



**HOME RULE CHARTER COMMISSION**  
**Wednesday, January 8, 2020**  
**Public Meeting Room / Eagle Town Hall**  
**200 Broadway Eagle, CO**

*This agenda and the meetings can be viewed at [www.Townofeagle.org](http://www.Townofeagle.org).  
Times listed are approximate and are subject to change.*

**CALL TO ORDER - 6:00 PM**

Vice Chair Stavney called the meeting to order at 6:00 p.m. Kraige Kinney

**ROLL CALL**

**COMMISSIONERS PRESENT**

Jon Stavney, Vice Chair  
Kyle Hoiland  
Holle Snyder  
Charlie Wick  
Janet Bartnik  
Paul Wisor

**COMMISSIONERS ABSENT**

Brent McFall, Chair  
David Gaboury  
Kraige Kinney

**STAFF**

Brandy Reitter, Town Manager  
Matt Mire, Town Attorney  
Bill Shrum, Assistant to the Town Manager  
Jenny Rakow, Town Clerk

**ADOPTION OF AGENDA**

**MOTION:** Vice Chair Stavney motioned to adopt the January 8, 2020 Agenda as presented. Motion was second and passed unanimously.

**CONSENT AGENDA**

1. December 18, 2019 Minutes

**MOTION:** Commissioner Bartnik motioned to approve the consent agenda. Motion was seconded and passed unanimously.

**BUSINESS ITEMS**

1. Full Charter Review Articles I-XIII Red Line, Provided by Town Attorney  
Vice Chair Stavney opened public comment.

Todd Beckum - Brush Creek Court. Mr. Beckum requested the Commission to consider changing Article 11 clerk review time from 5 days to 2 days. Felt the time frame was too long and delayed the process for petitioners. Did feel that needing an attorney to do this process was reasonable. Town Attorney provided his opinion that there

was no reason to deviate from statute and reduce the timeframe. Staff provided input on time frame and support to keep at 5 days. Commission discussed further and discussed various scenarios on adding additional time. Conclusion was reached that by increasing the time frame for the process to 45 days from current 30 days that this should allow for enough time to review the petition and collect signatures and the language will stay as written. Mr. Beckum was encouraged to attend the next two public hearings on the Charter.

Vice Chair Stavney opened Article 1.

No comments.

Vice Chair Stavney opened public comment on Article 1.

No public comment.

Vice Chair Stavney opened Article 2.

2.02 (3) Attorney Mire clarified language that members shall take office first regular meeting after election results are certified. Felt it was not advisable to take seats in January and this would avoid lame duck council member. Commission felt budget was reason to appoint in January and held further discussion. Additional discussion took place to move the election back to April to avoid the conflict with the budget approval process also occurring in November.

**MOTION: Commissioner Bartnik motioned to change election date from November to April. Motion was seconded and failed with a vote of 2 in favor and 4 against.**

**MOTION: Commissioner Bartnik motioned to adjust the start time of newly elected council to first meeting following certification in November. Motion was seconded and passed with a vote of 5 in favor and 1 against.**

2.02 Further discussion on election and whether to hold November election in odd numbered years. Attorney Mire strongly suggested keeping odd year. Vice Chair Stavney provided that Commissioner Kinney preferred even year elections.

**MOTION: Commissioner Hoiland motioned to maintain event year elections in November. Motion failed for lack of a second.**

Vice Chair Stavney opened Article 3.

Attorney Mire noted he clarified the offices of mayor and trustee are separate offices and separately elected.

3.05 Voting. Discussion on refusal to vote is a vote affirmative. Eligibility to vote was discussed as it relates to quasi-judicial hearings. Request to place in the parking lot for code of conduct to address what happens when a member does not attend all the meetings for a quasi-judicial hearing and how they are eligible to vote on those matters. Attorney Mire felt this was a legal issue and should not be in the Charter.

Vice Chair Stavney stated as it related to the Code of Ethics, he would like to language in the Charter to state that the Council "shall" adopt a Code of Ethics and also address vacancies and the budget process with a time frame.  
3.08 oath of office nothing.

3.11 (1) Attorney Mire added language to comply with state law requiring a super majority to enter into executive session with a 2/3 vote.

Vice Chair Stavney opened public comment on Article 3.

No public comment.

Vice Chair Stavney opened Article 4.

4.05 Town Clerk. Vice Chair Stavney inquired about language “or a designee” and if it should state “Town Clerk’s designee” to ensure a proper designee would fulfill the role. Determined language as written would remain.

Commissioner Hoiland requested update to website on mayor and council duties to match the Charter.

Vice Chair Stavney opened public comment on Article 4.

No public comment.

Vice Chair Stavney opened Article 5.

No comments.

Vice Chair Stavney opened public comment on Article 5.

No public comment.

Vice Chair Stavney opened Article 6.

6.03 Adoption Procedure for Ordinances. Attorney Mire felt that one reading is sufficient for Ordinances and that two readings has not shown to be beneficial. Staff also supported one reading to make town business more efficient. Commission should also consider the effective date of an Ordinance after adoption.

**MOTION: Commissioner Wick motioned to require one reading of an Ordinance for adoption rather than two readings. Motion was seconded and passed unanimously.**

Further discussion took place on timing and effective date of ordinance.

**MOTION: Commissioner Wick motioned to change effective date of ordinance to 10 calendar days after publication. Motion was seconded and passed unanimously.**

Vice Chair Stavney opened Article 7.

Commissioner Wisor requested to remove appointment term and allow for engagement letter to stand as agreement between Town and judge.

**MOTION: Commissioner Wisor motioned to remove the two-year term in Article 7.01 (4) and remove “as provided by state law.” Motion was seconded and passed unanimously.**

Attorney Mire will check on this provision.

Vice Chair Stavney opened public comment on Article 7.

No public comment.

Vice Chair Stavney opened Article 8.

8.04 (1) Vice Chair Stavney requested change "council may require to "request".

Vice Chair Stavney opened public comment on Article 8.

No public comment.

Vice Chair Stavney opened Article 9.

No comment.

Vice Chair Stavney opened public comment on Article 9.

No public comment.

Vice Chair Stavney opened Article 10.

No comment.

Vice Chair Stavney opened public comment on Article 10.

No public comment.

Vice Chair Stavney opened Article 11.

Vice Chair Stavney opened public comment on Article 11.

No public comment.

Vice Chair Stavney opened Article 12.

12.02 Eminent Domain add public purpose.

Vice Chair Stavney opened public comment on Article 12.

No public comment.

Vice Chair Stavney opened Article 13.

Attorney Mire stated this 13.06 Current Trustee Terms would be clarified and rewritten to reflect the extension of

the terms.

Vice Chair Stavney opened public comment on Article 9.

No public comment.

a. Public Comment

*Public comment was accepted during the Charter review.*

2. Review of Home Rule Information at [www.townofeagle.org/homerule](http://www.townofeagle.org/homerule)

No comments.

**COMMISSION DISCUSSION AND FUTURE AGENDA ITEMS**

Vice Chair Stavney requested that the Town Board address timeline for adopting vacancy, code of conduct, municipal investments.

Commissioner Wisor requested that the town make clear and notify town trustee candidates and current members that their terms will be 5 years instead of four.

Request to have the parking lot emailed to the commission.


Commissioner Bartnik stated she would not be available at the next meeting.

Commissioner Wisor stated he would need to leave by 8:00 p.m. at the next meeting.

**ADJOURN - 8:00 PM**

Approved:

Date:

  
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Jon Stavney, Vice Chair

  
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Jenny Rakow, CMC Town Clerk

