

PITKIN TOWN MEETING
Newcomb Community Center

January 8th 2024 at 7:00pm

MINUTES

1. **Call to Order and Pledge of Allegiance:** Mayor Eddy Balch called the meeting to order at 7:02pm. Trustees Chris Nasso, Jerra Garetson, and Tom Gibb were present. Trustee Lucinda Lull attended via Zoom. Minutes taken by Clerk Sara Gibb.

2. **Public comments*:** None

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

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

1-1 Approve meeting minutes: December 11th regular meeting

Trustee Lucinda Lull suggested that a block number should be added to the discussion. Fix Highway 76 to County Road 76.

Motion to approve the minutes as revised made by Trustee Lucinda Lull. Seconded by Trustee Jerra Garetson. Motion carried 5-0.

1-2 Discuss and vote on Adopting Ordinance 2024-1 (Repealing Ordinance 2018-8 Setting A Regular Meeting Date)

Trustee Tom Gibb stated that the Town's attorney needs to attend the meeting on a different Monday night. In order to accommodate his schedule, the monthly board meeting will be held on the 3rd Monday of the month. Also, this can be done by resolution rather than ordinance.

Motion to adopt Ordinance 2024-1 (Repealing Ordinance 2018-8) made by Trustee Chris Nasso. Seconded by Trustee Jerra Garetson. Motion carried 5-0.

Public comments: Pete Olson

1-3 Discuss and vote on adopting Resolution 2024-1 (Setting a Regular Meeting Date)

Motion to adopt Resolution 2024-1 (Setting a Regular Meeting Date) made by Trustee Tom Gibb. Seconded by Trustee Chris Nasso. Motion carried 5-0.

Public comments: Jesse Garetson, Chad Varnell (via Zoom)

1-4 Discuss and vote on adopting Resolution 2024-2 (Posting Locations)

Motion to adopt Resolution 2024-2 (Posting Locations) made by Trustee Chris Nasso. Seconded by Trustee Jerra Garetson. Motion carried 5-0.

1-5 Discuss and vote on adopting Ordinance 2024-2 (Clerk Compensation)

Clerk Sara Gibb requested that the Town Board name an hourly compensation for hours above 40 per month to complete the ordinance. The Board discussed \$30 per hour and \$31.50 per hour. The Board decided on \$31.50 per hour for hours worked above 40 per month.

Motion to approve Ordinance 2024-2 made by Trustee Chris Nasso. Seconded by Trustee Jerra Garetson. Motion carried 5-0.

Public comments: Jesse Garetson, Ed Pianalto

1-6 Review treasurer's report

Vote to approve January 2024 disbursements

Motion to approve January 2024 disbursements made by Trustee Jerra Garetson. Seconded by Trustee Lucinda Lull. Motion carried 5-0.

5. Updates/Planning/Discussion**:

- Discuss a request from Jake Schellenberg to develop River Street to access his property in Block 2 (correction: the lots are located in Block 4)

Jake Schellenberg stated that he owns the 36 lots in Block 4. This request follows his original request to vacate streets in Block 4. He would now like the Town to open River Street, which runs between 11th and 12th Streets. He has people who are interested in lots there and he needs to make sure they have access. Mayor Eddy Balch asked if Mr. Schellenberg wants the street opened to its full width and length. Mr. Schellenberg stated that would be "ridiculous." In a neighborhood, 30-32 feet wide is reasonable. Mayor Eddy Balch verified that this request is to allow Mr. Schellenberg to develop some of his property. Mr. Schellenberg confirmed that this is correct. Mr. Schellenberg further also stated that he is working with Law of the Rockies with regard to development of creek areas and wetlands. Per Mr. Schellenberg, Law of the Rockies said "it's just a process." Mayor Balch asked if Mr. Schellenberg is requesting the Town to, at its expense, develop River Street. Mr. Schellenberg stated that this would be "the respectable thing to do." If the Town is unable to see the value that developed properties bring then he's just going to move forward. He would be willing to help fund it. He does not think it should be his responsibility and he thinks the Town should see the long-term value in what's going to come. Mayor Balch asked if Mr. Schellenberg has calculated any projections on the cost. Mr. Schellenberg has not.

Trustee Chris Nasso asked if Mr. Schellenberg preferred to have the streets abandoned or if he preferred the Town to develop the streets. Mr. Schellenberg stated he thinks it would be cleaner to have the streets vacated. Trustee Nasso asked if Mr. Schellenberg would absorb the cost of putting in streets if the roads were abandoned. Mr. Schellenberg stated that was correct.

