

**City of Dacono  
City Council Special Meeting Minutes  
Monday, March 30, 2023**

**Meeting called to order at 6:00 PM**

**Members Present** Doris Crespo, joined via Zoom  
Danny Long  
Adam Morehead, Mayor  
Kevin Plain  
Jackie Thomas  
Jim Turini  
Kathryn Wittman

**Staff Present** Valerie Taylor, City Clerk  
Kathleen Kelly, City Attorney  
Lisa Fuller, Accounting Technician  
Brent Fitch, Police Commander

**General Business**

- A. Executive Session for the discussion of a personnel matter under C.R.S. § 24-6-402(4)(f) and not involving any specific employees who have requested discussion of the matter in open session, any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official, or personnel policies that do not require the discussion of matters personal to particular employees; receiving legal advice on specific legal questions under C.R.S. § 24-6-402(4)(b); and 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), specifically concerning the potential appointments of an Interim City Manager and Interim City Attorney.**

Mayor Morehead moved to go into executive session for the discussion of a personnel matter under C.R.S. § 24-6-402(4)(f) and not involving any specific employees who have requested discussion of the matter in open session, any member of this body or any elected official; the appointment of any person to fill an office of this body or of an elected official, or personnel policies that do not require the discussion of matters personal to particular employees; receiving legal advice on specific legal questions under C.R.S. § 24-6-402(4)(b); and 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), specifically concerning the potential appointments of an Interim City Manager and Interim City Attorney. Ayes: Council Members Crespo and Plain. Nays: Council Members Long, Wittman, Turini and Thomas. The motion failed.

**B. Appointment of an Interim City Attorney.**

City Attorney Kathleen Kelly stated that Council has been presented with two interested parties to serve as interim city attorney. She provided council with a list of legal services that her office provides to the city which includes: land use and development, annexation, governmental immunity act and public liability issues, employment in the public sector, police matters – ERPO, liquor licensing, general business licensing and other permits, management of public property, lease-purchase agreements, building and other life safety codes, elections, Fair Campaign Practices Act (FCPA), open meetings law, open records act, drafting of general city ordinances, metropolitan districts, general improvement districts, working with urban renewal attorney on matters of mutual interest, constitutional issues that affect public entities and employers,

municipal home rule, Taxpayer's Bill of Rights (TABOR), disaster emergency response, oil and gas issues, methane issues, public infrastructure, including unique contract requirements, impact fees, sales and use taxes. She stated her firm spent 108.3 hours on City matters. She said the city residents and staff deserve an attorney, even on an interim basis, that has the background, knowledge, expertise, and experience in municipal law.

City Clerk Valerie Taylor stated that city staff relies heavily on the City Attorney, almost daily, to complete job tasks. It would not be in the City's best interest to go without an attorney for any amount of time. She asked Council to consider hiring an attorney that has extensive experience in municipal government including elections.

A discussion ensued and Council would like to schedule a special meeting to give Mr. Oliver an opportunity to be interviewed. If Mr. Oliver is unavailable to attend, Council will move forward and appoint an interim attorney.

Council Member Wittman moved to schedule a special meeting on Wednesday, April 5th at 6:00 PM to consider appointment of interim city attorney. Ayes: Council Members Long, Wittman, Turini, Thomas and Plain. Nay Council Member Crespo. Mayor Morehead declared the motion carried.

**Adjournment:**

**With no further business to be discussed, the meeting was adjourned at 6:27 PM.**

**Approved this 10<sup>th</sup> day of April, 2023.**

  
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**Adam Morehead, Mayor**

**Attest:**

  
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**Valerie Taylor, City Clerk**