



## WESTMINSTER

### CITY OF WESTMINSTER, COLORADO MINUTES OF THE CITY COUNCIL MEETING HELD ON MONDAY AUGUST 12, 2024, AT 7:00 P.M.

1. PLEDGE OF ALLEGIANCE

Mayor McNally led City Council, Staff, and the audience in the Pledge of Allegiance.

2. ROLL CALL

Mayor McNally, Councillors Carmelia, DeMott, Ezeadi, Hott, Ireland, and Nurmela were present at roll call. Also present were Acting City Manager Jody Andrews, Deputy City Manager Barbara Opie, City Attorney Dave Frankel, and City Clerk Abby Fitch.

DeMott moved, seconded by Nurmela to allow for remote participation of Carmelia. The motion passed **(7-0)**.

3. CONSIDERATION OF MINUTES

DeMott moved to approve the minutes of the July 22, 2024, City Council Meeting as presented. The motion was seconded by Nurmela, and the motion passed **(7-0)**.

4. PRESENTATIONS

There were no presentations this evening.

5. PUBLIC COMMENT

Luis Corchado emphasized the importance of equal population distribution in City wards, arguing that a 10% deviation in ward populations is too large and could be exploited for gerrymandering.

Chris Kline proposed that the City pass an ordinance to implement a trap-neuter-return program for feral cats. He believes this is the most humane approach to managing the population and highlighted benefits such as stabilizing numbers, preventing the spread of disease, and protecting those who care for the cats.

Charlene Willey urged the City Council to safeguard the water supply at Standley Lake. She expressed concerns about potential risks from the Rocky Mountain Metropolitan Airport (RMMA) and called for increased accountability from the airport.

Bill Baraya raised several issues regarding RMMA, including noise, well contamination, and accountability. He also mentioned that the airport's director had not responded to him and expressed concern about potential pollution of Standley Lake and the dangers posed by a nearby trail at Rocky Flats.

Carol Gosenheimer voiced concerns about potential groundwater and surface contamination linked to RMMA.

Alexander Gan, who has bipolar disorder and previously worked for the City, thanked the Council and specifically recognized staff members who have offered him help, embodying the City's values.

Luci Smith complained about excessive noise from RMMA, stating that it is so loud people cannot have conversations. She noted that increased training flights and lack of concern from Jefferson County and the FAA are affecting the community.

Eugene Smith also expressed concern about noise from RMMA, criticizing the airport for failing to address the issue or consider the surrounding community.

Dave Brown voiced frustration with the Sustainability Center, citing constant noise and poor behavior by the operator. He requested a meeting with someone from the City Council and City Manager's office to discuss his concerns.

Giselle Herzfeld suggested that clear disclosures be posted about the dangers of the Rocky Flats area. She recommended placing signs to inform the public about the historical and potential risks of recreating in the area.

Deborah Segaloff urged the Council to prevent the construction of an overpass at Rocky Flats or, if the Council lacks authority over the project, to use its influence to ensure it does not connect to Westminster lands.

Chris Allred requested that Westminster withdraw from the Rocky Mountain Greenway project.

Shari Griffin expressed concerns about contamination and lack of accountability related to the Rocky Mountain Greenway Trail and the land it crosses.

Marty McCullough shared his preference for at-large voting over ward-based representation, arguing that it allows the Council to consider the City as a whole. While acknowledging the benefits of ward representation, he pointed out potential drawbacks, including voter disenfranchisement.

Alexandria Tursi raised concerns about traffic flow and noise from the Sustainability Center. She requested an onsite walkthrough with the Council to gather community input. She also discussed ward representation and stressed the importance of having representatives passionate about the downtown area.

Tom Lampo offered a prayer for the City.

Bill Christopher expressed support for Jody Andrews, arguing that a national search for candidates is unnecessary. He also supported the benefits of a ward system, believing it would enhance communication.

