



**City of Black Hawk  
City Council**

**June 24, 2020**

**MEETING MINUTES**

1. CALL TO ORDER: Mayor Spellman called the regular meeting of the City Council to order on Wednesday, June 24, 2020, at 3:00 p.m.

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

Virtual/Present Staff: City Attorney Hoffmann, City Manager Cole, Acting Police Chief Cooper, Commander Jantz, Finance Director Hillis, City Clerk/Administrative Services Director Greiner, Public Works Director Isbester, Baseline Engineering Consultants Harris and Nieske, IT Manager Muhammad.

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

TRIBUTE TO THOMAS GISH: Mayor Spellman gave a moving tribute in recognition and remembrance of long time Black Hawk resident, husband of Alderman Greg Moates, and Black Hawk Historic Preservation Commissioner, Thomas Gish, and requested a moment of silence after the Pledge of Allegiance. A memorial wreath hung on an easel next to a photo of Tommy under the American Flag in Council Chambers.

MOMENT OF SILENCE: In recognition and remembrance of Thomas Gish, Black Hawk resident, and Historic Preservation Commissioner.

3. AGENDA CHANGES: City Clerk Greiner 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 virtual audience if there were any objections to any member of Council voting on any issue on the agenda this afternoon. There were no objections noted.

5. PUBLIC COMMENT: City Clerk Greiner confirmed that no one had signed up for public comment.

6. APPROVAL OF  
MINUTES: June 10, 2020 Regular Meeting  
June 17, 2020 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.

7. PUBLIC HEARINGS:

**A. Council Bill 16, An Ordinance Approving the Intergovernmental Agreement Regarding Coronavirus Relief Fund Distributions Between the Board of County Commissioners of Gilpin County and the City of Black Hawk**

Mayor Spellman read the title.

City Manager Cole explained to the Board that Gilpin County is eligible for up to \$535,569 in grant funds under the Cares Act regarding COVID19. The County is required to work with all cities with their jurisdiction on distributing the money. The funds can be used to reimburse unbudgeted expenses caused by COVID19 from March 1, 2020, through December 30, 2020. The County will receive 55% of the money, and the remainder will be divided between the City of Black Hawk and Central City. Black Hawk is eligible for 14% of the remainder of the money, or roughly \$33,740, and Central City is eligible for 86% of the remainder of the money, which is \$207,265. The distribution is based on population. If an entity does not use all of their allotment, the funds can be redistributed to another entity upon agreement of all parties. Black Hawk estimates expenses of \$66,000, and we're hoping there will be money left over that we can use to leverage the unbudgeted expenses.

PUBLIC HEARING: Mayor Spellman declared a Public Hearing on CB16, An Ordinance Approving the Intergovernmental Agreement Regarding Coronavirus Relief Fund Distributions Between the Board of County Commissioners

of Gilpin County and the City of Black Hawk open and invited anyone wanting to address the Board either “for” or “against” the proposed resolution to come forward.

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

Alderman Midcap asked if a Black Hawk resident would go to Gilpin County if they needed mortgage assistance, and City Manager Cole stated they would. City Attorney Hoffmann said that Black Hawk is in a unique position because our population is not indicative of our economy. The funds available cannot make Black Hawk whole by how it is required to be allocated. Hoffmann stated the County would have to establish a mortgage relief program for residents to access the funds, and some counties have, and some have not.

**MOTION TO  
APPROVE**

Alderman Johnson **MOVED** and was **SECONDED** by Alderman Armbricht to approve CB16 an Ordinance Approving the Intergovernmental Agreement Regarding Coronavirus Relief Fund Distributions Between the Board of County Commissioners of Gilpin County and the City of Black Hawk.

**MOTION PASSED**

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

- B. Resolution 46-2020, A Resolution Denying a Variance to Allow a Height Variance which would Allow a Structure 103 Feet in Height (continued from June 10, 2020)**
- C. Resolution 47-2020, A Resolution Conditionally Approving a Certificate of Architectural Compatibility and a Site Development Plan for the T Mobile Facility Located at 821 Miners Mesa Road (continued from June 10, 2020)**

Mayor Spellman stated the Public Hearings for Resolution 46-2020 and 47-2020 had been opened during June 10, 2020 meeting, and staff is requesting the continuation of both public hearings until July 22, 2020.

**PUBLIC HEARING:**

Request to continue to the July 22, 2020, Black Hawk City Council meeting.

**MOTION TO  
CONTINUE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to continue the Public Hearing on Resolution 46-2020 and Resolution 47-2020 until July 22, 2020, at 3:00 p.m.

**MOTION PASSED**

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

8. ACTION ITEMS:

**A. Resolution 53-2020, A Resolution Awarding the Design Contract for the Miners Mesa Roadway Project to Baseline Engineering, Planning & Surveying in an Amount Not to Exceed \$131,482.00**

Mayor Spellman read the title.

Public Works Director Isbester explained that with the impending development on and adjacent to the Mesa, the City is responsible for constructing the new alignment and plan and profiled for Miners Mesa Road. The City wants to be the first in so the developers have something to tie into. This work will take us up to a construction set of plans and specifications.

Mayor Spellman asked if the roadway would be adopted by ordinance. City Attorney Hoffman stated that if a new alignment and grade in its entirety were to be established, then it would need to be set by ordinance.

**MOTION TO  
APPROVE**

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Bennett to approve Resolution 53-2020, A Resolution Awarding the Design Contract for the Miners Mesa Roadway Project to Baseline Engineering, Planning & Surveying in an Amount Not to Exceed \$131,482.00.

**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 item number 2 only for Executive Session and the specific legal issues related to the potential litigation, potential legislation, pending litigation, and Intergovernmental Agreements.

**MOTION TO  
ADJOURN INTO  
EXECUTIVE  
SESSION**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn into Executive Session at 3:20 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).

**MOTION PASSED**

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

**MOTION TO  
ADJOURN**

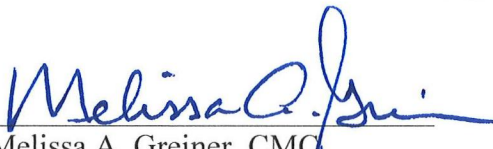
Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn the Executive Session at 3:40 p.m.

**MOTION PASSED**

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

12. ADJOURNMENT:

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

  
Melissa A. Greiner, CMC  
City Clerk

  
David D. Spellman  
Mayor

