



**City of Black Hawk  
City Council**

**October 12, 2022**

**MEETING MINUTES**

New Police Officer Cameron Martinez 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 12, 2022 at 3:00 p.m.

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

**Staff Present:** City Attorney Hoffmann, City Manager Cole, Police Chief Moriarty, Fire Marshal Walsh, Finance Director Hillis, Clerk/Administrative Services Director Greiner, Public Works Director Isbester, Maintenance Services Manager Jackson, Water System Superintendent Fredericks, 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 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. INTRODUCTION OF  
NEW EMPLOYEE:

Police Officer Cameron Martinez

Police Chief Moriarty introduced Officer Martinez. He is a native of Colorado and comes to the City with experience from the Lakewood Police Department. He was warmly welcomed.

6. PUBLIC COMMENT:

Deputy City Clerk Martin confirmed no one had signed up to speak.

7. APPROVAL OF  
MINUTES:

September 14, 2022

**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 **PASSED** unanimously.

8. PUBLIC HEARINGS:

**None**

9. ACTION ITEMS:

**A. Resolution 60-2022, A Resolution Ratifying the Approval of the Proposal from the Colorado Intergovernmental Risk Sharing Agency for 2023 Property Casualty Coverage**

Mayor Spellman read the title.

City Clerk/Administrative Services Director Greiner introduced this item. She said it was the only item on the September 28<sup>th</sup> agenda, so a phone poll was conducted, and the item was unanimously approved to meet the deadline, allowing for the meeting on the 28<sup>th</sup> to be canceled. She explained the 17% increase was due to the City's total operating expenditures and insurance companies raising rates to cover liability insurance nationwide.

**MOTION TO  
APPROVE**

Alderman Armbricht **MOVED** and was **SECONDED** by Alderman Moates to approve Resolution 60-2022, a Resolution ratifying the approval of the proposal from the Colorado Intergovernmental Risk Sharing Agency for 2023 Property Casualty Coverage.

**MOTION PASSED**

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

**B. Resolution 61-2022, A Resolution Ratifying the Approval of the License Agreement Between the City of Black Hawk, Colorado and Boulder Mountainbike Alliance**

Mayor Spellman read the title.

Clerk/Administrative Services Director Greiner explained that a Special Event application had come in under the required 30 days, and to accommodate the applicant; another phone poll was conducted to expedite the License Agreement portion of the application. All were in favor of the approval. The applicant wishes to use the bike trails on City-owned Hidden Treasure/Maryland Mountain properties.

**MOTION TO APPROVE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to approve Resolution 61-2022, a Resolution ratifying the approval of the License Agreement between the City of Black Hawk, Colorado and Boulder Mountainbike Alliance.

**MOTION PASSED**

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

**C. Resolution 62-2022, A Resolution Authorizing the City Manager to Administratively Approve General License Agreements for City Property for Events of Ten Days or Less**

Mayor Spellman read the title.

Clerk/Administrative Services Director Greiner said this authorization is similar to the license agreements in the HARD District that the City Manager is authorized to approve. She added that it is easier to accommodate these types of license agreements, such as the Boulder Mountainbike Alliance agreement just approved.

**MOTION TO APPROVE**

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Bennett to approve Resolution 62-2022, a Resolution Authorizing the City Manager to administratively approve General License Agreements for City Property for events of ten days or less.

**MOTION PASSED**

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

**D. Resolution 63-2022, A Resolution Authorizing the Repair of Mountain Supply Line Wells #2 and #4 by Boulder Water Well Service and Supply, Inc. in the Total Amount Not to Exceed \$85,500.00**

Mayor Spellman read the title.

Public Works Director Isbester and Water System Superintendent Fredericks introduced this item. They said two wells on Dory Hill Road had suffered failures over the last couple of months, and they are about 20 years old. They noted that these were critical pieces of infrastructure.

**MOTION TO APPROVE**

Alderman Midcap **MOVED** and was **SECONDED** by Alderman Bennett to approve Resolution 63-2022, a Resolution authorizing the repair of mountain supply line wells #2 and #4 by Boulder Water Well Service and Supply, Inc. in the total amount not to exceed \$85,500.00.

**MOTION PASSED**

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

**E. Resolution 64-2022, A Resolution Authorizing the Mayor to Execute a Quitclaim Deed on Behalf of the City to a Newly Registered Elector Qualified to Serve on the Silver Dollar Metropolitan District**

Mayor Spellman read the title.

City Attorney Hoffmann explained that the Silver Dollar Metropolitan District (SDMD) is a separate governmental entity, but the City has a Directors' Parcel within the SDMD boundaries, so each time there is a newly qualified member of the SDMD under their service plan, City Council approves a Quitclaim Deed to allow the member to serve on the District, and if they ever leave then, the City receives the property back.

**MOTION TO APPROVE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Torres to approve Resolution 64-2022, a Resolution authorizing the Mayor to execute a Quitclaim Deed on behalf of the City to a newly registered elector qualified to serve on the Silver Dollar Metropolitan District.

**MOTION PASSED**

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

**10. CITY MANAGER REPORT:**

City Manager Cole reported the distribution of the proposed 2023 budget by Finance Director Hillis, required by law, to be received by October 15<sup>th</sup>. The budget work session is scheduled for November 9<sup>th</sup> at 2:00 pm.

Mayor Spellman added that the regular Council meeting would commence immediately after the work session.

City Manager Cole also requested for the December 14<sup>th</sup> regular meeting to be moved to December 7<sup>th</sup> to allow for more time in case anything needs further discussion, as the budget must be approved by December 15<sup>th</sup>. All were in favor.

**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 and the specific legal issues related to the Gilpin Ambulance Authority, City-owned buildings, and the construction contract with JBS, and the issues related to negotiations related to City-owned property.

**MOTION TO ADJOURN  
INTO EXECUTIVE  
SESSION**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn into Executive Session at 3:10 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  
EXECUTIVE SESSION**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn the Executive Session at 4:05 p.m.

**MOTION PASSED**

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

**MOTION TO RESUME  
REGULAR OPEN  
SESSION**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to resume back into regular session at 4:05 p.m.

**MOTION TO  
APPROVE**

Alderman Moates **MOVED** and was **SECONDED** by Alderman Johnson to send a notice of default to Thomas L. Feeney dba Feeney Farms, Inc., commonly known as the EagleSmart convenience store

located on City-owned property. The default is under the lease, which includes non-remittance of sales tax.

**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 4:06 p.m.

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Melissa A. Greiner, CMC  
City Clerk

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David D. Spellman  
Mayor



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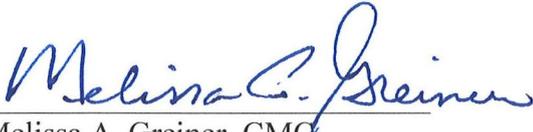
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City Clerk



David D. Spellman  
Mayor

