

TOWN COUNCIL PROCEEDINGS

JULY 1, 2019

JACKSON, WYOMING

The Jackson Town Council met in regular session in the Council Chambers of the Town Hall located at 150 East Pearl at 6:01 P.M. Upon roll call the following were found to be present:

MAYOR: Pete Muldoon.

COUNCIL: Jim Stanford, Arne Jorgensen, and Jonathan Schechter. Hailey Morton Levinson arrived at 6:04 p.m.

STAFF: Larry Pardee, Roxanne Robinson, Lea Colasuonno, Todd Smith, Roger Schultz, Tyler Sinclair, Paul Anthony, Brendan Conboy, Floren Poliseo, Johnny Ziem, Brian Lenz, Kelly Thompson, and Sandy Birdyshaw.

Mayor Muldoon introduced new Town employees Ashley Brimeyer - Community Service Officer, Austin Weber - Police Intern, and Alex DiMeglio and Griffin Hay - Legal Interns.

Public Comment. None.

Consent Calendar. A motion was made by Hailey Morton Levinson and seconded by Arne Jorgensen to approve the consent calendar including items A-I as presented with the following motions.

A. **Meeting Minutes.** To approve the meeting minutes as presented for the June 17, 2019 workshop and regular meeting, and special meetings held on June 21, 2019 and June 25, 2019.

B. **Disbursements.** To approve the disbursements as presented. 358 Tech Llc 6,800.00; Ace Hardware 816.93; A-Core Of Idaho Inc. 1,900.00; Melanie Adams 988.59; Advanced Glass Trim, Llc 555.00; Airgas Usa, Llc 100.92; Alldata 1,500.00; Alphagraphics Bozeman 493.43; Amazon Captial Services 129.00; American Pump Company 976.18; American Shooters Las Vegas 6,783.00; Aquashield, Inc 13,090.00; At&T 1,656.31; Best Best & Krieger 219.00; Big R Ranch & Home 96.19; Bliss Cargo 87.52; Bradley Engineering/Chartered 2,625.00; C & A Professional Cleaning Serv Llc 8,641.45; Carquest Auto Parts Inc. 158.42; Caselle Inc. 1,800.00; Cdw-Government 34,097.22; Cedera Landscapes, Llc 4,160.00; Centurylink 1,907.86; Charter 1,617.03; Chilen, Pat 80.00; Coban Technologies, Inc 2,126.25; Control System Technology, Inc. 16,762.50; Couloir Construction 1,000.00; Creekside Meats, Market & Deli 110.00; Crystal Creek Capial 42,755.00; Delcon Inc 13,471.76; E.R. Office Express 308.45; Ecoconnect Consulting,Llc 2,123.55; Electrical Wholesale Supply 90.15; Elite Edge Firearms Training 295.00; Elite Parts 2,693.55; Energy Laboratories Inc. 114.00; Etched In Stone 700.00; Exposure Signs Inc 250.00; Fish Creek Excavation Llc 833.75; Fitzgerald, Todd 820.00; Fleetpride 2,724.20; Four Lazy F Ranch Inc. 5,000.00; Freedom Services 600.00; Frog Creek Partners, Llc 2,720.00; G2 Gloves 930.00; Galls Inc. 214.47; Geittmann Larson Swift Llp 2,145.00; Gemmel, Angie 192.50; Gillig Llc 17,708.77; Greenwood Mapping Inc. 1,215.00; Greg Ellner Associates, Ltd 2,146.00; Gym Outfitters Inc 231.77; Hd Fowler Company 5,391.20; High Country Linen 1,461.02; Hunt Construction Inc 19,302.50; Idaho Falls Peterbilt 61.12; Idaho Traffic Safety, Inc. 24,464.53; Interstate Battery 1,456.60; Jackson Curbside Inc. 1,335.00; Jackson Hole Chamber 25.00; Jackson Hole News & Guide 2,807.68; Jackson Towing Partners 600.00; Jamar Technologies, Inc 4,300.00; Jelly Donut, Llc 270.00; Johnson, Roberts & Associates 38.10; Jorgensen Associates, Pc 245.00; Jorgensen, Arne Olaus 139.00; Kellerstrass Enterprises, Inc 44,858.46; Kenworth Sales Company Dept #1 1,754.25; Kimley Horn 4,904.74; Lda Inc. 59.53; Lepco 1,797.70; Local Gov't Liability Pool 1,000.00; Long Building Technologies Inc. 14,229.00; Lookout Mountain Logowear 576.50; Lower Valley Energy Inc 1,341.06; Mason Company 2,823.00; Mason, Tom 100.00; Md Nursery & Landscaping Inc 1,500.00; Mike's Oilfield Services Inc 1,625.00; Miller Sanitation 420.00; Morton-Levinson, Hailey 66.00; Mountain Electrical 701.44; Mountain X, Llc 270.50; Msc Industrial Supply Co 1,111.17; Napa Auto Parts Inc. 657.04; Nelson Engineering 422.00; Neopost Inc 140.00; Outlaw Brothers Construction, Llc 295.00; Pardee, Larry 66.00; Partsmaster 56.38; Pcm 1,633.22; Pelletier, Carl 205.10; Pine Needle Embroidery 72.00; Poole, Jessica 687.88; Portis Group,Llc 5,187.75; Prazma Paint & Auto Body 1,524.07; Premier Vehicle Installation, Inc 657.73; Proforce Law Enforcement 5,703.60; Quick Brown Fox Llc 270.00; Rhoades, Stephen 99.00; Ross Concrete Const Llc 12,200.00; Safety Supply & Sign Co., Inc. 4,770.00; Safety-Kleen Systems, Inc. 518.63; Sawdy, Ray 100.00; Schmillen, Scott 1,227.50; Schow's Truck Center 497.26; Leeanna Scott 40.00; Shervin's Independent Oil 151.00; Sherwin-Williams Co. 3,543.91; Silver Creek Supply 5.94; Smith Power Products,Inc. 128.65; Snake River Roasting 193.80; Symbolarts, Llc 870.25; Team Laboratory Chemical Corp 1,725.00; Teton County Clerk 155,526.75; Teton County Fair Board 60,000.00; Teton County Special Fire Fund 137,410.72; Teton County Transfer Station 73.00; Teton County-Fund 10 40,818.69; Teton County-Fund 19 32,126.43; Teton Excavation Llc 3,669.00; Teton Literacy Center 4,087.50; Teton Motors Inc 30,715.29; Teton Tools Llc 2,161.25; Teton Trash

