TOWN COUNCIL PROCEEDINGS

JANUARY 7, 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 6:00 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 was absent. *(new Councilmen Jorgensen and Schechter were sworn in this morning at 9:00 AM)*
STAFF: Larry Pardee, Roxanne Robinson, Audrey Cohen-Davis, Lea Colasuonno, Todd Smith, Tyler Sinclair, Paul Anthony, Floren Poliseo, Johnny Ziem, Carl Pelletier, and Sandy Birdyshaw.

Ex-Officio Members: Don Frank and Bob Lenz were present.

Resolution 19-01. A Resolution of Appreciation for Bob Lenz's Service to the Town of Jackson. A motion was made by Jim Stanford and seconded by Jonathan Schechter to approve Resolution 19-01.

WHEREAS, Robert F. Lenz has served the Town of Jackson faithfully for twelve years as a Town of Jackson Councilman from January of 2007 to January of 2019; and

WHEREAS, Bob also served and as Mayor Pro Tem from January 2011 through January 2014; and

WHEREAS, Bob has represented the Town of Jackson through his many years of service as liaison to the Historic Downtown Business District, Jackson Hole Historical Society & Museum, the Museum Administrative Board, the Jackson/ Teton County Housing Authority and Housing Supply Board, START Bus Joint Powers Board, the Fair Board, plus other numerous committees and subcommittees of the Town Council; and

WHEREAS, Bob's third term on the Jackson Town Council has expired and we shall deeply miss his priceless local perspective, his no-nonsense approach, his knowledge of parliamentary procedure, his commitment to sustain Jackson's unique character while balancing scenic and agricultural resources that define that character; and

WHEREAS, Bob worked tirelessly to represent the Town of Jackson to the Wyoming Association of Municipalities and the rest of the state, establishing meaningful relationships with other Mayors and Councilmembers which helped present Jackson in a positive light and also consistently attended the Colorado Association of Ski Towns meetings to further his knowledge of issues affecting Rocky Mountain resort communities; and

WHEREAS, Bob was an advocate for property acquisition during his tenure on the Town Council with the saying, "They're not making any more land," and his decisions in this regard will serve the community far beyond the needs of today and well into the future; and

WHEREAS, Bob was a strong and unwavering advocate for improved walkability, wide sidewalks, and appropriate street lighting to further promote livability and a sense of community for residents and guests of all abilities and needs; and

WHEREAS, those staff members and Councilmembers close to Bob felt and feel special because he cares about individuals, takes the time to make connections, respects opinions and needs of others and truly cares about all of us working at the Town, our families and needs; and

WHEREAS, Bob could be counted on to give credit where credit was due, and was always complimentary of the staff and their work and how the issues were presented; and

WHEREAS, Bob's integrity and diligence has greatly improved the community over the years and Jackson is a better place for Mr. Lenz having served these past twelve years; and

WHEREAS, without public minded citizens such as Bob Lenz, local governments such as ours would be very challenged to deliver the services that the community demands and deserves; and

WHEREAS, the above efforts were consistently undertaken without any recognition sought or received.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Mayor and Town Council of the Town of Jackson in regular session duly assembled, that the Mayor and Town Council on behalf of all of the people of the Town of Jackson, the employees of the Town of Jackson, and Jackson Hole community, shall and do hereby take this opportunity to express their sincere gratitude and appreciation and offer a heartfelt thank-you to Bob Lenz for his many years of dedicated service to the Town of Jackson government and community.

BE IT FURTHER RESOLVED, that a copy of this resolution be maintained in the official records of the Town of Jackson as a permanent record and memorandum of the many years of devoted service from Bob Lenz.
DATED THIS 7th DAY OF JANUARY, 2019.

Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried, with Morton Levinson absent.

Resolution 19-02. A Resolution of Appreciation for Don Frank's Service to the Town of Jackson. A motion was made by Jim Stanford and seconded by Arne Jorgensen to approve Resolution 19-02.

