

**CITY OF YUMA
CITY COUNCIL MINUTES**

**HYBRID REGULAR MEETING
TUESDAY, AUGUST 3, 2021**

CALL TO ORDER – 6:30 P.M.

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

MEMBERS PRESENT: Ebersole, McClung, Shay, Swehla. Hoch and Smith-Dischner attended via Zoom. Baucke absent.

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

CORRECTIONS OR ADDITIONS TO THE AGENDA

Clerk/Treasurer Wells stated that the Minutes from the July 23, 2021, special meeting also need to be added to the Agenda for approval.

APPROVAL OF AGENDA

Shay moved to approve the August 3, 2021, Agenda as amended. Second by Ebersole. Question. 6 ayes. Motion carried.

APPROVAL OF MINUTES

Shay moved to approve the July 20, 2021, special and regular meeting Minutes and the July 23, 2021, special meeting Minutes as presented. Second by Ebersole. Question. 6 ayes. Motion carried.

DISCUSSION WITH YUMA COUNTY ECONOMIC DEVELOPMENT

Mr. Phil Riggelman, Mr. Dan Seedorf and Mr. Tom Jackson, were present to discuss Yuma County Economic Development. Mr. Riggelman stated that there was some discussion about potentially moving some funding from Economic Development to the Chamber of Commerce, so they are here to let Council know what things they are working on to help them make a more informed decision. Discussion was held with Council.

CITIZENS RECOGNITION AND INTRODUCTION/PUBLIC COMMENT

Ms. Kerri Horton stated that she is the coordinator of Yuma Unified Making Advances (Y.U.M.A.) and in the last few days, Council should have received a housing report from Alex Ebersole. She is proposing that the City partner with them to work on developing affordable housing in Yuma. She believes that we need mixed income neighborhoods in Yuma to help benefit all citizens.

ACTION ITEMS

- A. **PUBLIC HEARING ON FERMENTED MALT BEVERAGE LICENSE FOR FAMILY DOLLAR – LOCAL LICENSING AUTHORITY, KARMA WELLS.** Clerk/Treasurer Wells stated that Family Dollar turned in an application for a Fermented Malt Beverage License. Clerk/Treasurer Wells provided Council with the Administrative Report of Findings, a drawing of the building and the petition results. Public hearing was opened. Mr. Brandon Sandburg (Attorney), Ms. Katherine McCarthy (District Manager) and Ms. Gina Currier (Local Store Manager) were present to represent Family Dollar. Mr. Sandburg questioned District Manager Katherine McCarthy. Discussion was held. Public hearing was closed. Ebersole moved to approve the Fermented Malt Beverage License for

Family Dollar. Second by Shay. Question. 4 ayes. (Hoch and Smith-Dischner were not able to vote on this item due to the remote participation policy). Motion carried.

- B. **RESOLUTION #23, SERIES OF 2021 (UPDATE PUBLIC RECORDS POLICY) – KARMA WELLS.** Clerk/Treasurer Wells stated that we are updating the Public Records Policy due to updating the Research Fee on the fee schedule from \$30.00 to \$33.58. Shay moved to approve Resolution #23, Series of 2021. Second by Ebersole. Question. 6 ayes. Motion carried.
- C. **RESOLUTION #24, SERIES OF 2021 (IGA WITH YUMA COUNTY FOR COORDINATED ELECTION) – KARMA WELLS.** Clerk/Treasurer Wells stated that this Resolution is to approve an intergovernmental agreement (IGA) with Yuma County for the City to put a question(s) on the ballot in the November election. This is only to notify the County that we intend to be part of the November election. Shay moved to approve Resolution #24, Series of 2021. Second by McClung. Question. 6 ayes. Motion carried.
- D. **APPROVAL OF ANNEXATION PETITION AND DIRECTION FOR THE MAYOR TO SIGN SAID PETITION – KATHRYN SELLARS.** Attorney Sellars stated that approval is needed to give direction for the mayor to sign the annexation petition. This is only step one. This will be coming back to Council to set a public hearing to start the annexation process. Shay moved to approve the annexation petition and direction for the Mayor to sign said petition. Second by Ebersole. Question. 6 ayes. Motion carried.
- E. **APPROVAL OF BILLS – KARMA WELLS.** Clerk/Treasurer Wells provided Council with an additional list of bills. Shay moved to approve the bills as presented. Second by Ebersole. Question. 6 ayes. Motion carried.
- F. **PURCHASES IN EXCESS OF \$5,000 – SCOTT MOORE.** Manager Moore stated he is seeking approval for the purchase of a transformer needed to supply power for the Farmer Bean Company expansion in the Industrial Park. He has received two quotes. The first is for a reconditioned transformer in the amount of \$8,293.00. The second is for a rebuilt transformer in the amount of \$15,507.44. Manager Moore added that he would prefer a new transformer over a reconditioned or rebuilt one, but lead times on a new transformer are too far out. Manager Moore would like to propose that we purchase the less expensive transformer now and get a new transformer ordered. The reconditioned transformer would be used at Farmer Bean in the interim and then would be used as a spare, once the new transformer arrives. Shay moved to approve the purchase of the 300KVA transformer in the amount of \$8,293.00. Second by McClung. Question. 6 ayes. Motion carried.

