



**City of Black Hawk
City Council**

October 25, 2023

MEETING MINUTES

Public Works Director Isbester 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 25, 2023 at 3:00 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, Public Works Director Isbester, Maintenance Services Manager Jackson, Water Resource Engineer Dallam, City Engineer Reed, 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 11, 2023

**MOTION TO
APPROVE**

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

MOTION PASSED

There was no discussion, and the motion **PASSED** unanimously, noting the abstention from Aldermen Torres.

7. PUBLIC HEARINGS:

None

8. ACTION ITEMS:

A. Resolution 80-2023, A Resolution Approving the Acquisition of Certain Real Property Known as the Washington 611, the Mountain Rose 598, and the Jenkins Mining Claims

Mayor Spellman read the title.

City Manager Cole is seeking authorization to purchase property from Jeanie King for \$135,000. The property is located on top of Gregory Hill and is needed for future open space development. He said six acres are within the City, and almost four acres are outside of the City. He added that to execute this transaction, the City had to agree to purchase it all.

**MOTION TO
APPROVE**

Alderman Torres **MOVED** and was **SECONDED** by Alderman Midcap to approve Resolution 80-2023, a Resolution approving the acquisition of certain real property known as the Washington 611, the Mountain Rose 598, and the Jenkins Mining Claims.

MOTION PASSED

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

B. Resolution 81-2023, A Resolution Approving a Change Order to the Professional Services Agreement with LRE Water, Inc. in the Amount Not to Exceed \$35,239.00

Mayor Spellman read the title.

Water Resource Engineer Dallam introduced this item. He said the original agreement to provide services associated with a water well in the 4-Mile Gulch did not have a survey, environmental assessment, or wetlands delineation in the scope of services; this change will add those items to the agreement so the well can be drilled.

**MOTION TO
APPROVE**

Alderman Johnson **MOVED** and was **SECONDED** by Alderman Moates to approve Resolution 81-2023, a Resolution approving a change order to the Professional Services Agreement with LRE Water, Inc. in the amount not to exceed \$35,239.00.

MOTION PASSED

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

C. Resolution 82-2023, A Resolution Approving an Agreement with Lumin8 Transportation Technologies for Annual On-Call Traffic Signal Maintenance in the Amount Not to Exceed \$55,000.00

Mayor Spellman read the title.

Public Works Director Isbester introduced this on-call agreement, which is typical at the beginning of the year. He explained that Lumin8 used to be WL Contractors, and it took this long to get it executed because of the high turnover.

**MOTION TO
APPROVE**

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Torres to approve Resolution 82-2023, a Resolution approving an agreement with Lumin8 Transportation Technologies for annual on-call Traffic Signal Maintenance in the amount not to exceed \$55,000.00.

MOTION PASSED

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

**9. CITY MANAGER
REPORT:**

City Manager Cole discussed the end-of-year meeting schedule. He said there were two presentations to be heard before the Budget Work Shop, so instead of meeting at 2:00 p.m. on November 8th, he'd like to change it to 1:30 p.m., then immediately following the budget review and then the Council meeting.

Also, he said at the beginning of the year, December 6th was added to Council's Meeting Schedule, but he feels that December 13th would work better, so he is asking permission to change it from the 6th to the 13th.

City Attorney Hoffmann suggested making a motion to set the December meeting to the 13th because it was already approved and noticed at the beginning of the year to December 6th. Alderman Torres **MOVED** and was **SECONDED** by Alderman Moates to set the December meeting to December 13, 2023. There was no discussion, and the motion **PASSED** unanimously.

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 regarding various City properties and negotiations regarding possible property acquisition and negotiations related to Proximo.

**MOTION TO ADJOURN
INTO EXECUTIVE
SESSION**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn into Executive Session at 3:07 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 Johnson **MOVED** and was **SECONDED** by Alderman Moates to adjourn the Executive Session at 4:00 p.m.

**MOTION TO
RECONVENE THE
REGULAR OPEN
SESSION**

Alderman Johnson **MOVED** and was **SECONDED** by Alderman Moates to reconvene into the regular open session at 4:00 p.m.

**MOTION TO
APPROVE**

Alderman Moates **MOVED** and was **SECONDED** by Alderman Johnson to authorize the City Manager to execute a Professional Services Agreement with Black Fox Mining, LLC, in an amount not to exceed \$60,000 for design work related to the Bobtail Mine.


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 4:01 p.m.


Melissa A. Greiner, CMC
City Clerk


David D. Spellman
Mayor

