

**City of Yuma**  
**City Council Minutes**  
**Hybrid Special Meeting**  
**Tuesday, May 28, 2024**

**(This meeting was the postponed Regular Meeting from Tuesday, May 21, 2024 – 6:30 P.M.)**

**Meeting Location – City Hall, 320 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, Diaz, McClung, Shay, Smith-Dischner. (Frame was absent).

**Staff Present:** Scott Moore, Jerry Thompson, Elizabeth Lebuhn, Karma Wells.

**Corrections or Additions to the Agenda**

There was one correction to the agenda. On Item 5, the date needs to be changed from May 21, to May 28. Smith-Dischner moved to approve the agenda as corrected. Second by Shay. Question. 6 ayes. Motion carried.

**Citizens Recognition and Introduction/Public Comment**

None.

**Presentations**

None.

**Reports (Informational)**

**City Manager – Scott Moore**

Manager Moore stated that we will move forward with the community survey. The city will notify citizens in various ways to let them know the survey is coming and what questions may be asked.

Manager Moore gave an update on the clock tower project. The granite has arrived. Council Member Baucke stated that it still needs to be sandblasted and lettered. It will probably take a month for the lettering to be completed, then the installation can be arranged with city staff.

Manager Moore stated that our new grant writer, Ms. Angela Cordell, started full-time last Monday. She has been working on a SIPA Grant and completed the annual report required for ARPA funds. She is currently working on a grant for trees through the CSU Extension Office. This is a no match grant and is not just for the city, homeowners are able to apply as well. Ms. Cordell is also looking into grants that would provide new SCBA equipment for the fire department.

Manager Moore gave an update on the swimming pool. Work will begin in August. There have been a few minor changes made such as widening the southwest entrance. Ideas are being looked into for raising money for a new slide for the pool. The amount of money raised would determine what type of slide could be purchased. We are looking into a new PH injection system and replacing the two doors on the building. We are on track to be open a year from now. Manager Moore also added that the Wray pool opened and their pump quit. Since we aren't currently using our pump, it was offered for them to use until they can obtain a new one.

Manager Moore stated that regarding the Solid Waste Transfer Station Study, Miller & Associates has the information they need to do a first draft of the study.

Manager Moore gave an update on the Lett Hotel. Several years ago, it was looked into as being a hazardous structure. As far as we know, no asbestos has been removed. We need to find out legally what needs to be done to move forward with taking care of it.

Manager Moore discussed staffing shortages throughout various departments including streets, water/wastewater and paramedics for the ambulance service. We have one applicant for the position of Administrative Assistant who would assist with the Enterprise Fund departments. Shanna Peterson, who takes care of the building maintenance, will be leaving in August.

Manager Moore gave an update on trash removal. We were supposed to have our newest truck back last Thursday and that didn't happen. Shaw Disposal offered to rent us one of their trucks. We were able to use it Friday afternoon and Saturday morning, but then it broke down. We were then able to send staff to Denver to pick up our truck so it could be used Saturday morning as well. The landfill was open until noon on Saturday, so we were only able to dump two full loads. We hope that trash service will be caught up by this Thursday.

Vincent Bukowski was hired to help with the cleanup of branches and leaves from the storm.

Manager Moore reported on the damages to city property from the storm. The claims have been filed with CIRSA. Escobar Auto Glass ordered all of the windshields for emergency and utility vehicles and is making it a priority to get those done first. There were 32 broken windows in city buildings, with 14 of those being at the Community Center. Vincent Bukowski worked on boarding up the windows after the storm and the next morning.

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

Clerk/Treasurer Wells provided council with the finance and sales tax reports. She stated that her department is fully staffed.

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

Chief Thompson stated that he will have his police report for council at the next meeting. He should also have the SRO report done also.

Chief Thompson reported that he is down two officers. Former officer, Chris Holmes, came back to work for us.

## **City Attorney – Kathryn Sellars**

Elizabeth Lebuhn is filling in for Attorney Sellars at tonight's meeting.

