

**City of Yuma  
City Council Minutes  
Hybrid Regular Meeting  
Tuesday, March 4, 2025  
Meeting Location – City Hall, 320 South Main Street, Yuma, CO and virtual through Zoom  
Call to Order – 6:30 P.M.**

**Meeting called to order by Mayor McClung and the Pledge of Allegiance was recited.**

**Members Present:** Baucke, Benish, Dischner, Frame, McClung, Shay. Diaz absent.

**Staff Present:** Jerry Thompson, Karma Wells.

**Corrections or Additions to the Agenda**

Clerk/Treasurer Wells stated that Item O on the agenda was added after they received their council packets, but before it was posted for the public.

**Approval of March 4, 2025, Agenda**

Shay moved to approve the March 4, 2025, agenda as presented. Second by Benish. Question. 6 ayes. Motion carried.

**Citizens Recognition and Introduction/Public Comment**

None.

**Presentations (Informational)**

**A. Magnifi Broadband Presentation**

Mr. Dave Johnson was present representing Magnifi Broadband (formerly KCI) to discuss their commitment to providing high quality internet service in the city of Yuma. He stated that the main reason he is speaking is to discuss their plans for expansion. In the fourth quarter of 2024, Magnifi invested over \$450,000 to expand their network performance in Yuma. Prior to that, they had too many subscribers for the bandwidth that was available. Also, part of that expansion was improved internet protection with a firewall and other security measures. To give everyone the opportunity to take advantage of the upgrades, they are offering free upgrades and free installation for new customers. They have a support team available in Yuma 2 – 3 days a week. Magnifi currently has ten miles of fiber in Yuma and any plans to expand their network would require a higher subscription rate than the current 24%. Council Members Baucke and Shay brought up concerns about promises that were made by KCI to have fiber available throughout the city limits in a 2-year period and that didn't happen. Mr. Johnson explained that he is not aware of those commitments being made by KCI and stated that a 2-year timeframe to install fiber just isn't feasible. Mr. Johnson expressed his desire to have open communication with council going forward and welcomes any feedback that they have. He also stated that Magnifi would like to provide wireless internet service to those residents who don't have access to fiber. They would like to put their wireless equipment on the water tower and in turn they would install a new wireless network for the city.

**B. Other Presentations (If any)**

None.

## **Reports (Informational)**

### **A. Interim City Manager – Karma Wells**

#### **i. Department Updates**

Interim City Manager Wells stated that she will work on a department update for council this week.

Wells informed council that she received an invitation from the county for the county-wide meeting on March 26. She needs to RSVP by March 19 if anyone wants to attend.

### **B. City Clerk/Treasurer – Karma Wells**

Clerk/Treasurer Wells did not have any updates to provide from her office. Mayor McClung asked for an update on recent CORA requests received by her office. She received three new CORA requests today, in addition to the two that she had discussed at the last council meeting. Mayor McClung added that he had met with Karma and Police Chief Thompson regarding the requests. One individual has been stalking city employees and taking photos of them. There is another individual who has been trying to overwhelm city staff with six CORA requests in the past two weeks. McClung went on to explain that we even have city staff who are considering leaving their employment with the city because they feel uncomfortable with the situation.

### **C. Chief of Police – Jerry Thompson**

#### **i. Police Report**

None.

### **D. City Attorney – Kathryn Sellars (If necessary)**

None.

## **City Council Reports/Comments (Informational)**

### **Baucke**

- Council Member Baucke stated that he attended the ambulance department meeting where they discussed the Community Paramedic Program in which the ambulance department and the hospital work together assisting residents to help fill the gap between hospital and home health care. Discussion was held.

### **Frame**

- Council Member Frame stated that she also attended the ambulance department meeting. She believes that the Community Paramedic Program can be specialized for our community and what our community needs.
- Council Member Frame attended the parks department committee meeting where they discussed the playground.
- Council Member Frame attended the CML policy committee meeting via Zoom. They discussed several important issues that she would like to give updates on as she gets more information.

### **Shay**

- Council Member Shay attended the fire department committee meeting. They primarily discussed equipment and replacing equipment which led to a discussion about the need to review their agreement with the Rural Fire Board.

