



**City of Black Hawk
City Council**

May 25, 2022

MEETING MINUTES

Bob Sweeney, *Weekly Register-Call* Publisher/Owner, 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, May 25, 2022 at 3:00 p.m.

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, Finance Director Hillis, Public Works Director Isbester, City Engineer Reed, Water Manager Ford, Community Planning & Development Director Linker, Baseline Consultants Esterl and Rivas, numerous other City employees, and City Clerk Greiner.

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

MOMENT OF SILENCE: Mayor Spellman asked for a moment of silence in remembrance of the school shooting victims in Uvalde, Texas, on May 24, 2022.

3. AGENDA CHANGES: City Clerk Greiner noted 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. PRONOUNCEMENT: 160TH Anniversary of the *Weekly Register-Call*.

Mayor Spellman welcomed Bob Sweeney, Publisher/Owner of the *Weekly Register-Call*, and read the pronouncement. Everyone gathered for a group photo. Mr. Sweeney asked for the pronouncement to be framed and hung in Council Chambers. He went on to say he believes he is the oldest publisher with the oldest newspaper. He shared his government experience, having served in several capacities for the City of Craig, and went on to say how much he appreciates local government and congratulated the City of Black Hawk on doing such a fine job with all the projects they have. He acknowledged Mayor Spellman's co-ownership of the paper and noted that Aaron Storms, the other co-owner, specifically selected him to purchase the paper, knowing he'd take good care of its legacy. Mr. Sweeney said he was very proud of it and plans for his family to continue it after he's gone and thanked the City for the honor of the bell ringing and pronouncement.

6. PUBLIC COMMENT: City Clerk Greiner noted that Ray Rears signed up to speak.

Ray Rears, the new Gilpin County Manager, introduced himself for the record. He said one of his promises to the Board of County Commissioners is to attend City Council meetings, and he is looking forward to working together with the City.

7. APPROVAL OF
MINUTES: May 11, 2022

**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.

8. PUBLIC HEARINGS:

A. CB10, An Ordinance Appointing a Director to the Board of the Black Hawk Business Improvement District

Mayor Spellman read the title and opened the public hearing.

Under the Business Improvement District's (BID) Operating Plan, City Attorney Hoffmann explained that the City must appoint a replacement based on the BID board's recommendation. The BID recommends appointing Michelle Shriver as the replacement for Craig Pleva at the Monarch.

PUBLIC HEARING: Mayor Spellman declared a Public Hearing on CB10, an Ordinance appointing a Director to the Board of the Black Hawk Business Improvement District open and invited anyone wanting to address the Board either “for” or “against” the proposed Ordinance to come forward.

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

MOTION TO APPROVE

Alderman Johnson **MOVED** and was **SECONDED** by Alderman Moates to approve CB10, an Ordinance appointing a Director to the Board of the Black Hawk Business Improvement District.

MOTION PASSED

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

B. CB11, An Ordinance Amending Section 10-127 of the Black Hawk Municipal Code Regarding Harassment

Mayor Spellman read the title and opened the public hearing.

City Attorney Hoffmann provided the history on this item. He said this Ordinance was approved back in 2015 to mirror the Colorado Supreme Court’s decision to address cyberbullying. He said just recently, in 2022, the court invalidated this section, so this amendment would take out that language to be consistent with state law.

PUBLIC HEARING: Mayor Spellman declared a Public Hearing on CB11, an Ordinance amending Section 10-127 of the Black Hawk Municipal Code regarding harassment open and invited anyone wanting to address the Board either “for” or “against” the proposed 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 Bennett to approve CB11, an Ordinance amending Section 10-127 of the Black Hawk Municipal Code regarding harassment.

MOTION PASSED

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

C. CB12, An Ordinance Approving the Colorado Regional Opioid Intergovernmental Agreement (Region 10 – Clear Creek County, Gilpin County and Jefferson County)

Mayor Spellman read the title and opened the public hearing.

City Attorney Hoffmann introduced this item and said that the City of Black Hawk was one of the original entities that initiated litigation related to the opioid epidemic. He said a statewide settlement was created, but based on our population, the best way to maximum funds that would impact the City would be to join a region and receive regional benefits. The City has joined Region 10 along with other municipalities and Gilpin, Jefferson, and Clear Creek Counties to use the settlement funds.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on CB12, an Ordinance approving the Colorado Regional Opioid Intergovernmental Agreement (Region 10 – Clear Creek County, Gilpin County and Jefferson County) open and invited anyone wanting to address the Board either “for” or “against” the proposed Ordinance to come forward.