Karen Kalavity endorsed the hiring of Jody Andrews and raised concerns about the water treatment plant. She suggested exploring alternatives to the plant to address water quality issues related to RMMA. Additionally, she expressed concerns about stormwater management in the Uplands area and opposed supporting its development.

John Palmer voiced dissatisfaction with the timing of the public comment period and supported the appointment of Jody Andrews. He also expressed concerns about stormwater issues in the Uplands.

#### 6. CITY MANAGER'S REPORT

Acting City Manager Andrews provided a brief update, mentioning ongoing projects, upcoming agenda items, and upcoming meetings and events.

There was one information-only item: 2024 Business Survey Results.

#### 7. CITY COUNCIL COMMENTS

Here is the revised version of your text for clarity and grammar:

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McNally stated that during the Executive Session, they discussed the City Manager selection process and confirmed that an internal search will be conducted. Nurmela, DeMott, and Ezeadi all emphasized their commitment to a transparent process that would ensure continuity. Hott added that timeliness is a factor and that an internal search will save funds. Ireland also expressed satisfaction with the internal search, noting that the candidate would already be familiar with the City. Davy Godfrey, Director of Human Resources, explained the process and outlined the requirements.

Hott discussed traffic issues during the Top Taco event and expressed a desire to discuss a community cat ordinance. Hott also inquired about the location of the bridge for the Greenway Trail, asking if it is on Westminster land. Andrews confirmed that it is not. Hott stated opposition to the connector being built for the Greenway Trail on Westminster land. They thanked Gan for candidly sharing his experience with bipolar disorder, highlighting the importance of mental health. Hott also requested that Staff research solutions for the issues raised about the Sustainability Center during public comment.

Hott asked for support on a letter she wrote to the Jefferson County Commissioners regarding containment issues surrounding RMMA. While the City Council did not have majority support for the letter, Staff will review it, and City Council will follow up in a study session.

Ezeadi attended the wellness court graduation and praised the program. He expressed a desire to meet with Green Knolls to understand the neighborhood's issues with RMMA and to tour the Sustainability Center to address concerns. Ezeadi also clarified that the Greenway Trail discussion will return to Council on September 23.

Nurmela voiced support for the City adopting a community cat ordinance and expressed gratitude for Staff involvement with the Denver Regional Council of Governments (DRCOG), noting that Westminster will benefit from received funds. She also thanked Gan for sharing his story and asked to be kept informed about Uplands and stormwater issues. Nurmela expressed dissatisfaction with the location of the Sustainability Center and hopes for solutions to noise and traffic problems. She looks forward to the upcoming study session on the Greenway Trail.

Ireland discussed ward boundaries and asked for clarification on the 5% versus 10% population deviation. She also requested that the City communicate with the FAA to determine whether RMMA disclosed the proximity of a body of water when applying for a grant for the new runway. Ireland stressed that the City should take a stricter approach with Uplands and stormwater issues.

DeMott mentioned that there is no Inclusivity Board meeting this week due to the volunteer appreciation dinner. He acknowledged concerns about RMMA and requested updates from Westminster staff on testing. DeMott also asked staff to address issues related to the Sustainability Center and invited people to attend his Policy and Pilsner event this Thursday.

Carmela asked for clarification on when the bridge by Rocky Mountain Greenway Trail will be constructed and requested that the study session be moved to an earlier date if possible. She stressed the importance of following up on concerns about the Sustainability Center and expressed support for holding a discussion on public comment. Additionally, Carmela requested more outreach to promote business openings.

#### 8. CONSENT AGENDA

\*\*\*Clerk's note: Ireland asked all the items be removed from the consent agenda.

- A. Second Reading of Councillor's Bill No. 24 Re: Supplemental Appropriation of Community Development Block Grant Funding

DeMott moved, seconded by Nurmela to pass Councillor's Bill No. 24 on second reading providing for a supplemental appropriation of funds to the 2024 Budget of the Community Development Block Grant Fund. The motion passed on a **(6-1)** roll call vote. Ireland voted no citing concern on how the money will be spent.

