



**City of Black Hawk
City Council**

February 23, 2022

MEETING MINUTES

Acting City Attorney Katie Vera 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, February 23, 2022, at 3:00 p.m.

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

Staff Present: Acting City Attorney Vera, City Manager Cole, Fire Chief Woolley, Police Chief Moriarty, Finance Director Hillis, Public Works Director Isbester, Maintenance Services Manager Jackson, Community Planning & Development Director Linker, Baseline Engineering Consultants Harris and Esterl, 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 no agenda changes.

4. **CONFLICTS OF INTEREST:** Acting City Attorney Vera 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.

Acting City Attorney Vera 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. **PUBLIC COMMENT:** Deputy City Clerk Martin confirmed that Tom Feeney had signed up to speak.

Tom Feeney, Black Hawk City resident and business owner was present on behalf of himself and Bean and Cream owner John Burtschi. He said he was happy that the sign plan was being heard today, but he had a quick comment that they would like the bases of the signs to be a little wider and beefier. He also wanted to thank the City for a great snow removal job.

6. APPROVAL OF
MINUTES:

February 9, 2022

**MOTION TO
APPROVE**

Alderman Armbright **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. Resolution 13-2022, A Resolution Conditionally Approving a Certificate of Architectural Compatibility for a Comprehensive Sign Plan for the Black Hawk Commons Comprehensive Plan

Mayor Spellman read the title and opened the public hearing.

Baseline Engineering Consultant Esterl went through her presentation. She explained the following: the panels are designed to be replaced if a tenant leaves, tenants will be required to submit their own sign plan if they want something different, and there are three different types of signage being proposed to help the tenants.

Tom Feeney, a business owner at the Commons, again spoke on behalf of himself and the Bean and Cream Coffee Shop owner. They would like a little more of a wider stone base on the sign on the south side by the steps, as it looks like an afterthought and not designed to fit in with the wall.

The lighting was confirmed to be exterior up-lighting; there is no internal lighting.

Mayor Spellman agreed the base could be a bit higher and look like the north end, so the recommendation is to make the size of the base on the south sign a bit higher and to match it to the base the lamp posts sit on to make it heavier and meatier looking.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on Resolution 13-2022, a Resolution conditionally approving a Certificate of Architectural Compatibility for a Comprehensive Sign Plan for the Black Hawk Commons Comprehensive Plan 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 Bennett **MOVED** and was **SECONDED** by Alderman Midcap to approve Resolution 13-2022, a Resolution conditionally approving a Certificate of Architectural Compatibility for a Comprehensive Sign Plan for the Black Hawk Commons Comprehensive Plan.

MOTION PASSED

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

B. Local Liquor License Authority Consideration of a New Beer & Wine Liquor License for Gift Eclectic, LLC dba Mountain Poppy Boutique & Gift at 317 Gregory Street

Mayor Spellman read the title and opened the public hearing.

The applicant Leza Spencer introduced herself for the record and discussed the petition and her support.

Deputy City Clerk Martin provided the purpose of the hearing and the Council’s role acting as the Local Liquor Authority. She said the preliminary findings were in the packet, and the purpose of the hearing is to determine if the applicant is eligible to hold this license and if there is a need for this type of license in the neighborhood.

Deputy City Clerk Martin stated that in a review of the petition, she noted that Alderman Bennett had signed it and would recommend that he recuse himself.

Alderman Midcap asked the applicant about the opening date, to which she replied they are hoping for June 1st.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on the Local Liquor License Authority consideration of a new Beer & Wine Liquor License for Gift Eclectic, LLC dba Mountain Poppy Boutique & Gift at 317 Gregory Street open and invited anyone wanting to address the Board either “for” or “against” the proposed Beer & Wine Liquor license to come forward.

Tom Feeney, resident and business owner, spoke in support of the license and said it would be a great addition to the plaza.

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

**MOTION TO
APPROVE**

Alderman Moates **MOVED** and was **SECONDED** by Alderman Torres to approve the new Beer & Wine Liquor License for Gift Eclectic, LLC dba Mountain Poppy Boutique & Gift at 317 Gregory Street.

MOTION PASSED

There was no discussion, and the motion **PASSED** 5-0, with Alderman Bennett's recusal.

8. ACTION ITEMS:

A. Local Liquor Authority Consideration of a Request for a New Hotel & Restaurant Liquor License for JKQ Consolidated, LLC dba JKQ BBQ & Grill at 200 Gregory Street to set the Boundaries of the Neighborhood and to Set a Date for Public Hearing

Mayor Spellman read the title.

Deputy City Clerk Martin reminded City Council that they were still acting as the City's Local Liquor Authority under the Colorado Liquor Code. The Clerk's office received a new application, and it was deemed complete on February 10, 2022. She said this meeting was to set the boundaries of the neighborhood, which is typically the entire City, and to schedule the public hearing for April 13, 2022.

**MOTION TO
APPROVE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Armbright to approve the request for a new Hotel & Restaurant Liquor License for JKQ Consolidated, LLC dba JKQ BBQ & Grill at 200 Gregory Street and to set the boundaries of the neighborhood as the whole City of Black Hawk, and to set the public hearing date for April 13, 2022.

MOTION PASSED

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

B. Resolution 14-2022, A Resolution Approving the Purchase of New and Replacement Capital Equipment

Mayor Spellman read the title.

Public Works Director Isbester said this equipment was already approved in the budget.

Alderman Midcap pointed out that some equipment qualifies for the Municipal two-year trade-in program at \$3700 per year. Maintenance Services Manager Jackson said he was unaware of that and will look into it. Alderman Midcap commented we received very good discounts.

**MOTION TO
APPROVE**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Torres to approve Resolution 14-2022, a Resolution approving the purchase of new and replacement capital equipment.

MOTION PASSED

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

**9. CITY MANAGER
REPORTS:**

City Manager Cole asked Baseline Engineering Consultant Harris to show Council a new interactive resource map on the City's website. Mr. Harris went through the amenities of the map and acknowledged the City's GIS Analyst Gary Pauls for keeping up on the data files over the years. Mayor Spellman also wanted to recognize Baseline employees Ethan and Ryan for their work on the project.

10. CITY ATTORNEY:

Acting City Attorney Vera had nothing to report.

**11. EXECUTIVE
SESSION:**

Acting City Attorney Vera recommended item number 5 only for Executive Session regarding Artisans Point.

**MOTION TO ADJOURN
INTO EXECUTIVE
SESSION**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn into Executive Session at 3:35 p.m. 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.

**MOTION TO
ADJOURN**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn the Executive Session at 3:55 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 adjourned at 3:55 p.m.



Michele Martin, CMC
Deputy City Clerk



David D. Spellman
Mayor

