

**City of Yuma
City Council Minutes
Hybrid Regular Meeting
Tuesday, April 15, 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: Benish, Diaz, Dischner, Frame, McClung, Shay. Baucke was absent.

Staff Present: Jerry Thompson, Kathryn Sellars, Stacie Gonzalez, Karma Wells via Zoom.

Corrections or Additions to the Agenda

Mayor McClung stated that discussions concerning the splash pad, J-turns and hail claims need to be added to presentations on the agenda.

Approval of April 15, 2025, Agenda

Shay moved to approve the April 15, 2025, agenda as amended. Second by Benish. Question. 6 ayes. Motion carried.

Citizens Recognition and Introduction/Public Comment

None.

Presentations (Informational)

A. Sandhills Energy Update

Mr. Rafael Martinez of Sandhills Energy was present to thank city employees and council for their collaboration on the solar project and their patience with the delays that have occurred. The project is at 25% completion and the construction phase is beginning now. They plan to install the racking for the modules in May and install the modules in June. They will then test the system for 72 hours to make sure it is operating properly and hope for the project to be completed in September. Sandhills will provide onsite safety training with the fire and electrical departments. The total capacity is 2.3 megawatts with the city receiving 18% of that.

B. Employee Service Year Recognition

Mayor McClung recognized the following employees for their years of service anniversaries:

Angela Cordell: Angela has completed 1 year of service. She started as a part-time employee on April 15, 2024, and became a full-time employee on May 20, 2024. Angela serves as the Grant Writer and PIO for the city.

Anne Templar: Anne has completed 6 years of service. She started as a part-time EMT on April 1, 2019. She then became a full-time employee on November 13, 2019. Anne went to school to become a paramedic which she completed on August 1, 2021. She went back to a part-time status on March 8, 2023.

Jerry Thompson: Jerry has completed 8 years of service. He started his employment as a police officer on April 3, 2017. He went on to become the Chief of Police on November 6, 2019.

C. Other Presentations (If any)

Splash Pad

Grant Writer, Angela Cordell, stated that she provided council with a quote from Vortex for the new splash pad on the east side of the swimming pool. The total cost for equipment and installation is \$293,019. The size of the splash pad will be 1,500 sq. ft. If approved by council, they could begin work late summer or early fall, with completion by April, 2026. The splash pad is self-sustainable, so it could potentially be open from April to October depending on the weather. This item can be put on the agenda for the next council meeting.

J-Turns

Mayor McClung led the discussion regarding J-Turns. He stated that we used to have “No J-Turn” Signs on Main Street until the Main Street construction project was completed and the signs were not put back up. The police department cannot write tickets for J-Turns, but they can for U-Turns. Mayor McClung stated that there was recently an accident on Main Street due to a party doing a J-Turn. Attorney Sellars explained that there is no such thing as a J-Turn in our code. Ticketing for a U-Turn should cover what looks like a J-Turn. Discussion was held. It was decided that the “No J-Turn” signs should go back up as a deterrent.

Hail Claims-2024

Interim City Manager Wells updated council on the insurance claims from the 2024 hailstorm. Soderburg Roofing gave us estimates to fix our roofs at a little over \$2 million. Our insurance carrier (CIRSA) has sent adjusters out twice, giving estimates of only around \$700,000. Wells spoke with Adjusters International who would work between the two companies to try to close that gap. They would charge 10% of the full \$1.3 million difference, or whatever amount they negotiate. They also suggested that we have an engineer come out to look at the roofs which would run between \$8,000 - \$10,000. The large difference in the quotes is due to CIRSA determining that many of the roofs only have cosmetic damage and Soderburg Roofing believes the roofs need to be replaced. Attorney Sellars has already reviewed a potential contract with Adjusters International. The contract cannot be voted on tonight because it wasn't posted on the agenda. Discussion was held. The consensus was that we should proceed providing that if they aren't able to recover additional funds, we won't get charged for their services. Shay moved to proceed with the contract if they verify the payment stipulations. Second by Benish. Question. 6 ayes. Motion carried.

Reports (Informational)

A. Interim City Manager – Karma Wells

i. Department Updates

Interim City Manager Wells stated that she has provided council with a report detailing department updates. She also added that the library has been looking to hire a part-time employee and has not found the right person to fill the position yet. We will have a high school student working in the library during the summer and then will resume the search again in the fall.

