

# PITKIN TOWN MEETING

July 8<sup>th</sup> 2019 at 7pm

At the Newcomb Community Center

## MINUTES

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Full and timely notice of this meeting was provided pursuant to C.R.S. 24-6-402(2)(c).

1. **Call to Order** and Pledge of Allegiance: Mayor Rachel New called the meeting to order at 7:05pm. Trustees John Rowan, Suzy Metzler, Cory Nasso and Lois Sharpton were present. Attorney Jim McDonald was present. Minutes taken by Clerk Sara Gibb.

2. **Public comments:** Ramon Reed, Lois Sharpton

3. **Town Attorney Report: No report**

4. **For Council Action\*\*:**

7-1 Approve meeting minutes: June 10<sup>th</sup> regular meeting, June 12<sup>th</sup> work session, June 26<sup>th</sup> work session, and June 27<sup>th</sup> work session

**Motion to approve the above-listed minutes as amended made by Trustee Cory Nasso. Seconded by Trustee John Rowan. Motion carried 4-0.**

6-1 Discuss and vote on Street duties: 3<sup>rd</sup> Street repair and speed limit signs

Trustee John Rowan reported that he is looking into the cost of a cattle guard to put in at Sage and 3<sup>rd</sup>. Trustee Cory Nasso stated this will probably be the cheapest option. Mayor New stated that the upper region of Terrible Mountain Road is on the list for Forest Service maintenance this summer. The Forest Service is aware of the runoff problem that is caused by this road.

Mayor New asked for volunteers to follow up on the speed limit sign project in Town. This person would find out what it would require for Town to become compliant with speed limit sign regulations. There were no volunteers. Mayor New agreed to pursue this with the assistance of Mike Sponsler.

5-5 Discuss and vote on Ordinance 2019-3 (Mayor and Trustee term lengths)

Trustee Cory Nasso stated that he sees some benefit to staggered terms but also recognizes the significance of the time commitment. He is leaning toward keeping the term lengths as they are currently.

No motion was made to pursue this ordinance. Item will be removed from the

agenda at this time.

- 7-2 Discuss and vote on building request for 101 3<sup>rd</sup> Street – variance request to build on Town right-of-way

Mayor New polled the Board as to whether she could move forward as chair for this section because she is related to the individual making the request. The Board agrees that Mayor New should chair this item.

Clerk Sara Gibb stated that she is a part owner of the property in question and asked the Board if she should remain at the table or be excused. The Board stated that Clerk Sara Gibb should remain at the table and take minutes.

Tom Gibb introduced the request (see attached written request and maps for details). The cabin at 101 3<sup>rd</sup> Street is encroaching on a portion of Armstrong. Mr. Gibb would like to extend the cabin and replace the roof while maintaining the roof line. An encroachment is requested for the area of 15' by 2'.

Trustee Lois Sharpton asked if it was possible to move the addition over so it does not encroach on Town property. Tom Gibb stated that this was possible. The advantage to maintaining the roof line would be that a concrete wall will be poured high enough that it will mitigate water coming off the hillside and getting into the cabin, which is currently an issue.

Trustee Suzy Metzler asked if there was any land to trade. She stated that the only time the Town has given up land was in trade. She does not want to set a precedent of turning over land.

Trustee Cory Nasso stated that the Town and the Board should do everything possible to assist property owners with building. He stated that this particular piece of land is not useful. Trustee Suzy Metzler suggested a site visit.

Trustee Cory Nasso stated that there may be an option to utilize language that allows the Town to use the land in the future if needed. Trustee Lois Sharpton disagrees with the idea that the land is useless.

Trustee John Rowan sees no problem granting the request.

Trustee Lois Sharpton asked if there was a difference between a variance and a land vacation. Attorney McDonald asked why the land would be vacated. The question that was posed to the Board was not a request for purchase, but a variance request.

Trustee Cory Nasso asked if the Board would consider vacating the entire portion or just the footprint. He stated it may cost more to have Jim review land vacation documents than what the Town may gain financially from the sale of this amount of land.

Attorney McDonald does not believe that a conveyance of land is necessary. He suggested an irrevocable license for a number of years as one option to handle this request. A variance is potentially also acceptable.

**Motion to approve the variance as requested made by Trustee Cory Nasso. Seconded by Trustee John Rowan. Motion carried 4-0.**

Public comments: Jerra Garetson, Eddie Balch, Patrice Boyd, Pete Olson, Chris Nasso, Rand Makowski, Jake Schellenberg, Jesse Garetson, Marie Rossmiller, Tom Gibb

7-3 Discuss and vote on Resolution 2019-4 (Budget amendment PHCA) THIS ITEM INCLUDES A PUBLIC HEARING

Resolution 2019-4 read aloud by Clerk Sara Gibb.

Mayor New disclosed that part of the expenses of the Newcomb Community Center is to pay a monthly manager, which is a position that she holds.

**Motion to limit the public hearing to 15 minutes made by Trustee Lois Sharpton. Seconded by Trustee Suzy Metzler. Motion carried 3-1. Trustee Nasso cast a “nay” vote.**

**Mayor Rachel New opened the public hearing at 8:06pm**

Public comments: Chris Nasso, Jesse Garetson, Ramon Reed

**Mayor Rachel New closed the public hearing at 8:08pm**

The funds requested are for the time period of September 2018 through May 2019. The additional amount requested is \$507, bringing the total request to \$2,357.00.