Manager Moore stated he is also seeking approval for the purchase of a decorative light pole to replace the one at the corner of 3rd Avenue and Main Street that was run over. He said it has been a struggle to find poles that match what we have now. He did find them from the manufacturer that are an exact match. Since they are so hard to find, he would like approval to purchase two poles, in case another one gets damaged. Manager Moore stated that we will be getting reimbursed for the cost of the damaged pole, plus the labor that it takes to install the new pole. The poles are \$4,000.00 each from Western United. McClung moved to approve the purchase of two light poles. Second by Shay. Question. 6 ayes. Motion carried.

ADDITIONAL BUSINESS

None.

REPORTS

CITY MANAGER, SCOTT MOORE

Manager Moore provided Council with an update on the fuel farm at the airport. We have run into a couple of issues. The meters on the 100 low lead and the Jet A tanks needed to be calibrated. The company that came out to calibrate the tanks only had the equipment to do the Jet A tank. Another company will have to come out to calibrate the 100 low lead tank. Also, the fuel that was put into the Jet A tank did not pass the test. That fuel will

have to be removed and the tank will have to be cleaned before it can be filled with the correct fuel. The new fuel will be tested by an independent lab.

CITY CLERK/TREASURER, KARMA WELLS

None.

CHIEF OF POLICE, JERRY THOMPSON

Chief Thompson emailed everyone the July police report.

CITY COUNCIL REPORTS

Smith-Dischner

- Council Member Smith-Dischner stated that the electric committee met on July 28 and they are working on transformer installations at the new hangars at the airport and the Autism Center. They are still trying to fill their open position, but are not having much luck finding journeymen, so they are offering an apprenticeship. Right now, in Colorado there are 33 open journeyman positions, so it is making it difficult to find someone. There is a 24 to 40 week wait to get transformers and the price of their supplies is going up significantly. There is discussion about the possibility of a new substation on the east side of town.

Ebersole

- Council Member Ebersole stated that he also attended the Electric Department committee meeting with Council Member Smith-Dischner.
- He also met with the Water/Wastewater Departments with this being the first time with Water/Wastewater Supervisor Eric Metcalfe being in charge and he is happy to see Eric be able to fill that position. There is still a TDS issue and they are looking into different ways to resolve that.
- Council Member Ebersole stated that he does sit on the Economic Development board. They meet monthly, but he isn't always able to attend, but they send out very detailed minutes. Going forward, after each meeting, he will provide a detailed report to update Council.

McClung

- Council Member McClung stated that since the last meeting, the Landfill Board has met, as well as the Water Authority. The Landfill Board is entering their budget cycle. They received notice from the landfill manager that he will be retiring in August, 2022, so they are in the process of building a job description for the position. There is a lot of discussion about outsourcing the scraper work with Yuma County Road & Bridge, due to the equipment being old and too costly to maintain. The focus of the Landfill Board is moving toward recycling to keep stuff out of the pit to extend the life of the existing cell. They need to start work for permitting for the next cell.
- Council Member McClung stated that the biggest issue facing the Water Authority is compliance with the court mandated delivery of water to the state line for the State of Kansas. We are coming up on a 2024 deadline to retire 10,000 irrigated acres in the Arickaree River Basin. At present, we have only retired less than 4,000 acres. If we are unable to comply, in 2024 we will no longer have 100% allocation of the well field north of Wray. It will drop to 29% allocation.
- Manager Moore asked Council Member McClung if he knows when the city might know if there is going to be an increase coming from the landfill. Council Member McClung stated that he is pushing to get information in time for the City's budget cycle.

Shay

- Council Member Shay stated that the City Clerk's committee meeting will take place at the end of August.
- The Sanitation Department committee meeting will take place tomorrow.

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), regarding a potential excise tax.”

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 (4)(b), regarding a potential excise tax. Shay moved to go into executive session. Second by Ebersole. Question. 6 ayes. Motion carried.

Council resumed regular session at 8:04 P.M. Attorney Sellars made 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 by Ebersole. Question. 4 ayes. (Hoch and Smith-Dischner were unable to vote due to audio difficulties). Motion carried.

Ron Swehla
Mayor

Karma Wells, CMC
City Clerk/Treasurer