Wells also gave updates on the following:

-We have had damage to the restrooms at the park on two different occasions. Vandals have put charcoal in the sink and in a urinal and set them on fire with starter fluid. A toilet was also broken. We will be putting out a press release to the public asking for information on who is responsible for the vandalism.

-The CML District 1 meeting will be held in Wray on May 15th. We need to RSVP by May 6th.

-There is a housing training on May 1st from 1:00 – 5:00 p.m. that will be held at either the Community Center or City Hall.

-City Manager applications are due April 18th. Our consultants, KRW, will review and rank the candidates by April 23rd. Between April 24th and 25th, they will submit their tiered ranking to us for review and selection of finalists. We will then discuss at our regular meeting on May 6th.

ii. Department Tours Agenda

Interim City Manager Wells provided council with the agenda for the department tours on April 30th. Tours will be held at the Community Center, Animal Shelter and Library. Budgets will be discussed.

B. City Clerk/Treasurer – Karma Wells

i. Sales Tax Report

City Clerk/Treasurer Wells provided council with the sales tax reports for April.

C. Police Chief – Jerry Thompson

i. Police Report

Police Chief Thompson provided council with the police report.

ii. Scholarship Update

Police Chief Thompson informed council that the testing phase has been completed for the scholarship. He would like to make the presentation of the scholarship at the next council meeting.

D. City Attorney – Kathryn Sellars (If necessary)

None.

City Council Reports/Comments (Informational)

Diaz

- Council Member Diaz stated he was approached by a citizen who hit a pothole on our city streets which caused him to ruin his tire.
- Diaz stated he was also informed that there are no grass containers at the fairgrounds or on Old Post Road.
- He has also been asked where citizens are supposed to dispose of trees.
- Diaz was informed by a citizen that the crack fill project is not being done adequately and it won't last.

Benish

- Mayor Pro Tem Benish attended the ambulance meeting and stated that there was a good turnout. Things are moving ahead, but not quickly enough. Council Member Shay and Mayor McClung were also at the meeting and agreed that it was the best meeting they have had yet. It looks like things are moving toward being an Ambulance District.

Shay

- Council Member Shay attended the landfill board meeting. Things are going very well at the landfill. Everyone agreed that the new manager is doing a good job and they receive a lot of positive comments about him. They are doing research to purchase a baler to deal with the trash that blows up against the fence line.
- Council Member Shay also attended the Yuma County Water Authority meeting. They are trying to keep track of what the Conservation District is doing. They would like to work with the Research Farm to come up with ways to provide education on conservation.
- Shay also attended the library board meeting. There are a lot of activities going on at the library. They have a children's book author coming in for the Summer Reading Program. Ashley Lynch has been

SHIP certified in Medicare Part B and was asked to give a presentation at the Regional Library meeting.

McClung

- Mayor McClung stated that for all meetings we advertise that there may be two or more council members in attendance.

Consent Agenda (Action Items)

- A. Approval of April 1, 2025, regular meeting minutes.
- B. Approval of disbursements and payroll.
- C. Purchases in excess of \$5,000.
 - i. Purchase of Computers
 - ii. AWOS Renewal
 - iii. Purchase of Toolcat with Attachments

Shay moved to approve the Consent Agenda. Second by Benish. 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 for the CML Conference in the amount of \$480. Shay moved to approve the disbursement for Mayor McClung. Second by Frame. Question. 5 ayes. 1 abstain (McClung). Motion carried.

B. Resolution #27, Series of 2025 – Designating Voting Representatives to CIRSA

Interim City Manager Wells explained that previously, Scott Moore was the CIRSA voting representative and Mayor McClung was the alternate. Since Mr. Moore is no longer with the city, we need to appoint a new representative. Mayor McClung suggested that we state that the acting city manager or new city manager will be the representative and Mayor McClung will remain as the alternate representative. Diaz moved to approve Resolution #27, Series of 2025 as stated by Mayor McClung. Second by Frame. Question. 6 ayes. Motion carried.

C. Resolution #28, Series of 2025 – Amending the Agreement for Professional Services with Prairie Winds Veterinary Clinic

Interim City Manager Wells stated that we changed this agreement at the last meeting, but Dr. Kuntz pointed out that she transports animals to other areas besides the Denver metro area. To accommodate that, the agreement has been changed to cover transportation outside the city limits of Yuma. Shay moved to approve Resolution #28, Series of 2025. Second by Diaz. Question. 6 ayes. Motion carried.

