

City of Yuma
City Council Minutes
Hybrid Regular Meeting
Tuesday, December 17, 2024
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, Frame, McClung, Shay. (Benish, Diaz and Dischner were absent).

Staff Present: Jerry Thompson, Karma Wells, Kathryn Sellars.

Corrections or Additions to the Agenda

Clerk/Treasurer Wells stated that item 11-I is being removed from the agenda.

Approval of December 17, 2024 Agenda

Shay moved to approve the December 17, 2024 agenda as amended. Second by Baucke. Question. 4 ayes. Motion carried.

Citizens Recognition and Introduction/Public Comment

None.

Presentations (Informational)

A. Presentation – Procurement Policy

Interim City Manager Wells gave an update on the progress of the Procurement Policy with additions that council had requested at a prior meeting. A vendor notification request form, verbiage regarding local preference and a vendor list have been added to the policy. Council would like all of our current vendors to be notified of the policy to give them an opportunity to be added to the notification list. The policy will be brought back to council on January 7, 2025 for formal approval.

B. Presentation – Natural Medicine

City Attorney, Kathryn Sellars, provided council with an initial draft of an ordinance regarding natural medicine (mushrooms). Sellars reviewed the draft with council highlighting the areas that need to have decisions made in order for her to finalize it. Discussion was held. Council would like to bring this back for further discussion at the next meeting before putting it on the agenda.

C. Employee Recognition

Police Chief Thompson gave recognition to his officers who in three instances have acted to save lives while performing their duties.

On August 10, 2022, Officer Justin Forsythe responded to a medical call where a male individual was found non-responsive and not breathing. Officer Forsythe acted quickly and initiated lifesaving CPR on the individual.

On June 30, 2024, Corporal Cameron Josh and Officer Trevor Neb responded to an emergent medical call where they implemented life saving measures and provided a secure and safe area for medical personnel to work when they arrived on the scene.

On December 3, 2024, Corporal Cameron Josh and Officer Rachel Billings responded to a scene and found an unresponsive individual. They performed life saving measures to help stabilize the individual until medical personnel arrived on scene.

Mayor McClung thanked the officers for their dedication and service to the community.

D. Other Presentations (If any)

None.

Reports (Informational)

A. Interim City Manager – Karma Wells

i. Department Updates

Interim City Manager Wells provided council with a report giving department updates. Mention was made of the high number of non-payment disconnects that occurred and also the high number of building permits that were issued.

ii. Staffing Report

Interim City Manager Wells reported that we are still looking to fill a position in the water/wastewater departments. We also need a journeyman/lineman for the electric department and a paramedic for the ambulance department.

B. City Clerk/Treasurer – Karma Wells

i. Sales Tax Report

Clerk/Treasurer Wells provided council with the sales tax report for December.

ii. Staffing Report

Clerk/Treasurer Wells reported that her department is fully staffed.

C. Chief of Police – Jerry Thompson

i. Police Report

Police Chief Thompspon stated that he provided council with the November police report in their packets.

ii. Staffing Report

Police Chief Thompson reported that the application process is still being worked on for the new officer. He is waiting to get verification on POST Funding for the Police Academy training.

D. City Attorney – Kathryn Sellars (If necessary)

Attorney Sellars stated that she will be meeting with the county attorney to talk about ambulance funding.

City Council Reports/Comments (Informational)

Frame

- Council Member Frame attended the electric department committee meeting where they discussed starting the process for finding a new Journeyman/Lineman to fill that vacancy. They also discussed extending the hanging lights on Main Street further south.
- Frame also attended the water/wastewater department committee meeting where they talked about the lead level survey that is mandated by the EPA. The Mitchell Well has been offline and they hope to get a new pump in the 2025 budget to fix that issue. They also talked about the water that the city has available and for being a steward for water conservation. A new heater is needed in the wastewater head building. The new blower will be here next week to replace the current one which is from 2005. They also discussed a problem with grease in the lift station.
- Council Member Frame attended the Yuma County Economic Development strategic planning meeting. They talked about goals and objectives for 2025. After the strategic planning meeting, they held the regular board meeting with the biggest topic of discussion being Retail Coach which would strive to bring new businesses into Yuma County. Frame then took part in a Zoom meeting with Retail Coach where they outlined how the process works.

