



WESTMINSTER

CITY OF WESTMINSTER, COLORADO MINUTES OF THE HYBRID (IN-PERSON AND VIRTUAL) CITY COUNCIL MEETING HELD ON MONDAY AUGUST 14, 2023, AT 7:52 P.M.

1. PLEDGE OF ALLEGIANCE

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

2. ROLL CALL

Mayor Nancy McNally, Mayor Pro Tem DeMott, Councillors Baker, Emmons, Ezeadi, Nurmela, and Seymour were all present at roll call. Also present were City Manager Mark Freitag; City Attorney David Frankel; and City Clerk Abby Fitch.

3. CONSIDERATION OF MINUTES

DeMott moved to approve the minutes of July 24, 2023, as presented. The motion was seconded by Seymour and the motion passed (7-0).

4. PRESENTATIONS

McNally, on behalf of City Council, presented the Government Finance Officers Association of the United States and Canada 2021 Certificate of Achievement for Excellence in Financial Reporting Award to the Annual Comprehensive Financial Report (ACFR) project team, led by Accounting Division Manager Cherie Sanchez, and the 2023 Distinguished Budget Presentation Award to the 2023 Budget project team, led by Policy and Budget Manager John Prejzner.

McNally proclaimed September 4 through September 8, 2023, as City of Westminster Employee Appreciation Week in recognition of the contributions of City employees to the overall success of the City organization and the quality of life for Westminster.

5. PUBLIC COMMENT

3 electronic comments were submitted and attached to the packet.

Kim McKenna spoke about the increase of speeding traffic on Independence Drive and the safety issues with this street.

Alan Farb spoke about the extreme heat this summer and expressed concern about the treatment of Westminster's unhoused population during the extreme heat. He would like to see the city offer cooling centers during extreme heat.

Sarah Harman from the Urban Land Conservancy (ULC) stated that she wanted to put on the record that she feels that the city did not engage ULC about the decision of the WEDA board this evening. Harman outlined a timeline of the Holly Park property and some of the challenges that ULC faced. Harman also stated that ULC has taken steps to work with the current residents to make them whole.

John Palmer spoke about his approval of the repurchase of Holly Park. He also thanked Council for putting a question on the ballot about Wards.

~~John~~ David Carpenter left a voicemail message about the unsafe building ordinances. He would like Council to remember that there are private property rights to balance with declaring buildings unsafe.

Tom Lampo offered a prayer for the city.

6. CITY MANAGER'S REPORT

Freitag gave a short report that included a city update, the Westy Wins, things to know, and upcoming events for the next couple of weeks.

7. CITY COUNCIL COMMENTS

Seymour apologized to Freitag for not speaking up during the last meeting to address the comment made by Councillor Baker.

Nurmela asked that the city look at traffic solutions to fix speeding on Independence. She also would like to look into cooling stations and see what the city or counties could offer.

DeMott addressed the public comment on homelessness. He stated that the current Council has a lot of diverse opinions and they are all trying to do their best including doing their best for homelessness. DeMott wants to look at cooling stations but would also like to look at what the county is doing since counties have dedicated funds for those types of services. DeMott asked that staff look at what the top services are that would be cut if the budget was arbitrarily cut by 10%. He also asked staff to look at what would happen if water rates were only increased by half of what was proposed during the budget session.

Ezeadi feels that all levels of government should look at homelessness and work together. He thinks this follows the quality of life priority in the City's Strategic Plan.

McNally thanked Seymour for bringing up what happened at the last meeting. McNally apologized to Freitag as well.

8. CONSENT AGENDA

Item 8A, Retaining Special Legal Counsel for Financing a Replacement Municipal Court Facility, was removed from the consent agenda.

The following items were presented on the consent agenda for City Council's action: 2024 Fixed Forward Fuel Contract with Senergy Petroleum; and Approve the Purchase of Playground Equipment for City Park Recreation Center Preschool Playground, Trailside Park Playground, and Sherwood Park Playground, using the Sourcewell National Cooperative Contract.

DeMott moved, seconded by Emmons, to accept the consent agenda items (8B-8C) for August 14, 2023. The motion passed on a **(7-0)** roll call vote.

A. Retaining Special Legal Counsel for Financing a Replacement Municipal Court Facility

DeMott moved, seconded by Emmons, to Retain Special Legal Counsel for Financing a Replacement Municipal Court Facility. The motion passed on a **(6-1)** roll call vote with Councillor Baker voting no, stating that he thinks this issue should be taken to an election so the people can vote on using this form of debt.

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. 37 Re: Proposed Amendments to Section 11-9-2(E) of the Westminster Municipal Code Concerning Unsafe Buildings, Structures, and Equipment

DeMott moved to pass Councillor's Bill No. 37 on first reading to amend Section 11-9-2(E) of the Westminster Municipal Code concerning unsafe buildings, structures, and equipment. The motion was seconded by Emmons. The motion passed on a **(7-0)** roll call vote.

B. First Reading of Councillor's Bill No. 38 Authorizing Certificates of Participation for Financing the Construction of a Replacement Municipal Court Facility and related issuance costs.

DeMott moved to approve Councillor's Bill No. 38, on first reading, authorizing the issuance of tax-exempt Certificates of Participation (COPS), Series 2023 in a par amount not to exceed \$37.1 million for the construction of a Replacement Municipal Court Facility, and related COP issuance costs. The motion was seconded by Emmons. The motion passed on a **(6-1)** roll call

vote with Baker voting no, stating he would rather use cash from city reserves as a means to pay for the courthouse.

- C. First Reading of Councillor's Bill No. 39 Proposing Charter Amendments, Resolution No. 24 Setting a Ballot Question Regarding Wards and Resolution No. 25 Calling for Participation in the November 7, 2023, Coordinated Election with Adams and Jefferson Counties

DeMott moved to pass Councillor's Bill No. 39 on first reading placing questions on the November 2023 coordinated election ballot to amend the Charter and direct the City Clerk to certify the ballot language to the designated election officials for Adams and Jefferson Counties. The motion was seconded by Emmons. The motion passed on a **(7-0)** roll call vote.

DeMott moved to adopt Resolution No. 24 Setting a Ballot Question Regarding Wards. The motion was seconded by Emmons. The motion passed on a **(6-1)** roll call vote with Baker voting no citing that there is nothing tangible to consider on the wards issue.

DeMott moved to adopt Resolution No. 25 Calling for Participation in the November 7, 2023, Coordinated Election with Adams and Jefferson Counties. The motion was seconded by Emmons. The motion passed on a **(7-0)** roll call vote.

11. OLD BUSINESS AND PASSAGE OF ORDINANCE ON SECOND READING

There was no old business this evening.

12. MISCELLANEOUS BUSINESS AND EXECUTIVE SESSION

13. ADJOURNMENT

The meeting was adjourned at 9:21 p.m.

THE WESTMINSTER CITY COUNCIL

ATTEST:

Mayor

City Clerk