



**City of Black Hawk
City Council**

April 10, 2024

MEETING MINUTES

Black Hawk Municipal Judge Ronald W. Carlson 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, April 10, 2024, at 2:40 p.m., immediately following the Elected Officials Ethics Training.

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 Chief Woolley, Administrative Services Director/City Clerk Greiner, Community Planning & Development Director Linker, Finance Director Hillis, Public Works Director Isbester, Water Resource Engineer Dallam, Maintenance Services Manager Jackson, Deputy City Clerk Martin, and several others from the Police Department.

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

3. **AGENDA CHANGES:** Deputy City Clerk Martin noted no agenda changes.

4. **CONFLICTS OF INTEREST:** City Attorney Hoffmann stated that this is the portion of the agenda where the Council could disclose a conflict of interest on any matter on today's agenda, in addition to what is currently on file with the Secretary of State's Office and the City Clerk's Office. City Attorney Hoffmann asked the Council if they had any Conflicts of Interest and asked members of the audience if anyone objected to any Council member voting on any item on today's agenda.

Mayor Spellman recused himself from item 11C at which time Alderman Moates would chair the meeting.

Council noted no other conflicts, and no objections were received from the audience.

5. SWEARING IN OF
COUNCIL MEMBERS:

Mayor Spellman pointed out that the oath they are about to take is the same oath the first City Council took in 1864, as well as the marshal and other officers at the time. He said the language is a little more colorful than many of the oaths you see nowadays, but feels it is appropriate to use the oath the first City Council used.

Judge Carlson swore in Mayor Spellman and then the Aldermen collectively. All were given a round of applause.

Mayor Spellman took a moment to talk about the governance of the City of Black Hawk, and he characterized it by saying that Black Hawk is innovative and unique when it comes to municipal governance. It comes as close to an exception as any City can to the ageless quote, "You can please some of the people all of the time, you can please all of the people some of the time, but you can't please all of the people all of the time." In the City of Black Hawk, there are inherent benefits and opportunities all of the time for residents, property owners, City employees, and businesses. Simply stated, he said, Black Hawk is an outstanding City to live, work, and conduct business. He said this best encapsulates how we govern and that we really do benefit everyone who is associated with the City of Black Hawk.

6. EMPLOYEE
INTRODUCTIONS:

Jennifer Wilcox, Communications Officer I

Police Chief Moriarty introduced Jennifer to Council. She said she is completing her last week of training and is doing an excellent job, and they couldn't be more pleased.

She was warmly welcomed.

7. MAYOR AND BOARD
OF ALDERMEN
COMMENTS:

Alderman Moates wanted to thank the Fire Department and Chief Woolley for the exceptional work and care for the residents during the windstorm, which could have turned out to be quite the emergency, but that thankfully did not.

8. PUBLIC COMMENT: Deputy City Clerk Martin stated that no one had signed up to speak.

9. APPROVAL OF
MINUTES:

March 27, 2024

**MOTION TO
APPROVE**

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

MOTION PASSED

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

10. PUBLIC HEARINGS:

None

11. ACTION ITEMS:

A. Resolution 32-2024, A Resolution Reappointing Ronald W. Carlson to be the City of Black Hawk Municipal Court Judge

Mayor Spellman read the title.

Deputy City Clerk Martin introduced this item. Judge Carlson wanted Council to know that this is his best and most favorite judgeship of all. He said he appreciates being part of the Black Hawk family and the communication between Council and himself to make sure we serve the interest of justice and the citizens in a well-balanced but disciplined manner is refreshing and rewarding, and he appreciates having the job.

**MOTION TO
APPROVE**

Alderman Torres **MOVED** and was **SECONDED** by Alderman Bennett to approve Resolution 32-2024, a Resolution reappointing Ronald W. Carlson to be the City of Black Hawk Municipal Court Judge.

MOTION PASSED

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

B. Resolution 33-2024, A Resolution Approving a Change Order to the Design Services Contract with JVA, Inc. for Design Services for the Hidden Valley Water Treatment Plant in the Amount Not to Exceed \$52,000

Mayor Spellman read the title.

Water Resource Engineer Dallam introduced this item.

**MOTION TO
APPROVE**

Alderman Johnson **MOVED** and was **SECONDED** by Alderman Armbright to approve Resolution 33-2024, a Resolution approving a Change Order to the Design Services Contract with JVA, Inc. for design

services for the Hidden Valley Water Treatment Plant in the amount not to exceed \$52,000.

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

C. Resolution 35-2024, A Resolution Approving the Expenditures in the Total Amount Not to Exceed \$225,312 for the City's Exterior Paint Program

Mayor Spellman recused himself, and Alderman Moates chaired this item and read the title.

Community Planning & Development Director Linker was present for this item.

MOTION TO APPROVE

Alderman Johnson **MOVED** and was **SECONDED** by Alderman Torres to approve Resolution 35-2024, a Resolution approving the expenditures in the total amount not to exceed \$225,312 for the City's Exterior Paint Program.

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

D. Resolution 36-2024, A Resolution Amending the Policy Regarding Citizen Comments at City Council Meetings

Mayor Spellman read the title.

Administrative Services Director/City Clerk Greiner introduced this item.

MOTION TO APPROVE

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Torres to approve Resolution 36-2024, a Resolution amending the policy regarding citizen comments at City Council meetings.

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

E. Local Liquor Authority Consideration of a Request for a New Tavern Liquor License for Pinnacle MLS, LLC dba Ameristar Beer Garden at 100 Richman Street, to Set the Boundaries of the Neighborhood and Set a Date for Public Hearing

Mayor Spellman read the title.

Deputy City Clerk Martin introduced this item and reminded Council that they were now acting as the City's Local Liquor Authority.

The City Clerk's office received a completed new retail tavern liquor license application on April 3rd from Pinnacle MLS, LLC dba Ameristar Beer Garden located at 111 Richman Street. She said this meeting was to set the boundaries of the neighborhood, which is the entire City, and to schedule the public hearing date for May 22, 2024.

**MOTION TO
APPROVE**

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Johnson to approve the request for a new Tavern Liquor License for Pinnacle MLS, LLC dba Ameristar Beer Garden at 111 Richman Street, to set the boundaries of the neighborhood as the whole City of Black Hawk, and to set the public hearing date for May 22, 2024.

**12. CITY MANAGER
REPORT:**

City Manager Cole had nothing to report.

**13. CITY ATTORNEY
REPORT:**

City Attorney Hoffmann had nothing to report.

14. EXECUTIVE SESSION: City Attorney Hoffmann recommended items number 2 and 5 for Executive Session and the specific legal issues related to negotiations with other governmental entities, regarding snow removal within the City, and potential revisions to the Employee Handbook; the agenda had the exact language.

**MOTION TO ADJOURN
INTO EXECUTIVE
SESSION**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn into Executive Session at 2:54 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.

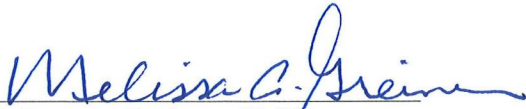
**MOTION TO
ADJOURN**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn the Executive Session at 3:15 p.m.

MOTION PASSED

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

15. ADJOURNMENT: Mayor Spellman declared the Regular Meeting of the City Council adjourned at 3:15 p.m.



Melissa A. Greiner, CMC
City Clerk



David D. Spellman
Mayor