WHEREAS, Donald W. Frank has served the Town of Jackson faithfully for six years as a Town of Jackson Councilman from January of 2013 to January of 2018; and

WHEREAS, Don has represented the Town of Jackson by serving as liaison to the Town's Design Review Committee, Jackson Hole Community Housing Trust, Jackson/Teton County Parks and Recreation Board, the Town's Planning and Zoning Commission, plus numerous committees and subcommittees of the Town Council; and

WHEREAS, Don has been a staunch advocate for employees and employee issues during his tenure on the Council, consistently supporting wage and benefit issues and those affecting the welfare and equal treatment of all employees in the organization; and

WHEREAS, Don could always be counted on to have researched the issues and to come to the meeting prepared and with the ability to talk about those issues intelligently and passionately; and

WHEREAS, Don's technical expertise on any issue related to buildings and construction was relied upon by the Council and staff to help understand those technical issues and assist the rest of the Council through those discussions; and

WHEREAS, Don was always quick with a smile, a joke, and a sincere interest in employees, their families, and how things were going; and

WHEREAS, Don stepped up to serve by filling in and assisting the Council when a vacancy existed without any agenda related to personal ego, personal issues, or personal gain, and was a true public servant without any kind of agenda; and

WHEREAS, without public minded citizens such as Don Frank, local governments such as ours would be hard pressed to deliver the services to the community that the community demands and deserves; and

WHEREAS, frequently these efforts were undertaken without recognition being sought or received; and

WHEREAS, Don's term on the Town Council has expired and we shall truly miss his consistent, unwavering stewardship for providing housing opportunities and alternative transportation options, to maintain a healthy community and diversified local economy, his "*frankness*" and humorful conclusions.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Mayor and Town Council of the Town of Jackson in regular session duly assembled, that the Mayor and Town Council on behalf of all of the people of the Town of Jackson and Jackson Hole community, shall and do hereby take this opportunity to express their sincere gratitude and appreciation and offer a heartfelt thank-you to Don Frank for his many years of dedicated service to the Town of Jackson government and community.

BE IT FURTHER RESOLVED, that a copy of this resolution be maintained in the official records of the Town of Jackson as a permanent record and memorandum of the many years of fine service of Don Frank.
DATED THIS 7th DAY OF JANUARY, 2019.

Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried, with Morton Levinson absent.

Public Comment. Public comment was given by Brenna Cannon on eco-tourism, Wes Gardner on the parking survey, Ryan Stolp on the Wildlife Crossings Master Plan, Kevin Cochary on the Snow King Master Plan, and Aaron Pruzan on wildlife crossings and use of the lodging tax.

Approval of 2018 Meeting Minutes. A special committee comprised of Pete Muldoon, Hailey Morton Levinson and Jim Stanford was established December 17, 2018 for the purpose of approving the meeting minutes at the next regular meeting due to a change in the makeup of the Town Council. Once this task is complete, the special committee will cease to exist.

A motion was made by Jim Stanford and seconded by Pete Muldoon to approve the workshop and regular meeting minutes dated December 17, 2018, and the special meeting minutes dated December 20, 2018. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried, with Morton Levinson absent.

Consent Calendar. A motion was made by Jonathan Schechter and seconded by Jim Stanford to approve the consent calendar including items A-F as presented with the following motions.

