



**City of Black Hawk
City Council**

October 28, 2020

MEETING MINUTES

1. CALL TO ORDER: Mayor Spellman called the regular meeting of the City Council to order on Wednesday, October 28, 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, Police Chief Moriarty, Fire Chief Woolley, Finance Director Hillis, Public Works Director Isbester, Community Planning & Development Director Linker, IT Manager Muhammad, 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 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: Deputy City Clerk Martin confirmed that no one had signed up for public comment.

6. APPROVAL OF
MINUTES:

October 14, 2020

**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** 5-0 with Alderman Torres abstaining from the vote.

7. PUBLIC HEARINGS:

A. Council Bill 29, An Ordinance Amending Chapter 6, Article XVIII, of the Black Hawk Municipal Code to Allow for the Sale of Industrial Hemp Products by Licensed Retail Marijuana Stores

Mayor Spellman read the title and opened the public hearing.

City Attorney Hoffmann introduced this item and provided background on the State prohibiting retail marijuana stores from selling anything other than marijuana products when they first created their regulations. Over time, he continued, State law has changed to allow for the sale of hemp products. He said this ordinance would allow the City's retail marijuana store to sell industrial hemp products consistent with State law.

Alderman Torres asked what was considered industrial, to which Mr. Hoffmann replied that it is not considered CBD, that industrial hemp products can be cosmetics, food, food additives, or herbs containing no more than three-tenths of one percent of THC, and it has its own process under State law for being registered.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on Council Bill 29, an Ordinance amending Chapter 6, Article XVIII, of the Black Hawk Municipal Code to allow for the sale of Industrial Hemp Products by licensed Retail Marijuana Stores 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 Torres to approve Council Bill 29, an Ordinance amending Chapter 6, Article XVIII, of the Black Hawk Municipal Code to allow for the sale of Industrial Hemp Products by licensed Retail Marijuana Stores.

MOTION PASSED

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

8. ACTION ITEMS:

A. Resolution 67-2020, A Resolution Awarding the Design Contract for the Miners Mesa Sanitary Sewer and Waterline Project to Baseline Engineering, Planning & Surveying in an Amount Not To Exceed \$63,274.00

Mayor Spellman read the title.

Public Works Director Isbester explained the need for a sewer line to accommodate future development on the mesa. He said that Baseline Engineering is already working on Miners Mesa Road across the mesa, so it made sense to have them do this project as well. He said the sewer's design would be from Bobtail Road up to and across the mesa, and in addition, it will design the water line loop extension from what they currently have up there and then a small section down from Bobtail up to the rimrock for the future.

MOTION TO APPROVE

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to approve Resolution 67-2020, a resolution awarding the Design Contract for the Miners Mesa Sanitary Sewer and Waterline Project to Baseline Engineering, Planning & Surveying in an amount not to exceed \$63,274.00.

MOTION PASSED

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

9. CITY MANAGER REPORTS:

City Manager Cole

10. CITY ATTORNEY:

City Attorney Hoffmann had nothing to report.

11. EXECUTIVE SESSION:

City Attorney Hoffmann recommended items number 2 and 5 only for Executive Session and the specific legal issues related to intergovernmental relations, potential legislation, and potential litigation.

MOTION TO ADJOURN INTO EXECUTIVE SESSION

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn into Executive Session at 3:10 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
MOTION TO
ADJOURN

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

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn the Executive Session at 4:40 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 4:40 p.m.


Michele Martin CMC
Deputy City Clerk


David D. Spellman
Mayor

