



**HOME RULE CHARTER COMMISSION
MINUTES
Wednesday, January 15, 2020
Public Meeting Room / Eagle Town Hall
200 Broadway Eagle, CO**

*This agenda and the meetings can be viewed at www.Townofeagle.org.
Times listed are approximate and are subject to change.*

CALL TO ORDER - 6:00 PM

Chair McFall called the meeting to Order at 6:06 p.m.

ROLL CALL

COMMISSIONERS PRESENT

Charlie Wick, David Gaboury, Kyle Hoiland, Brent
McFall, Jon Stavney, Holli Snyder, Paul Wisor

STAFF

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

COMMISSIONS ABSENT

Janet Bartnik
Kraige Kinney

AUDIENCE PRESENT

Jeremy Gross
Anne McKibbin
Mary Kerst
Kim Bradley
Scott Schlosser
Todd Beckum
Kent Rose

ADOPTION OF AGENDA

There were no changes to the agenda.

MOTION: Vice Chair Stavney motioned to adopt the January 15, 2020 Agenda as presented. Motion was seconded and passed unanimously.

CONSENT AGENDA

MOTION: Vice Chair Stavney motioned to approve the Consent Agenda. Motion was seconded and passed with a vote of 6 in favor, 0 opposed and 1 abstain (McFall).

1. January 8, 2020 Minutes

PUBLIC HEARING

1. Full Charter Presentation and Public Hearing

Chair McFall opened the public hearing.

Bill Shrum gave a brief presentation on the Commission authority and steps taken.

Chair McFall provided his overview that he presented to the Eagle Town Board for the public in attendance. Attorney Mire stated he did make some changes, there was nothing substantive and will send out tomorrow. Commission will review prior to January 22nd and provide any final feedback on language.

Chair McFall opened the public hearing for comments.

Scott Schlosser - 390 Bluffs Drive. Inquired about Section 3.01 Town Council regarding clarification on partial terms as it relates to term limits. Attorney Mire provided that portions of a term do not count toward limits and is articulated in 3.01 (5).

Kent Rose 172 Bunkhouse Place. Expressed that he felt all seven council members should be elected at large and they should choose the mayor to serve for two-year term.

Todd Beckum 804 Brush Creek Ct. Would like the Commission to address Article 11.04 (2) and proposed to change language to 3-5 business days instead of no later than 5 business days. Felt there was free software available compare language to determine changes. Also felt 11.06 Procedure after Filing language should be changed from 30 working days to 30 business days.

Chair McFall requested comments from the Commission.

Commissioner Discussion: additional discussion with Mr. Rose regarding why he believed council should select the Mayor instead of voters. Further discussed reasoning to allow Mayor to be appointed to allow for qualified Mayor candidates to become Council Members. Commissioners explained that a person on the Council could run for Mayor and not lose their seat if they were mid-term, thus allowing for experienced Council opportunity to be Mayor if elected. Commission also explained that changing from elected Mayor to appointed Mayor was not Eagle's regular election protocol and could be a large change for voters and may cause issues with ability to vote in favor of home rule.

Discussion regarding using calendar days whenever days is used and business days for all specified instances. Consensus that calendar days would be redundant.

Discussion regarding changing the clerk review period from 5 days to 3 days. Attorney Mire provided further comment that this is currently a statutory requirement, and most do not deviate from it. The Commission remedied by increasing the number of days from 30 to 45 for petition circulation, which was intended to accommodate this request. Increasing the period is not common. The intent is to balance between competing rights. Commission agreed they extended the rights to petitioners with the changes made in the charter.

Public Comment:

Kent Rose expressed concern the charter had no provision for police department under the council. Commission stated that the Police Chief in Eagle will report to the Town Manager.

Discussion regarding the change in terms during the transition was briefly discussed. The transition will affect current board members with terms expiring in April 2022, which will be extended to November 2023 and those being elected this April 2020, will have terms extended from April 2024 to November 2025.

Discussion regarding changing board seated dates from January to November. Clarifying that the Commission agreed that avoiding lame duck council member from November to January outweighed taking office after a budget was adopted or was in the process of being proposed.

Discussion on 3.06 code of conduct and language change. Preference to include language “and behaviors” at the end of the first paragraph.

MOTION: Vice Chair Stavney motioned to make addition to Section 3.06 Code of Conduct and Ethics to include “and behaviors” to the first paragraph. Motion was seconded and passed unanimously.

Commissioner Wisor - left at 6:57 p.m.

Discussion on filling a vacancy when not enough candidates run in an election.

MOTION: Commissioner Snyder motioned to adjourn. Motion was seconded and passed unanimously.

ADJOURN - 7:00 PM

Approved:

Date:

Brent McFall, Chair

Jenny Rakow, CMC Town Clerk