

**CITY OF NORTHGLENN
CITY COUNCIL MINUTES
August 28, 2023**

CALL TO ORDER Mayor Pro Tem Lukeman-Hiromasa called a regular meeting of the Northglenn City Council to order on Monday, August 28, 2023 at 6:00 p.m. in City Hall Council Chambers.

ROLL CALL Present were Mayor Pro Tem Lukeman-Hiromasa, Council members Long, Jaramillo, Kondo, Burns, Goff, and Walker.

ABSENT Mayor Leighty and Council member Brown.

STAFF PRESENT City Manager Geyer, City Attorney Hoffmann, and City Clerk Small.

PLEDGE OF ALLEGIANCE The Pledge of Allegiance was given.

RESPONSE TO RESIDENT INQUIRY:
Recreation Center Closed for Maintenance
City Manager Geyer advised that the Northglenn Recreation Center, Senior Center, and Parsons Theatre are closed from August 28 through September 4, 2023 for annual maintenance and cleaning.

AGENDA ADDITIONS AND DELETIONS: None.

PRESENTATIONS:
August Neighborhood Beautification & Most Magnificent Tree Awards
Jenni Murphy, Community Outreach Coordinator, provided information about the Northglenn Neighborhood Beautification Program and stated the awards being presented are for the Yard of the Month, Water Wise Yard of the Month, and Most Magnificent Tree categories. The residents recognized were: Denise and Steve Reyes, Jessie McRae, the Hugo Family, David and Ernestine Garcia, Joseph and Sarah Silva, Kyle Messier and Leslie Cook, June Hood, Sonia and Kevin Archibeque, Leon and Olga Enriquez, Elizabeth Mehikhorn, Chris and Tracy Proksch, Darlene Feist and Angel Reyes, Marina and Joel Roy, Mark and Irene Fick, Bill and Marjorie Friend, and Steven Musco. Mayor and Council congratulated those receiving awards for the month of August 2023.

Youth Commission
Mid-Year Update
Meera Bipin, Northglenn Youth Commission President, presented an update on the Commission's activities and accomplishments from April through June 2023, which included board membership

and recruiting, priority projects on public health and community engagement, flowerbed upkeep, and the youth addiction subcommittee.

**PUBLIC INVITED
TO BE HEARD**

Mayor Pro Tem Lukeman-Hiromasa called for any person wishing to address City Council on matters of community interest related to City business not set for public hearing.

Christina Cimino, Ward 2, spoke about recent discriminatory language that was shouted at her family from the street in front of their home and while frequenting local businesses. Christina asked Council to consider changing the policy regarding requiring individuals to state their address when participating in the Public Invited to be Heard portion of City Council meetings.

Beth McIlree, 11512 Gilpin Street, spoke about the budget process and asked Council to prioritize Police Department and infrastructure funding.

Tom Lampo, 3951 Jackson Way, came forward to pray for his City of Northglenn.

COMMUNICATIONS:
Council

Council member Walker thanked Tom Lampo for the prayer.

Council member Burns thanked those who spoke to Council this evening.

Council member Jaramillo reported on his attendance at the Adams County Council of Government's (ADCOG) Subregional Transportation Forum, the Northglenn Police Department's Active Shooter Training, and the Civic Center Parking Analysis Meeting.

Council member Goff reported on her attendance at a Colorado Communities for Climate Action (CC4CA) Executive Committee meeting, a ribbon cutting ceremony for RMA Insurance Company, Dancing Through the Decades, the Colorado District 8 Congressional Town Hall Meeting, and a Diversity, Inclusivity and Social Equity (DISE) Board meeting.

Council member Kondo reported that in the past couple of weeks he went on a police officer ride-along, attended Northglenn Police Department's Active Shooter Training, and participated in a Denver Regional Council of Governments (DRCOG) meeting. Council member Kondo encouraged residents to sign up for a service line warranty program in anticipation of utility line repair costs that may begin to be incurred for homes built in the 1960s. Council member

Kondo also invited everyone to take advantage of the Annual Dog Daze of Summer event at Kiwanis Pool on Monday, September 4th from 5 to 7 p.m., when dogs can take a swim before the pool closes for the season.

