

**City of Dacono
City Council Meeting Minutes
Monday, July 24, 2023**

Meeting called to order at 6:00 PM

Members Present

Doris Crespo
Danny Long, via Zoom
Adam Morehead, Mayor
Kevin Plain
Michelle Rogers

Members Absent

Tony Cummings, excused
Kathryn Wittman, excused

Staff Present

Jennifer Krieger, Community Development Director/Interim City Manager
Kelly Stroh, Finance Director
Lisa Fuller, Deputy Clerk
Donna Case, Community Development Technician
Mark Doering, Senior Planner
Kathleen Kelly, City Attorney
Brent Fitch, Police Commander
Bobby Redd, Public Works Director
Kyle Cooksey, Detective
Jessie Lambert, Sergeant

Presentations and Proclamations

National Night Out Proclamation – Mayor Morehead read the proclamation.
Empty Bowls Project Presentation – Franki Bertram gave a brief presentation.

Public Comment on Issues Not Scheduled on Agenda *(any documents presented to City Council will be on file in the City Clerk's Office)*

Fabiola Hernandez – requested that the invitation for Music & Spirits Festival also be in Spanish. Also expressed concerns that the election process is not explained in Spanish, so the Spanish speaking community does not understand what the elections are concerning.

Dan Spagnuolo – expressed his opinion that the new members of City Council were hand-picked by the Mayor and that the Mayor has control of the whole City.

Jim Turini – stated that the CBI conducted an inquiry and not an investigation and that no charges were filed against council. Also stated concerns that the Mayor had control over social media.

Jackie Thomas – provided a handout regarding critical thinking along with a presentation of the same and how it could be applied to the meeting's agenda.

Eric Heichelheim – congratulated the new councilmembers. Expressed his opinion on the future of the land west of Grandview and Colorado Blvd. Stated it should be rezoned to accommodate the future and not only residential properties; would like to see it be a downtown area for Dacono.

Maria Cordoza – spoke about needing a public library in Dacono.

Consent Agenda

- a. Approval of July 10, 2023, Regular Meeting Minutes.

- b. Approval of Accounts Payable dated July 24, 2023, in the amount of \$223,251.39.
- c. Approval of Resolution 23-67, approving a Contract Change Order for Construction with Northern Colorado Constructors for Construction Services.

Councilmember Plain moved to approve the Consent Agenda as presented. The vote was unanimous with Mayor Morehead declaring the motion carried.

General Business

A. Presentation and Approval of the 2022 Audit.

Finance Director Kelly Stroh and Auditor John Cutler presented their reports.

Councilmember Plain moved to approve the 2022 Audit as presented. The vote was unanimous with Mayor Morehead declaring the motion carried.

Mayor Morehead asked if any Councilmembers had any disclosures to make regarding the public hearings, such as conflicts of interest or any ex-parte communications; Councilmember Crespo - no, Councilmember Long - no, Councilmember Rogers - no, Councilmember Plain - no. Mayor Morehead also stated he had no disclosures to make.

B. Public Hearing and Consideration of Resolution 23-69, approving an Industrial Use for Holmes Solutions at Colorado National Speedway.

Mayor Morehead opened the public hearing.

Applicant Jason Krull, 1011 Arapahoe Ave. Ste.10 Boulder, CO 80302 was sworn in by Deputy Clerk Lisa Fuller and gave a brief presentation.

Senior Planner Mark Doering asked that the following be made part of the record: Application for Industrial Use, Application Materials, dated May 2023, Dacono Municipal Code and Zoning Map, and Staff report, dated July 24, 2023. He presented his staff report.

With no further public comments, Mayor Morehead closed the public hearing.

Councilmember Crespo moved to approve Resolution 23-69, approving an Industrial Use for Holmes Solutions at Colorado National Speedway. The vote was unanimous with Mayor Morehead declaring the motion carried.

C. Public Hearing and Consideration of Ordinance 944, Rezoning certain property located within the proposed Daisy Subdivision, on First Reading; and Consideration of Resolution 23-70, approving a Preliminary Plat and Preliminary Development Plan for the Daisy Planned Unit Development.

Mayor Morehead opened the public hearing.

Michael Eisenstein, 7388 Park Circle Boulder, CO 80301 was sworn in by Deputy Clerk Lisa Fuller and gave a brief presentation.

Andrew Baker, 601 W. 11th Ave. Denver, CO 80201 was sworn in by Deputy Clerk Lisa Fuller and gave a brief presentation.

Michael Tavel, 3312 Osage St. Denver, CO 80211 was sworn in by Deputy Clerk Lisa Fuller and gave a brief presentation.

David Kahn, 3 Chesebro Way Eldorado Springs, CO 80025 was sworn in by Deputy Clerk Lisa Fuller and gave a brief presentation.

Community Development Director/Interim City Manager Jennifer Krieger asked that the following be made part of the record: Dacono Gateway Preliminary Development Plan, dated June 16, 2023, Dacono Gateway Preliminary Plat, dated June 16, 2023, rezoning petition, application & supporting reports, and affidavit- public hearing notice. She presented her staff report.

With no further public comments, Mayor Morehead closed the public hearing.

