



**City of Black Hawk
City Council**

December 1, 2020

SPECIAL MEETING MINUTES

1. CALL TO ORDER: A special meeting of the City Council was called to order on Tuesday, December 1, 2020, at 11:00 a.m. by Mayor Spellman.
2. ROLL CALL: Present were: Mayor Spellman, Aldermen Armbright, Bennett, Johnson, and Moates.

Excused absence: Aldermen Midcap and Torres.

Virtual/Present Staff: City Attorney Hoffmann, City Manager Cole, Police Chief Moriarty, Fire Chief Woolley, Finance Director Hillis, City Clerk/Administrative Services Director Greiner, Public Works Director Isbester, 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 changes 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 audience if there were any objections to any member of Council voting on any issue on the agenda this afternoon. There were no objections noted.
5. PUBLIC COMMENT: City Clerk Greiner confirmed no one had signed up for public comment.

6. PUBLIC HEARINGS:

A. **CB30, A Bill for an Ordinance Amending Chapter 1 of the Black Hawk Municipal Code by Adding a New Article XII Regarding Limited Gaming to Implement the Statewide and Local Voter Approval of Amendment 77**

Mayor Spellman read the title and opened the public hearing.

City Attorney Hoffmann introduced this item and said this ordinance, if approved, would implement the results of the statewide vote for Amendment 77 and the local approval by the Black Hawk registered electors of the corresponding measure authorizing both unlimited bets, and authorizing the Black Hawk City Council, hereafter by resolution, to submit new games to the Colorado Limited Gaming Control Commission for its consideration in rulemaking for utilization in the City of Black Hawk. He said the official results were made final yesterday under state law, so that is why Council had to wait until today for this ordinance. He added that codifying this ordinance is done out of an abundance of caution if anyone in the future ever has any questions on the authority given to Council and what exactly happened on November 3, 2020.

Mayor Spellman said it is also a good way for the City to memorialize that we are the first host gaming city to approve the opportunities given to us in Amendment 77.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on Council Bill 30, a Bill for an Ordinance amending Chapter 1 of the Black Hawk Municipal Code by adding a new Article XII regarding Limited Gaming to implement the statewide and local voter approval of Amendment 77 open and invited anyone wanting to address the Board either "for" or "against" the proposed ordinance to come forward.

No one wished to speak, and Mayor Spellman declared the Public Hearing closed.

MOTION TO APPROVE

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to approve Council Bill 30, a Bill for an Ordinance amending Chapter 1 of the Black Hawk Municipal Code by adding a new Article XII regarding Limited Gaming to implement the statewide and local voter approval of Amendment 77.

MOTION PASSED

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

7. ACTION ITEMS:

A. Resolution 68-2020, A Resolution Authorizing Additional Approved Games in the City of Black Hawk Pursuant to Section 1-221 of the City of Black Hawk Municipal Code

Mayor Spellman read the title.

City Attorney Hoffmann introduced this item. Pursuant to the authority in the ordinance that was just approved, he said this resolution resulted from the City reaching out to the various members of the casino industry in Black Hawk and getting their input on games they would like rulemaking to commence at the state level. He went on to say there are many variations of these games, and the resolution tries to be as inclusive as possible. As to Keno, he said, there is already Keno authorized as a slot machine in the City, but he pointed out that the State Lottery may be seeking to have a lottery game of Keno; it is felt by the gaming community that Keno should be considered limited gaming and noted that it is already included in the gaming cities and should not be a lottery game. He said a couple of games were requested by casinos that were not included for several reasons, such as Bingo and Games of Skill because those games are already authorized through other agencies and are not part of limited gaming. He said it is both consistent and appropriate for the City not to get involved in other games that other agencies are involved in and that the State Lottery also should not get involved in games, such as Keno, that limited gaming is already involved in. He added that if approved, this resolution will be sent to the Colorado Limited Gaming Control Commission, and the City would then start a discussion with them on the priority of games.

Again, Mayor Spellman emphasized that this resolution memorializes that Black Hawk is the first gaming city to embrace the opportunities in Amendment 77.

**MOTION TO
APPROVE**

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Bennett to approve Resolution 68-2020, a Resolution authorizing additional approved games in the City of Black Hawk pursuant to Section 1-221 of the City of Black Hawk Municipal Code.

MOTION PASSED

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

8. CITY MANAGER
REPORT:

City Manager Cole requested City Council's approval of the \$300 holiday bonus for all employees, Boards, Commissions, and Council.

A MOTION WAS MADE by Alderman Moates, SECONDED by Alderman Bennett, and PASSED unanimously to approve the holiday bonus.

City Manager Cole explained that back in 2018 Council had given the City Manager authority to dispose of surplus equipment, so Public Works had put to auction two old buses and received \$5050 for both. It has come to his attention that the original resolution did not specifically list vehicles to dispose of, so he would like Council's affirmation and will bring back a new resolution at the next meeting.

A MOTION WAS MADE by Alderman Bennett, SECONDED by Alderman Johnson, and PASSED unanimously to authorize the City Manager to dispose of surplus vehicles.

9. CITY ATTORNEY
REPORT:

City Attorney Hoffmann had nothing to report.

10. ADJOURNMENT:

Mayor Spellman declared the Special Meeting of the City Council closed at 11:10 p.m.


Melissa A. Greiner, CMC
City Clerk


David D. Spellman
Mayor

