



**City of Black Hawk
City Council**

November 8, 2023

MEETING MINUTES

Mayor Spellman dispensed with the ringing of the bell due to the presentations and work session.

1. **CALL TO ORDER:** Mayor Spellman called the regular meeting of the City Council to order immediately after the Budget Work Session on Wednesday, November 8, 2023 at 3:25 p.m.

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

Staff Present: City Attorney Hoffmann, City Manager Cole, Police Chief Moriarty, Fire Chief Woolley, Administrative Services Director/City Clerk Greiner, Finance Director Hillis, Senior Accountant Parsons, Public Works Director Isbester, City Engineer Reed, Water Resource Engineer Dallam, Community Planning & Development Director Linker, and Deputy City Clerk Martin.

PLEDGE OF ALLEGIANCE: Mayor Spellman led the meeting in reciting the Pledge of Allegiance.

3. **AGENDA CHANGES:** Deputy City Clerk Martin confirmed there were no agenda changes.

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 audience if there were any objections to any member of the Council voting on any issue on the agenda this afternoon. There were no objections noted.

5. **PUBLIC COMMENT:** Deputy City Clerk Martin confirmed no one had signed up to speak.

6. APPROVAL OF
MINUTES:

October 25, 2023

**MOTION TO
APPROVE**

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

MOTION PASSED

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

7. PUBLIC HEARINGS:

A. Local Liquor Licensing Authority Consideration of a Special Event Liquor Permit for Gilpin County - TENTATIVE

Mayor Spellman read the title and opened the public hearing.

Deputy City Clerk Martin introduced this placeholder item in case any objections were received by today's deadline regarding a Special Event Liquor Permit for Gilpin County's employee holiday party held at the Rick Thomas Distillery. No objections were received, so there was no need to hold a public hearing.

PUBLIC HEARING:

None

**MOTION TO
APPROVE**

Alderman Torres **MOVED** and was **SECONDED** by Alderman Moates to approve the Special Event Liquor Permit for Gilpin County.

MOTION PASSED

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

B. CB33, An Ordinance Amending the City of Black Hawk Municipal Code by the Addition Thereto of a New Section 6-81 and the Amendment of Section 6-73 Authorizing Retail Establishment Permits

Mayor Spellman read the title and opened the public hearing.

Deputy City Clerk Martin introduced House Bill 23-1061, which created a new permit allowing complimentary liquor to be served at most retail establishments. She said the permit must be approved at the state and local levels, so amending our code was necessary, and the fee for the permit is the next agenda item.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on CB33, an Ordinance amending the City of Black Hawk Municipal Code by the addition thereto of a new Section 6-81 and the amendment of Section 6-73 authorizing Retail Establishment Permits open and invited anyone

wanting to address the Board either “for” or “against” the Ordinance to come forward.

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

**MOTION TO
APPROVE**

Alderman Johnson **MOVED** and was **SECONDED** by Alderman Bennett to approve CB33, an Ordinance amending the City of Black Hawk Municipal Code by the addition thereto of a new Section 6-81 and the amendment of Section 6-73 authorizing Retail Establishment Permits.

MOTION PASSED

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

8. ACTION ITEMS:

A. Resolution 83-2023, A Resolution Approving the City of Black Hawk Fee Schedule, as Amended

Mayor Spellman read the title.

Deputy City Clerk Martin introduced a few liquor related fee amendments to the City’s Fee Schedule, including the fee for a Retail Establishment Permit.

**MOTION TO
APPROVE**

Alderman Armbricht **MOVED** and was **SECONDED** by Alderman Torres to approve Resolution 83-2023, a Resolution approving the City of Black Hawk Fee Schedule, as amended.

MOTION PASSED

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

B. Resolution 84-2023, A Resolution Approving the Service Agreement Between the City of Black Hawk and Centurylink Communications, LLC dba Lumen Technologies Group for Internet Access to City Properties

Mayor Spellman read the title.

Finance Director Hillis explained the City always has two different providers to provide internet service. This agreement would confirm our price with Centurylink for the next three years.

**MOTION TO
APPROVE**

Alderman Armbricht **MOVED** and was **SECONDED** by Alderman Johnson to approve Resolution 84-2023, a Resolution approving the Service Agreement between the City of Black Hawk and Centurylink

Communications, LLC dba Lumen Technologies Group for internet access to City properties.

MOTION PASSED

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

9. CITY MANAGER
REPORT:

City Manager Cole, noting the holiday season upon us, brought up the annual holiday bonus. Alderman Moates **MOVED** and was seconded by Alderman Midcap to approve a team member appreciate gift of \$500 after taxes for all full-time team members, board members, and commissions.

10. CITY ATTORNEY
REPORT:

City Attorney Hoffmann had nothing to report.

11. EXECUTIVE
SESSION:

City Attorney Hoffmann recommended item number 5 only for Executive Session to instruct negotiators on City-owned property.

**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 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**

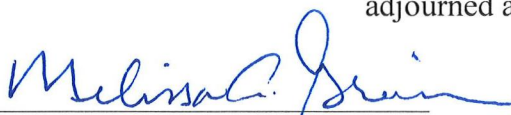
Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn the Executive Session at 3:42 p.m.


MOTION PASSED

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

12. ADJOURNMENT:

Mayor Spellman declared the Regular Meeting of the City Council adjourned at 3:42 p.m.


Melissa A. Greiner, CMC
City Clerk


David D. Spellman
Mayor