Council member Long reported on his attendance at the Colorado District 8 Congressional Town Hall Meeting and Northglenn Police Department's Active Shooter Training. He encouraged everyone to watch *Kiss the Ground*, a documentary addressing climate change, as he found it very informative. Council member Long also thanked everyone who attended the Ward 4 Neighborhood Nights event.

Mayor Pro Tem Lukeman-Hiromasa reported that she attended the Victim Assistance and Law Enforcement (VALE) Board meeting, the Colorado District 8 Congressional Town Hall Meeting, a Northglenn Senior Organization (NSO) meeting, a planning meeting for Festival Latino, Northglenn Police Department's Active Shooter Training, the Ward 4 Neighborhood Nights event, and a meeting with the Northglenn High School STEM Program regarding a project for the City's annual business appreciation event. Lastly, Mayor Pro Tem Lukeman-Hiromasa provided a Legislative Policy Committee update regarding issues they are monitoring.

Staff

City Manager Geyer announced that Northglenn Arts Presents is hosting a Colorado Jazz Repertory performance of *Songs of Brazil and Music of the Bronx Horns* on September 8th; tickets can be purchased at northglennarts.org. City Manager Geyer stated a group of volunteers from Allegro Coffee recently finished a beautification project at the Pecos Street entrance of Northwest Open Space. A similar project is scheduled for September 11th at the Kennedy Street entrance; those interested in volunteering for the 9/11 National Day of Service project can contact Community Outreach Coordinator Jenni Murphy to sign up. Lastly, City Manager Geyer provided an update on the tennis, pickle ball, and bocce ball courts that have been installed at Danahy Park.

CONSENT AGENDA
MOTION TO PASS

Council member Long **MOVED** and it was **SECONDED** by Council member Kondo to approve the consent agenda.

MOTION PASSED

There was no discussion and the motion **PASSED**.
IN FAVOR - Lukeman-Hiromasa, Long, Jaramillo, Kondo,
Burns, Goff, Walker.
OPPOSED - None.
ABSENT - Leighty, Brown.

The following items were approved on the consent agenda:
▪ August 14, 2023 Regular Meeting Minutes

- CR-114 – Planning Commission Alternate Member Appointment – Tara Porter
- CR-122 – Victim Assistance and Law Enforcement (VALE) Board Appointment – Tara Porter

PUBLIC HEARING:

Kerr-McGee/Lizzy Oil &
Gas Permit Application,
Section 36, Weld County

Mayor Pro Tem Lukeman-Hiromasa opened the public hearing on the Kerr-McGee/Lizzy Oil & Gas Permit Application for Section 36 in Weld County.

Cory Bleeker, 1163 Weld County Road 13, expressed objection to the jurisdiction of the City Council as the location of the proposed oil and gas permit is in Weld County and not perceived as contiguous to the City of Northglenn.

City Attorney Hoffmann noted the objection and advised Council that the property which is the subject of the application is within the corporate limits of the City of Northglenn. Therefore, jurisdiction is proper.

There were no other objections to the jurisdiction of the City Council or to the form or substance of the proceedings.

Eric Ensey, Senior Planner, presented staff's analysis of the application and provided details regarding the public hearing notices on the application.

Council member Burns participated in the meeting electronically and was therefore prohibited by policy from participating in the public hearing or voting on CR-115 following the hearing.

There was discussion regarding well abandonment and/or decommissioning processes, bond requirements, hazard analyses, the source of water for the project, the disposal of waste from the facility, potential impacts to the City's Wastewater Treatment Plant (WWTP), potential benefits to the City, associated North Metro Fire Rescue District (NMFRD) training requirements, projected revenue, the previous flagpole annexation and ownership of the subject property, Regional Transportation District's (RTD) right-of-way at the property, the proposed layout of the operation, the sequestration of gases, and required State processes and approvals for the operational plan.

Drezden Kennaird of CGRS, Inc. and Brook Svoboda, Director of Planning and Development, advised Council that the application

before Council is related to land use. The State of Colorado will process the application related to the operational plan for the project.

