

PITKIN TOWN WORK SESSION December 4th 2019, 7:00pm

Newcomb Community Center

MINUTES

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

1. **Call to Order/Roll Call:** Mayor Rachel New called the work session to order at 7:10pm. Trustees Lucinda Lull, John Rowan, Eddy Balch, Cory Nasso, Jerra Garetson, and Lois Sharpton were present. Minutes taken by Clerk Sara Gibb.

2. **For Council Discussion:**

- Discuss land sale/land use policy and procedure for the Town of Pitkin

Trustee Lois Sharpton reported that following a discussion with the Town Attorney, she concluded that the Board should write a policy regarding the sale of land. This can be a town-wide policy or a policy regarding the specific recent request (Hoffelder/Hunter).

Trustee Eddy Balch stated that the Town would need to determine if the property is used or held for any governmental purpose. This is a factor in how the decision to sell can be made (i.e. ordinance vs. election). Mayor Rachel New asked if streets and alleys are for governmental purpose.

Trustee Eddy Balch reported that [7:15pm] a Town could receive up to ½ of the appraised value of a property. If a street or alley is vacated, half will go to one adjoining property owner and half goes to the other. The costs are covered by the applicant who is asking for the vacation. Vacations are done on a case-by-case basis. Trustee Cory Nasso would like to avoid an overbearing checklist-style document. The Board should have criteria to consider, however.

Mayor Rachel New clarified that the Board is to focus on creating a process for application. She reported that many other municipalities begin with the planning/zoning boards. Some requirements of close municipalities include: site review and plan completed at the expense of the applicant, right of easement for the Town, vacation is in line with the master plan of the community. All requirements answer the question as to whether or not a proposed vacation is in the best interest of the Town.

Trustee Lois Sharpton raised concerns about access to parcels in town if platted streets are vacated. Trustee Eddy Balch read that existing access cannot be cut off. It was suggested that vacation requests should begin with a survey provided by the applicant. All adjacent properties to the request should be notified and approve.

There was discussion about Pitkin's plat. Trustee Lucinda Lull stated that the Town will need to make sure that the plat approved by the title company is accepted by the Town. Mayor New stated that part of the full site plan can include which survey was used.

Mayor New suggested that the Town consider if a requested vacation abuts water. Other considerations are snow storage and utility easements.

Treasurer Sara Gibb agrees with the idea to have the requestor responsible for all up-front costs including surveys, deeds, legal review, etc.

Mayor New asked the Board if the idea of "vacating for a price" would serve the Town. Trustee Cory Nasso agrees that the Town should be compensated for any land that is vacated. Trustee Jerra Garetson would like the policy to be simple to facilitate a case-by-case review of each request. The application can be detailed.

Trustee Eddy Balch suggested an up-front and nonrefundable filing fee. Trustee Lois Sharpton would like the policy to address the sale of property.

There was discussion about the definition of "governmental purpose." Trustee Eddy Balch volunteered to contact another municipality to ask how they address the question of "governmental purpose."

A policy is to be drafted that addresses statutory requirements.

Mayor New will distribute her notes to the Board. The Board is to respond to Clerk Sara Gibb with suggestions, which will be compiled and provided to the Board and the public.

Board consensus is to require full appraised value for a vacation.

Public comments: Rodger Lull, Jesse Garetson, Rand Makowski, Sara Gibb, Suzy Metzler,

3. Dismiss: Meeting adjourned at 8:27pm

Approved minutes, ordinances, resolutions, future agendas, and other Town of Pitkin public notices can be found at <https://www.colorado.gov/pitkin>

**Public comment to the Board of Trustees is encouraged. Comments may be limited at the mayor's discretion*