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

### **Benish**

- Council Member Benish stated that he attended the parks & recreation committee meeting. The summer baseball program has kicked off. They have more kids enrolled than they have ever had. The baseball fields did not receive any damage from the storm. The summer help has started working.
- Council Member Benish also attended the electric department committee meeting. They are having issues with their Vision Metering System that they need to get resolved.
- Council Member Benish also attended the water/wastewater department committee meeting. Beginning on June 10, they will be relining the sewer system. Water is still flowing to the Ethanol Plant. Due to the excessive rainfall, things have been amped up to handle the extra water. The Mitchell Well is back up and flowing. It is the biggest well we have.

### **Smith-Dischner**

- Mayor Pro Tem Smith-Dischner attended the police committee meeting. An update was given on storm and accident activity. The police department is partnering with KNEC to do a community outreach program that involves Yuma Outlaw stickers. Chief Thompson discussed Axon Aid and how the drones can be used to assess hail damage from the storm. The police department building did not have any storm damage, but they did have vehicle damage. Chief Thompson now has a certificate in Criminal Justice.
- Mayor Pro Tem Smith-Dischner also attended the clerk department committee meeting. Clerk/Treasurer Wells discussed the issues that they are having with the reading of the Vision Metering System and pulling those reads into the billing system. Discussion was held for options on vendors to utilize a direct pay option.
- Mayor Pro Tem Smith-Dischner attended the ambulance department committee meeting. They had a good turnout for their BBQ even though it was right after the storm. She learned that the department puts 35,000 miles annually on their fleet. Director Keriann Josh discussed other equipment that they are having issues with and how costly those items are. The new ambulance should be here on June 24.
- At the Community Center department committee meeting, the Colorado Tree Coalition was discussed. It was also reported that after the storm, there are no longer any goslings in the pond.
- At the pool department committee meeting, it was stated that as the work is being done on the pool, all of the lines will be checked out to see if any repairs are needed.

### **Shay**

- Council Member Shay attended the meeting for the Animal Shelter. The shelter did sustain minimal damage from the storm. There may be some changes coming for the shelter in the next month or two.
- Council Member Shay also attended the fire department committee meeting. They got their pumper truck back. They are changing their criteria for how they do their weekly checks and that all of the valves are working properly. The rescue truck is going to need to be replaced. They have around \$150,000 set aside, but are looking for grants to help with that and the other equipment that they are in need of.

### **Baucke**

- Council Member Baucke said he was unable to attend any committee meetings.

## McClung

- Mayor McClung stated that he also attended the fire department meeting. They discussed coming up with some type of activity report to give the community and council an idea of what activity is taking place. Council Member Shay added that they are very short-staffed and are working on recruiting volunteers.

## Consent Agenda (Action Items)

- A. Approval of May 7, 2024 meeting minutes.
- B. Purchases in excess of \$5000.
- C. Approval of preapproved disbursements.
- D. Resolution #14, Series of 2024 – Appointing representatives and alternates to the Yuma County Water Authority.
- E. Approval of representatives to the Yuma County Landfill Board.
- F. Approval of representatives to the Yuma Firemen’s Pension Board.
- G. Approval of representatives to the Yuma County Economic Development Board.
- H. Approval of representatives to the NECALG Board.
- I. Local Event Street Closures for:
  - i. St. John Evangelist Catholic Church Bible School and Parish Picnics
  - ii. National Night Out
  - iii. Yuma Hoopsters Heat in the Street

Shay moved to approve the Consent Agenda. Second by Benish. Question. 6 ayes. Motion carried.

## Public Hearings and Other New Business (Action Items)

### A. Continuation of Public Hearing on Conditional Use for Professional Offices at 400 South Birch Street- Council.

Mayor McClung stated that this is a continuation of the public hearing from the last city council meeting. Public Hearing was opened. The opportunity was given for discussion, with several citizens present wishing to speak.

Ms. Candy Gilliland from S.A.R.A. House was present to discuss her position at S.A.R.A. House and the changes that have taken place at their current Yuma location that have made it difficult to provide the homey atmosphere and privacy their child victims need. They are using the Fort Morgan location, which is in a home in a residential area, as a model for what they want for the Yuma location. That is why the property at 400 South Birch was acquired. Ms. Gilliland asked Chief of Police, Jerry Thompson, if there had ever been any safety concerns or issues with S.A.R.A. House at its current location. He said there had not. The Yuma Public Library is located in the same building as S.A.R.A. House, so she asked the same of Yuma City Librarian, Jeanne Triplett. Ms. Triplett stated that there had not been any issues.