D. Discussion and possible action regarding Facebook Comments

Interim City Manager Wells stated that she is looking for direction from council regarding the posting of comments on our Facebook page. Attorney Sellars asked if we would like our Facebook page to be interactive, or informational only. She added that either all comments stay on, or all comments are off. You can't pick and choose. Council Member Dischner recommended that there be no comments. Mayor Pro Tem Benish made a motion for all comments to be removed and the city Facebook page be informational only. Second by Dischner. After the motion was made, it was suggested that we remove comments from all of the city's social media platforms. Benish withdrew his previous motion. Benish moved to remove comments from all social media platforms. Second by Dischner. Question. 6 ayes. Motion carried.

E. Resolution #29, Series of 2025 – Construction Contract with Concrete Specialties and Utilities Construction, Inc

Interim City Manager Wells stated that this is the contract for the railroad bore. Alan from Concrete Specialties needs this contract to be in place before he can contract with his borer. The total of this contract is \$213,740. Included in that is the cost of a bond in the amount of \$2,500. The contract cost will be adjusted based on the actual cost of the bond. They are not finished with the permits with the railroad and sometimes they require more insurance than the normal contract. Alan would like council to consider modifying that amount should it be more once the permits are complete. Council will address this issue at a later date if the issue arises. Shay moved to approve Resolution #29, Series of 2025. Second by Benish. Question. 6 ayes. Motion carried.

F. La Terraza Modification of Premises and Revocable Encroachment License Agreement

Interim City Manager Wells stated that La Terraza would like to modify their premise to include the sidewalk in front of their business, so they may serve alcohol out on the sidewalk. This also includes an encroachment agreement with the city for them to be able to use the sidewalk. Wells asked if we could grant approval contingent on building inspector, Chad Rayl, approving the setbacks. Shay moved to approve the modification request. Second by Diaz. Question. 6 ayes. Motion carried.

G. Indian Hills Liquor License Renewal and Report of Changes

Interim City Manager Wells stated that this renewal needs to be brought for approval by council because of a change in board members. Police Chief Thompson has reported no issues with this business. Shay moved to approve the liquor license renewal and report of changes for Indian Hills. Second by Dischner. Question. 6 ayes. Motion carried.

H. Approval of SIPA Grant Application

Interim City Manager Wells stated that this is a no match grant up to \$10,000 to be used for cyber security, digital records management, AI powered tracking and GIS tracking. Benish moved to approve the SIPA grant application. Second by Diaz. Question. 6 ayes. Motion carried.

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

A. Tabled Action Items

None.

B. Public Hearing on Second Reading of Ordinance #4, Series of 2025 – Vendors Permits Change

Interim City Manager Wells stated that this ordinance changes the term of a vending permit from 30 days to 1 year. The public hearing was opened by Mayor McClung. Hearing no discussion, the public hearing was closed. Shay moved to approve on second reading Ordinance #4, Series of 2025. Second by Benish. Question. 6 ayes. Motion carried.

C. Public Hearing on Second Reading Ordinance #5, Series of 2025 – Amending Chapter 8.04.010 of the Yuma Municipal Code Concerning Open Burning

Interim City Manager Wells stated that this ordinance exempts the city from the open burning provisions of the municipal code. The public hearing was opened by Mayor McClung. Hearing no discussion, the public hearing was closed. Shay moved to approve on second reading Ordinance #5, Series of 2025. Second by Benish. Question. 6 ayes. Motion carried.

Additional Business

None.

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 legal issues associated with safety of City employees and access to City facilities and to determine positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators, pursuant to C.R.S. § 24-6-402 (4)(e) regarding potential annexation.”

Mayor McClung stated council intends to meet in executive session to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402 (4)(b) regarding legal issues associated with safety of City employees and access to City facilities and to determine positions relative to matters that may be subject to negotiations; developing strategy for negotiations; and instructing negotiators, pursuant to C.R.S. § 24-6-402 (4)(e) regarding potential annexation. Shay moved to go into executive session. Second by Benish. Question. 6 ayes. Motion carried.

Council resumed regular session at 8:43 p.m. A statement was read 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 Frame. Question. 6 ayes. Motion carried.

Timothy McClung
Mayor

Karma Wells, CMC
City Clerk/Treasurer