



**City of Black Hawk  
City Council**

**November 8, 2017**

**MEETING MINUTES**

New firefighter Cody Kalb rang the bell.

1. CALL TO ORDER: The regular meeting of the City Council was called to order on Wednesday, November 8, 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, Fire Chief Taylor, Fire Captain Hembroff, Firefighters Bowman and Kalb, Finance Director Hillis, City Clerk/Administrative Services Director Greiner, Public Works Director Isbester, Senior Civil Engineer Reed, Community Planning and 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 said the agenda had been revised to add Action Item 9C, Resolution 67-2017.

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:

Matthew Bowman, Firefighter  
Cody Kalb, Firefighter

Fire Chief Taylor introduced the two newest firefighters to the department, which he said brings the Fire Department to full staff for the first time in six months. Cody is a Colorado native, having served in the Reserves and as a volunteer with the Golden Fire Department. Matt is from the Colorado Springs area and has served in the Fire Districts of that area over the last three years. Chief Taylor said they were a great addition to the City and they were both warmly welcomed by Council.

6. PUBLIC COMMENT:

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

7. APPROVAL OF  
MINUTES:

October 25, 2017

**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.

8. PUBLIC HEARINGS:

**None**

9. ACTION ITEMS:

**A. Resolution 65-2017, A Resolution Approving the Agreement of Lease Between the City of Black Hawk as Lessor and MW Golden Constructors as Lessee for Property Located at 271 Gregory Street**

Mayor Spellman read the title.

Senior Civil Engineer Reed introduced this item. He said that CEI currently is leasing the property at 271 Gregory Street, which expires on November 14. He said that MW Golden would like to lease the property for their construction office starting on November 15 for a duration of nine months while they build the St. Charles Carriage House.

**MOTION TO APPROVE**

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Johnson to approve Resolution 65-2017, a Resolution approving the Agreement of Lease between the City of Black Hawk as Lessor and MW Golden Constructors as Lessee for property located at 271 Gregory Street.

**MOTION PASSED**

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

**B. Resolution 66-2017, A Resolution Approving the Personal Services Agreement with Peak Program Value LLC in an Amount Not to Exceed \$206,670.00 for a Comprehensive Construction Program Validation Process of the City's Residential Guide to Programs**

Mayor Spellman read the title.

City Manager Lewis introduced this item. He said the City has used the services of Chris Squadra, from Peak Program Value, for his expertise in reviewing the potential convention center/hotel project. He has been impressed with their skill level and knowledge in the area of construction, and would like to enter into an agreement with the firm to review the City's Residential Guide to Programs.

Mayor Spellman also pointed out that Peak Program Value has been an owner's representative on two of the homes on Chase Street that were in the program, so they have experience on that side of things as well.

It was agreed that the review would be a good exercise to undertake to determine how the City could potentially improve the program and/or save some costs moving forward.

**MOTION TO APPROVE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to approve Resolution 66-2017, a Resolution approving the Personal Services Agreement with Peak Program Value LLC in an amount not to exceed \$206,670.00 for a comprehensive construction program validation process of the City's Residential Guide to Programs.

**MOTION PASSED**

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

**C. Resolution 67-2017, A Resolution Approving the License Agreement Between the City of Black Hawk and Artists View Entertainment**

Mayor Spellman read the title.

City Clerk/Administrative Services Director Greiner explained that this was a last minute request that came in late Friday afternoon. She said

there were a few items still outstanding, but the Production Company does have their Blast Permit. She said the agreement would be conditional upon the outstanding items being met and final review by the City Attorney.

**MOTION TO APPROVE**

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Bennett to approve Resolution 67-2017, a Resolution approving the License Agreement between the City of Black Hawk and Artists View Entertainment, conditional upon the outstanding items being met and final review by the City Attorney.

**MOTION PASSED**

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

10. CITY MANAGER REPORTS:

City Manager Lewis addressed two items: one was the budget approval that was to be on today's agenda. He said the public notice did not get out in time, but that it will be on the December 13 agenda. The second item was the discussion of the holiday bonus of \$300 for employees. Alderman Bennett **MOVED** and was **SECONDED** by Alderman Armbright to approve the holiday bonus for employees. There was no discussion and the motion **PASSED** unanimously.

11. CITY ATTORNEY:

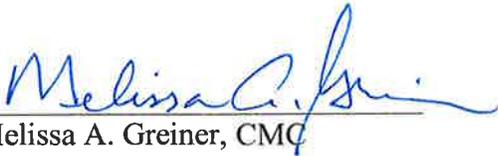
City Attorney Hoffmann noted that he and Police Chief Cole would be attending the first meeting of a working group to address the issue of underage gaming and to look for better mechanisms to address the criminal component of those violators, as the current protocol does not seem to have a deterrent effect. He said the Gaming Commission has asked various entities what other approaches might be available, and he said the City may suggest prosecuting the violators in municipal court under trespassing to allow the City to have more control and to deter them with a higher fine. He said the Gaming Commission has said that the Casinos are now the victims in this regard as they are the ones that currently get fined under state law, and that they are looking for a comprehensive solution for all gaming cities.

Mayor Spellman wanted to add that the City held a successful municipal election yesterday and thanked the Clerk's office for a job well done.

12. EXECUTIVE SESSION:

None

13. ADJOURNMENT: Mayor Spellman declared the Regular Meeting of the City Council closed at 3:18 p.m.



Melissa A. Greiner, CMC  
City Clerk



David D. Spellman  
Mayor