Council Member Baucke stated that some of the concerns he had been hearing from citizens is that they don’t want it to become a boarding house. Ms. Gilliland reiterated that only staff may need to stay there overnight occasionally.

Mr. Dave Hoch stated that he feels it is an honor to have the S.A.R.A. House choose to have an office in Yuma. The work that they do is incredible. He believes the neighborhood will improve because of all of the work that they have done on the property, which will increase property values.

Mr. Ron Swehla stated that he agrees with everything Mr. Hoch said and wishes they were located next to him. He said that the city has supported S.A.R.A. House over the years through donations. He encouraged council to approve the Conditional Use permit.

Ms. Paula Bragg, Executive Director of S.A.R.A. House, was present to thank council for allowing them to speak again regarding their request for the Conditional Use in a residential area. She explained that they are a community service organization, providing a resource for the safety and well being of children. Ms. Bragg provided statistics for the increase in property values that occurred at their Fort Morgan location. The Yuma property was chosen for its space and layout. It is located on a corner lot which will provide up to 8 parking spaces, which they would rarely need. They operate mostly during business hours and would not necessarily be there every day, only when they are needed. Their location at NJC was never meant to be permanent, but the environment has changed so much with their growth, that it is no longer a proper location for them to operate out of. If this Conditional Use permit is not granted, it will cause added financial burden to all involved and may cause the services they provide to no longer be available in Yuma.

Mr. Vincent Bukowski, owner of the Harvest Hotel, expressed his support for S.A.R.A. House. At the hotel, they are the first call the police department makes if they have someone in need of shelter. The area churches also call on them for help. Mr. Bukowski believes the services that S.A.R.A. House provide are important for the community.

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

Council Member Shay asked Manager Moore if he had received any information regarding what would happen with property values with S.A.R.A. House in the neighborhood. Manager Moore stated that he spoke with local realtor, Bernice Pagel, and she said that property values would increase. In no way would they decrease.

Shay moved to approve the Conditional Use for Professional Offices at 400 South Birch Street, with criteria having been met from the Yuma Municipal Code, Chapter 17.05.505, Sections A – G. Second by Smith-Dischner. Question. 5 ayes. 1 nay (Diaz). Motion carried.

- B. **Public Hearing and Second Reading of Ordinance #3, Series of 2024 – (Amending Chapter 5.06 of the Yuma Municipal Code Concerning Alcohol Beverage Tastings) – Karma Wells.** Clerk Treasurer Wells explained that this Ordinance adds the language to the Yuma Municipal Code to allow wine tastings. Public hearing was opened. Hearing no discussion, public hearing was closed. Smith-Dischner moved to approve on second reading, Ordinance #3, Series of 2024. Second by Shay. Question. 6 ayes. Motion carried.

- C. **Approval of Disbursements and Payroll – Karma Wells.** Clerk Treasurer Wells stated that there are two bills to disclose on the Bank of Colorado Visa bill for Smith-Dischner and Shay for motel rooms for the CML Conference in June.

Baucke moved to approve the two disclosed bills. Second by Benish. Question. 4 ayes. 2 abstain (Smith-Dischner & Shay abstained due to a conflict of interest). Motion carried.

Baucke moved to approve the remaining bills. Second by Shay. Question. 6 ayes. Motion carried.

- D. **Change Date of June 18, 2024 Council Meeting – Karma Wells.** Clerk/Treasurer Wells stated that the date for the June 18 council meeting needs to be changed due to council members attending the CML Conference on that date. The proposed date to reschedule is Monday, June 17, 2024. Smith-Dischner moved to hold the June 18 council meeting on June 17. Second by Shay. Question. 5 ayes. 1 nay (McClung). Motion carried.

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

None.

**Additional Business**

None.

**Adjournment**

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

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Tim McClung  
Mayor

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Karma Wells, CMC  
City Clerk/Treasurer