



**City of Black Hawk
City Council**

December 9, 2020

MEETING MINUTES

1. CALL TO ORDER: Mayor Spellman called the City Council's regular meeting to order on Wednesday, December 9, 2020, at 3:00 p.m.

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

Absent at the time
of Roll Call:

Alderman Johnson.

Virtual/Present Staff:

City Attorney Hoffmann, City Manager Cole, Police Chief Moriarty, Commanders Jantz and Cooper, Fire Chief Woolley, Finance Director Hillis, City Clerk/Administrative Services Director Greiner, Public Works Director Isbester, City 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.

Mayor Spellman asked the employees that were on the call to please stay on until the end of the meeting.

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. City Council noted no conflicts.

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 that no one had signed up for public comment.

6. APPROVAL OF
MINUTES: November 11, 2020 Regular Meeting Minutes
December 1, 2020 Special Meeting Minutes

**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 unanimously.

7. PUBLIC HEARINGS:

A. 2021 Budget Adoption

- I. Resolution 69-2020, A Resolution Summarizing Expenditures and Revenues for Each Fund and Adopting a Budget for the City of Black Hawk, Colorado, for the Calendar Year Beginning on the First Day of January 2021 and Ending on the Last Day of December 2021, and Appropriating Sums of Money to Various Funds and Spending Agencies in the Amount, and for the Purposes Set Forth Within the Attached 2021 Budget**
- II. CB31, An Ordinance Levying General Property Taxes for the Year 2020 to Help Defray the Costs of Government for the City of Black Hawk, Colorado for the 2021 Budget Year**

Mayor Spellman read the titles and opened the public hearings.

Finance Director Hillis said this version of the Budget included two small changes made at the Budget Work Session. Alderman Bennett thanked Hillis for a nice job.

PUBLIC HEARING: Mayor Spellman declared a Public Hearing on Resolution 69-2020, a Resolution summarizing expenditures and revenues for each fund and adopting a Budget for the City of Black Hawk, Colorado, for the calendar year beginning on the first day of January 2021 and ending on the last day of December 2021, and appropriating sums of money to various funds and spending agencies in the amount, and for the purposes set forth within the attached 2021 Budget open and invited anyone wanting to address the Board either “for” or “against” the proposed resolution 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 Armbright to approve Resolution 69-2020, A Resolution Summarizing Expenditures and Revenues for Each Fund and Adopting a Budget for the City of Black Hawk, Colorado, for the Calendar Year Beginning on the First Day of January 2021 and Ending on the Last Day of December 2021, and Appropriating Sums of Money to Various Funds and Spending Agencies in the Amount, and for the Purposes Set Forth Within the Attached 2021 Budget.

MOTION PASSED

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

Finance Director Hillis then explained that the Mill Levy increased a little in assessed value at .036 mills and \$11,400 in property taxes.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on CB31, an Ordinance levying general Property Taxes for the year 2020 to help defray the costs of Government for the City of Black Hawk, Colorado for the 2021 Budget year 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 Torres to approve CB31, an Ordinance levying general Property Taxes for the year 2020 to help defray the costs of Government for the City of Black Hawk, Colorado for the 2021 Budget year.

MOTION PASSED

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

B. CB32, An Ordinance Approving the Amendment to the Intergovernmental Grant Agreement Between the State of Colorado Department of Transportation, Division of Transit and Rail and the City of Black Hawk dba Black Hawk and Central City Tramway

Mayor Spellman read the title and opened the public hearing.

Public Works Director Isbester introduced this item for the shuttle, which adds the Phase II Grant Award of an extra \$81,000 and extends the time to utilize the funds until December 31, 2021.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on CB32, an Ordinance approving the amendment to the Intergovernmental Grant Agreement between the State of Colorado Department of Transportation, Division of Transit and Rail and the City of Black Hawk dba Black Hawk and Central

City Tramway 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 Armbricht **MOVED** and was **SECONDED** by Alderman Midcap to approve CB32, an Ordinance approving the amendment to the Intergovernmental Grant Agreement between the State of Colorado Department of Transportation, Division of Transit and Rail and the City of Black Hawk dba Black Hawk and Central City Tramway.

MOTION PASSED

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

C. CB33, An Ordinance Approving the Intergovernmental Agreement Between the City of Black Hawk and the Gilpin Ambulance Authority Regarding Maintenance of the Authority’s Ambulances

Mayor Spellman read the title and opened the public hearing.

