



**City of Black Hawk
City Council**

February 14, 2018

MEETING MINUTES

Jacobs Entertainment Consultant Mark Huff rang the bell.

1. CALL TO ORDER: The regular meeting of the City Council was called to order on Wednesday, February 14, 2018, at 3:00 p.m. by Mayor Spellman.

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

Staff present: City Attorney Hoffmann, City Manager Lewis, Police Chief Cole, Fire Chief Taylor, Finance Director Hillis, City Clerk/Administrative Services Director Greiner, Public Works Director Isbester, Community Planning and Development Administrator Linker, 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 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. No conflicts were noted from City Council.

City Attorney Hoffmann asked the audience if there were any objections to any member of Council voting on any issue on the agenda this afternoon. The audience had no objections.

5. PUBLIC COMMENT: Deputy City Clerk Martin confirmed that no one had signed up to speak.

6. APPROVAL OF
MINUTES:

January 24, 2018

**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.

7. PUBLIC HEARINGS:

A. CB1, An Ordinance Repealing and Reenacting Chapter 4, Articles IV, of the Black Hawk Municipal Code to Adopt Standardized Sales Tax Definitions

Mayor Spellman read the title and opened the public hearing.

Finance Director Hillis introduced this item requested by the Colorado General Assembly. City Attorney Hoffmann added that self-collecting jurisdictions throughout the State are being asked to standardize their sales tax definitions in an effort being led by the Colorado Municipal League. Each city is going through their definitions to ensure that any change does not trigger a TABOR issue.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on CB1, an Ordinance Repealing and Reenacting Chapter 4, Articles IV, of the Black Hawk Municipal Code to adopt standardized Sales Tax definitions open and invited anyone wanting to address the Board either “for” or “against” the proposed ordinance to come forward.

No one came forward to speak and Mayor Spellman declared the Public Hearing closed.

**MOTION TO
APPROVE**

Alderman Armbricht **MOVED** and was **SECONDED** by Alderman Bennett to approve CB1, an Ordinance Repealing and Reenacting Chapter 4, Articles IV, of the Black Hawk Municipal Code to adopt standardized Sales Tax definitions.

MOTION PASSED

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

8. ACTION ITEMS:

A. Resolution 14-2018, A Resolution Reappointing Ronald W. Carlson to be the City of Black Hawk Municipal Court Judge

B. Resolution 15-2018, A Resolution Reappointing Thad Renaud to be the City of Black Hawk Assistant Municipal Court Judge

Mayor Spellman read the titles.

City Clerk/Administrative Services Director Greiner was available to answer any questions. Mayor Spellman said that Judge Carlson asked if he should be here today and that he told him it was more important to be here in April to swear the candidates in.

MOTION TO APPROVE

Alderman Armbright **MOVED** and was **SECONDED** by Alderman Bennett to approve Resolution 14-2018, a Resolution reappointing Ronald W. Carlson to be the City of Black Hawk Municipal Court Judge and Resolution 15-2018, a Resolution reappointing Thad Renaud to be the City of Black Hawk Assistant Municipal Court Judge.

MOTION PASSED

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

C. Resolution 16-2018, A Resolution Cancelling the April 3, 2018 Election and Declaring Candidates Elected

Mayor Spellman read the title.

MOTION TO APPROVE

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Moates to approve Resolution 16-2018, a Resolution cancelling the April 3, 2018 Election and declaring candidates elected.

MOTION PASSED

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

D. Resolution 17-2018, A Resolution Approving the Second Amendment to the Subdivision/Site Improvement Agreement Between the City of Black Hawk and JIJE, LLC for the Canyon Black Hawk Subdivision, Filing No. 1

Mayor Spellman read the title.

City Attorney Hoffmann introduced this item and clarified that City Council had already approved the project to go forward with the mutual agreement from both parties of revising condition H, which has been done. But, he said, in the contents of finalizing condition H, both sides looked at the existing Subdivision Agreement and thought it best to amend it to put a date certain by which all improvements had to be completed, instead of triggering mechanisms as it currently reads.

MOTION TO

APPROVE

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Torres to approve Resolution 17-2018, a Resolution approving the Second Amendment to the Subdivision/Site Improvement Agreement between the City of Black Hawk and JJE, LLC for the Canyon Black Hawk Subdivision, Filing No. 1.

MOTION PASSED

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

9. CITY MANAGER
REPORTS:

City Manager Lewis 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 for specific legal questions relate to potential legislation.

**MOTION TO
ADJOURN INTO
EXECUTIVE
SESSION**

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).

MOTION PASSED

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

**MOTION TO
ADJOURN**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Moates to adjourn the Executive Session at 3:50 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 3:50 p.m.



Melissa A. Greiner, CMC
City Clerk


David D. Spellman
Mayor