

**CITY OF YUMA
CITY COUNCIL MINUTES**

**HYBRID REGULAR MEETING
TUESDAY, NOVEMBER 2, 2021**

CALL TO ORDER – 6:34 P.M.

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

MEMBERS PRESENT: Baucke, Ebersole, McClung, Shay, Smith-Dischner, Swehla.

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

CORRECTIONS OR ADDITIONS TO THE AGENDA

Clerk Treasurer Wells stated that the Agenda had changed from what had been mailed in the Council packets, but the current version has been posted for the required 24 hours.

APPROVAL OF NOVEMBER 2, 2021, AGENDA

Shay moved to approve the November 2, 2021, Agenda as amended. Second by Baucke. Question. 6 ayes. Motion carried.

APPROVAL OF OCTOBER 19, 2021, MINUTES

Ebersole moved to approve the October 19, 2021, Minutes. Second by Shay. Question. 6 ayes. Motion carried.

CITIZENS RECOGNITION AND INTRODUCTION/PUBLIC COMMENT

None.

ACTION ITEMS

- A. **APPROVAL OF THE COLORADO OPIOIDS SETTLEMENT MEMORANDUM OF UNDERSTANDING – KATHRYN SELLARS.** Attorney Sellars stated that this Memorandum of Understanding (MOU) is the result of multi-district litigation across the country and provides a way for settlement money to be dispersed in the State of Colorado. The MOU is non-negotiable and the City has to agree to it in order to receive any of the settlement money. There are funds dispersed at the regional level and local level. Yuma is part of Region 4. The region will have to set up a commission to manage the funds at the regional level. The funds will be paid out over a number of years. Baucke moved to approve the Memorandum of Understanding. Second by Shay. Question. 6 ayes. Motion carried.
- B. **FIRST READING ORDINANCE #4, SERIES OF 2021 (ZONING NEWLY ANNEXED PROPERTY KNOWN AS THE CHURCH ANNEXATION) – SCOTT MOORE.** Manager Moore introduced Ordinance #4, Series of 2021, regarding the zoning of the property known as the Church Annexation. He stated that Zone R-2 seems to be the most appropriate at this time. The zoning can be changed in the future, if needed. We have 90 days after annexation to get the property zoned. Shay moved to approve on first reading Ordinance #4, Series of 2021. Second by McClung. Question. 6 ayes. Motion carried.
- C. **FIRST READING ORDINANCE #5, SERIES OF 2021 (APPROVING THE PURCHASE AND SALE AGREEMENT BETWEEN THE CITY AND YUMA DEVELOPMENT, LLC, FOR THE CONVEYANCE OF CITY PROPERTY) – KATHRYN SELLARS.** Attorney Sellars stated that this ordinance is for a purchase and sale agreement between the City and Yuma Development, LLC, for the purchase and development of the property known as the Church Annexation. She stated that the purchase price is above the most recent appraised value, which is required by the City Charter. Smith-Dischner moved to approve on first reading Ordinance #5 Series of 2021. Second by Shay. Question. 6 ayes. Motion carried.

- D. **APPROVAL OF BILLS – KARMA WELLS.** Clerk Treasurer Wells provided Council with an additional list of bills. Ebersole moved to approve the bills as presented. Second by Baucke. Question. 6 ayes. Motion carried.
- E. **PURCHASES IN EXCESS OF \$5,000 – SCOTT MOORE.** Manager Moore stated he is not presenting a new request, but would like to revisit the request from the Museum for the \$12,500, which is in the 2021 budget, to replace the roof of the Museum. Ms. Monica King was present to answer any questions that Council might have. The Museum did not receive grant money in the amount that they were expecting, but did receive \$5,000. They also received an \$8,000 grant from BNSF, which requires a \$5,000 match for any interior work. Yuma Community Foundation presented the Museum with \$10,000, of which \$5,000 has to be used for equipment for the Museum and the other \$5,000 may be used at their discretion. The Museum needs a pitched roof which will exempt it from receiving any funds from the Historical Society. Shay moved to approve the \$12,500 expenditure to the Museum to go towards a new roof. Second by Ebersole. Question. 6 ayes. Motion carried.