B. Resolution No. 20 Re: 2024 Private Activity Bond Assignment

DeMott moved, seconded by Nurmela to adopt resolution No. 20 authorizing the assignment of \$7,246,554 of the City's Private Activity Bond allocation for 2024 to the Adams County Housing Authority, d/b/a/ Maiker Housing Partners, for the qualified purposes set forth in the Resolution and authorize the City Manager to execute the necessary documents. The motion passed on a **(6-1)** roll call vote, with Ireland voting no, citing the cost of building each individual unit.

C. Resolution No. 21 Changing the City Council Rules and Regulations to Amend the Agenda and Public Comment and Testimony

DeMott moved, seconded by Nurmela to adopt resolution No. 21 revising the City Council's Rules and Regulations. The motion passed on a **(5-2)** roll call vote, with DeMott and Ireland voting no because they do not approve of changing public comment from five minutes to three minutes.

D. Authorization of an Agreement with Paymentus Corporation for Credit Card Acceptance Processing Services for Utility Billing

DeMott moved, seconded by Nurmela to authorize the Acting City Manager to execute an agreement for credit card acceptance services with Paymentus Corporation, in an amount not to exceed \$470,000 in 2024 with a 10 percent contingency of \$47,000, and authorize renewals in 2026, 2027, and 2028 with annual increases not to exceed 25percent with a 10 percent contingency. The motion passed on a **(7-0)** roll call vote.

E. Additional Expenditure Authorization for Public Defender Services with the Office of the Alternate Defense Counsel

DeMott moved, seconded by Nurmela to authorize an additional expenditure with the Office of the Alternate Defense Counsel in an amount not to exceed \$700,000, increasing the total authorized expenditure from \$350,000 to \$700,000 in 2024. The motion passed on a **(7-0)** roll call vote.

F. Authorize Special Legal Services Contract for Personnel Board.

Nurmela moved, seconded by DeMott to Authorize the City Manager to sign a contract with Paul Codec of SGR, LLC, to continue serving as the Personnel Board Attorney to provide legal services to the Personnel Board on an as-needed basis. The motion passed on a **(7-0)** roll call vote.

9. APPOINTMENTS AND RESIGNATIONS

There were no appointments or resignations this evening.

10. PUBLIC HEARINGS AND NEW BUSINESS

A. First Reading of Councillor's Bill No. 26 Adopting Ballot Language to Amend the Westminster Charter Regarding the Election of City Councillors by Geographic Wards

DeMott moved, seconded by Nurmela to pass Councillor's Bill No. 26 on first reading adopting ballot language to amend the Westminster Charter regarding the election of City Councillors by geographic wards. Ireland moved to amend the motion, seconded by Hott. The original motion maker and second did not agree to the amended motion, so it did not move forward. The original motion failed on a **(3-4)** roll call vote with Carmelia, Hott, McNally, and Nurmela voting no.

City Council asked Staff to redraft the ballot language with a different structure and bring back new ballot language on August 19 at a special meeting.

11. OLD BUSINESS AND PASSAGE OF ORDINANCE ON SECOND READING

A. Second Reading of Councillor's Bill No. 25 Re: Proposed Lease Agreement with Barquentine Brewing Company for the City-Owned Property Located at 3915 West 73rd Avenue

DeMott moved, seconded by Nurmela to pass Councillor's Bill No. 25 on second reading authorizing the City Manager to enter into a lease agreement with Barquentine Brewing Company for the City-owned property located at 3915 West 73rd Avenue supporting the redevelopment of the Rodeo Market building and the Harris Park neighborhood. The motion passed on a **(6-1)** roll call vote, with Ireland voting no stating that she had concerns about the use as well as the parking in the area.

12. MISCELLANEOUS BUSINESS AND EXECUTIVE SESSION

13. ADJOURNMENT

The meeting was adjourned at 10:52 p.m.

THE WESTMINSTER CITY COUNCIL

ATTEST:

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Mayor

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City Clerk