**Motion to approve Resolution 4 Series 2019 as amended made by Trustee Cory Nasso. Seconded by Trustee John Rowan. Motion carried 3-2. Trustees Suzy**

**Metzler and Lois Sharpton cast “nay” votes.**

- 7-4 Discuss and vote on NCC/Town Hall summer use agreement (summer 2019) and NCC/Town Hall use for the winter (2019-2020)

Mayor New summarized the contents of the Resolution. Clerk Sara Gibb read Resolution 5, Series 2019 aloud.

**Motion to approve Resolution 5 series 2019 as presented made by Trustee Cory Nasso. Seconded by Trustee John Rowan. Motion carried 4-0.**

- 7-5 Discuss and vote on amendments to Attorney contract with executive session pursuant to C.R.S. §24-6-402(4)(f) - personnel matters

**Motion to recess to executive session pursuant to C.R.S. §24-6-402(4)(f) - personnel matters for a period of ten (10) minutes made by Trustee Suzy Metzler. Seconded by Trustee John Rowan. Motion carried 4-0.**

**Adjourned to executive session at 8:19pm**

**Regular meeting resumed at 8:30pm**

The Board was polled as to whether the topic of conversation deviated from the proposed topic.

Trustee Lois Sharpton - no

Trustee Cory Nasso - no

Trustee Suzy Metzler - no

Trustee John Rowan - no

- 7-6 Discuss recall petitions and take appropriate action

Certificates of Sufficiency were distributed to the Board and Attorney McDonald. Copies of the petitions were provided for Board review. Attorney McDonald stated the approval of sufficiency is not open to interpretation. If the petitions meet requirements, they must be approved. An election must now be scheduled.

**Motion to set the election date for August 8<sup>th</sup>, 2019 made by Trustee Lois Sharpton. Seconded by Trustee Cory Nasso. Motion carried 3-1. Trustee Suzy Metzler cast a “nay” vote.**

Public comments: Chris Nasso, Kandy Nasso, Pete Olson, Jesse Garetson, Garry Winget

- 7-7 Approve July 2019 Disbursements: Review of Treasurer's Report, discuss and vote to reallocate funds within the Street Fund to pay for the "Welcome to Pitkin" signs, and approval of monthly disbursements

**Motion to reallocate \$2,528.45 from Streets-Maintenance (Account 5160.1) to Streets Expenses – other (Account 5160.6) made by Trustee Suzy Metzler. Seconded by Trustee Lois Sharpton. Motion carried 4-0.**

**Motion to approve July 2019 disbursements made by Trustee Cory Nasso. Seconded by Trustee Lois Sharpton. Motion carried 4-0.**

#### 5. Updates/Planning:

- 3-1 Discuss funding for snow plowing in the Town of Pitkin

Trustee Wick is not available tonight to report on his portions of this item.

Work session tentatively scheduled for Monday, July 22<sup>nd</sup>.

- 4-4 Discuss STRs in the Town of Pitkin

Attorney Jim McDonald would like to look further into the issue of spot zoning. He does not know how a Town could place a restriction on certain class of property owner, such as a family trust or corporation.

Work session tentatively scheduled for Monday, August 5<sup>th</sup>.

#### 6. Reports:

- Town Mayor – Pitkin hosts the Mayor/Manager meeting this Thursday, the 11<sup>th</sup>.
- Town Clerk – nomination petitions available tomorrow for the recall election
- Building Inspector – Rand Makowski
- Fire Department – Rand Makowski
- Zoning Board – James Sharpton
- Cemetery – James Sharpton
- Environmental Health – Cyndi Wick

- Streets – vacant
  - Ditches – John Rowan
  - Town Hall – Juliet Serrato
  - Parks and Rec – Sara Lamar
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- Set work sessions and discuss future agenda items

Treasurer Sara Gibb requests a work session during the month of August to focused on the budget.

The Town Hall Commissioner would like to meet with the Board to discuss the information received regarding restoration at Town Hall.

## 5. **Adjourn: Meeting adjourned at 9:10pm**

The next regularly scheduled meeting will be held **Monday, August 12th** at 7:00PM at the Newcomb Community Center. Council meetings are scheduled to adjourn at 9:00PM. At the council's discretion agenda item(s) not addressed by this time will be tabled until the next regular meeting. Approved minutes, ordinances, resolutions, agendas, and other Town of Pitkin public notices can be found at <https://www.colorado.gov/pitkin>.

To add an item to the agenda, please submit it in writing to the Town Clerk at [thetownofpitkin@gmail.com](mailto:thetownofpitkin@gmail.com) no less than **48 hours** before the next regularly scheduled meeting. If the requested agenda item has supporting documentation it must be submitted no less than five (5) days before the next scheduled meeting.

*\*Public comment to the Board of Trustees is encouraged. Public comments on agenda items will be taken by the Mayor before final action on the item is taken. Comments may be limited at the mayor's discretion*

*\*\*Any item on the agenda may be subject to an executive session*

If special accommodation or handicapped access is required, please contact the Town Clerk at [thetownofpitkin@gmail.com](mailto:thetownofpitkin@gmail.com) or (970)787-0968 at least 48 hours prior to the scheduled meeting