



**City of Black Hawk  
City Council**

**January 10, 2024**

**MEETING MINUTES**

Gilpin County Commissioner Mornis 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 Open House on Wednesday, January 10, 2024 at 2:50 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, Acting Fire Captain Williams, Senior Firefighter Norman, 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, Development Services Coordinator Richards, and Deputy City Clerk Martin.

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

On behalf of Council, Mayor Spellman wanted to acknowledge the tour of the recently renovated Police Department by thanking the Police Department for their thoughtful layout of the space, the IT Department for setting up Dispatch, and City Engineer/Project Manager Matt Reed for a job well done. He said it is a small but efficient use of space and is a model for how to turn an old schoolhouse into a modern use.

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. EMPLOYEE

INTRODUCTION:

Esperanza Deterding, Communications Officer I  
Brandon Maxey, Firefighter

Police Chief Moriarty introduced new Communications Officer Espie. She noted that Espie is the first new hire to use the new dispatch area, as she was hired at the beginning of construction and was temporarily working out of the Gilpin Dispatch Center. Espie has served in the Army National Guard since August 2019 and is a great addition to the Police Department.

Fire Chief Woolley gave the honor of introducing new firefighter Brandon Maxey to Acting Captain Chris Williams. Williams provided Brandon's background and experience working as an EMT at the Gilpin Ambulance Authority and in the Elk Creek Fire Department. He said he is a perfect fit in the Fire Department and City of Black Hawk families.

Both were warmly welcomed and reminded by Alderman Bennett that they must stay a minimum of at least five years!!

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

7. APPROVAL OF  
MINUTES:

December 13, 2023 Special Meeting

**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:

**A. CB1, An Ordinance Levying General Property Taxes for the Year 2023 to Help Defray the Costs of Government for the City of Black Hawk, Colorado for the 2024 Budget Year**

Mayor Spellman read the title and opened the public hearing.

City Manager Cole introduced this item to set the Mill Levy at .036 mills for 2023, to be collected in 2024.

**PUBLIC HEARING:**

Mayor Spellman declared a Public Hearing on CB1, an Ordinance levying general property taxes for the year 2023 to help defray the costs of government for the City of Black Hawk, Colorado for the 2024 budget year 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 Torres **MOVED** and was **SECONDED** by Alderman Moates to approve CB1, an Ordinance levying general property taxes for the year 2023 to help defray the costs of government for the City of Black Hawk, Colorado for the 2024 budget year.

**MOTION PASSED**

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

**B. CB2, An Ordinance Approving the 2022 FTA Section 5311 Grant for Two (2) ADA Accessible BOC Replacement Buses Administered by the Colorado Department of Transportation, Division of Transit and Rail, for the Black Hawk and Central City Tramway**

Mayor Spellman read the title and opened the public hearing.

Public Work Director Isbester introduced this item. He said the buses are due in June.

**PUBLIC HEARING:**

Mayor Spellman declared a Public Hearing on CB2, an Ordinance approving the 2022 FTA Section 5311 Grant for two (2) ADA Accessible BOC replacement buses administered by the Colorado Department of Transportation, Division of Transit and Rail, for the Black Hawk and Central City Tramway 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 Armbright **MOVED** and was **SECONDED** by Alderman Torres to approve CB2, an Ordinance approving the 2022 FTA Section 5311 Grant for two (2) ADA Accessible BOC replacement buses administered by the Colorado Department of Transportation, Division of Transit and Rail, for the Black Hawk and Central City Tramway.

**MOTION PASSED**

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

9. ACTION ITEMS:

**C. Resolution 91-2023, A Resolution Approving a Professional Services Agreement with WW Wheeler and Associates, Inc. for the Pickle Gulch Reservoir Site Evaluation Study in the Amount Not to Exceed \$48,300.00**

Mayor Spellman read the title.

Water Resource Engineer Dallam introduced this item.

**MOTION TO APPROVE**

Alderman Midcap **MOVED** and was **SECONDED** by Alderman Johnson to approve Resolution 91-2023, a Resolution approving a Professional Services Agreement with WW Wheeler and Associates, Inc. for the Pickle Gulch Reservoir Site Evaluation Study in the amount not to exceed \$48,300.00.

**MOTION PASSED**

After some discussion, the motion **PASSED** unanimously.

**D. Resolution 1-2024, A Resolution Establishing a Designated Public Place for the Posting of Meeting Notices Pursuant to C.R.S. § 24-6-402(2)(c)**

Mayor Spellman read the title.

Deputy City Clerk Martin introduced this item. The City designates the City's website.

**MOTION TO APPROVE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Armbright to approve Resolution 1-2024, a Resolution establishing a designated public place for the posting of meeting notices pursuant to C.R.S. § 24-6-402(2)(c).

**MOTION PASSED**

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

**E. Resolution 2-2024, A Resolution Approving Certain Service Agreements for Calendar Year 2024 for CP&D**

Mayor Spellman read the title.

Community Planning & Development Director Linker introduced this item. Painting proposals will be ready in May.

**MOTION TO  
APPROVE**

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Midcap to approve Resolution 2-2024, a Resolution approving certain service agreements for calendar year 2024 for CP&D.

**MOTION PASSED**

After some discussion, the motion **PASSED** unanimously.

**F. Resolution 3-2024, A Resolution Approving Certain Service Agreements for Calendar Year 2024 for PW**

Mayor Spellman read the title.

Public Works Director Isbester introduced this item to help supplement staff.

**MOTION TO  
APPROVE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Moates to approve Resolution 3-2024, a Resolution approving certain service agreements for calendar year 2024 for PW.

**MOTION PASSED**

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

**G. Resolution 4-2024, A Resolution Approving the Acquisition of Certain Real Property Known as Portions of the Fay Lode MS 13338 (0.3 Acres), the Marks Lode MS 13338 (0.8 Acres), and the Dale Lode MS 13338 (.13 Acres)**

Mayor Spellman read the title.

City Manager Cole introduced this item to help improve the Lake Gulch Road roundabout.

**MOTION TO  
APPROVE**

Alderman Torres **MOVED** and was **SECONDED** by Alderman Johnson to approve Resolution 4-2024, a Resolution approving the acquisition of certain real property known as portions of the Fay Lode MS 13338 (0.3 Acres), the Marks Lode MS 13338 (0.8 Acres), and the Dale Lode MS 13338 (.13 Acres).

**MOTION PASSED**

After some discussion, the motion **PASSED** unanimously.

**H. Resolution 5-2024, A Resolution Amending the Compensation for the Members of the Historic Preservation Commission**

Mayor Spellman read the title.

Community Planning & Development Director Linker requested the first increase since 2009.

Alderman Midcap asked if having a family member on the HPC was a conflict of interest, to which the City Attorney responded that Council had made their disclosures and out of the Rule of Necessity since over three members of Council have relatives who sit on the HPC, it was fine to disclose and still vote on the matter.

Aldermen Johnson and Midcap offered their disclosures.

**MOTION TO  
APPROVE**

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Johnson to approve Resolution 5-2024, a Resolution amending the compensation for the members of the Historic Preservation Commission.

**MOTION PASSED**

After some discussion, the motion **PASSED** unanimously.

**10. CITY MANAGER  
REPORT:**

City Manager Cole had nothing to report.

**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 and items subject 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 3:17 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

