



**City of Black Hawk  
City Council**

**March 11, 2020**

**MEETING MINUTES**

Fire Lieutenant Chris Reid rang the bell to open the meeting.

1. CALL TO ORDER: The regular meeting of the City Council was called to order on Wednesday, March 11, 2020, at 3:00 p.m. by Mayor Spellman.

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

Excused Absence: Alderman Midcap.

Staff present: City Attorney Hoffmann, City Manager Cole, Police Chief Lloyd, Finance Director Hillis, City Clerk/Administrative Services Director Greiner, Public Works Director Isbester, Public Works Superintendent Jackson, Senior Civil Engineers Ford and Reed, Fire Lieutenant Reid, Community Planning & Development Director 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 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 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 no one had signed up to speak.

6. APPROVAL OF  
MINUTES: February 26, 2020

**MOTION TO  
APPROVE**

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

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

7. PUBLIC HEARINGS:

**None**

8. ACTION ITEMS:

- A. Resolution 22-2020, A Resolution Approving Amendment No. 5 to the Construction Manager/General Contractor Agreement Executed on February 27, 2019 Between the City of Black Hawk and Roche Constructors, Inc., Increasing the Guaranteed Maximum Price (GMP) by \$297,700 for the Purpose of Installing Rock Slope Stabilization Measures Along the North Side of the Gregory Street Plaza**

Mayor Spellman read the title.

Senior Civil Engineer Reed introduced this item. He explained that during the excavation of the northern edge of the project behind the McAfee, Woodbury, and Norton Houses exposed a raw, untreated rock slope. The City called in their on-call Geotechnical Consultant Terracon to evaluate the area. He said this amendment is for those recommendations from Terracon, which includes about 80 rock bolts of various sizes and new narrow-gauge wire mesh to be installed to stabilize this area. He added that the wire mesh would be powder-coated brown to blend in and confirmed they will perform a locate on utilities.

**MOTION TO  
APPROVE**

Alderman Torres **MOVED** and was **SECONDED** by Alderman Moates to approve Resolution 22-2020, a Resolution approving Amendment No. 5 to the Construction Manager/General Contractor Agreement executed on February 27, 2019 between the City of Black Hawk and Roche Constructors, Inc., increasing the Guaranteed Maximum Price (GMP) by \$297,700 for the purpose of installing rock slope stabilization measures along the north side of the Gregory Street Plaza.

**MOTION PASSED**

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

9. CITY MANAGER  
REPORTS:

City Manager Cole had provided a memorandum to Council regarding the City's strategic plan for the Coronavirus COVID-19. He wanted to ensure that Council knew staff was on top of it and working through it.

10. CITY ATTORNEY:

City Attorney Hoffmann had nothing to report.

11. EXECUTIVE  
SESSION:

City Attorney Hoffmann recommended items number 2 and 5 for Executive Session for specific legal issues related to intergovernmental relations and potential legislation.

Before breaking for Executive Session, Mayor Spellman wanted to mention that at the last meeting he announced that he had invited Commissioner Ron Engels to the Public Hearing on March 25 to see if the County Commissioners would speak in support of the annexation in the Lake Gulch area; he is pleased to announce that Commissioner Engels did get back to him and stated that he did talk to his two fellow Commissioners and they certainly thought it was appropriate that he come to the meeting on March 25 to speak in support of the annexation in the Lake Gulch area. Mayor Spellman said this was good news that the Commissioners are looking out for the best interest of the County and what this project would mean to the County as far as the additional revenue, a good positive, he said.

Mayor Spellman said he then talked to Commissioner Engels, who also sits on the Board of Directors for the Central City Opera House Association, and asked him if he would like to get approval to speak on behalf of the Central City Opera House Association, or if someone else could attend from the Association to also speak in support of the project because he believes there is a relationship that could be built between Proximo Spirits and the Central City Opera House Association in the future. Commissioner Engels said he would ask and get back to him, but in the meantime, he has confirmed that the Commissioners are in support of the annexation, and he plans to attend the Public Hearing on March 25 to state their support. Mayor Spellman thought it was important to have that in the record.

**MOTION TO  
ADJOURN INTO  
EXECUTIVE  
SESSION**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn into Executive Session at 3:08 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** unanimously.

**MOTION TO  
ADJOURN**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn the Executive Session at 4:45 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 4:45 p.m.



Melissa A. Greiner, CMC  
City Clerk



David D. Spellman  
Mayor