Councilmember Plain moved to approve Resolution Ordinance 944, Rezoning certain property located within the proposed Daisy Subdivision, on First Reading. The vote was unanimous with Mayor Morehead declaring the motion carried.

Councilmember Plain moved to approve Resolution 23-70, approving a Preliminary Plat and Preliminary Development Plan for the Daisy Planned Unit Development. The vote was unanimous with Mayor Morehead declaring the motion carried.

D. Consideration and Approval of Resolution 23-71, approving a Software Services Agreement with GrayShift, LLC.

Sergeant Jessie Lambert presented his staff report. Detective Kyle Cooksey provided example cases.

Mayor Morehead moved to approve Resolution 23-71, approving a Software Services Agreement with GrayShift, LLC. The vote was unanimous with Mayor Morehead declaring the motion carried.

E. *Consideration and Approval of Resolution 23-72, approving a Professional Services Agreement with Viking Industrial Painting for Water Tower Rehabilitation.

Public Works Director Bobby Redd presented his staff report.

Councilmember Plain moved to approve Resolution 23-72, approving a Professional Services Agreement with Viking Industrial Painting for Water Tower Rehabilitation. The vote was unanimous with Mayor Morehead declaring the motion carried.

F. Consideration and Approval of Resolution 23-68, approving a Memorandum of Understanding with the United States Secret Service.

Detective Kyle Cooksey presented his staff report. Sergeant Jessie Lambert spoke about the covered costs and training task force.

Mayor Morehead moved to approve Resolution 23-68, approving a Memorandum of Understanding with the United States Secret Service. The vote was unanimous with Mayor Morehead declaring the motion carried.

Meeting recessed for a break at 9:08 PM.

Meeting resumed at 9:14 PM.

Mayor Morehead stated the code requires if the meeting goes later than 8:30 PM, a vote of council to table items to another meeting or to continue the meeting is needed. Mayor Morehead moved to continue the meeting. The vote was unanimous with Mayor Morehead declaring the motion carried.

G. Discussion of City Manager Recruitment Services RFP.

Community Development Director/Interim City Manager Jennifer Krieger presented her staff report.

Discussion ensued. No formal action was taken.

H. Discussion of Proposed Home Rule Charter Amendments and Other Potential Ballot Questions for the November 7, 2023 Election.

City Attorney Kathleen Kelly presented her report.

Discussion ensued. No formal action was taken.

Staff Reports

Jennifer Krieger – she stated the CIRSA Ethics, Liability, and Best Practices Training will be held on Wednesday evening. No Planning Commission tomorrow. National Night Out will be held August 1st at Clem DuFour Park at 6pm. There will not be a URAD meeting in August. The Dacono Music and Spirits Festival is 2 weeks away, volunteers are needed. We would like to make the Rec passes at Carbon Valley Recreation Center available to council. The Dacono Resident Survey will kick off next month. Nomination petitions will be available Tuesday, August 8th.

Brian Skaggs – not present

Valerie Taylor – not present.

Kelly Stroh – she stated that the emergency purchasing policy was invoked to replace the server that was damaged during a power outage.

Mark Doering – no report.

Bobby Redd – no report.

Kathleen Kelly – no report.

Brent Fitch – he stated we have a preliminary proposal from Ford AV for Assistive Listening Devices. Council gave the go ahead to pursue the purchase; the expenditure will be brought back to council for approval.

Council Members

Doris Crespo – no report.

Tony Cummings – not present.

Danny Long – no report.

Kevin Plain – no report.

Adam Morehead – he stated that he asked Jennifer to bring up the rec center passes and allow the council, their families, and families of employees use the 500 passes that the city currently has. It was decided that council and family members could use the rec center passes.

Michelle Rogers – no report

Kathryn Wittman – not present.

I. Executive Session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators under C.R.S. § 24-6-402(4)(e) and for a conference with the City's attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. § 24-6-402(4)(b), specifically concerning KPK Financial Assurance.

Mayor Morehead moved to go into executive session for the purpose of determining positions relative to matters that may be subject to negotiations, developing strategy for negotiations, and/or instructing negotiators under C.R.S. § 24-6-402(4)(e) and for a conference with the City's attorney for the purpose of receiving legal advice on specific legal questions under C.R.S. § 24-6-402(4)(b), specifically concerning KPK Financial Assurance.

The meeting was adjourned into executive session at 10:03 PM.

Mayor Morehead stated the time is now 10:35 PM, and the executive session has been concluded. The participants in the executive session were: Councilmember Danny Long (via Zoom), Councilmember Michelle Rogers, Councilmember Doris Crespo,

Councilmember Kevin Plain, Community Development Director/Interim City Manager Jennifer Krieger, City Attorney Kathleen Kelly, Steven Louis-Prescott, Special Counsel for Oil and Gas, Hamre, Rodriguez, Ostrander, & Prescott, PC. For the record, if any person who participated in the executive session believes that any substantial discussion of any matters not included in the motion to go into the executive session occurred during the executive session, or that any improper action occurred during the executive session in violation of the Open Meetings Law, I would ask that you state your concerns for the record. None were stated.

Adjournment:

With no further business to be discussed, the meeting was adjourned at 10:36 PM.

Approved this 14th day of August, 2023.

Adam Morehead, Mayor

Attest:

Valerie Taylor, City Clerk