

**CITY OF YUMA
CITY COUNCIL MINUTES**

**REGULAR MEETING
TUESDAY, JUNE 5, 2018**

CALL TO ORDER – 7:30 P.M.

MEETING CALLED TO ORDER BY MAYOR HARPER AND THE PLEDGE OF ALLEGIANCE WAS RECITED.

MEMBERS PRESENT: Goeglein, Harper, McCall, Saffer, Swehla. Baucke and Hoch absent.

STAFF PRESENT: Scott Moore, Jay Serl, Karma Wells, Kathryn Sellars.

CORRECTIONS OR ADDITIONS TO THE AGENDA

Clerk/Treasurer Wells stated there were no corrections or additions to the agenda, but Council Members Baucke and Hoch will be absent.

APPROVAL OF AGENDA

Swehla moved to approve the June 5, 2018, Agenda as presented. Second by McCall. Question. 5 ayes. Motion carried.

APPROVAL OF MINUTES

Swehla moved to approve the May 15, 2018, Minutes as presented. Second by McCall. Question. 5 ayes. Motion carried.

CITIZENS RECOGNITION AND INTRODUCTION/PUBLIC COMMENT

None.

ACTION ITEMS

- D. PUBLIC HEARING ON SECOND READING, ORDINANCE #13, SERIES OF 2018 (AMENDING SECTION 10.04.030 OF THE YUMA MUNICIPAL CODE ADDING A NEW SUBSECTION CONCERNING THE PARKING OF TRAILERS ON PUBLIC RIGHTS OF WAY) – SCOTT MOORE.** Mayor Harper stated this ordinance will be tabled tonight for further work. Public hearing was opened.

Mr. Jeff Pagel stated this will affect many contractors around town. If permits are required that is just another fee to pass on to their customers. Mr. Pagel feels like this will negatively affect everyone.

Mr. Keven Means stated he doesn't need a building permit for seamless gutters, and he gets around early in the morning and the night before to get things set up for work. Mr. Means feels this is an inconvenience to people.

Mr. Bill Heberlein stated he thinks it is ridiculous to pass new laws when there are laws not being enforced. Mr. Heberlein asked if we really need 2 street sweepers. Mr. Heberlein stated he should be able to park his cars in front of his house.

Mr. Rick Whitehead stated he has concerns about people having to take another step to beautify their property. Mr. Whitehead sets his trash containers on the street, rather in people's grass.

Mr. Thomas Holtorf stated he parks in the street 3-4 times a year because he is too tired to unhook his trailer. Currently there is an ordinance in place where you can park a trailer in the street for 5 days. We need some continuity here.

Ms. Lori Thompson stated she is an RV'er. She stores her RV in the country. Ms. Thompson stated she would like to be able to keep her trailer in town on the street until she has time to clean it out after a trip.

Mr. Sam Pieper stated the verbiage is a problem. Mr. Pieper has seen a trailer parked on the street for 2 years. There should be a time allowance.

Mr. Kale Whitehead, with Quality Heating and Cooling, stated he fears he will need a permit for each place he is working at during the day. A possible solution would be year round permits, but this is just another fee to pay.

Mr. Jared Glanz stated he pulls a trailer everyday. He has a 50' lot and nowhere else to put his trailer.

Mr. Kelly Pickett stated his wife has a painting business in town. Mr. Pickett asked if the City has a place for people to park their trailers overnight. Mr. Pickett hopes it can work after all the work is done on the ordinance.

Mr. Darren Danke stated they have a lot of people come in from out of town needing a place to park.

Mr. Larry Murphy stated this ordinance is uncalled for for a construction business. It is not right for Council to criminalize people for trying to make a living.

Mr. Keven Means stated if this is passed, then he has to take his trailers west of town and there is no security there and Mr. Means has already been broke into twice.

Mayor Harper stated the trailers that sit in one place for 6 months to a year are what started this.

Mr. Dale Josh stated he is an RV'er. Mr. Josh understands the hassle with snow removal in the winter time. In the summertime with street sweepers is not a big deal. Mr. Josh stated the City does not take care of the lot by his house or spray the weeds. Mr. Josh states there should be some leniency for RV'ers. He feels there are other things the City needs to take care of.

Mr. Jeff Pagel feels it is unfair to contractors to have to pay more money to try to do their job.

Mr. Kelly Pickett asked if the public would be given another opportunity again before voting. Mayor Harper said there would be another opportunity.

Mr. Bill Heberlein stated there are enough laws on the books not being enforced. Mr. Heberlein stated he can drive you around town and show you lots of violations in town.

Mr. Dale Josh stated he agrees with Mr. Heberlein. Some yards you can't see what is in the backyard.

McCall moved to table Ordinance #13, Series of 2018. Second by Goeglein. Question. 5 ayes. Motion carried.

