



WESTMINSTER

CITY OF WESTMINSTER, COLORADO MINUTES OF THE HYBRID (IN-PERSON AND VIRTUAL) CITY COUNCIL MEETING HELD ON MONDAY JANUARY 23, 2023, AT 7:00 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; City Clerk Abby Fitch; and City Clerk Coordinator Kathryn Schroeder.

3. CONSIDERATION OF MINUTES

Mayor Pro Tem DeMott moved to approve the minutes of January 9, 2023, as presented. The motion was seconded by Councillor Emmons and the motion passed **(7-0)**.

4. PRESENTATIONS

Council received a presentation regarding Westminster's replacement drinking water treatment facility evaluation overview and options. Sarah Borgers, Public Works and Utilities Director and Stephanie Bleiker, Capital Projects Administrator were present to answer questions from Council.

Baker asked when the Northwest Water Treatment facility would need replacement. Bleiker explained that the Northwest Water Treatment facility was built in 2002 and continues to be maintained. She stated that the larger size of the facility allows it to be repaired in phases and does not need to be shut down completely for maintenance, but that the facility alone cannot support Westminster water demands during peak months so the City relies on Semper.

Baker asked about the mechanical longevity of the options given during the presentation. Bleiker said that options three and four are mechanically the best options, but that all options are intended to last 50 years and beyond.

Baker inquired about the location of different treatment areas including ozonation and the deep filtration bed at the Semper location. Bleiker described options and space limitations based on the current location. Baker asked if alternatives to the Semper site would require drilling under railroad tracks. Bleiker stated that the current structure creates a single point of failure and that all options would require additional pipeline though they would use as much of the existing raw water pipeline as is cost effective.

McNally, DeMott, and Emmons thanked staff for their continued work in developing alternatives to Water 2025. Seymour commented on the savings that the additional options provide. Nurmela also thanked staff and wants to see how options play out in the financial model. Ezeadi thanked staff and encouraged public input. He added that he would also like to know financial impacts, but that the project is a matter of health and safety and long-term resiliency and health for Westminster.

5. PUBLIC COMMENT

Carol Campbell, former employee of the Environmental Protection Agency, addressed Council regarding drinking and wastewater. Campbell voiced concerns with previous water rate reductions and that the utility is being subsidized as a result of cutting water rates. Campbell emphasized a focus on increasing sustainability and conservation measures. She stated that the decision for the drinking water facility should be made immediately and that standards for PFAS and ozonation should be considered in the decision.

Emily Brooks addressed Council regarding recycling and water. She stated that current recycling facilities are not ideal, and she would like to see additional options for recycling and compost. Brooks stated that SustainAbility Recycling has options and encouraged Council to connect with the company. Brooks stated that she was appreciative that the water treatment facility project is back on track and asked for the plan to address future water quality issues such as wildfire and PFAS.

Dean Vande Berg addressed Council regarding transactions and items subject to tax as outlined in the Westminster Municipal Code. He asked Council to consider a precious metal and coin exemption similar to that in Colorado State law so people can invest in their future in methods other than the dollar without a tax penalty.

Chris Stimpson addressed Council regarding the Water 2025 plan and commended staff for research and calculations on water treatment facility options. Stimpson commented on observed rightsizing desires by Council and that it does not allow for the growth of the City without additional expansions in the future.

Karen Kalavity addressed Council regarding the water treatment facility study and stated that there should be more options that do not involve taking of land. Kalavity suggested reimagining water treatment plants including building smaller plants throughout city and earth-friendly ways of treating water.

A public comment voicemail was left regarding neighborhood snow and ice removal.

David Carpenter left a public comment voicemail regarding Item 10D on the agenda and asked if it was the right time to send money to new projects instead of finishing existing priorities.

6. CITY MANAGER'S REPORT

City Manager Freitag gave an update on the Police Chief recruitment. Freitag provided information regarding the CDBG Plan Amendments for homeless services and change of use at 73rd and Lowell. Freitag discussed the Northwest Rail Peak Rail Service Study and announced an open house and online session. He gave an update on the proposed redesign and rebuild of the Pizza Hut located at 7820 Sheridan Boulevard.

Freitag shared Westy Wins including the National Operation Challenge title awarded to a team of four City Water Plant Operators and Water Quality Analysts, and the appropriation of funds for improvements to Federal Parkway. He announced the selection of Leslie Moening as the Utilities Engineering Manager for the Public Works and Utilities department.

Freitag also gave an update on a utility billing technical issue and summarized city events for the next few weeks.

7. CITY COUNCIL COMMENTS

Baker commented unfavorably on decisions made by Broomfield City Council regarding gun control.

Emmons addressed the 2017 Standley Lake regional master plan and asked for it to be amended to reflect that the boating task force had found solutions for boating on Standley Lake, just that they had not had the chance to be fully vetted.

Seymour provided information on the upcoming free event hosted by The Westminster Rotary Club featuring Armenian folk dancers. Seymour addressed comments made by a fellow Councillor at the January 9, 2023 meeting regarding downtown. Seymour stated that references to persons being corrupt were unacceptable and that his colleague not recognizing Council's majority approval of the vision for downtown is ignoring the will of Council. Seymour added that Council should be able to agree to a vision without the threat of being called corrupt. Seymour encouraged residents to visit the vibrant downtown and witness the market speaking loud and clear that it is time to move forward.