Shay

- Council Member Shay attended the library board meeting. The library will be 100 years old in 2025. There is research being done on the history of the library and it was originally started with a group of women from the Methodist Church. An open house celebration will be held on January 31, 2025.

McClung

- Mayor McClung attended the Yuma County Economic Development Christmas party.
- Mayor McClung attended the Resource Sharing meeting in Imperial with Karma.
- McClung attended the CML Effective Governance meeting. He stated that this is the 4th time he has attended and he learns something new each time. He also encouraged all council members to try to attend CML meetings because they are very informative.
- Mayor McClung, Karma and Angela met with area realtors and had a very good meeting.
- Mayor McClung and Angela participated in a Zoom meeting regarding the NE Colorado Initiative Housing Strategies project. They have produced studies for other communities.

Consent Agenda (Action Items)

- A. Approval of December 3, 2024 regular meeting minutes.
- B. Approval of disbursements and payroll.
- C. Purchases in excess of \$5,000.

Shay moved to approve the Consent Agenda. Second by Baucke. Question. 4 ayes. Motion carried.

Public Hearings and Other New Business (Action Items)

A. Approval of disclosed disbursements (if needed)

None.

B. Resolution #51, Series of 2024 – Conditional Use for a proposed 2.8MW ground mounted solar array located at 38214 County Road G

Interim City Manager Wells stated that this resolution formally approves the conditional use for Sandhills Energy for a ground mounted solar array which was discussed in the public hearing at the last council meeting. Baucke moved to approve Resolution #51, Series of 2024. Second by Shay. Question. 4 ayes. Motion carried.

C. Resolution #52, Series of 2024 – Amending a Lease with KLZ Enterprises, LLC

Interim City Manager Wells stated that we have had a lease for a quonset with KLZ Enterprises for quite some time. There is a vacant lot to the north of the quonset where we have been able to store city equipment. This amendment modifies the lease to allow us to store gravel on that vacant lot. Baucke moved to approved Resolution #52, Series of 2024. Second by Shay. Question. 4 ayes. Motion carried.

D. Resolution #53, Series of 2024 – Agreement with Millan Asphalt for 2025 Pothole Patching

Interim City Manager Wells stated that this resolution is to enter into an agreement with Millan Asphalt to do more pothole patching in 2025 to use up the remainder of our ARPA funds. The contract is for \$180,300 to lay 875 tons of asphalt for street repairs. Wells stated that there needs to be an amendment to the resolution as the contract is for Millan to provide the labor at \$200/ton, but the city will be purchasing the asphalt. Baucke moved to approve Resolution #53, Series of 2024. Second by Frame. Question. 4 ayes. Motion carried.

E. Resolution #54, Series of 2024 – Agreement with Short Elliott Hendrickson for the Yuma Main Street & Railway Avenue Drainage Project Engineering

Interim City Manager Wells stated that this resolution is for an agreement with Short Elliott Hendrickson for engineering services to resolve a drainage issue at North Main Street and Railway Avenue in the amount of \$56,596. She stated that the agreement date needs to be changed from December 11 to December 18. Shay moved to approve Resolution #54, Series of 2024. Second by Baucke. Question. 4 ayes. Motion carried.

F. Resolution #55, Series of 2024 – Agreement with Short Elliott Hendrickson for the Yuma Main Street Sidewalk Crossing

Interim City Manager Wells stated that this resolution is for an agreement with Short Elliott Hendrickson for engineering services for the Main Street sidewalk crossing in the amount of \$34,245. The agreement date needs to be changed from December 11 to December 18. Shay moved to approve Resolution #55, Series of 2024. Second by Frame. Question. 4 ayes. Motion carried.