- A. PUBLIC HEARING ON LIQUOR LICENSE FOR NELSON INN, LLC – LOCAL LICENSING AUTHORITY, KARMA WELLS.** Clerk/Treasurer Wells stated Mr. Rich Nelson has turned in an application for a Beer and Wine License for Nelson Inn. Public hearing was opened. No comments were made. Public hearing was closed. Goeglein moved to approve the liquor license for Nelson Inn. Second by Swehla. Question. 5 ayes. Motion carried.
- B. PUBLIC HEARING ON SECOND READING, ORDINANCE #11, SERIES OF 2018 (REPEALING AND REENACTING CHAPTER 9.24 OF THE YUMA MUNICIPAL CODE CONCERNING SOLICITATION AND PANHANDLING) – SCOTT MOORE.** Manager Moore introduced the ordinance. Public hearing was opened. No comments were made. Public hearing was closed. Swehla moved to approve on second reading, Ordinance #11, Series of 2018. Second by Harper. Question. 4 ayes. 1 nay (McCall). Motion carried.
- C. PUBLIC HEARING ON SECOND READING, ORDINANCE #12, SERIES OF 2018 (AMENDING TITLE 12 OF THE CITY OF YUMA MUNICIPAL CODE BY THE ADDITION OF A NEW CHAPTER 12.38 ENTITLED "LOCAL EVENTS ON PUBLIC PROPERTY") – SCOTT MOORE.** Manager Moore introduced the ordinance. Public hearing was opened. No comments were made. Public hearing was closed. Swehla moved to approve on second reading, Ordinance #12, Series of 2018. Second by McCall. Discussion was held. Question. 5 ayes. Motion carried.

- E. RESOLUTION #17, SERIES OF 2018 (ESTABLISHING THE NEIGHBORHOOD BOUNDARIES FOR THE PURPOSE OF LIQUOR LICENSING) – KATHRYN SELLARS.** Attorney Sellars stated this is to establish a boundary for the neighborhood since this is not defined in the State Statutes. Council needs to establish the number of feet to include for the neighborhood. Swehla moved to approve Resolution #17, Series of 2018 with 1,000 feet for the neighborhood boundary. Second by McCall. Question. 5 ayes. Motion carried.
- F. FIRST READING, ORDINANCE #14, SERIES OF 2018 (AMENDING CHAPTER 6.04 OF THE YUMA MUNICIPAL CODE BY THE ADDITION OF A NEW SUBSECTION 6.04.090 CONCERNING THE REGULATION OF CATS AND AMENDING SECTION 6.04.120 OF THE YUMA MUNICIPAL CODE PRESCRIBING PENALTIES) – SCOTT MOORE.** Manager Moore introduced Ordinance #14. Discussion was held. Swehla moved to approve on first reading, Ordinance #14, Series of 2018. Second by Goeglein. Question. 2 ayes (Goeglein and Swehla). 3 nays (Harper, McCall, Saffer). Motion denied.
- G. CHANGE THE DATE OF THE NEXT COUNCIL MEETING – KARMA WELLS.** Clerk/Treasurer Wells stated the next meeting is on the first day of the CML Conference and there are several Council Members attending the Conference. She asked if Council would like to move the meeting to Monday instead. Attorney Sellars stated there will also be a training for Council prior to the regular meeting. Harper moved to change the date of the next meeting to Monday, June 18. Second by Goeglein. Question. 4 ayes. 1 nay (Swehla). Motion carried.
- H. APPROVAL OF BILLS – KARMA WELLS.** Clerk/Treasurer Wells provided Council with two additional lists of bills and disclosed bills to Bethleen McCall and Ryan Saffer. Swehla moved to approve the bills. Second by Goeglein. Question. 3 ayes. 2 abstain (McCall and Saffer). Motion carried.
- I. PURCHASES IN EXCESS OF \$5,000 – SCOTT MOORE.** Manager Moore asked for approval of a purchase for piping to Armstrong fields from the ball field well, to use the well for irrigation of the ball fields. There will be valves installed for future use of the land east of the ball fields. This will be a Conservation Trust expenditure of \$37,241.32 from Dana Kepner. Swehla moved to approve the purchase from Dana Kepner for \$37,241.32. Second by Goeglein. Question. 5 ayes. Motion carried.

ADDITIONAL BUSINESS

None.

REPORTS

CITY MANAGER, SCOTT MOORE

Manager Moore stated the Third Avenue project has started. The asphalt has been removed. The sewer and water portion of the project started today and should be completed in approximately 2-3 weeks. The Street should be back open after approximately 4-6 weeks.

There will be a Library Board Meeting on Monday, June 11, 2018 at 5:00 P.M.

Yuma Days is scheduled for July 13-14.

The City received a notice from MEAN that we will be receiving a credit back of \$87,961 due to overcharge for wholesale electric costs.

CITY CLERK/TREASURER, KARMA WELLS

None.

SERGEANT, JAY SERL

Sergeant Serl stated the Police Department has acquired a K-9 and they are waiting on delivery.

There were a total of 7 applications received for the officer positions. 3 are POST Certified. There will be Oral Boards on June 11.

The Police Department was approved for a JAG Grant for new radios.

CITY COUNCIL REPORTS

None.

9. 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 (4)(b), 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(4)(e), concerning the Main Street Project.”

No executive session was held.

ADJOURNMENT

McCall moved to adjourn. Second by Swehla. Question. 5 ayes. Motion carried.

Robert J. Harper
Mayor

Karma Wells, CMC
City Clerk/Treasurer