



**City of Black Hawk  
City Council**

**August 25, 2021**

**MEETING MINUTES**

City Attorney, Corey Y. Hoffmann, 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, August 25, 2021, 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, Fire Chief Woolley, Acting Police Chief Jantz, Finance Director Hillis, City Clerk/Administrative Services Director Greiner, Public Works Director Isbester, City Engineer Reed, and Community Planning & Development Director Linker.

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

3. AGENDA CHANGES: City Clerk Greiner noted the addition of an Executive Session after the Conflicts of Interest on 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. EXECUTIVE SESSION:

City Attorney Hoffmann stated the Executive Session is to instruct negotiators regarding City-owned land on Artisans Point and Gregory Street Plaza and leases of other City-owned property pursuant to C.R.S. § 24-6-402(4)(e).

**MOTION TO ADJOURN  
INTO EXECUTIVE  
SESSION**

Alderman Johnson **MOVED** and was **SECONDED** by Alderman Bennet to adjourn into Executive Session at 3:05 p.m. to hold a conference with the City's Attorney to instruct negotiators regarding City-owned land on Artisans Point and Gregory Street Plaza and leases of other City-owned property 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 3:20 p.m.

**MOTION PASSED**

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

Mayor Spellman reconvened back into regular open session at 3:25 p.m.

6. PUBLIC COMMENT: City Clerk Greiner that no one had signed up to speak.

7. APPROVAL OF  
MINUTES:

August 11, 2021

**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.

8. PUBLIC HEARINGS:

**A. CB24, An Ordinance Approving an Intergovernmental Agreement and an Easement Agreement for Sanitary Sewer Facilities Between the City of Black Hawk and the Black Hawk-Central City Sanitation District Regarding the Gregory Street Sub-Main Segments**

Mayor Spellman read the title and opened the public hearing.

City Attorney Hoffmann explained the Intergovernmental Agreement and Easement Agreement that were presented to the City by the Black Hawk-Central City Sanitation District. It defines the responsibilities of the City of Black Hawk and the Sanitation District for maintenance of the sanitary sewer line which services Gregory Street Plaza.

**PUBLIC HEARING:**

Mayor Spellman declared a Public Hearing on CB24, an Ordinance approving an Intergovernmental Agreement and an Easement Agreement for sanitary sewer facilities between the City of Black Hawk and the Black Hawk-Central City Sanitation District regarding the Gregory Street Sub-Main Segments 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 CB24, an Ordinance approving an Intergovernmental Agreement and an Easement Agreement for sanitary sewer facilities between the City of Black Hawk and the Black Hawk-Central City Sanitation District regarding the Gregory Street Sub-Main Segments.

**MOTION PASSED**

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

**9. ACTION ITEMS:**

**A. Resolution 56-2021, A Resolution Approving the Memorandum of Understanding Between the Boulder Mountainbike Alliance and the City of Black Hawk**

Mayor Spellman read the title.

City Manager Cole explained the agreement was the same as the City’s agreement with Colorado Mountain Bike Association. Alderman Midcap asked whether new trails would be exclusive to mountain bikes. City Engineer Reed explained that new trails are planned and one will be an expert only mountain bike trail.

**MOTION TO APPROVE**

Alderman Armbricht **MOVED** and was **SECONDED** by Alderman Midcap to approve Resolution 56-2021, a Resolution approving the Memorandum of Understanding between the Boulder Mountainbike Alliance and the City of Black Hawk.

**MOTION PASSED**

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

**B. Resolution 57-2021, A Resolution Approving the Agreement for Professional Services for Holiday Decorations with Alpine Artisan Studios in the Amount Not to Exceed \$166,527**

Mayor Spellman read the title.

Public Works Director Isbester explained the holiday decoration program will be the same as 2020 with additions for the Gregory Street Plaza and enhancements to the Carriage House parking garage.

**MOTION TO  
APPROVE**

Alderman Moates **MOVED** and was **SECONDED** by Alderman Bennett to approve Resolution 57-2021, a Resolution approving the Agreement for Professional Services for holiday decorations with Alpine Artisan Studios in the amount not to exceed \$166,527.

**MOTION PASSED**

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

**C. Resolution 58-2021, A Resolution Approving the Letter Agreement with D.A. Davidson & CO. Fixed Income Capital Markets for Investment Banking Services**

Mayor Spellman read the title.

Finance Director Hills explained the resolution for the agreement with D.A Davidson is to seek bidders for our COPs.

**MOTION TO  
APPROVE**

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Midcap to approve Resolution 58-2021, a Resolution approving the Letter Agreement with D.A. Davidson & CO. Fixed Income Capital Markets for investment banking services.

**MOTION PASSED**

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

**D. Resolution 59-2021, A Resolution Approving the Commercial Lease with Feeney Farms, Inc. for the Property Located at 7320 Black Hawk Blvd., Suite 1A, Black Hawk, Colorado**

Mayor Spellman read the title.

Finance Director Hillis explained the commercial lease with Tom Feeney, Feeney Farms, Inc. for the convenience store.

**MOTION TO  
APPROVE**

Alderman Torres **MOVED** and was **SECONDED** by Alderman Johnson to approve Resolution 59-2021, a Resolution approving the commercial lease with Feeney Farms, Inc. for the property located at 7320 Black Hawk Blvd., Suite 1A, Black Hawk, Colorado.

**MOTION PASSED**

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

**10. CITY MANAGER  
REPORTS:**

City Manager Cole had nothing to report.

**11. CITY ATTORNEY:**

City Attorney Hoffmann reported on the Opioid Litigation regarding the settlement agreement with the State and Communities in Colorado where money will be allocated regionally.

**12. ADJOURNMENT:**

Mayor Spellman declared the Regular Meeting of the City Council adjourned at 3:40 p.m.

  
Melissa A. Greiner, CMC  
City Clerk

  
David D. Spellman  
Mayor

