



**City of Black Hawk
City Council**

July 14, 2021

MEETING MINUTES

Gilpin County Commissioner Web Sill 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, July 14, 2021, at 3:00 p.m.

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

Attending by Phone: Alderman Midcap.

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, City Engineer Reed, 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 changes to the agenda.

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.

6. APPROVAL OF
MINUTES: June 23, 2021

**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.

7. PUBLIC HEARINGS:

A. CB18, An Ordinance Approving the FTA Section 5311 Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) Grant Administered by Colorado Department of Transportation, Division of Transit and Rail with the City of Black Hawk dba Black Hawk and Central City Tramway in an Amount not to Exceed \$411,868.00

Mayor Spellman read the title and opened the public hearing.

Public Works Director Isbester said the City had been awarded a 100% refundable grant to offset the operating expenses of the tramway.

PUBLIC HEARING: Mayor Spellman declared a Public Hearing on CB18, an Ordinance approving the FTA Section 5311 Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) Grant administered by Colorado Department of Transportation, Division of Transit and Rail with the City of Black Hawk dba Black Hawk and Central City Tramway in an amount not to exceed \$411,868.00 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 Armbright **MOVED** and was **SECONDED** by Alderman Moates to approve CB18, an Ordinance approving the FTA Section 5311 Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) Grant administered by Colorado Department of Transportation, Division of Transit and Rail with the City of Black Hawk dba Black Hawk and Central City Tramway in an amount not to exceed \$411,868.00.

MOTION PASSED

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

B. CB19, An Ordinance Repealing Article VII of Chapter 6 of the Black Hawk Municipal Code Regarding Contractor Registration

Mayor Spellman read the title and opened the public hearing.

City Attorney Hoffmann explained the purpose of the code at the time was to protect residents who were entering into contracts with contractors as part of City administered grant programs, and since those grant programs no longer exist, there is no further need for this code.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on CB19, an Ordinance repealing Article VII of Chapter 6 of the Black Hawk Municipal Code regarding Contractor Registration 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 Torres to approve CB19, an Ordinance repealing Article VII of Chapter 6 of the Black Hawk Municipal Code regarding Contractor Registration.

MOTION PASSED

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

8. ACTION ITEMS:

A. Resolution 45-2021, A Resolution of City Council of the City of Black Hawk, Colorado, Expressing the Intent of the City to be Reimbursed for Certain Expenses Relating to the Construction of Certain Capital Improvements

Mayor Spellman read the title.

City Attorney Hofmann explained that this resolution authorizes expenditures currently being made and those moving forward to be eligible to be paid out of either bond issuance or Certificates of Participation (COPs), even though the debt has not yet been issued.

MOTION TO APPROVE

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Johnson to approve Resolution 45-2021, a Resolution of City Council of the City of Black Hawk, Colorado, expressing the intent of the City to be

reimbursed for certain expenses relating to the construction of certain Capital improvements.

MOTION PASSED

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

B. Resolution 46-2021, A Resolution Approving the Title VI Plan for the Black Hawk and Central City Tramway Operations

Mayor Spellman read the title.

Public Works Director Isbester presented this resolution required to be submitted to the Federal Transit Administration every three years for the City to continue to apply for and receive grants.

**MOTION TO
APPROVE**

Alderman Torres **MOVED** and was **SECONDED** by Alderman Moates to approve Resolution 46-2021, a Resolution approving the Title VI Plan for the Black Hawk and Central City Tramway Operations.

MOTION PASSED

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

C. Resolution 47-2021, A Resolution Ratifying the Hiring of Two Additional Seasonal Maintenance Workers to Support the City's Annual Flower Program

Mayor Spellman read the title.

Public Works Director Isbester confirmed that Council had been pre-pollled on this topic. He noted that as new flower pots and baskets get added, much more maintenance is required, and the Public Works Department is already understaffed. It was agreed that two additional workers would be hired to care for the flowers.

**MOTION TO
APPROVE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Torres to approve Resolution 47-2021, a Resolution ratifying the hiring of two additional seasonal maintenance workers to support the City's annual Flower Program.

MOTION PASSED

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

D. Resolution 48-2021, A Resolution Approving the City of Black Hawk Fee Schedule, As Amended

Mayor Spellman read the title.

Community Planning & Development Director Linker provided some background on why the conveyance section of the Fee Schedule continues to change. She said the City originally contracted with A Smart Elevator, who then merged with a much larger company ATIS Elevator Inspection. She said staff is preparing a Standard Operating Procedure for staff, ATIS, and the conveyance owners and is comparing it to the scope of work under their professional services agreement, which will have to be amended. The result of this has affected the fees, and a meet and greet will be scheduled with all stakeholders once the process is completed.

**MOTION TO
APPROVE**

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Bennett to approve Resolution 48-2021, a Resolution approving the City of Black Hawk Fee Schedule, as amended.

MOTION PASSED

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

**E. Resolution 49-2021, A Resolution Terminating the Order Declaring a Local Disaster
Emergency In and For the City of Black Hawk, Colorado**

Mayor Spellman read the title.

City Attorney Hoffmann introduced this item. In March 2020, under the Colorado Emergency Disaster Act, Mayor Spellman issued a local disaster emergency, and a week later, City Council approved it according to the statute. He said there are no financial implications by terminating this order, and there is now no reason to keep it in place.

**MOTION TO
APPROVE**

Alderman Midcap **MOVED** and was **SECONDED** by Alderman Johnson to approve Resolution 49-2021, a Resolution terminating the order declaring a Local Disaster Emergency in and for the City of Black Hawk, Colorado.

MOTION PASSED

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

**9. CITY MANAGER
REPORTS:**

City Manager Cole had nothing to report.

10. CITY ATTORNEY:

City Attorney Hoffmann had nothing to report.

11. EXECUTIVE
SESSION:

City Attorney Hoffmann recommended items number 2 and 5 for Executive Session. The specific legal issues related to potential legislation and existing contracts with the City and the items subject to negotiation relate to City-owned land on Artisans' Point and City contracts.

**MOTION TO ADJOURN
INTO EXECUTIVE
SESSION**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn into Executive Session at 3:15 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 4:10 p.m.

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 4:10 p.m.


Melissa A. Greiner, CMC
City Clerk


David D. Spellman
Mayor