Representatives of Kerr McGee Oil & Gas Onshore, LP (KMOG) were present to provide testimony regarding the application. All were placed under oath by City Clerk Small.

Tracy Colling, KMOG Regulatory Advisor, presented the details of the application to Council and discussed approval criteria. Kris Honas, KMOG Drilling Manager, testified regarding the fracking process. Cory Altenburg, KMOG Completions Manager, testified regarding post-fracking water processing. Julia Eichenberger, KMOG Facilities Lead, provided testimony regarding high pressure events, zero event flaring, emissions control, and the function of the oil tankless facility.

There was discussion regarding future development of Section 36. Planning Director Svoboda stated industrial land uses are anticipated with no residential development recommended.

There was discussion regarding waste from the facility and the potential contamination of the area aquifers. Tracy Colling advised that the facility is a closed system and water and air quality monitoring will be conducted. Kris Honas described how production casing protects the water table from contamination. Facility security details were also provided.

There was discussion regarding a recent application by KMOG that was denied in Firestone, Colorado. Tracy Colling stated the Town of Firestone approved the application but the permit was denied by the State of Colorado as the proposed facilities would be within 2,000 feet of residential properties.

Mayor Pro Tem Lukeman-Hiromasa called for anyone wishing to speak against the application.

Cory Bleeker, 1163 Weld County Road 13, spoke against the application due to the negative impacts oil and gas facilities pose to neighboring residences.

Steven Musco, 294 E. 112th Drive, expressed concerns about hazard mitigation and fair compensation to the City for accepting the risks involved with the operation.

Lauren Weatherly, 1160 W. 99th Avenue, spoke against the application due to safety concerns.

City Attorney Hoffmann advised Mayor Pro Tem Lukeman-Hiromasa that a letter in opposition had been received from resident Chase Janis. The letter of objection was noted for the record.

Kris Honas, KMOG Drilling Manager, addressed concerns about employees, contractors and vendors that will be working on-site and stated drug testing and auditing are conducted on all employees, contractors, and vendors. He also spoke regarding efforts taken to contain any spills within any potential disturbance areas.

Anthony Rader, KMOG Surface Land Negotiator, discussed well water testing that is offered to neighboring property owners.

Justin Nelson, KMOG Construction Manager, discussed noise mitigation efforts and monitoring related to the project. He also discussed efforts that will be taken to reduce debris being transferred to roadways from project related vehicles and machinery.

Tracy Colling, KMOG Regulatory Advisor, clarified information provided regarding the mill levy related to the project and stated KMOG staff anticipates \$4.6 million of severance tax revenue.

Council member Walker noted for the record that he received a statement in opposition from resident Celest Jackson.

There was discussion regarding plans for timely notification to the Wastewater Treatment Plant in case of an emergency. Kris Honas, KMOG Drilling Manager, stated there will be notification within 24 hours of an incident.

There was discussion regarding impacts to North Metro Fire Rescue District. Planning Director Svoboda advised that North Metro Fire Rescue District has been advised of the application and they submitted no response to the application.

There was discussion regarding the severance tax revenue estimate. Tracy Colling, KMOG Regulatory Advisor, stated the estimate of \$4.6 million is for severance tax collected over 25 years.

There being no other comments, Mayor Pro Tem Lukeman-Hiromasa closed the public hearing.

Note:

Council member Burns left the meeting prior to the consideration of resolutions.

RESOLUTIONS:

CR-113 – E.B. Rains,
Jr. Memorial Park &
Washington Street
Fence Contract

City Clerk Small read the title.

MOTION TO PASS

Council member Kondo **MOVED** and it was **SECONDED** by Council member Goff to approve CR-113.

Amanda Peterson, Director of Parks, Recreation and Cultural Services, provided a summary of CR-113.

MOTION PASSED

There was discussion and the motion **PASSED**.

IN FAVOR - Lukeman-Hiromasa, Long, Jaramillo, Kondo, Goff, Walker.

OPPOSED - None.