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

**MOTION TO
APPROVE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Armbright to approve CB12, an Ordinance approving the Colorado Regional Opioid Intergovernmental Agreement (Region 10 – Clear Creek County, Gilpin County and Jefferson County).

MOTION PASSED

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

9. ACTION ITEMS:

A. Resolution 39-2022, A Resolution Approving Expenditures in Total Amount Not to Exceed \$78,227.00 for the City’s Exterior Paint Program

Mayor Spellman read the title.

Community Planning & Development Director Linker explained the program. She said 24 homeowners were eligible and contacted for 2022, but only five have committed, two having significant repairs to make before entering into the program and two with non-significant repairs to make. She said the painting would commence at the end of June/beginning of July timeframe due to Independent Painting’s previous commitments, and the repairs and painting should be completed by the end of September/beginning of October. She added that they will notify the homeowners eligible in 2023 now in case they have significant repairs to start on, so the program can start earlier next year.

Alderman Midcap asked about the sixth property owner who was on the list, and Ms. Linker replied that he had too many repairs to make in time for this year, so he dropped out of the program and will either make the repairs in time for next year or wait to participate in the Historic Restoration and Community Preservation Program.

**MOTION TO
APPROVE**

Alderman Midcap **MOVED** and was **SECONDED** by Alderman Torres to approve Resolution 39-2022, a Resolution Approving the Expenditures in Total Amount Not to Exceed \$78,227.00 for the City's Exterior Paint Program.

MOTION PASSED

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

B. Resolution 40-2022, A Resolution Approving a First Amendment to the Professional Services Agreement with Baseline Engineering for the Design of the Public Works Detention Pond and Public Works Storage Yard in the Amount Not to Exceed \$34,555.00

Mayor Spellman read the title.

Public Works Director Isbester explained the need for this first amendment for the design of the detention pond behind Public Works. He said the newly created storage yard added additional storm drainage to the detention system, requiring the addition of new inlets and drains to collect the drainage. There is also a need, he said, to add lighting, surveying, and then paving. Mayor Spellman asked if he thought paving could get done this year, and he responded maybe.

**MOTION TO
APPROVE**

Alderman Moates **MOVED** and was **SECONDED** by Alderman Armbright to approve Resolution 40-2022, a Resolution Approving a First Amendment to the Professional Services Agreement with Baseline Engineering for the design of the Public Works Detention Pond and Public Works Storage Yard in the amount not to exceed \$34,555.00.

MOTION PASSED

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

C. Resolution 41-2022, A Resolution Approving the Part-Time Job Description for the City of Black Hawk Water Department

Mayor Spellman read the title.

Public Works Director Isbester introduced this item. He said Water Manager Jim Ford retires June 1st and has graciously agreed to work remotely from Wyoming to finish some of his projects part-time until the City hires a new Water Manager.

**MOTION TO
APPROVE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to approve Resolution 41-2022, a Resolution approving the part-time job description for the City of Black Hawk Water Department.

MOTION PASSED

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

D. Resolution 42-2022, A Resolution Authorizing the Mayor to Execute a Quitclaim Deed on Behalf of the City to a Newly Registered Elector Qualified to Serve on the Silver Dollar Metropolitan District

Mayor Spellman read the title.

City Attorney Hoffmann said along with membership in the BID, Michelle Shriver is also eligible to own a part of the Directors' Parcel owned by the City. This resolution conveys an interest in the Directors' Parcel to Ms. Shriver until she is no longer a Director, and then it terminates.

**MOTION TO
APPROVE**

Alderman Johnson **MOVED** and was **SECONDED** by Alderman Armbright to approve Resolution 42-2022, a Resolution authorizing the Mayor to execute a Quitclaim Deed on behalf of the City to a newly registered elector qualified to serve on the Silver Dollar Metropolitan District.

MOTION PASSED

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

**10. CITY MANAGER
REPORT:**

City Manager Cole reported the title to the job description for Water Manager had been changed to Water Resource Engineer to attract more applicants. Nothing in the body of the job description has changed.

**11. CITY ATTORNEY
REPORT:**

City Attorney Hoffmann had nothing to report.

12. EXECUTIVE
SESSION:

City Attorney Hoffmann said there was no need for an Executive Session.

13. ADJOURNMENT:

Mayor Spellman declared the Regular Meeting of the City Council adjourned at 3:27 p.m.



Melissa A. Greiner, CMC
City Clerk



David D. Spellman
Mayor

