

**City of Yuma  
City Council Minutes  
Hybrid Regular Meeting  
Tuesday, May 7, 2024**

**Meeting Location – City Hall, 320 South Main Street, Yuma, CO and virtual through Zoom  
Call to Order – 6:37 P.M.**

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

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

**Staff Present:** Scott Moore, Jerry Thompson, Kathryn Sellars, Karma Wells.

**Corrections or Additions to the Agenda**

Mayor McClung added, under Additional Business, the Approval of the New Agenda Format as 9 A.

**Approval of May 7, 2024 Agenda**

Shay moved to approve the May 7, 2024 Agenda as amended. Second by Benish. Question. 7 ayes. Motion carried.

**Approval of April 16, 2024 Regular Meeting Minutes**

Smith-Dischner moved to approve the April 16, 2024 Minutes as presented. Second by Shay. Question. 7 ayes. Motion carried.

**Citizens Recognition and Introduction/Public Comment**

None.

**S.A.R.A. House Presentation**

Ms. Paula Bragg, Director of S.A.R.A. House, was present to inform Council of the purpose of and work that takes place at S.A.R.A. House. S.A.R.A. House is a child advocacy center which serves 7 counties in Colorado. The home office is located in Fort Morgan. S.A.R.A House assists law enforcement and the District Attorney's office by providing victim services to children and adults as well as providing education to students in area schools. Ms. Bragg discussed statistics and went over the layout of their office space and the purpose of specific rooms.

**Discussion on Trash Removal at the Yuma County Fairgrounds**

Manager Moore stated that County Commissioner, Adam Gates, approached him about getting extra trash pickups at no cost at the Yuma County Fairgrounds for the annual Meikelburg Family Thanksgiving and the monthly Food Bank of the Rockies. The city recently gave a donation of \$2,679.50 to cover the trash service during the Yuma County Fair. Adding these additional pickups would raise the donation amount by \$585.00 to \$3,282.50. Commissioner Gates was present to ask if it would be possible for the city to expand the current route and pick up the extra trash all year long rather than having the charges for all of the extra trash pickups that occur. Discussion was held and the consensus was to work with the County on this and allow for free extra pick-ups at the Yuma County Fairgrounds.

**Action Items**

**A. Public Hearing for Conditional Use for Professional Offices at 400 South Birch Street – Scott Moore.**

Manager Moore stated that a Public Hearing is required regarding the Conditional Use for Professional Offices at 400 South Birch Street. All of the necessary paperwork and fees have been completed. Notices were sent to anyone living within 300 feet of that address. Public Hearing was opened. Discussion was held with several citizens present to voice their concerns.

Ms. Charlotte Parks stated that she is in support of S.A.R.A. House, but does not support the offices being in a residential area. A few of the areas she expressed concern with are parking, signage of the property and the business hours.

Attorney Sellars clarified that this is not a rezoning of the property.

Ms. Cindy Gardner stated that she also supports the work that S.A.R.A. House does. She expressed that there was not enough time given before being notified that this was going to take place. Ms. Gardner said she would like to know if there will be a 100% guarantee that there will not be any overnight occupants staying at the address. Since this will be for office space, she would like to see this being done in a business area.

Ms. Lori Thompson stated that this should have been addressed before the property was purchased and now it is being forced on residents. She doesn't understand why we need a business in a residential area.

Ms. Paula Bragg explained that they have been in the NJC building for 8 years and it is no longer working for them because of the noise of the students and lack of confidentiality. Also, having their offices in a home setting helps the children they are working with feel more comfortable. She also explained that the office hours would be from 8:30 a.m. to 4:30 p.m.

Manager Moore stated that the conditional use is not established before a property is purchased, it is applied for by the property owner.

There were no further citizens to address council, so the public hearing was closed.

Discussion was held by council members with many questions being asked. Attorney Sellars stated that council can continue the public hearing to the next meeting and she can provide council with specific criteria that might help with making their decision.