A. **Disbursements.** To approve the disbursements as presented. Jackson Curbside $780.00, Carquest $241.89, Ace Hardware $288.28, Teton County Sheriff $648.00, Curran-Seeley $12062.50, Delcon $1834.57, Evans Construction $3188.25, Airgas Intermountain $209.00, High Country Linen $2103.86, Caselle $1398.67, Interstate Battery $384.80, Jackson Lumber $112.74, Jackson Hole News & Guide $10725.60, LVPL $16568.62, Nelson Engineering $2713.25, Red's Auto glass $552.50, Smith Power Products $3393.68, Napa $2359.05, Community Safety Network $10000.00, Teton Motors $545.71, Teton Youth & Family Services $40500.00, Mike's Body Shop $1444.61, GFOA $435.00, Wyoming Law Enforcement $90.00, Bruce Hayse $360.00, Wort Hotel $1976.80, CDW-Government $14223.00, WAM $1300.00, Centurylink $2123.11, Rendezvous Engineering $101253.52, Cummins Rocky Mountain $1211.67, Teton County Special Fire $17101.18, Galls $98.57, Jack's Tire $15201.55, Energy Laboratories $225.50, Grafix Shoppe $1615.63, Spring Creek Animal Hospital $446.52, Blue Spruce Cleaners $562.05, Todd Smith $690.00, Entenmann-Rovin $183.00, Western States $2796.01, Wyoming.com $5.00, AT&T $760.51, Verizon $7660.95, Division of Victim Services $310.00, Xerox $664.78, Alphagraphics $989.27, LGLP $1000.00, Amerigas $2506.27, Kenworth $83.52, Teton Waterworks $100.00, Jack's Truck $549.23, Luminator $18.33, Safety Kleen $289.23, Westwood Curtis $423489.31, Yellow Iron $230.00, Caroline Fisher $11919.24, Creative Energies $165142.97, Portis Group $10942.00, Neopost $36.00, ER Office $284.44, Visa $33717.95, Two Ocean Builders $5000.00, UPS $74.58, Exposure Signs $3518.00, Elk Country Inn $995.10, Advanced Glass & Trim $610.00, Thomson West $1237.27, Charter $1617.03, Stinky Prints $30.24, Respond First Aid $230.22, Gillig $2213.99, Commercial Tire $3793.28, Warner Truck $10052.33, Mailfinance $468.69, Proforce $1614.15, Provantage $800.00, Long Building Technologies $4926.40, Apple $1088.00, Meyring & Associates $951.79, Bank of Jackson Hole $60.00, Jeromie Traphagen $100.00, MSC Industrial $50.36, Rendezvous Pages $420.00, Jim Corsi $85.00, Snake River Roasting $432.25, Fleetpride $561.37, Silverstar $2313.63, Advanced Pump & equipment $750.00, Dustin Christensen $102.00, Big R $53.99, Brian Schmidt $102.00, MHL Systems $4540.00, Kois Brothers $356.49, Swagit $1775.00, H&R Enterprises $1233.85, Cornforth Consultants $355.50, Jelly Donut $380.00, ISC Inc $142310.24, Department of Family Services $10.00, Flat Creek WID $12000.00, Kellerstrass $61986.17, Christopher Leigh $980.00, Amazon $5819.17. Greenway Painting $842.82, Casper Star Tribune $665.20, Wyoming Garage Door $151.50, Crown Trophy $20.86, Superion $10520.22, CCC's PBI $1000.00, Raftelis $2202.50, Water Werks $1937.89, Process Technology $3149.40, Energy 1 $933.67, Identisys $290.78, Peter Muldoon $1814.87, Outlaw Brothers Construction $8741.79, Buckrail $375.00, West Fork Construction $17033.00, Robert Johnson $1300.00, Day Wireless $5900.69, Renee Raudman $15.98, CCC's Snow King $4451.42, Shuttle Bus Leasing $71550.00, Jackson Towing Partners $1350.00, BYG $63.00, Andrei Lungu $63.00, Cowboy Taxi $63.00, Teton Music Game $100.00, Shades of JH $100.00, JMC Professional Consulting $290.00, Westbank Garden Center $130.00, Dwight Posey $93.00, Durwin Clayton $155.00, Alyson Klaczkiewicz $40.00, 4Imprint $690.06, Snap-On $4125.00

B. **Municipal Court Report for December 2018.** To accept the December 2018 Municipal Court Report into the record.

C. **START and Grand Targhee Resort Service Operator Agreement.** To approve the Service Agreement with Grand Targhee Resort for the operation of Commuter Shuttle Bus service as presented and request the Mayor to sign.

D. **Water Line Easement for 660 West Broadway.** To approve the Perpetual Water Main Easement with property-owner, David Tibbitts, and authorize the Mayor to sign the Easement subject to any minor revisions deemed necessary by staff.