ABSENT - Leighty, Burns, Brown.

CR-115 – Kerr-McGee/
Lizzy Oil & Gas Permit
Application

City Clerk Small read the title.

MOTION TO PASS

Council member Walker **MOVED** and it was **SECONDED** by Council member Kondo to approve CR-115.

MOTION TO TABLE

Council member Kondo **MOVED** and it was **SECONDED** by Council member Goff to table CR-115 to September 25, 2023 to receive additional information from the applicant regarding long-term air and water hazard monitoring and analytical projections regarding property, sales, and severance tax revenues to the City.

MOTION PASSED

There was discussion and the motion to table **PASSED**.

IN FAVOR - Lukeman-Hiromasa, Long, Jaramillo, Kondo, Goff.

OPPOSED - Walker.

ABSENT - Leighty, Burns, Brown.

CR-116 – November 7,
2023 Ballot Question –
½% Sales Tax Expiring
in 2025

City Clerk Small read the title.

MOTION TO PASS

Council member Goff **MOVED** and it was **SECONDED** by Council member Kondo to approve CR-116.

Jason Loveland, Director of Finance, provided a summary of CR-116.

**FRIENDLY
AMENDMENT**

A friendly amendment was accepted to prioritize public safety operations in the list of uses by moving it before capital improvements in the ballot question.

MOTION PASSED

There was discussion and the motion, including the friendly amendment, **PASSED**.

IN FAVOR - Lukeman-Hiromasa, Long, Jaramillo, Kondo, Goff, Walker.

OPPOSED - None.

ABSENT - Leighty, Burns, Brown.

Continue Meeting
Past 10:00 p.m.

MOTION TO PASS

Council member Kondo **MOVED** and it was **SECONDED** by Council member Goff to continue the meeting past 10:00 p.m.

MOTION PASSED

There was discussion and the motion **PASSED**.

IN FAVOR - Lukeman-Hiromasa, Long, Jaramillo, Kondo, Goff, Walker.

OPPOSED - None.

ABSENT - Leighty, Burns, Brown.

CR-117 – November 7,
2023 Ballot Question –
Gender Silent City
Charter Language

City Clerk Small read the title.

MOTION TO PASS

Council member Kondo **MOVED** and it was **SECONDED** by Council member Goff to approve CR-117.

City Clerk Johanna Small provided a summary of CR-117.

MOTION PASSED

There was no discussion and the motion **PASSED**.

IN FAVOR - Lukeman-Hiromasa, Long, Jaramillo, Kondo, Goff, Walker.

OPPOSED - None.

ABSENT - Leighty, Burns, Brown.

CR-121 – Private
Activity Bonds 2023
Assignment to CHFA

City Clerk Small read the title.

MOTION TO PASS

Council member Goff **MOVED** and it was **SECONDED** by Council member Walker to approve CR-121.

Brook Svoboda, Director of Planning and Development, provided a summary of CR-121.

MOTION PASSED

There was discussion and the motion **PASSED**.

IN FAVOR - Lukeman-Hiromasa, Long, Jaramillo, Kondo, Goff, Walker.

OPPOSED - None.

ABSENT - Leighty, Burns, Brown.

DISCUSSION ITEMS:

City Hall Construction
Update – August 2023

Eric Ensey, Senior Planner, provided the August 2023 update for the City Hall construction project. The project is currently within budget and on schedule for substantial completion by the third quarter of 2024.

There was discussion regarding the use of contingency funds. City Manager Geyer advised that contingency funds will only be used if necessary.

**PUBLIC INVITED
TO BE HEARD**

Mayor Pro Tem Lukeman-Hiromasa called for any person wishing to speak on items previously addressed by Council.

Steven Musco, 294 E. 112th Drive, inquired about Council’s options for approving oil and gas applications and urged Council to ask the applicant for air and water monitoring in perpetuity and to provide additional information about the environmental emissions control device.

ADJOURNMENT

The City Council meeting adjourned at 10:23 p.m.

JOHANNA SMALL, CMC
City Clerk

SHANNON LUKEMAN-HIROMASA
Mayor Pro Tem