EXECUTIVE SESSION

“To consider personnel matters, pursuant to C.R.S. § 24-6-402 (4)(f) and not involving: any specific employees who have requested discussion of the matter in open session, specifically for the City Manager, City Clerk/Treasurer and Chief of Police evaluations.”

Mayor Swehla stated Council intends to meet in executive session to consider personnel matters, pursuant to C.R.S. § 24-6-402 (4)(f) and not involving: any specific employees who have requested discussion of the matter in open session, specifically for the City Manager, City Clerk/Treasurer and Chief of Police evaluations. Shay moved to go into executive session. Second by Ebersole. Question. 6 ayes. Motion carried.

Council resumed regular session at 7:52 P.M. A statement was made for who was present in executive session and there were no objections to the discussions in executive session.

ACTION ITEMS (CONTINUED)

- F. **DISCUSSION AND POSSIBLE APPOINTMENT OF INDIVIDUALS TO VACANCIES ON CITY COUNCIL – KARMA WELLS.** Mayor Swehla stated that two letters of interest were received to fill the vacancy on Council due to Council Member Hoch’s resignation. The two letters received were from DeAnn Sewell and Terri Frame. Ms. Frame was present at the meeting and stated that she would be honored to serve. Council Member McClung stated that she has been at every meeting since the first Town Hall Meeting and has shown interest and asked good questions. Smith-Dischner nominated Terri Frame to fill the vacancy. Second by Ebersole. Question. 6 ayes. Motion carried.

Ms. Frame was sworn in by Clerk/Treasurer Wells, then took her seat with Council.

DISCUSSION OF FUTURE TOWN HALL MEETINGS – COUNCIL.

Mayor Swehla stated that if a Town Hall Meeting is held, the topic needs to be kept strictly on the 2022 budget only. There was discussion regarding the cost of holding these meetings and the timing of having it so that Clerk/Treasurer Wells has time to prepare everything before the Council meeting on November 16, 2021. Council Member Frame stated that she believes the meeting is important because it gives community members an opportunity to voice their concerns and to also air some misconceptions. The final decision was made to have the meeting on Monday, November 8, 2021, at 5:30 P.M.

ADDITIONAL BUSINESS

None.

REPORTS

CITY MANAGER, SCOTT MOORE

None.

CITY CLERK/TREASURER, KARMA WELLS

City Clerk/Treasurer Wells presented Council with the August Finance Report.

CHIEF OF POLICE, JERRY THOMPSON

Chief Thompson provided Council with the October Police Report.

Chief Thompson stated that he has extended a conditional job offer to a candidate for the Cadet position and the hiring process has begun.

CITY COUNCIL REPORTS

McClung

- Council Member McClung stated that he attended the Landfill Board meeting. The Landfill budget will not be completed by the time our budget is done. He is estimating that there will be a 5% to 7% increase in fees. He also said that Jen Jones from the Wray City Council would like to discuss a recycling plan for the County with the grant money that was received. Recycling would extend the life of the current cell at the Landfill.
- Council Member McClung also said that he attended the Water Authority Board meeting. The Governor's office had the Department of Agriculture here for a meet and greet, that went well. He felt that some relationships were established that would help in getting leadership from the State to give guidance with the compliance issues regarding Republican River water.

Shay

- Mayor Pro-Tem Shay stated that he attended the NECALG meeting. They have secured their new building in Brush and will be moving over time. Ridership on County Express is up, but there is a shortage of drivers. Meet & Eat is going well and the numbers are up on that also.

Smith-Dischner

- Council Member Smith-Dischner stated that she had committee meetings that will have to be rescheduled due to the Darcy Stallings funeral.

ADJOURNMENT

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

Ron Swehla
Mayor

Karma Wells, CMC
City Clerk/Treasurer