Public Works Director Isbester explained this was our annual agreement for fleet maintenance with the Authority. He said our 2021 rate is now \$110/hour and was approved at this morning’s Authority meeting.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on CB33, an Ordinance approving the Intergovernmental Agreement between the City of Black Hawk and the Gilpin Ambulance Authority regarding maintenance of the Authority’s Ambulances 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 Torres to approve CB33, an Ordinance approving the Intergovernmental Agreement between the City of Black Hawk and the Gilpin Ambulance Authority regarding maintenance of the Authority’s Ambulances.

MOTION PASSED

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

D. CB34, An Ordinance Approving the City’s Participation in the Intergovernmental Agreement in the Colorado Information Sharing Consortium

Mayor Spellman read the title and opened the public hearing.

Commander Jantz introduced this item, allowing the Police Department to participate in a metro wide agency database to share information to help with investigations.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on CB34, an Ordinance approving the City's participation in the Intergovernmental Agreement in the Colorado Information Sharing Consortium 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 Armbright **MOVED** and was **SECONDED** by Alderman Bennett to approve CB34, an Ordinance approving the City's participation in the Intergovernmental Agreement in the Colorado Information Sharing Consortium.

MOTION PASSED

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

E. Resolution 70-2020, A Resolution Approving a Minor Subdivision to Combine Two Lots on Property Located at 7593 State Highway 119

Mayor Spellman read the title and continued the public hearing to the January 13, 2021, City Council meeting.

**MOTION TO
CONTINUE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Armbright to continue Resolution 70-2020, a Resolution approving a Minor Subdivision to combine two lots on property located at 7593 State Highway 119, to the January 13, 2021 meeting.

MOTION PASSED

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

8. ACTION ITEMS:

A. Resolution 71-2020, A Resolution Approving Change Order #2 in the Total Amount of \$64,858.84 for the Purpose of Restoring Stained Glass Windows in the Historic Methodist Church Building Located at 331 Gregory Street

Mayor Spellman read the title.

City Engineer Reed introduced this item. He started by saying that some exterior improvements are already included with the original bid. Yet, it has been discovered that there are several of the stained glass windows

that are cracked, mismatched, missing lead, and bowed in. If approved, he said, Watkins Stained Glass would complete the repairs. He added that Phil Watkins personally visited the site and will personally rehabilitate these windows; he has over 50 years of experience. His family dates back to the 1760s in this industry. He said they are the most knowledgeable and experienced stained glass studio around.

Alderman Midcap asked why the windows were not considered before, and Mayor Spellman replied that they did not anticipate going to this extent of restoration. From the exterior, they looked fine. He said once they went inside to talk about storm windows is when it was discovered that they needed to be restored. He added that it is probably better that it happened this way because the City's Historic Preservation Consultant recommended Watkins, who are highly sought after; he doesn't believe Roche Constructors would have thought to use Watkins.

**MOTION TO
APPROVE**

Alderman Moates **MOVED** and was **SECONDED** by Alderman Torres to approve Resolution 71-2020, a resolution approving Change Order #2 in the total amount of \$64,858.84 for the purpose of restoring stained glass windows in the Historic Methodist Church Building located at 331 Gregory Street.

MOTION PASSED

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

Alderman Johnson joined the meeting.

B. Resolution 72-2020, A Resolution Authorizing the Disposal of Surplus City Property

Mayor Spellman read the title.

City Manager Cole explained that Resolution 24-2018 authorized the City Manager to dispose of surplus or unused equipment but did not specifically call out vehicles. He added that the City is trying to move everything through auction houses for best market value and tracking purposes as a matter of process. He said if they came across anything unusual to donate or sell, he would bring that back to Council for approval.

**MOTION TO
APPROVE**

Alderman Armbricht **MOVED** and was **SECONDED** by Alderman Johnson to approve Resolution 72-2020, a resolution authorizing the disposal of surplus City property.

MOTION PASSED

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

C. Resolution 73-2020, A Resolution Approving the Fifth Addendum to the Agreement for Transit Related Services for the Black Hawk & Central City Tramway for 2021 Between MV Transportation, Inc. and the City of Black Hawk

Mayor Spellman read the title.

Public Works Director Isbester stated that MV Transportation is still willing to provide driver service with a slight increase. He's hoping to have the shuttle start running as of January 1, depending on COVID-19.

