



**City of Black Hawk
City Council**

October 27, 2021

MEETING MINUTES

Public Works Director Tom Isbester rang the bell to open the meeting.

1. CALL TO ORDER: Mayor Spellman called the regular meeting of the City Council to order immediately after the Budget Work Session on Wednesday, October 27, 2021, at 2:40 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, Fire Chief Woolley, Police Chief Moriarty, Finance Director Hillis, City Clerk/Administrative Services Director Greiner, Public Works Director Isbester, 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 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 signed up to speak.

Mayor Spellman wanted to publically thank Larry Linker, Karen and Rebecca Midcap, and Lynnette Hailey for taking it upon themselves to clean up the creekscape. He said that Larry even donned waiters to get into the water. He said they did an excellent job and asked if the newspaper would acknowledge that.

6. APPROVAL OF
MINUTES: October 13, 2021

**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.

7. PUBLIC HEARINGS:

A. CB37, An Ordinance Approving the Second Amendment to Intergovernmental Agreement (Ambulance Services) Between the City of Black Hawk and the Silver Dollar Metropolitan District

Mayor Spellman read the title and opened the public hearing.

City Attorney Hoffmann noted that an updated agreement was handed out to each Council member at their dais. He said this amendment does two things; the first increases the share of the amount the Silver Dollar Metropolitan District (SDMD) pays of the City of Black Hawk's share for ambulance services up to 75% of the City's payment to the Gilpin Ambulance Authority (GAA). It was noted that it increased from 45% to 75%. And secondly, the City and the GAA would typically appoint two members each, and Central City would appoint one member, but this amendment allows the SDMD to appoint one of the City's two representatives if they choose to do so.

It was announced that Alderman Greg Moates has volunteered to step down from the GAA, in order to provide the SDMD the seat to appoint a member. Alderman Jim Johnson will remain as the City Council's representative. Mayor Spellman requested a round of applause for Alderman Moates' service over the last 13 years on the GAA Board.

PUBLIC HEARING: Mayor Spellman declared a Public Hearing on CB37, an Ordinance approving the Second Amendment to Intergovernmental Agreement (Ambulance Services) between the City of Black Hawk and the Silver

Dollar Metropolitan District open and invited anyone wanting to address the Board either “for” or “against” the proposed Ordinance to come forward.

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

**MOTION TO
APPROVE**

Alderman Moates **MOVED** and was **SECONDED** by Alderman Torres to approve CB37, an Ordinance approving the Second Amendment to Intergovernmental Agreement (Ambulance Services) between the City of Black Hawk and the Silver Dollar Metropolitan District.

MOTION PASSED

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

B. CB38, An Ordinance Approving the Intergovernmental Agreement Between the City of Black Hawk and the Gilpin Ambulance Authority Regarding Maintenance of the Authority’s Ambulances

Mayor Spellman read the title and opened the public hearing.

Public Works Director Isbester introduced the annual agreement.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on CB38, an Ordinance approving the Intergovernmental Agreement between the City of Black Hawk and the Gilpin Ambulance Authority regarding maintenance of the Authority’s Ambulances open and invited anyone wanting to address the Board either “for” or “against” the proposed Ordinance to come forward.

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

**MOTION TO
APPROVE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Armbright to approve CB38, an Ordinance approving the Intergovernmental Agreement between the City of Black Hawk and the Gilpin Ambulance Authority regarding maintenance of the Authority’s Ambulances.

MOTION PASSED

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

8. ACTION ITEMS:

A. Resolution 77-2021, A Resolution Approving the Purchase from Lindsey G. and Rosa L. Ashby

Mayor Spellman read the title.

City Manager Cole is seeking approval to purchase three mining claims, roughly 7.4 acres, for \$52,000, not to exceed \$60,000 to include the closing costs.

MOTION TO APPROVE

Alderman Midcap **MOVED** and was **SECONDED** by Alderman Torres to approve Resolution 77-2021, a Resolution approving the purchase from Lindsey G. and Rosa L. Ashby.

MOTION PASSED

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

B. Resolution 78-2021, A Resolution Approving the Colorado Opioids Settlement Memorandum of Understanding

Mayor Spellman read the title.

City Attorney Hoffmann began introducing this item by saying that the City of Black Hawk was one of the original litigating entities in this case. He said there is now a settlement that includes the state and all municipalities that participate. The allocation of funds that get directed to Black Hawk based on the City's population is insignificant, he said, but there are also allocations to regions, and the regions can cooperate with each other to maximize the funds. He went on to say what the funds could be used for and that it is an 18-year payment period that Black Hawk has to access funds. And, he continued, it will cover all of Black Hawk's attorney fees since Black Hawk was one of the original litigating entities.

MOTION TO APPROVE

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Johnson to approve Resolution 78-2021, a Resolution approving the Colorado Opioids Settlement Memorandum of Understanding.

MOTION PASSED

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

9. CITY MANAGER REPORTS:


City Manager Cole asked for approval to award the 3% annual bonus to employees. He said it was not budgeted for, but there are funds available for it.

It was MOVED by Alderman Moates and SECONDED by Alderman Torres to approve employees' 3% annual bonus. There was no discussion, and the motion PASSED unanimously.

10. CITY ATTORNEY: City Attorney Hoffmann wanted to acknowledge Alderman Moates for his time with the GAA, as he was also there at the very beginning 13 years ago when the GAA was first established. He said he couldn't express enough how instrumental Alderman Moates was in helping the GAA get started. He added it was a lot of hard work, thanked Alderman Moates, and said there would be no executive session in his honor 😊.

11. EXECUTIVE
SESSION: None

12. ADJOURNMENT: Mayor Spellman declared the Regular Meeting of the City Council adjourned at 2:55 p.m.


Melissa A. Greiner, CMC
City Clerk


David D. Spellman
Mayor

