



TOWN OF ERIE

645 Holbrook Street
Erie, CO 80516

Meeting Agenda Home Rule Charter Commission

Thursday, December 8, 2022

6:30 PM

Town Hall Community Room

1. Call Meeting to Order

2. Roll Call and Verification of Quorum

3. Approval of Agenda

4. Public Comment

5. General Business

[22-509](#) Discussion Topic: Meeting Dates

[22-510](#) Discussion Topic: Community Room AV Tutorial

[22-511](#) Charter Review and Discussion: Preamble, General Provisions,
Elections

Attachments: [Articles I and II working - draft](#)

6. Adjournment



TOWN OF ERIE

645 Holbrook Street
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Home Rule Charter Commission

Board Meeting Date: 12/8/2022

File #: 22-509, **Version:** 1

SUBJECT: General Business

Discussion Topic: Meeting Dates

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

Discuss days/dates there are meeting room conflicts and proposed solution.

ATTACHMENTS:

1. None



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Home Rule Charter Commission

Board Meeting Date: 12/8/2022

File #: 22-510, **Version:** 1

SUBJECT: General Business

Discussion Topic: Community Room AV Tutorial

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

Brief tutorial on how to use the smartboard and begin meeting recordings/live feed.

ATTACHMENTS:

1. None



TOWN OF ERIE

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Home Rule Charter Commission

Board Meeting Date: 12/8/2022

File #: 22-511, **Version:** 1

SUBJECT: General Business

Charter Review and Discussion: Preamble, General Provisions, Elections

SUMMARY AND BACKGROUND OF SUBJECT MATTER:

The charter chosen to be used as the starting point is from the Town of Eagle, Colorado. Charter sections planned for tonight's meeting:

- Preamble
- Article I: General Provisions
- Article II: Elections

For tonight's discussion the following staff have been requested to attend:

- Malcolm Fleming, Town Administrator
- Debbie Stamp, Town Clerk

ATTACHMENTS:

1. Articles I and II - working draft

Article I
General Provisions

- 1.01 Name and Boundaries. The municipal corporation heretofore existing as the Town of Erie, located in Boulder and Weld Counties, State of Colorado, shall remain and continue a body politic and corporate and under this Charter shall be known as the Town of Erie, with boundaries the same as presently established, until changed in a manner authorized by law.
- 1.02 Form of Government. The municipal government established by this Charter shall be a **Council/Manager** form of government.
- 1.03 Authority.
- (1) The Town shall have all the authority of local self-government and home rule and all authority possible for a municipality to have under the Constitution and laws of the State of Colorado.
 - (2) The enumeration of any particular authority in this Charter shall in no way be deemed to limit or exclude the exercise of any authority.
 - (3) All authority shall be exercised in the manner set forth in this Charter or, if not provided for in this Charter, in such manner as provided for by ordinance, resolution, or state statute.
- 1.04 Rights and Liabilities. By the name of the Town of Erie, a municipal corporation, the Town shall have the following rights and liabilities:
- (1) The right to perpetual succession.
 - (2) The right to own, possess, and hold all property, real and personal, heretofore owned, possessed, and held by the Town, and to manage and dispose of all trusts in any way connected therewith.
 - (3) The right to purchase or otherwise acquire property on which there are delinquent taxes or special assessments and to dispose of them in like manner as any other property.
 - (4) The right to succeed to all rights and liabilities of the Town.
 - (5) The right to acquire all benefits of the Town and to assume and pay all bonds, obligations and indebtedness of the Town.
 - (6) The right to sue and defend, plead and be impleaded in all courts and places and in all matters and proceedings.

(7) The right to purchase, lease, receive, hold, and enjoy, or sell and dispose of real and personal property; provided, however, that disposal of land designated as a park or open space area shall require prior approval by the Town's registered electors, subject to the following limitations:

(a) "Disposal" means divesting the Town of the full fee interest in the land;

(b) Disposal of less than one-half (½) acre of land, even if designated as a park or open space area, shall not require voter approval provided that the Council makes an express finding that use of the land after disposal will be for a public purpose; and

(c) The Town may by ordinance further regulate and protect the designation, conveyance and disposition of Town land in use as parks or open space areas.

(8) The right to establish municipal water works, wastewater treatment works, water and sewer systems, internet services, and other utility systems.

(9) The right to adopt, have, and use a common seal and alter the same.

(10) The right to adopt ordinances and resolutions on all matters unless otherwise prohibited by this Charter or by laws applicable to home rule municipal corporations in the State of Colorado.

(11) The right to have all rights, powers, and liabilities applicable to Colorado home rule municipal corporations as set forth in Article XX of the Colorado Constitution and Title 31, Colorado Revised Statutes, and other applicable statutes, as amended.

Article II Elections

2.01 Election Laws. Town elections shall be governed by the Colorado Municipal Election Laws, as amended, except as otherwise provided in this Charter or by ordinance hereafter enacted.

2.02 Types of Elections.

(1) Regular municipal elections shall be held on the Tuesday following the first Monday in November of 2023 and in each odd-numbered year thereafter.

(2) The Mayor and each Council Member shall take office at the first regular meeting of the Council following the date on which the election has been finally certified, and shall continue in office until their successors have been elected and take office or a vacancy occurs.

Commented [1]: Presumes the governing body will be "Town Council"

Commented [2]: Creation of wards/districts would typically be in Article III re: the governing body

Commented [3]: Whether the Mayor is a separately elected position would typically be covered in Articles III and IV

Commented [4]: Alternative: First meeting of the new year

(3) Special Town elections shall be held in accordance with the provisions of this Charter and the Colorado Municipal Election Laws as amended, except as otherwise provided in this Charter or by ordinance hereafter enacted. Any special Town election may be called by resolution of the Council not less than thirty (30) days in advance of such election or when required by this Charter or by statute. The resolution calling a special Town election shall set forth the purposes of such election.

2.03 Nonpartisan Elections. All municipal elections shall be nonpartisan.

2.04 Recall. Any elected official of the Town may be recalled at any time after the completion of six (6) months in office by the electors entitled to vote for a successor of such official, as set forth in the Colorado Constitution, C.R.S. § 31-4-501, *et seq.*, as amended, and Section 11.12 of this Charter.