



**City of Black Hawk
City Council**

October 11, 2023

MEETING MINUTES

Award-winning Newspaper Reporter from the Weekly Register-Call, Don Ireland, rang the bell to open the meeting.

1. CALL TO ORDER: Mayor Spellman called the regular meeting of the City Council to order on Wednesday, October 11, 2023 at 3:00 p.m.

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

Excused Absence: Alderman Torres

Staff Present: City Attorney Hoffmann, City Manager Cole, Police Commander Cooper, Police Officer Smith, Fire Chief Woolley, Finance Director Hillis, Public Works Director Isbester, Maintenance Services Manager Jackson, 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.

Mayor Spellman asked everyone to continue to stand in a Moment of Silence in a show of support for the State of Israel for the horrific atrocities that occurred over the weekend and to mourn the loss of life there.

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. EMPLOYEE
INTRODUCTION:

Police Officer Jay Lopez
Police Officer Michael Tenner
Communications Officer Chelsea Roybal

Police Commander Cooper introduced the Department's newest employees. He provided a background on each. He said Chelsea worked surveillance at local casinos for the past ten years, so is very familiar with the City; Officer Lopez comes to the City with a wealth of knowledge from over two decades at the City of Arvada, he was a motorcycle officer, detective, and promoted to Sergeant in 2013; Officer Tenner comes to the City as a Police Recruit and worked as a school security officer and has experience through the Mesa County Sheriff's Office and Castle Rock's Police Department.

They were all warmly welcomed by Council and staff.

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

7. APPROVAL OF
MINUTES: September 13, 2023

**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.

8. PUBLIC HEARINGS:

None

9. ACTION ITEMS:

A. Resolution 76-2023, A Resolution Approving an Amendment to the Professional Services Agreement with ERO Resources Corporation for the City's Water System Improvement Permit Applications in the Amount Not to Exceed \$126,435.56

Mayor Spellman read the title.

Water Resource Engineer Dallam introduced this item. He said the current contract was to provide permitting and environmental studies for our water system improvement project based on three proposed sites. New staff at the Army Corps of Engineers requested the Unnamed Gulch site, not previously considered, to be included as a retained alternative and the City to dismiss the other sites. This change order would provide that alternative study. Also, he said the City wished to separate out the proposed expansion to the Hidden Valley Infiltration Gallery as that project will be completed sooner than the permitting for the rest of the project.

**MOTION TO
APPROVE**

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Johnson to approve Resolution 76-2023, a Resolution approving an amendment to the Professional Services Agreement with ERO Resources Corporation for the City's Water System Improvement Permit Applications in the amount not to exceed \$126,435.56.

MOTION PASSED

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

B. Resolution 77-2023, A Resolution Ratifying the Approval of the Proposal from the Colorado Intergovernmental Risk Sharing Agency for 2024 Property Casualty Coverage

Mayor Spellman read the title.

City Manager Cole said Melissa Greiner had conducted a phone poll with Council to provide CIRSA with the City's approval by their deadline and that this Resolution simply ratifies that poll.

**MOTION TO
APPROVE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Armbright to approve Resolution 77-2023, a Resolution ratifying the approval of the proposal from the Colorado Intergovernmental Risk Sharing Agency for 2024 Property Casualty Coverage.

MOTION PASSED

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

C. Resolution 78-2023, A Resolution Reappointing Ronald W. Carlson to be the City of Black Hawk Municipal Court Judge

D. Resolution 79-2023, A Resolution Reappointing Thad Renaud and Robert Mack to be the City of Black Hawk Assistant Municipal Court Judges

Mayor Spellman read the titles.

City Attorney Hoffmann introduced these two items. He said the City missed bringing these Resolutions to Council back in 2022. The Resolutions are retroactive to May 1, 2022, as the Municipal Court Judge and Assistant Court Judge positions are reappointed every two years for two (2) year terms. He confirmed there was no issue with their authority because an official such as a judge serves until a replacement is appointed. Their reappointment Resolutions will be reheard in May 2024.

**MOTION TO
APPROVE**

Alderman Moates **MOVED** and was **SECONDED** by Alderman Midcap to approve Resolution 78-2023, a Resolution Reappointing Ronald W. Carlson to be the City of Black Hawk Municipal Court Judge, and Resolution 79-2023, a Resolution Reappointing Thad Renaud and Robert Mack to be the City of Black Hawk Assistant Municipal Court Judges.

MOTION PASSED

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

**10. CITY MANAGER
REPORT:**

City Manager Cole reported the distribution of the 2024 proposed budget due to Council before October 15th and announced the Budget Work Session scheduled for November 8th.

**11. CITY ATTORNEY
REPORT:**

City Attorney Hoffmann had nothing to report.

**12. EXECUTIVE
SESSION:**

City Attorney Hoffmann recommended items number 2 and 5 only for Executive Session to hold a conference with the City Attorney to receive legal advice on specific legal issues regarding intergovernmental relations and issues and to instruct negotiators regarding City-owned land in the Gregory Street HARD District.

**MOTION TO ADJOURN
INTO EXECUTIVE
SESSION**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn into Executive Session at 3:13 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 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 3:35 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 adjourned at 3:35 p.m.


Melissa A. Greiner, CMC
City Clerk


David D. Spellman
Mayor

