



**City of Black Hawk  
City Council**

**July 27, 2022**

**MEETING MINUTES**

City Clerk Melissa Greiner 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, July 27, 2022 at 3:00 p.m.
2. **ROLL CALL:** Present were: Mayor Spellman, Aldermen Armbright, Bennett, Midcap, and Torres.  
  
Excused Absence: Aldermen Johnson and Moates  
  
Staff Present: City Attorney Hoffmann, City Manager Cole, Police Commander Jantz, Fire Chief Woolley, Finance Director Hillis, City Clerk/Administrative Services Director Greiner, Public Works Director Isbester, City Engineer Reed, Community Planning & Development Director 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 confirmed that the agenda was updated to reflect the correct ordinance and resolution titles since they were added after the packet was posted. She also noted that Resolution 50-2022 was marked for continuation.
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. PUBLIC COMMENT: Deputy City Clerk Martin confirmed that Tom Feeney had signed up to speak. City resident and business owner Tom Feeney introduced himself for the record. He complimented the City on the painting of the stairs and continued with his concern with the lack of City marketing. He believes we should have a comprehensive plan in place for marketing, and if the City doesn't have enough resources to work on it, then we should hire an outside marketing company to help the City come up with a plan and a way to execute it.

6. APPROVAL OF  
MINUTES: July 13, 2022

**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. CB15, An Ordinance Approving a Memorandum of Understanding Creating the Clear Creek Watershed and Forest Health Partnership**

Mayor Spellman read the title and opened the public hearing.

Public Works Director Isbester introduced this item. He said this is a group of other Clear Creek water users working together to reduce wildfire risk through various projects. He said membership doesn't obligate us to anything; it just allows us to participate as a wildfire could severely disrupt Black Hawk's water supply.

Mayor Spellman asked why CDOT was not part of the group, as there were many dead trees in their highway right-of-way that the City ended up removing. He said this sort of group seems like the perfect partnership with CDOT. Mr. Isbester agreed and will find out.

PUBLIC HEARING: Mayor Spellman declared Public Hearings on CB15, an Ordinance approving a Memorandum of Understanding creating the Clear Creek Watershed and Forest Health Partnership 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 Torres **MOVED** and was **SECONDED** by Alderman Midcap to approve CB15, an Ordinance approving a Memorandum of Understanding creating the Clear Creek Watershed and Forest Health Partnership.

**MOTION PASSED**

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

**B. Resolution 50-2022, A Resolution Conditionally Approving a Certificate of Architectural Compatibility for the Demolition of Gold Mine Casino and the Silver Hawk Casino Located at 7291 Black Hawk Boulevard and 100 Chase Street**

Mayor Spellman read the title and opened the public hearing.

Mayor Spellman said this public hearing would be continued to the August 24th City Council meeting.

**MOTION TO  
CONTINUE**

Alderman Torres **MOVED** and was **SECONDED** by Alderman Armbright to continue Resolution 50-2022, a Resolution conditionally approving a Certificate of Architectural Compatibility for the demolition of Gold Mine Casino and the Silver Hawk Casino located at 7291 Black Hawk Boulevard and 100 Chase Street to the August 24<sup>th</sup> City Council meeting.

**MOTION PASSED**

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

**8. ACTION ITEMS:**

**A. Resolution 51-2022, A Resolution Approving the First Amendment to Subdivision and Development Agreement Between the City and Club Vista Properties II, LLC Regarding the Black Hawk Park Subdivision**

Mayor Spellman read the title.

City Attorney Hoffmann reminded Council of the previous agreement with Club Vista dated March 24, 2021. He said a delay in grading work caused a potential claim for delay damages to the City for its work with contractor JBS. He went on to add that this first amendment resolves that dispute by creating a cap of \$300,000 on the amount of damages that could be attributable to the grading delay from Club Vista, but it also allows the work to continue with the developer able to obtain building permits, but they cannot get their final Certificate of Occupancy until final resolution with JBS for the delay. Mayor Spellman added that this amendment also allows for the land exchange to take place.

**MOTION TO  
APPROVE**

Alderman Midcap **MOVED** and was **SECONDED** by Alderman Torres to approve Resolution 51-2022, a Resolution approving the First Amendment to Subdivision and Development Agreement between the City and Club Vista Properties II, LLC regarding the Black Hawk Park Subdivision.

**MOTION PASSED**

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

9. CITY MANAGER  
REPORT:

City Manager Cole had nothing to report.

10. CITY ATTORNEY  
REPORT:

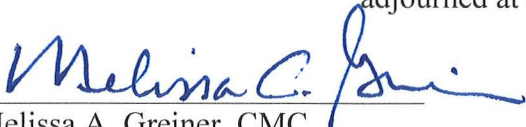
City Attorney Hoffmann had nothing to report.


11. EXECUTIVE  
SESSION:

None

12. ADJOURNMENT:

Mayor Spellman declared the Regular Meeting of the City Council adjourned at 3:10 p.m.

  
Melissa A. Greiner, CMC  
City Clerk

  
David D. Spellman  
Mayor

