

**CITY OF YUMA  
CITY COUNCIL MINUTES**

**VIRTUAL REGULAR MEETING  
TUESDAY, MAY 4, 2021**

**CALL TO ORDER – 6:30 P.M.**

**MEETING CALLED TO ORDER BY MAYOR SWEHLA.**

**MEMBERS PRESENT:** Ebersole, McClung, Shay, Smith-Dischner, Swehla. Baucke and Hoch late.

**STAFF PRESENT:** Scott Moore, Jerry Thompson, Candy Gilliland, Kathryn Sellars.

**CORRECTIONS OR ADDITIONS TO THE AGENDA**

There were no corrections or additions to the agenda.

**APPROVAL OF AGENDA**

Smith-Dischner moved to approve the May 4, 2021, Agenda as presented. Second by Ebersole. Question. 5 ayes. Motion carried.

**APPROVAL OF MINUTES**

Shay moved to approve the April 20, 2021 Regular Meeting Minutes and the April 28, 2021 Special Meeting Minutes. Second by Smith-Dischner. Question. 5 ayes. Motion carried.

**CITIZENS RECOGNITION AND INTRODUCTION/PUBLIC COMMENT**

None.

**ACTION ITEMS**

- A. MODIFICATION OF PREMISE AND ENCROACHMENT AGREEMENT FOR PAPER MOON – LOCAL LICENSING AUTHORITY, SCOTT MOORE.** Manager Moore stated the Paper Moon has turned in the paperwork to modify their premise to allow for an area in front of their property for dining outside. This also would include an encroachment to use the sidewalk area. Ebersole moved to approve the modification of premise and encroachment agreement for Paper Moon. Second by Smith-Dischner. Question. 5 ayes. Motion carried.
- B. ENCROACHMENT AGREEMENT WITH NEVERIA RASCON – SCOTT MOORE.** Manager Moore stated Iris Rascon has turned in an encroachment agreement for the front of her premises. This would allow for picnic tables to be set out on the sidewalk. Discussion was held. Ebersole moved to approve the encroachment agreement with Neveria Rason. Second by Shay. Question. 5 ayes. Motion carried.
- C. LIQUOR LICENSE RENEWAL FOR THE TAVERN LLC – LOCAL LICENSING AUTHORITY, SCOTT MOORE.** Manager Moore stated The Tavern has turned in their paperwork to renew their liquor license and there have been no issues with the Police Department. Ebersole moved to approve the liquor license renewal for The Tavern LLC. Second by Shay. Question. 5 ayes. 1 abstain (Baucke just arrived on the virtual meeting.) Motion carried.

**D. STREET CLOSURE REQUEST FOR HOOPSTERS 3 ON 3 BASKETBALL TOURNAMENT – SCOTT MOORE.**

Manager Moore stated the Yuma Hoopsters have requested the closure of Park Avenue on the south side of the City Park. They are having a 3 on 3 basketball tournament from 6:30 A.M to 8:00 P.M. on May 29. Shay moved to approve the street closure. Second by Baucke. Question. 6 ayes. Motion carried.

**E. APPROVAL OF BILLS – SCOTT MOORE.** Manager Moore stated Council received an additional list of bills this afternoon. Discussion was held on the bills. Ebersole moved to approve the bills. Second by Shay.

Question. 6 ayes. Motion carried.

**F. PURCHASES IN EXCESS OF \$5,000 – SCOTT MOORE.** There were no purchases in excess of \$5,000.

**ADDITIONAL BUSINESS**

None.

**REPORTS**

**CITY MANAGER, SCOTT MOORE**

Manager Moore stated Spring Clean Up was completed on Monday.

The trash truck had some damage and it is at the dealer, waiting for repair. We are using only one trash truck.

There have been several calls from customers that they have not received their utility bills. The Post Office explained to staff they are short staffed and some mail was sent to Denver first.

The vac truck was purchased.

Manager Moore reminded Council of the cornerstone ceremony on Friday.

**CHIEF OF POLICE, JERRY THOMPSON**

None.

**CITY COUNCIL REPORTS**

Ebersole

- Council Member Ebersole attended the Water/Wastewater Committee and Electrical Committee Meetings.

McClung

- Council Member McClung stated there was a Landfill Committee meeting. The scraper has broken down again. County personnel and County equipment will be used for opening up the cell for now. An equipment list was reviewed. There are only 2 to 5 years left on our existing cell and then we will have to move to a new cell.

**EXECUTIVE SESSION**

**“To hold a conference with the City’s attorney to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402 (b), regarding notice of claim.”**

**“To determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. § 24-6-402 (e), regarding sale of City property.”**

Attorney Sellars stated Council intends to meet in executive session to hold a conference with the City's attorney to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402 (b), regarding notice of claim and to determine positions relative to matters that may be subject to negotiations, develop a strategy for negotiations, and/or instruct negotiators, pursuant to C.R.S. § 24-6-402 (e), regarding sale of City property. Ebersole moved to go into executive session. Second by Smith-Dischner. Question. 7 ayes. Motion carried.

Council resumed regular session at 7:45 P.M. Attorney Sellars may a statement for who was present in executive session and there were no objections to the discussions in executive session.

#### **ADJOURNMENT**

Shay moved to adjourn. Second Smith-Dischner. Question. 7 ayes. Motion carried.

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Ron Swehla  
Mayor

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Candy Gilliland  
Deputy City Clerk