



**City of Black Hawk  
City Council**

**August 12, 2020**

**MEETING MINUTES**

1. CALL TO ORDER: Mayor Spellman called the regular meeting of the City Council to order on Wednesday, August 12, 2020, at 3:00 p.m.

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

Virtual/Present Staff: City Attorney Hoffmann, City Manager Cole, Acting Police Chief Cooper, Fire Chief Woolley, Finance Director Hillis, City Clerk/Administrative Services Director Greiner, Community Planning & Development Director Linker, Baseline Consultant Harris, IT Systems Analyst Blenker, 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: City Clerk Greiner confirmed that no one had signed up for public comment.

6. APPROVAL OF  
MINUTES:

July 22, 2020

**MOTION TO  
APPROVE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Armbright to approve the Minutes as presented.

**MOTION PASSED**

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

7. PUBLIC HEARINGS:

**A. Council Bill 18, An Ordinance Approving the Exclusion of Property from the Black Hawk Business Improvement District and Changing the Boundaries of the District Consistent Therewith**

Mayor Spellman read the title and opened the public hearing.

City Attorney Hoffmann stated that at the last City Council meeting, Council approved a resolution authorizing a petition for exclusion of City-owned property from the Black Hawk Business Improvement District (BID) and that this public hearing is required to determine if it is appropriate to exclude the property. Once approved, the ordinance will be recorded, and this property removed from the BID.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on CB18, an Ordinance approving the exclusion of property from the Black Hawk Business Improvement District and changing the boundaries of the District consistent therewith 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.

**MOTION TO  
APPROVE**

Alderman Torres **MOVED** and was **SECONDED** by Alderman Johnson to approve CB18 an Ordinance approving the exclusion of property from the Black Hawk Business Improvement District and changing the boundaries of the District consistent therewith.

**MOTION PASSED**

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

8. ACTION ITEMS:

**A. Resolution 58-2020, A Resolution Rebating City Use Tax on Construction and Building Materials for Residential Projects Within the City’s National Historic Landmark District**

**B. Resolution 59-2020, A Resolution Rebating City Sales Tax on Retail Items Delivered to City Residential Properties for Personal Consumption and Use**

Mayor Spellman combined the agenda items and read the titles.

City Attorney Hoffmann introduced these resolutions, which were previous authorizations for rebates for properties in residential areas and normally heard every two years each time a new council is seated. He said Mayor Spellman asked for a different approach so they wouldn't have to be reheard every two years. Mr. Hoffmann drafted the resolutions so they are not binding future City Councils as they are able to repeal them if needed, and worded so they do not have to come back every two years for approval.

**MOTION TO APPROVE**

Alderman Johnson **MOVED** and was **SECONDED** by Alderman Torres to approve Resolution 58-2020, a Resolution rebating City Use Tax on construction and building materials for residential projects within the City's National Historic Landmark District and Resolution 59-2020, a Resolution rebating City Sales Tax on retail items delivered to City residential properties for personal consumption and use.

**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 recommended an Executive Session following the Special Meeting of the Black Hawk Urban Renewal Authority.

11. EXECUTIVE SESSION:

City Attorney Hoffmann recommended items number 2 and 5 only for Executive Session, and the negotiations relate to various contracts the City is considering either entering into or amending, and the specific legal issues relate to potential legislation and potential litigation.

**MOTION TO ADJOURN INTO EXECUTIVE SESSION AFTER THE SPECIAL MEETING OF THE BLACK HAWK URBAN RENEWAL AUTHORITY**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn into Executive Session at 3:07 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.

Mayor Spellman called for a recess of the regular City Council meeting in order to open the Black Hawk Urban Renewal Authority Special Meeting.

Mayor Spellman reconvened the regular City Council meeting at 3:09 p.m. to go into Executive Session.

**MOTION TO  
ADJOURN**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn the Executive Session at 4:25 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 4:25 p.m.



Melissa A. Greiner, CMC  
City Clerk



David D. Spellman  
Mayor