### **Dischner**

- Council Member Dischner attended the recreation advisory board meeting. The Recreation Complex Board needs to meet to move any further.
- Dischner also attended the City Clerk/Treasurer department committee meeting. Karma's office has been very busy.

**Benish**

- Mayor Pro Tem Benish stated that he was gone last week, so he doesn't have anything to report.

**McClung**

- Mayor McClung and Yuma County Commissioner, Adam Gates, met with representatives from Senator Hickenlooper's and Representative Boebert's offices regarding the Post Office.
- Mayor McClung also attended the ambulance department, Airport Users and NJC Strategic Planning meetings.
- Mayor McClung and Council Member Frame both took part in the virtual Retail Coach meeting where they learned that a new restaurant may have interest in coming to Yuma.

**Consent Agenda (Action Items)**

- A. Approval of February 18, 2025, regular meeting minutes and February 26, 2025, special meeting minutes.
- B. Approval of disbursements and payroll.
- C. Purchases in excess of \$5,000.
  - i. Purchase of Two Transformers
  - ii. Hail Damage Repairs to 2023 Chevrolet Silverado

Dischner moved to approve the Consent Agenda. Second by Frame. Question. 6 ayes. Motion carried.

**Public Hearings and Other New Business (Action Items)****A. Approval of disclosed disbursements (if needed)**

Clerk/Treasurer Wells stated that there is one disbursement to disclose for Mayor McClung in the amount of \$90 for the Chamber of Commerce annual dinner. Baucke moved to approve the disbursement for Mayor McClung. Second by Dischner. Question. 5 ayes. 1 abstain (McClung). Motion carried.

**B. Resolution #15, Series of 2025 – Agreement with McAtee Construction Co. DBA Simon**

Interim City Manager Wells stated that approval is needed for the agreement with McAtee Construction Co. for the reconstruction of Taxiway A2 at the airport. This was bid out in 2024, but the work did not take place in 2024. The total cost is \$908,380. Discussion was held. Dischner moved to approve Resolution #15, Series of 2025. Second by Shay. Question. 6 ayes. Motion carried.

**C. Approval of Award Recommendation Letter for Taxiway A Pavement Maintenance**

Interim City Manager Wells stated that she is seeking approval for the award recommendation letter with CR Contracting, LLC, for sealcoating and repainting Taxiway A. The total cost is \$192,932.80. Discussion was held. Shay moved to approve the award recommendation letter. Second by Baucke. Question. 6 ayes. Motion carried.

**D. Public Hearing on Potential Re-establishment and Expansion of a Non-conforming Use Located at 541 West Hoag Avenue and Consideration of Resolution #18, Series of 2025 to Approve the Re-establishment and Expansion of Non-conforming Use.**

Interim City Manager Wells stated that she has received an application for re-establishment and expansion of a non-conforming use at 541 West Hoag Avenue from Pedro Salcido and Elizabeth Covarrubias. The house at that address was built in 1932 in an industrial zone. It sat vacant for several years which caused the non-conforming use to expire. They would like to re-establish the non-conforming use and add on to the house. The public hearing was opened by Mayor McClung. Mr. Fabian Salcido was present to speak on behalf of his parents who bought the property a couple of years ago. They would like to add on and remodel the house. Hearing no further discussion, the public hearing was closed. Shay moved to approve Resolution #18, Series of 2025. Second by Benish. Question. 6 ayes. Motion carried.

**E. Resolution #16, Series of 2025 – Change Order for Window Repairs from Hailstorm – Soderburg Roofing**

Interim City Manager Wells stated that she is seeking approval for a change order with Soderburg Roofing for windows at the animal shelter that were missed on the initial inspection after the May hailstorm. Shay moved to approve Resolution #16, Series of 2025. Second by Frame. Question. 6 ayes. Motion carried.

**F. Resolution #2, Series of 2025 – Approving a Procurement Policy**

Interim City Manager Wells stated that the procurement policy was discussed at the last meeting along with some final changes to the policy. The changes were reviewed. Shay moved to approve Resolution #2, Series of 2025. Second by Dischner. Question. 6 ayes. Motion carried.

