



**City of Black Hawk
City Council**

April 8, 2020

MEETING MINUTES

1. CALL TO ORDER: The regular meeting of the City Council was called to order on Wednesday, April 8, 2020, at 3:00 p.m. by Mayor Spellman.
2. ROLL CALL: Physically Present: Mayor Spellman

Virtually Present: Aldermen Armbricht, Bennett, Johnson, Midcap, Moates, and Torres.

Virtual/Present Staff: City Attorney Hoffmann, City Manager Cole, Police Chief Lloyd, Finance Director Hillis, City Clerk/Administrative Services Director Greiner, Public Works Director Isbester, Senior Civil Engineer Reed, Community Planning & Development Director 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 that Resolution 35-2020 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 virtual and present audience if there were any objections to any member of Council voting on any issue on the agenda this afternoon. Both audiences had no objections.
5. PUBLIC COMMENT: Deputy City Clerk Martin confirmed no one had signed up to speak.

6. APPROVAL OF
MINUTES:

March 25, 2020

**MOTION TO
APPROVE**

Alderman Johnson **MOVED** and was **SECONDED** by Alderman Torres to approve the Minutes as presented.

MOTION PASSED

There was no discussion and the motion **PASSED** by a roll call vote of 6-0.

7. SWEARING IN OF
INCUMBENTS:

Judge Carlson swore in the Aldermen incumbents: Paul Bennett, Greg Moates, and Benito Torres. Deputy Clerk Martin called on each to accept their oath of office. All agreed by saying, I do. Judge Carlson then swore in Mayor Spellman, and again Deputy City Clerk Martin called on the Mayor to accept his oath of office, and he said: I do.

Alderman Moates took a moment to say thank you to Ameristar's management and staff for lighting up the hotel tower with room lights in the shape of a multi-story heart. He said it is not only beautiful but also uplifting during this incredibly trying and catastrophic time. He thanked them for their compassion and the amazing sense of community that they have inspired. He went on to say, because of people such as Ameristar's management and staff, we will go forward from this emergency, ready to face our new future, together.

8. PUBLIC HEARINGS:

None

9. ACTION ITEMS:

A. Resolution 30-2020, A Resolution Reappointing Ronald W. Carlson to be the City of Black Hawk Municipal Court Judge

Mayor Spellman read the title to reappoint Judge Carlson.

There was no discussion.

**MOTION TO
APPROVE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Midcap to approve Resolution 30-2020, a Resolution reappointing Ronald W. Carlson to be the City of Black Hawk Municipal Court Judge.

MOTION PASSED

There was no discussion and the motion **PASSED** by a roll call vote of 6-0.

B. Resolution 31-2020, A Resolution Reappointing Thad Renaud to be the City of Black Hawk Assistant Municipal Court Judge.

Mayor Spellman read the title to reappoint Assistant Judge Renaud.

There was no discussion.

**MOTION TO
APPROVE**

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Johnson to approve Resolution 31-2020, a Resolution Reappointing Thad Renaud to be the City of Black Hawk Assistant Municipal Court Judge.

MOTION PASSED

There was no discussion and the motion **PASSED** by a roll call vote of 6-0.

C. Resolution 32-2020, A Resolution Appointing a New Member to the City of Black Hawk Historic Preservation Commission.

Mayor Spellman read the title to appoint a new member to the Historic Preservation Commission.

There was no discussion.

**MOTION TO
APPROVE**

Alderman Torres **MOVED** and was **SECONDED** by Alderman Moates to approve Resolution 32-2020, a Resolution appointing a new member to the City of Black Hawk Historic Preservation Commission.

MOTION PASSED

There was no discussion and the motion **PASSED** by a roll call vote of 6-0.

D. Resolution 33-2020, A Resolution Awarding the Bid and Approving the Design-Build Contract Between the City of Black Hawk and Roche Constructors, Inc. in an Amount Not To Exceed \$12,650.00 for Pre-Construction Services Pertaining to the Police Station 2nd Floor Renovation Project

Mayor Spellman read the title.

