MINUTES

Visiting City Attorney Hilary Graham rang the bell to open the meeting.

1. **CALL TO ORDER:** The regular meeting of the City Council was called to order on Wednesday, February 13, 2019, by Mayor Spellman immediately following a work session.

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

Staff present: Visiting City Attorney Graham, Acting City Manager Cole, Acting Police Chief Lloyd, Fire Chief Woolley, Finance Director Hillis, Public Works Director Isbester, Senior Civil Engineers Ford and Reed, City Clerk/Administrative Services Director Greiner, Community Planning & Development Administrator Linker, IT Manager Muhammad, 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 agenda changes.

4. **CONFLICTS OF INTEREST:** Visiting City Attorney Graham 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.

Visiting City Attorney Graham 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:

January 23, 2019

**MOTION TO
APPROVE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Armbright to approve the Minutes as presented, with Aldermen Johnson and Torres abstaining.

MOTION PASSED

There was no discussion, and the motion passed with two abstentions.

7. PUBLIC HEARINGS:

A. CB7, An Ordinance Amending Various Sections of the Black Hawk Municipal Code Regarding 3.2 Beer

Mayor Spellman read the title and opened the public hearing.

Visiting City Attorney Graham introduced this item and said that the State Liquor Code was recently amended to remove reference to 3.2 Beer, now considered Fermented Malt Beverage; this Ordinance makes those same changes to the City's Municipal Code.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on CB7, an Ordinance amending various sections of the Black Hawk Municipal Code regarding 3.2 Beer 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 CB7, an Ordinance amending various sections of the Black Hawk Municipal Code regarding 3.2 Beer.

MOTION PASSED

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

8. ACTION ITEMS:

A. Resolution 8-2019, A Resolution Approving the City of Black Hawk Fee Schedule, As Amended

Mayor Spellman read the title.

City Clerk/Administrative Services Director Greiner introduced this housekeeping item to reflect those changes to the State's Liquor Code.

MOTION TO APPROVE

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to approve Resolution 8-2019, 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 9-2019, A Resolution Approving the 2019 Fireworks Production Contract Between the City of Black Hawk and Western Enterprises, Inc.

Mayor Spellman read the title.

City Clerk/Administrative Services Director Greiner said staff had met with the production company and it will be a similar contract to last year's show, with only a 5.6% cost increase due to higher tariffs from overseas suppliers.

MOTION TO APPROVE

Alderman Armbricht **MOVED** and was **SECONDED** by Alderman Moates to approve Resolution 9-2019, a Resolution approving the 2019 Fireworks Production Contract between the City of Black Hawk and Western Enterprises, Inc.

MOTION PASSED

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

C. Resolution 10-2019, A Resolution Authorizing the Filing of a Petition for Inclusion of City-Owned Property into the Silver Dollar Metropolitan District

Mayor Spellman read the title.

Visiting City Attorney Graham introduced this item. Mayor Spellman noted that it was the sliver of property at the intersection of Black Hawk Street and Highway 119 that was proposed to be included.

MOTION TO APPROVE

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Torres to approve Resolution 10-2019, a Resolution authorizing the filing of a Petition for Inclusion of City-Owned Property into the Silver Dollar Metropolitan District.

MOTION PASSED

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

D. Resolution 11-2019, A Resolution Approving the Professional Services Agreement Between the City of Black Hawk and Baseline Engineering Corporation in an Amount Not to Exceed \$139,145.00 for Civil Engineering Services Pertaining to the Gregory Street Phase 2 Project

Mayor Spellman read the title.

Senior Civil Engineer Reed introduced this item and said at the last meeting Council had approved the contract for Architectural services for the Phase 2 project; this contract is for the Civil Engineering services for the project. He said they sole sourced with Baseline Engineering due to the long-standing history of successful projects with them, and they are also the City's on-call engineers.

MOTION TO APPROVE

Alderman Midcap **MOVED** and was **SECONDED** by Alderman Johnson to approve Resolution 11-2019, a Resolution approving the Professional Services Agreement between the City of Black Hawk and Baseline Engineering Corporation in an amount not to exceed \$139,145.00 for Civil Engineering services pertaining to the Gregory Street Phase 2 Project.

MOTION PASSED

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

E. Resolution 12-2019, A Resolution Approving the Weecycle Environmental Consulting Proposal for the Selective Interior Non-Asbestos Containing Material Demolition of 305 Gregory, 311 Gregory, 321 Gregory, and 351 Gregory in a Total Amount Not to Exceed \$66,910.00

Mayor Spellman read the title.

Community Planning & Development Administrator Linker introduced this item and mentioned that Weecycle is the City's on-call Environmental services consultant. She said they had provided a proposal for opening up the interior of those identified Gregory Street buildings to aid PEH Architects in their design drawings for the Gregory Street Phase 2 project. When asked about asbestos, Linker said it was found in the putty of the windows of 305 Gregory and throughout 351 Gregory. She said the Abatement Contractor for asbestos would start on 351 Gregory first. She added that the Abatement Contractor would not start on 305 Gregory until a contractor is selected for the whole project. She noted that according to State regulations the windows from 305 Gregory could not be donated or reused, they must be bagged and disposed.

MOTION TO APPROVE

Alderman Moates **MOVED** and was **SECONDED** by Alderman Torres to approve Resolution 12-2019, a Resolution approving the Weecycle Environmental Consulting proposal for the selective interior non-asbestos containing material demolition of 305 Gregory, 311 Gregory, 321 Gregory, and 351 Gregory in a total amount not to exceed \$66,910.00.

MOTION PASSED

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

9. ACTING CITY
MANAGER
REPORTS:

Acting City Manager Cole had nothing to report.

10. CITY ATTORNEY:

Visiting City Attorney Graham had nothing to report.

11. EXECUTIVE
SESSION:

Visiting City Attorney Graham recommended item number 2 only for Executive Session for potential legislation and to inform Council of a citizen complaint.

MOTION TO ADJOURN INTO EXECUTIVE SESSION

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn into Executive Session at 3:09 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 Johnson to adjourn the Executive Session at 3:33 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 3:33 p.m.


Melissa A. Greiner, CMC
City Clerk


David D. Spellman
Mayor