Removal, Inc. 45.50; Thomson West 45.00; Tighe, John 136.55; Titan Machinery 2,129.92; Transit Talent Llc 115.00; Ups 12.26; Verizon Wireless 7,458.36; Warner Truck Center 12,194.87; West Coast Code Consultants 2,105.00; Westbank Sanitation 47.90; Western States Equip Company 6,548.31; Wolsfeld Creek Flooring 11,165.18; Wyoming Landscape Maintenance 914.00; Yellow Iron Excavation, Llc 64.00; Fortress Home Improvements Llc 17,197.00; Gillig Llc 500.00.

- C. **Special Event: Lions Club 4th of July Breakfast.** To approve the special event application made by the Jackson Hole Lions Club for the Fourth of July Street Breakfast, subject to the conditions and restrictions listed in the staff report.
- D. **Special Event: PARK(ing) Day.** To approve the PARK(ing) Day special event application made by Jackson Hole Public Art subject to the conditions and restrictions listed in the staff report.
- E. **Temporary Sign Permit: Off Square Theater, Thin Air Shakespeare (P19-162).** To approve the temporary banner in conjunction with Off Square Theater Company subject to three (3) conditions of approval.
- F. **Malt Beverage Permit for Snake River Brewing.** To approve the issuance of a malt beverage permits to Snake River Brewing Company as presented, subject to the conditions and restrictions listed in the staff report.
- G. **Malt Beverage Permit for Backcountry Hunters and Anglers.** To approve the issuance of a malt beverage permits to Backcountry Hunters and Anglers as presented, subject to the conditions and restrictions listed in the staff report.
- H. **Grant Application to WYDOT Transportation Alternatives Program (TAP) and Consultant Services Policy for Planning Funds for Scott Lane and Maple Way ADA/Bike/Pedestrian Improvements.** To approve the resolution authorizing the Town of Jackson to submit a grant application to the Transportation Alternatives Program for up to \$100,000 in planning funds for the Scott Lane and Maple Way ADA/Bike/Pedestrian Improvements, and to adopt the WYDOT Consultant Services Policy outlining the use of this funding.
- I. **Encroachment Agreement for 785 Snow King Drive (P19-144).** To authorize staff to prepare an Encroachment Agreement between the Town of Jackson and property owner Robert and Sandra Owens to allow subsurface placement of approximately twenty-three permanent (23) “soil nails” (defined as steel bars encapsulated in grout) which will encroach into the subsurface of the Town’s roadway and utility easement approximately twenty (20) feet, for slope stabilization and the foundation of a home located at 785 Snow King Drive.

Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Item P18-365: Conditional Use Permit for St. John’s Parking at 630 East Broadway. A motion was made by Hailey Morton Levinson and seconded by Arne Jorgensen to continue Item P18-365 to the July 15, 2019 Council meeting. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Item P19-097, -098, -099: Sketch Plan and Administrative Adjustment at 165 and 185 N Glenwood for 29-unit Condominium. Arne Jorgensen recused himself from this item as the company he works for has been involved with this property. Paul Anthony made staff comment. S.R. Mills made comment as the applicant. Public comment was given Bridger Mander and Andrew Jacobak.

Item A: Based on the findings as presented in the staff report and made by the applicant for an Administrative Adjustment (Item P19-099), a motion was made by Hailey Morton Levinson and seconded by Jonathan Schechter to make findings 1-5 in Section 8.8.1.C of the Land Development Regulations relating to 1) applicability; 2) unusual constraint, better protects natural or visual resources, or better supports purpose of zone; 3) consistency with zone or Comprehensive Plan; 4) danger to public safety; and 5) incremental administrative adjustments, and to approve an Administrative Adjustment to reduce the “Trees in Grate” pedestrian frontage from 13’6” to 13’1” on the Glenwood frontage and to 10’1” on the Gill frontage for the properties located at 165 and 185 North Glenwood Street, legally known as Lots 1 – 6, BLK. 6, JACKSON, subject to the departmental reviews and one condition of approval.

1. Final design approval of the curb location and Glenwood Street cross section shall be obtained from the Town Engineer and Planning Director prior to approval of the Building Permit.

Mayor Muldoon called for the vote. The vote showed 4-0 in favor with Jorgensen recused. The motion carried.

Item B: Based upon the findings as presented in the staff report and made by the applicant for a Sketch Plan (Items P19-097 and P19-098), a motion was made by Hailey Morton Levinson and seconded by Jonathan Schechter to make findings 1-5 in Section 8.3.13.C of the Land Development Regulations related to 1) Consistency with the Comprehensive Plan; 2) Achieves purpose of NRO & SRO overlays; 3) Impact of public facilities & services; 4) Compliance with relevant LDRs & Town Ordinances; 5) Conformance with past permits & approvals, and to approve a Sketch Plan for a 29-unit condominium building for the properties located at 165 and 185 North Glenwood Street, legally known as Lots 1 – 6, BLK. 6, JACKSON, subject to the departmental reviews and the following conditions.

1. The applicant shall pave the alley adjacent to the property for the full length of the 300'-wide project site.
2. As part of the Development Plan submittal, the applicant shall clarify how they plan to ensure that long-term residential units are not used for short-term rental use.

Mayor Muldoon called for the vote. The vote showed 4-0 in favor with Jorgensen recused. The motion carried.

Resolution 19-14: A Resolution Designating Public Records Contact Person for Town of Jackson and Joint Agencies. Griffin Hay (legal intern for the Town) made staff comment.

A motion was made by Hailey Morton Levinson and seconded by Jim Stanford to approve Resolution 19-14 designating the Town Clerk as the Public Records Person for the Town of Jackson.

RESOLUTION 19-14: DESIGNATING PUBLIC RECORDS CONTACT PERSON FOR THE TOWN OF JACKSON AND JOINT TOWN AND COUNTY AGENCIES

WHEREAS, pursuant to 2019 Legislation from the Wyoming Legislature (Senate File 57, Enrolled Act No. 72) each governmental entity is required to designate prior to July 1, 2019 a person to receive all applications for public records; and

WHEREAS, pursuant to the newly created section (e) of Wyoming Statute §16-4-202 the governmental entity shall submit the name, business email address, and business mailing address of the designated public records person to the Wyoming Department of Administration and Information for publication on the Department of Administration and Information official website; and

WHEREAS, also pursuant to Wyoming Statute §16-4-202(e), the designated public records person shall serve as a point of contact between the governmental entity and applicants seeking public records.

NOW THEREFORE, be it hereby resolved by the Mayor and Town Council of the Town of Jackson, Wyoming, in regular session duly assembled, that:

The Town Council hereby designates the Town Clerk as the designated public records person to receive all applications for public records involving the Town of Jackson, including for any joint powers boards thereof.

PASSED and APPROVED this 1st Day of July, 2019.

Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Ordinances. A motion was made by Hailey Morton Levinson and seconded by Jonathan Schechter to read ordinances in short title. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Ordinance C: An Ordinance Repealing Town of Jackson Municipal Code Section 5.12.070 related to Criminal Background Investigations on License or Permit Applications

AN ORDINANCE REPEALING SECTION 13 OF TOWN OF JACKSON ORDINANCE NO. 148, SECTION 5 OF TOWN OF JACKSON ORDINANCE NO. 670, SECTION 6 OF TOWN OF JACKSON ORDINANCE NO. 860, AND SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 994, AND SECTION 5.12.070 OF THE TOWN OF JACKSON MUNICIPAL CODE WHICH PROVIDES FOR

CRIMINAL BACKGROUND INVESTIGATIONS ON LICENSE OR PERMIT APPLICATIONS; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JACKSON, WYOMING, IN REGULAR SESSION DULY ASSEMBLED THAT:

A motion was made by Hailey Morton Levinson and seconded by Jonathan Schechter to approve Ordinance C on third reading and designate it Ordinance 1235. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Ordinance D: An Ordinance Repealing Town of Jackson Municipal Code Section 5.12.150 related to Prohibitions against Merchandise Sales on Public Property

AN ORDINANCE REPEALING SECTION 6 OF TOWN OF JACKSON ORDINANCE NO. 860 AND SECTION 5.12.150 OF THE TOWN OF JACKSON MUNICIPAL CODE WHICH PROVIDES FOR PROHIBITIONS AGAINST MERCHANDISE SALES ON PUBLIC PROPERTY; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JACKSON, WYOMING, IN REGULAR SESSION DULY ASSEMBLED THAT:

A motion was made by Hailey Morton Levinson and seconded by Arne Jorgensen to approve Ordinance D on third reading and designate it Ordinance 1236. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Ordinance E: An Ordinance Repealing Town of Jackson Municipal Code Section 5.21.100 related to Prohibitions against Merchandise Sales on Public Property

AN ORDINANCE REPEALING SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 786, SECTION 9 OF TOWN OF JACKSON ORDINANCE NO. 860, AND SECTION 5.21.100 OF THE TOWN OF JACKSON MUNICIPAL CODE WHICH PROVIDES FOR PROHIBITIONS AGAINST MERCHANDISE SALES ON PUBLIC PROPERTY; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JACKSON, WYOMING, IN REGULAR SESSION DULY ASSEMBLED THAT:

A motion was made by Hailey Morton Levinson and seconded by Jonathan Schechter to approve Ordinance E on third reading and designate it Ordinance 1237. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Ordinance F: An Ordinance Repealing Town of Jackson Municipal Code Section 5.52.030 related to Handbill Distribution

AN ORDINANCE REPEALING SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 675, SECTION 13 OF TOWN OF JACKSON ORDINANCE NO. 860, AND SECTION 5.52.030 OF THE TOWN OF JACKSON MUNICIPAL CODE WHICH PROVIDES FOR HANDBILL DISTRIBUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JACKSON, WYOMING, IN REGULAR SESSION DULY ASSEMBLED THAT:

A motion was made by Hailey Morton Levinson and seconded by Jonathan Schechter to approve Ordinance F on third reading and designate it Ordinance 1238. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Ordinance A: An Ordinance Amending the Zoning District Map at 460 East Broadway to Public/Semi-Public (P/SP)

Ordinance B: An Ordinance Amending the Zoning District Map at 660 East Broadway to Public/Semi-Public (P/SP)

A motion was made by Jonathan Schechter and seconded by Jim Stanford to continue Ordinance A and B on second reading to the July 15, 2019 Council Meeting. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Matters from Mayor and Council.

Sale Price for Wapiti Shared Appreciation Mortgage Home. Roxanne Robinson made staff comment. A motion was made by Hailey Morton Levinson and seconded by Arne Jorgensen to approve the proposed list price of \$1,350,000 (on a home with a shared appreciation mortgage with the Town’s IT Director). Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Jim Stanford made comment on a request from Central Wyoming College to sponsor the annual Pow Wow. A motion was made by Jim Stanford and seconded by Hailey Morton Levinson to direct staff to fund Central Wyoming College for the Teton Pow Wow in the amount of \$5,000 from an appropriate fund at staff’s discretion. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Jim Stanford made comment on the renaming of Dome Peak in Yellowstone and a meeting with the new WYDOT Director. Jonathan Schechter requested that the Council schedule a check in on council priorities at mid-year.

Town Manager’s Report. A motion was made by Hailey Morton Levinson and seconded by Jonathan Schechter to accept the Town Manager’s Report into the record. The Town Manager’s Report contained an update on the Citizens Mounted Unit, Employee Housing Plans for the upcoming winter, and a WAM Region 5 meeting in September. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Adjourn. A motion was made by Jonathan Schechter and seconded by Jim Stanford to adjourn the meeting. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried. The meeting adjourned at 7:35 p.m. minutes:spb

TOWN OF JACKSON

ATTEST:

Pete Muldoon, Mayor

Sandra P. Birdyshaw, Town Clerk

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