DeMott announced that he will be holding doing Town Hall hours on the third Tuesdays of the month and that his next will be on February 21. DeMott brought forward comments received at previous Town Halls including an ask for historic grants to refurbish the rodeo market, and a chocolate tasting event.

McNally stated that she will attend a meeting with local Councillors and Legislators on Wednesday to discuss common issues and new ideas.

8. CONSENT AGENDA

There were no items on the consent agenda this evening.

*Clerk's note: Council entered a recess from 8:42 to 8:54 p.m.

9. APPOINTMENTS AND RESIGNATIONS

- a. Resolution No. 2 Re: Reappointing Members and Appointing New and Alternate Members to Boards and Commissions

DeMott moved to adopt Resolution No. 2 reappointing members and appointing new and alternate members to the Environmental Advisory Board; Historic Landmark Board; Human Services Board; Inclusivity Board; Parks, Recreation, Libraries, and Open Space Advisory Board; Personnel Board; Planning Commission; and Special Permit and License Board respectively. The motion was seconded by Emmons. The motion passed on a **(7-0)** roll call vote.

10. PUBLIC HEARINGS AND NEW BUSINESS

- a. First Reading of Councillor's Bill No. 2 Supplemental Appropriation from the Utility Capital Project Reserve to the Utility Water Fund; and Authorization of additional expense for land purchase

DeMott moved to pass Councillor's Bill No. 2 on first reading appropriating a transfer of \$22,320,503 from the Utility Capital Project Reserve to the Utility Water Fund for the remaining balance on 37.65 acres of land acquisition related to Jefferson County District Court case 2020CV30231. The motion was seconded by Emmons. The motion passed on a **(6-1)** roll call vote with Baker voting no.

DeMott moved, contingent upon approval of Councillor's Bill No. 2 on second reading, to authorize expense of \$22,320,503 for deposit to preserve the right to appeal the verdict in Jefferson County District Court case 2020CV30231. The motion was seconded by Emmons. The motion passed on a **(6-1)** roll call vote with Baker voting no.

- b. Resolution No. 3 Agreement with Jefferson Center for Mental Health, Jefferson County, and the Cities of Arvada, Edgewater, Golden, Lakewood, Wheat Ridge, and Westminster

Emmons moved to adopt Resolution No. 3 authorizing the City Manager to sign an Agreement with Jefferson Center for Mental Health, Jefferson County, and the cities of Arvada, Edgewater, Golden, Lakewood, Wheat Ridge, and Westminster. The motion was seconded by DeMott. The motion passed on a **(7-0)** roll call vote.

- c. Sole Source Waiver for the Purchase of Additional One View Reporting Licenses and Sole Source Waiver for Renewal of the Support and Licensing Agreement of JD Edwards EnterpriseOne Enterprise Resource Planning System with DLT Solutions, LLC

Seymour moved based on a recommendation of the City Manager, to determine the public interest will best be served by authorizing the City Manager to waive the City's bidding requirements to purchase 50 additional One View Reporting licenses and support from DLT Solutions, LLC in an amount not to exceed \$56,325 in 2023. The motion was seconded by Emmons. The motion passed on a **(7-0)** roll call vote.

Seymour moved based on a recommendation of the City Manager, to determine the public interest will best be served by authorizing the City Manager to waive the City's bidding requirements to renew a support and licensing agreement with DLT Solutions, LLC for Oracle's JD Edwards EnterpriseOne Enterprise Resource Planning system for an additional two-year term in an amount not to exceed \$396,950 over the contract term subject to annual

appropriations. The motion was seconded by Emmons. The motion passed on a **(7-0)** roll call vote.

- d. Construction Contract Award for the Benton Street Roadway and Utility Construction Project, Phase 1

Emmons moved to authorize the reallocation of funds in the amount of \$1,532,000 from the WURP Roadway/Alley account to the WURP Benton Street Phase 1 and 2 account. The motion was seconded by DeMott. The motion passed on a **(6-1)** roll call vote with Baker voting no.

Emmons moved to award the construction contract and authorize the City Manager to execute a contract with Alpine Civil Construction Inc. in the amount of \$1,775,755 plus a contingency in the amount of \$180,000 for a total not to exceed amount of \$1,955,755 for the Benton Street Roadway and Utility Construction Project, Phase 1. The motion was seconded by DeMott. The motion passed on a **(6-1)** roll call vote with Baker voting no.

11. OLD BUSINESS AND PASSAGE OF ORDINANCE ON SECOND READING

- a. Second Reading of Councillor's Bill No. 1 Amending Sections 10-1-12, 10-1- 12.5, 10-1-16, and 10-1-17 of the Westminster Municipal Code Regarding Parking Restrictions and Enforcement

DeMott moved to pass Councillor's Bill No. 1 on second reading amending Sections 10-1-12, 10-1-12.5, 10-1-16, and 10- 1-17 of the Westminster Municipal Code Regarding Parking Restrictions and Enforcement to authorize the Department of Community Development Staff to enforce parking restrictions. The motion was seconded by Emmons. The motion passed on a **(6-1)** roll call vote with Baker voting no.

12. MISCELLANEOUS BUSINESS AND EXECUTIVE SESSION

13. ADJOURNMENT

The meeting was adjourned at 9:37 p.m.

THE WESTMINSTER CITY COUNCIL

ATTEST:

Mayor

City Clerk Coordinator