**G. Ordinance #2, Series of 2025 – Amending Section 5.08.050(B) of the Yuma Municipal Code Regarding Food Truck Permits**

Interim City Manager Wells stated that this ordinance covers the changes that were discussed regarding food truck permits. The permits will now be annual rather than monthly, so the dates of operation no longer need to be provided by the vendor. The permit fee schedule will be presented by resolution with the second reading of this ordinance. Benish moved to approve Ordinance #2, Series of 2025. Second by Shay. Question. 6 ayes. Motion carried.

**H. Resolution #17, Series of 2025 – Amending the Avoided Cost Rate**

Interim City Manager Wells explained that the avoided cost rate is the rate that we must buy electricity for if a customer has solar panels and generates more electricity than they use. We must pay at least the same rate that MEAN does and the rate is adjusted each year. The new rate is .0466/kWh. Dischner moved to approve Resolution #17, Series of 2025. Second by Frame. Question. 6 ayes. Motion carried.

**I. Resolution #9, Series of 2025 – Construction Contract with GameTime**

Interim City Manager Wells stated that this resolution is for a contract with GameTime for the new playground equipment at city park. This also includes the surfacing material laid under the equipment. The total amount is \$403,632.41. The work is to be completed by July 1, 2025. Benish moved to approve Resolution #9, Series of 2025. Second by Frame. Question. 6 ayes. Motion carried.

**J. Approval of Application to 2025 Edward Byrne JAG Grant**

Police Chief Thompson stated that he is seeking approval to apply for the 2025 JAG grant. We applied for the grant in 2024, but that hasn't been awarded yet. This year we will be seeking funds for surveillance equipment and protective gear. We do not have a quote yet, but the cost is estimated to not exceed \$35,000. Dischner moved to approve the grant application. Second by Frame. Question. 6 ayes. Motion carried.

**K. Approval to Expend the 2024/2025 POST Improvement Grant Funds**

Police Chief Thompson stated that we were awarded \$20,359 for the POST Improvement Grant. He would like to use the funds to purchase two shipping containers and expand the concrete pad at the training tower at the airport. Shay moved to approve the grant funds expenditure. Second by Dischner. Question. 6 ayes. Motion carried.

**L. Approval of SIPA Gov Grant Application**

Interim City Manager Wells stated that she is seeking approval to apply for the SIPA Gov Grant to be used to upgrade the council meeting area with new audio, video and translation services equipment which would

make the meetings more accessible for everyone. Benish moved to approve the SIPA grant application. Second by Frame. Question. 6 ayes. Motion carried.

**M. Acceptance of Energy and Mineral Assistance Fund Grant for Comprehensive Plan Update**

Interim City Manager Wells stated that we have been awarded \$92,500 to be used to develop a new comprehensive plan for the city. Shay moved to approve the acceptance of the grant funds. Second by Frame. Question. 6 ayes. Motion carried.

**N. Selection of Firm to Provide Professional Planning and Design Services for a Swimming Pool**

Interim City Manager Wells stated that we only received one reply for our RFQ from Essenza Architecture. The next steps are to negotiate the scope of work and fees for the planning and design phase. Shay moved to approve the selection of Essenza Architecture and to start contract negotiations with them for the planning and design of the swimming pool. Second by Frame. Question. 6 ayes. Motion carried.

**O. Approval to Expend Tree Grant Funds Up to \$170,000**

Interim City Manager Wells explained that this grant comes from the Colorado State Forest Service. They have informed us that we can take out as many dead or damaged trees as needed, until we receive a stop work order from them. The city has 30 trees that need to be removed. The plan is to split the work between two local tree service companies. Benish moved to approve the grant funds. Second by Dischner. Question. 6 ayes. Motion carried.

**Old Business and Public Hearing on Passage of Ordinance on Second Reading (Action Items)**

**A. Tabled Action Items**

None.

**Additional Business**

None.

**Adjournment**

Shay moved to adjourn. Second by Dischner. Question. 6 ayes. Motion carried.

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Tim McClung  
Mayor

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Karma Wells, CMC  
City Clerk/Treasurer