Smith-Dischner moved to table this item to the next meeting bringing it back with more information. Second by Benish. Question. 5 ayes. 1 nay (Diaz), 1 abstain (Frame abstained due to not understanding the quasi-judicial rules). Motion carried.

- B. Proclamation for EMS Week – Scott Moore.** Manager Moore read a proclamation declaring May 19 – 25, 2024, as Emergency Medical Services Week. Shay moved to approve the proclamation. Second by Frame. Question. 7 ayes. Motion carried.
- C. First Reading Ordinance #3, Series of 2024 – (Amending Chapter 5.06 of the Yuma Municipal Code Concerning Alcohol Beverage Tastings) – Karma Wells.** Clerk/Treasurer Wells stated this Ordinance amends Chapter 5.06 of the Yuma Municipal Code concerning alcohol beverage tastings. Shay moved to approve on first reading Ordinance #3, Series of 2024. Second by Baucke. Question. 7 ayes. Motion carried.
- D. Approval of Bills – Karma Wells.** Clerk/Treasurer Wells stated that Council has been provided with 2 lists of bills. On the list from April 25, 2024, there are bills that need to be disclosed for Council Member Frame and Mayor McClung for the CML District meeting. Baucke moved to approve the bills. Second by Shay. Question. 5 ayes. 2 abstain (Frame, McClung). Motion carried.
- E. Purchases in Excess of \$5,000 – Scott Moore.** Manager Moore presented Council with one purchase for approval for the electric department for underground wire. This would be to replenish our stock on hand and it is a budgeted item from the electric fund. A quote was received from Western United for 3,000 feet of underground primary wire in the amount of \$11,856.00. Shay moved to approved the purchase from Western United. Second by Smith-Dischner. Question. 7 ayes. Motion carried.

## **Additional Business**

### **Discussion on New Agenda Format**

Smith-Dischner moved to approve the new agenda format. Second by Benish. Question. 7 ayes. Motion carried.

## **Reports**

**City Manager, Scott Moore**

The 2019 trash truck is in the shop at the dealership in Denver with hydraulic issues. They are doing an assessment but are estimating the repairs to be \$15,000 - \$20,000. There is no warranty on the truck. This leaves us with only one truck and with battling the winds and the landfill having to close, it is making it difficult to get trash picked up. The new trash truck will arrive sometime between August and October.

Sergeant Drilling has been working on the Mitchell Well. It is operational and we are waiting for the bacteria tests to come back. This will hopefully fix the variation in water.

The Cast in place sewer project phase 1 has been completed. They plan to come back in June to complete phase 2.

We have had the Main Street clock on hand. We are waiting on the granite. Council Member Baucke said it is in transit and is in Kansas now.

The Community Survey is planned to begin next week. Discussion was held on how to notify the community so they know it is coming.

#### **City Clerk/Treasurer, Karma Wells**

None.

#### **Chief of Police, Jerry Thompson**

None.

#### **City Council Reports**

##### **Diaz**

- Council Member Diaz commented on street sweeping on Main Street and that there is sand packed in the gutters.

##### **Frame**

- Council Member Frame stated that she thinks it would be helpful for Attorney Sellars to provide a refresher to educate council on their duties.

##### **McClung**

- Mayor McClung addressed the meeting he attended, along with Council Member Shay and Manager Moore, with representatives from Adam Berger Development. During the meeting, they discussed the topics of affordable housing and modular housing. There are some financial information updates needed to facilitate more informed discussions in the future.

#### **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 McClung 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. Mayor Pro Tem Smith-Dischner moved to go into executive session. Second by Baucke. Question. 7 ayes. Motion carried.

Council resumed regular session at 9:59 p.m. A statement was made 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. 7 ayes. Motion carried.

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Tim McClung  
Mayor

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Karma Wells, CMC  
City Clerk/Treasurer