G. Approval of RAISE Grant Application for Street Improvements

Interim City Manager Wells stated that she is seeking approval for the application for the RAISE Grant for street repairs. It is a \$25 million no match grant. The application is due by January 30, 2025. The selections will be announced on June 28, 2025. The obligation of funds is September 30, 2029 and the funds must be spent by September 30, 2034. Shay moved to approve the RAISE grant application. Second by Frame. Question. 4 ayes. Motion carried.

H. Resolution #56, Series of 2024 – SRO Agreement with Yuma School District 1

Police Chief Thompson provided council with an updated SRO Agreement with the school. This would be for a term beginning January 1, 2025, through the end of the school year in May, at a rate of \$40.95/hour. Shay moved to approve Resolution #56, Series of 2024. Second by Baucke. Question. 4 ayes. Motion carried.

I. Resolution #57, Series of 2024 - Collections Agreement with Bonded Business Services, Ltd

This item was tabled.

J. Approval of Tivity Health Partner Location Agreement for Silver Sneakers

Attorney Sellars stated that this agreement for the Silver Sneakers program contains a confidentiality clause, so the agreement was not included in the council packets. She stated that she does not have any legal concerns with the agreement. Shay moved to approved the agreement for Silver Sneakers. Second by Frame. Question. 4 ayes. Motion carried.

K. Donation Request from Yuma County Economic Development

Interim City Manager Wells stated that she has received a donation request for Yuma County Economic Development (YCED) in the amount of \$2,500 to be used for the Retail Coach project. Shay moved to approve the \$2,500 donation to YCED. Second by Baucke. Question. 4 ayes. Motion carried.

L. Approval of Resignation Agreement and Severance Payment

Attorney Sellars provided council with the resignation agreement for Scott Moore. Shay moved to approve the resignation agreement and severance payment in the amount of \$124,826.94. Second by Frame. Question. 4 ayes. Motion carried.

M. Discussion of criteria and process for City Manager candidate search

Mayor McClung started the discussion regarding the search for a new City Manager. He stated that he received a document from CML with 30 pages of suggested criteria. He would like council to think about what their expectations are for a new City Manager. McClung suggested that we might consider community involvement in the process. Attorney Sellars stated that she has seen the process conducted in many different ways. They will discuss this in further detail at the next council meeting.

N. Approval of PTO Payout to Clerk/Treasurer

Mayor McClung explained when Clerk/Treasurer Wells agreed to add the Interim City Manager position to her duties, she expressed concern about her Paid Time Off (PTO) that she would not have time to use before it expires at the end of the year. At that time, council agreed to take into consideration, reimbursing her for those hours that she would lose. Wells stated that she has 80.75 hours that she is at risk of losing, which totals \$7,431.42. Shay moved to approve the PTO payout to Clerk/Treasurer Wells. Second by Frame. Question. 4 ayes. Motion carried.

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

A. Tabled Action Items

None.

Additional Business

A discussion regarding employee recognition will be held at the next council meeting.

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 Interim 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 Interim City Manager, City Clerk/Treasurer and Chief of Police evaluations. Shay moved to go into executive session. Second by Frame. Question. 4 ayes. Motion carried.

Council resumed regular session at 8:33 p.m. A statement was read for who was present in executive session and there were no objections to the discussions in executive session.

Action Items

A. Pay Increases for Police Chief Jerry Thompson and Interim City Manager/City Clerk/Treasurer Karma Wells.

Pay increases of 6% were proposed for Police Chief, Jerry Thompson and Interim City Manager/City Clerk/Treasurer, Karma Wells. Shay moved to approve the 6% pay increases. Second by Frame. Question. 4 ayes. Motion carried.

Adjournment

Shay moved to adjourn. Second by Frame. Question. 4 ayes. Motion carried.

Tim McClung
Mayor

Karma Wells, CMC
City Clerk/Treasurer