Senior Civil Engineer Reed introduced this item. He explained that two upstairs bathrooms in the Police Department were previously converted into locker rooms, but since locker rooms are now available at the EOC building on Miners Mesa, these locker rooms will now be converted back into two smaller bathrooms, additional storage space, and a larger evidence room. He said four proposals were received, and Roche Constructors was the best and lowest proposal. He said this was a

design-build contract, so this is the cost for the design only, and that Roche will prepare a Guaranteed Maximum Price for construction of the project, at which time he will then come back before Council for that approval.

**MOTION TO
APPROVE**

Alderman Midcap **MOVED** and was **SECONDED** by Alderman Armbright to approve Resolution 33-2020, a Resolution awarding the Bid and approving the Design-Build Contract between the City of Black Hawk and Roche Constructors, Inc. in an amount not to exceed \$12,650.00 for pre-construction services pertaining to the Police Station 2nd floor renovation project.

MOTION PASSED

There was no discussion and the motion **PASSED** by a roll call vote of 6-0.

E. Resolution 34-2020, A Resolution Awarding the Bid and Approving the Contract Between the City of Black Hawk and High Country Conservation, LLC in an Amount Not To Exceed \$260,436.80 to Construct the Maryland Mountain Trail System Project

Mayor Spellman read the title.

Senior Civil Engineer Reed Matt explained this was for the entire trail system. He said they received in four proposals; two were from general contractors without much trail building experience, so they were eliminated first, and the other quoted a price of \$550,000, so they decided on High Country Conservation who has a lot of trail experience, but in the Appalachians not in the Rockies. He said to mitigate that risk, the City will have its trail designer on-site regularly. He said they plan to be out here around May 1 and live in tents on-site; they expect to complete the project by the end of the year.

**MOTION TO
APPROVE**

Alderman Torres **MOVED** and was **SECONDED** by Alderman Bennett to approve Resolution 34-2020, a Resolution awarding the Bid and approving the contract between the City of Black Hawk and High Country Conservation, LLC in an amount not to exceed \$260,436.80 to construct the Maryland Mountain Trail System Project.

MOTION PASSED

There was no discussion and the motion **PASSED** by a roll call vote of 6-0.

F. Resolution 35-2020, A Resolution Forgiving Certain Device Taxes for the Month of April 2020, Payable in May 2020 and Deferring Certain Water Fees

Mayor Spellman read the title.

Mayor Spellman thought it was important enough to read the whole resolution. In the end, he reiterated that this demonstrates how responsible and reliable the City is to the casino industry and that we do not squander our money away on senseless lawsuits.

**MOTION TO
APPROVE**

Alderman Johnson **MOVED** and was **SECONDED** by Alderman Moates to approve Resolution 35-2020, a Resolution forgiving certain Device Taxes for the month of April 2020, payable in May 2020 and deferring certain water fees.

MOTION PASSED

There was no discussion and the motion **PASSED** by a roll call vote of 6-0.

**10. CITY MANAGER
REPORTS:**

City Manager Cole had nothing to report.

11. CITY ATTORNEY:

City Attorney Hoffmann had nothing to report.

**12. EXECUTIVE
SESSION:**

City Attorney Hoffmann recommended item numbers 2 and 5 only for Executive Session, and the specific legal issues related to the pending litigation filed by Central City against Black Hawk and others.

**MOTION TO
ADJOURN INTO
EXECUTIVE
SESSION**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn into Executive Session at 3:32 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** by a roll call vote of 6-0.

**MOTION TO
ADJOURN**


Alderman Bennett **MOVED** and was **SECONDED** by Alderman Moates to adjourn the Executive Session at 4:25 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 4:25 p.m.


Melissa A. Greiner, CMC
City Clerk


David D. Spellman
Mayor