**MOTION TO
APPROVE**

Alderman Midcap **MOVED** and was **SECONDED** by Alderman Torres to approve Resolution 73-2020, a resolution approving the Fifth Addendum to the Agreement for transit-related services for the Black Hawk & Central City Tramway for 2021 between MV Transportation, Inc. and the City of Black Hawk.

MOTION PASSED

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

D. Resolution 74-2020, A Resolution Approving the Ninth Addendum to Personal Services Agreement with 5280 Strategies, LLC

Mayor Spellman read the title.

City Clerk/Administrative Services Director Greiner introduced the addendum's annual renewal for the City's lobbyists, with no changes to costs.

**MOTION TO
APPROVE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Armbright to approve Resolution 74-2020, a resolution approving the Ninth Addendum to Personal Services Agreement with 5280 Strategies, LLC.

MOTION PASSED

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

E. Resolution 75-2020, A Resolution Approving the Third Addendum to Personal Services Agreement with M & C Communications, LLC

Mayor Spellman read the title.

City Clerk/Administrative Services Director Greiner reported that the City has dramatically decreased its services with M&C due to budgetary constraints. She said M&C would only develop and manage the City's social media monthly, and anything else would be on a case-by-case basis.

**MOTION TO
APPROVE**

Alderman Torres **MOVED** and was **SECONDED** by Alderman Armbright to approve Resolution 75-2020, a resolution approving the Third Addendum to Personal Services Agreement with M & C Communications, LLC.

MOTION PASSED

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

F. Resolution 76-2020, A Resolution Approving the 2021 Contract with Pinnacol Assurance for Workers' Compensation Insurance

Mayor Spellman read the title.

City Clerk/Administrative Services Director Greiner introduced this item by saying this annual renewal will mark the completion of 10 years with Pinnacol. She said even though there was a slight increase in the City's Experience Mod, which limited savings for 2021, the reduction in payroll for 2021 and our history of 10 years with them has ultimately provided a 16% lower premium than 2020. She said that shows that they value our relationship.

**MOTION TO
APPROVE**

Alderman Torres **MOVED** and was **SECONDED** by Alderman Armbright to approve Resolution 76-2020, a resolution approving the 2021 Contract with Pinnacol Assurance for Workers' Compensation Insurance.

MOTION PASSED

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

G. Resolution 77-2020, A Resolution Adopting the 2021 City Council Regular Meeting Schedule

H. Resolution 78-2020, A Resolution Adopting the 2021 Holiday Schedule

I. Resolution 79-2020, A Resolution Adopting the 2021 Historic Preservation Commission Regular Meeting Schedule

Mayor Spellman read the titles.

City Clerk/Administrative Services Director Greiner introduced these last three housekeeping items regarding the meeting and holiday schedules for 2021.

**MOTION TO
APPROVE**

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Bennett to approve Resolution 77-2020, a resolution adopting the 2021 City Council regular meeting schedule, Resolution 78-2020, a resolution

adopting the 2021 holiday schedule, and Resolution 79-2020, a resolution adopting the 2021 Historic Preservation Commission regular meeting schedule.

MOTION PASSED

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

**9. CITY MANAGER
REPORTS:**

City Manager Cole had nothing to report.

10. CITY ATTORNEY:

City Attorney Hoffmann had nothing to report.

**11. EXECUTIVE
SESSION:**

City Attorney Hoffmann recommended item number 2 only for Executive Session and the specific legal issues related to City device fees, land use issues, and potential legislation.

Mayor Spellman wanted to close the last meeting of the year by noting how challenging of a year it was for everyone. He said it was sad not to see everyone in person at the meetings, and he missed ringing the bell and the cookies! He's hoping by the second quarter of 2021 we could be back to normal or as close to normal as possible. He said he misses seeing each other, which keeps up the enthusiasm for what's going on in the City. He ended by saying staff and team members have worked through this very well, and he wishes everyone a Merry Christmas and Happy Holidays.

Alderman Torres added that most places have cut back on projects, but Black Hawk did not, which is a real testament to making good decisions. He said Council may not always agree, but there is a lot of respect and unity, and they always arrive at the right decision, and he would like to congratulate everyone on Council.

Alderman Armbright said she was very happy they did not have to lay off anyone; Black Hawk was able to keep all employees.

**MOTION TO ADJOURN
INTO EXECUTIVE
SESSION**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn into Executive Session at 3:30 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
MOTION TO
ADJOURN**

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

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn the Executive Session at 3:50 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 3:50 p.m.


Melissa A. Greiner, CMC
City Clerk


David D. Spellman
Mayor