Trustee Jerra Garetson asked if the Town is required to put in platted streets. She could not find the answer in statute. Mayor Eddy Balch stated this was a question for the attorney. Trustee Tom Gibb stated that the Town has seen three instances of street vacation requests in recent history. So far, other than the fire station, the Town has not vacated streets in recent years. He believes street vacations need more support than just that of the council. Trustee Lucinda Lull asked what the Town was looking at for a width of River Street. She heard 30 feet mentioned. She believes the Town has to make sure that River is not already dedicated to being a different width. Her concern is the width. Mayor Eddy Balch stated that the Town of Pitkin doesn't have any construction standards. There is no road standard, and that is something the Town should create before developing any roads. Also, when a developer comes in and wants to develop a street, it's not the city or the municipality that pays for it, it's the developer. The developer puts it in and then dedicates it back to the municipality. He would like the Clerk to reach out to the attorney for an opinion. Trustee Tom Gibb agrees that the attorney should be consulted.

Public comments: Jesse Garetson, Chuck Kolinski, Ramon Reed, Pete Olson, Jake Schellenberg, Bob Nuttelman

6. Special Additions to the Agenda**

- 2024 Budget Hearing – *THIS ITEM INCLUDES A PUBLIC HEARING*

Public Hearing opened at 8:18 pm

Treasurer Sara Gibb reviewed updates to this month's draft budget document.

Pete Olson stated he would like to know the reasoning behind the budget amount for Enforcement. Clerk Sara Gibb reported that compensation amounts were gathered from various municipalities and the figure determined by averaging 15 hours per month of work at approximately \$19/hour. No funds for court costs were allocated, based on information from former Town attorney Chris Mochulsky.

Expenditure of NEU funds was discussed. The Board will amend the budget once more information is available for how the funds can be used. Mayor Balch would like to know if the funds can be used to hire a grant writer for Broadband.

Public Hearing closed at 8:28 pm

- Discuss and vote to approve Resolution 2024-3 (Adopting the 2024 Budget); Resolution 2024-4 (Appropriating Sums of Money); and Resolution 2024-5 (Setting the Mill Levy)

Motion to adopt Resolution 2024-3 (Adopting the 2024 Budget) made by Trustee Chris Nasso. Seconded by Trustee Tom Gibb. Motion carried 5-0.

Motion to adopt Resolution 2024-4 (Appropriating Sums of Money) made by Trustee Tom Gibb. Seconded by Trustee Chris Nasso. Motion carried 5-0.

Motion to adopt Resolution 2024-5 (Setting the Mill Levy) made by Trustee Lucinda Lull. Seconded by Trustee Chris Nasso. Motion carried 5-0.

- Board of Health Meeting
 - Discuss and vote on the proposed OWTS design for the Pitkin Hotel

Item tabled

7. Reports:**

- Town Mayor – Eddy Balch – No Report
- Town Clerk – Sara Gibb – Report on election – Nominating petitions can be picked up now and are due no later than January 22nd.
Please see written report for the following:
 - Building Inspector – Tom Gibb
 - Zoning Board – Jesse James Garetson
 - Cemetery – Mark Rossmiller
 - Environmental Health – Gayla Gibb
 - Streets – Jesse James Garetson
 - Ditches – Vacant
 - Town Hall – Ramon Reed
 - Parks and Rec – Vacant

9. Adjourn: Motion to adjourn made by Trustee Tom Gibb. Seconded by Trustee Chris Nasso.

Motion carried 5-0. Meeting adjourned at 8:37pm

The next regularly scheduled meeting will be held **Monday, February 19th** at 7:00PM. 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://townofpitkin.colorado.gov>

Reports

Commissioner and Community

- **Building Inspector** –Tom Gibb – One new permit issued for an accessory building
- **Zoning Board** – Jesse James Garetson – At our 12/18/23 meeting Mr. Schellenberg withdrew his petition to vacates streets and alleys between 11th and 12th Streets and River Street to Mesa Street. We also voted to move our monthly ZBA meetings to the second Monday of each month, as Pitkin’s new attorney is only available on the 3rd Mondays for the Trustees. We are waiting for Pitkin’s new attorney to give us interpretation on some of our 2022 codes. We continue to work on the wording of our proposed 2022 code changes and updates, which will be presented to our Trustees at one time.
- **Environmental Health** – Gayla Gibb – I had been working on what might have been a better solution for the Hotel to have a larger OWTS more appropriate to restaurant, bar, laundry, and motel rooms, BUT now the Hotel is bringing this to the Board of Health, so I feel I should await the outcome of that.
However, at our mayor's request, I have sent this information to the State and await feedback. Mr. Cousino has promised to review and report to me by Monday noon.
- **Streets** – Jesse James Garetson – Two 4” snowfalls since last report with no snowplowing except for Main Street. We have great street snow base for our winter sports.
- **Ditches** – Vacant – Report provided by Jesse Garetson – Our snow-filled ditches continue to suck in vehicles. Evidently no damage to ditches or automobiles!
- **Cemetery** – Mark Rossmiller – No report until spring 2024
- **Town Hall** – Ramon Reed – No report this month
- **Parks and Rec** – Vacant – No report