



**City of Black Hawk  
City Council**

**February 10, 2021**

**MEETING MINUTES**

1. CALL TO ORDER: Mayor Spellman called the regular meeting of the City Council to order on Wednesday, February 10, 2021, 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, City Clerk/Administrative Services Director Greiner, Public Works Director Isbester, Community Planning & Development Director Linker, Baseline Engineering Consultants Harris and Esterl, 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: City Clerk Greiner confirmed that no one had signed up for public comment.

6. APPROVAL OF  
MINUTES:

January 27, 2021

**MOTION TO  
APPROVE**

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

**MOTION PASSED**

There was no discussion and the motion unanimously.

7. PUBLIC HEARINGS:

**A. CB5, An Ordinance Approving the Intergovernmental Agreement with Douglas County, Colorado for Access to the County's Emergency Vehicle Operations Course**

Mayor Spellman read the title and opened the public hearing.

Police Chief Moriarty introduced this item. She said previously the Police Department had used Miners Mesa parking lot for Post required driving training, but with new construction to take place, sought out Douglas County to use their driving track.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on CB5, an Ordinance approving the Intergovernmental Agreement with Douglas County, Colorado for access to the County's Emergency Vehicle Operations Course 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 Bennett **MOVED** and was **SECONDED** by Alderman Johnson to approve CB5, an Ordinance approving the Intergovernmental Agreement with Douglas County, Colorado for access to the County's Emergency Vehicle Operations Course.

**MOTION PASSED**

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

**B. Resolution 8-2021, A Resolution Conditionally Approving the Black Hawk Park Preliminary and Final Plat**

Mayor Spellman read the title and opened the public hearing.

City Attorney Hoffmann introduced this item by recommending the public hearing be heard today but to continue the resolution until the next meeting on February 24 as the final terms of the Subdivision Agreement have not been agreed upon yet. He said the City is awaiting comments

back from the property owner.

Baseline Consultants Harris and Esterl went through their presentation. Mr. Harris provided the history of the land development process with the rezoning and Special Review Use approved in 2020. He said the applicant, Ventana Capital, Inc., has now submitted their subdivision plat to subdivide their land into nine separate lots and one tract. He noted that last Friday, two Site Development Plan applications were submitted, one for the Hawks Landing Airstream Park on Lot 1 and the second for the Rick Thomas Distillery on Lot 7; both applications are in process and will be before Council within a few months.

Ms. Esterl went through the final plat part of the presentation. She restated that one of the conditions in the resolution is a fully executed Subdivision and Development Agreement, which, as City Attorney Hoffmann mentioned, is not completed at this time, so a continuation is recommended.

The applicant, Dalton Horan, was present for any questions.

**PUBLIC HEARING:**

Mayor Spellman declared a Public Hearing on Resolution 8-2021, a Resolution conditionally approving the Black Hawk Park preliminary and final plat 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 Johnson to continue the consideration of Resolution 8-2021 to the February 24, 2021 City Council meeting.

**MOTION PASSED**

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

**8. ACTION ITEMS:**

None

**9. CITY MANAGER  
REPORTS:**

City Manager Cole said there were 11 introductions of new employees included in the packet for Council to view with the hopes, as time goes on, that they could meet in person.

He provided an update on the pre-bid conference held yesterday for the sewer line project up on Miners Mesa. He said 22 people representing

18 different companies were in attendance, so there was a lot of interest, and he's happy with the response.

Alderman Armbright said that Black Hawk was on the news last night regarding the casinos receiving approval to open back up their table games.

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 issues related to negotiations on land use issues, legal advice regarding the extent of the City's corporate boundaries, and potential litigation.

**MOTION TO ADJOURN  
INTO EXECUTIVE  
SESSION**

Alderman Bennett **MOVED** and was **SECONDED** by Alderman Johnson to adjourn into Executive Session at 3:22 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 3:40 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 3:40 p.m.

  
Michele Martin, CMC  
Deputy City Clerk

  
David D. Spellman  
Mayor