E. **Official Depositories for 2019.** To approve the recommendation of naming Wells Fargo Bank, Bank of Jackson Hole, First Interstate Bank, US Bank, Rocky Mountain Bank, Bank of the West, Zions Bancorporation, First Republic Bank, and Certificate of Deposit Account Registry Service as official depositories for the Town of Jackson during 2019.

F. **Fifth Amendment to the CMAR for West Broadway Landslide Project.** To approve Amendment number 5 to the West Broadway Landslide Mitigation Project Construction Manager at Risk Contract.

New Restaurant Liquor License Application by Scarfish LLC d/b/a Suda. Sandy Birdyshaw made staff comment. Mayor Muldoon opened a public hearing to hear protests against the issuance, renewal, or transfer of these liquor licenses. No protests were given. Mayor Muldoon closed the public hearing.

A motion was made by Jim Stanford and seconded by Arne Jorgensen to approve the issuance of a restaurant liquor license to Scarfish LLC *dba* Suda for the remaining license year ending 3/31/2019, subject to the conditions listed in the staff report and further direct the Town Clerk to issue the licenses upon confirmation that the conditions of approval have been met within the timeframe set forth in Wyoming Statute 12-4-103(a)(iv).

1) Prior to liquor license issuance, the applicant shall comply with all Town of Jackson Building Codes, Fire, Health & Safety Codes, and the Land Development Regulations, and will have obtained all required permits and approvals from all applicable Town/County departments.
2) Prior to liquor license issuance, the applicant shall provide a copy of the food service permit.
3) Any additional minor corrections deemed necessary by staff and the Wyoming Liquor Division.

Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried, with Morton Levinson absent.

Proposed Updates to Jackson Municipal Code Title 6. Sandy Birdyshaw made staff comment on the scope of proposed updates. Public comment was given by Stephan Abrams of The Liquor Store.

A motion was made by Arne Jorgensen and seconded by Jonathan Schechter to direct staff to proceed with proposed revisions as presented, prepare an update for Council consideration at a future workshop, and prepare a draft ordinance to be presented for discussion. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried, with Morton Levinson absent.

Amendment to Title 12.16 Airport Regulations. Police Chief Todd Smith made comment on a proposed revision to clarify that all Town ordinances would be enforced at the airport. Public comment was given by Aimee Crook, Assistant Airport Director and Security Operations at the Airport. As an ordinance would be presented later in this meeting, the Council took no action on this item.

Construction Management Plan for 60 East Pearl Avenue – Fire/EMS Station One Addition. Brian Lenz and Larry Pardee made staff comment. Battalion Chief Matt Redwine and Engineer John Kemp made comment on behalf of the Fire Station. Public comment was given by West Gardner.

A motion was made by Arne Jorgensen and seconded by Jim Stanford to approve of the construction staging and phasing plan as presented and direct the owner/applicant to coordinate with neighboring and adjacent businesses and properties for construction related activities and to coordinate with the Town of Jackson for use and occupying of the Public Right-of-Way for all associated construction permits and waive fees and bonding required for such work. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried, with Morton Levinson absent.

Item P17-147: Golf & Tennis Master Plan. Tyler Sinclair made staff comment. Teton County Planner Roby Hurley presented proposed amendments for consideration and comment from the Town Council. Robert Infinger of Y2 Consultants made comment on behalf of the applicant. Golf & Tennis General Manager Guy Evans and Vice President Alex Klein made comment.

The Council provided comments to agree with staff's proposal related to the buffer to the river channel, deny the cellular use at this time, to put the RV pads on a watch list to be sure they are maintained, that housing types should not include RVs, and to preserve and protect area's eco-system.

Item P18-208: Snow King Planned Resort District Master Plan Amendment.
Town Council Letter of Comment to U.S. Forest Service on Snow King Resort Master Plan. Tyler Sinclair made staff comment.

A motion was made by Jonathan Schechter and seconded by Jim Stanford to continue Item P18-208, an amendment to the Snow King Planned Resort District Master Plan, and associated Sketch Plan, and the consideration of a draft letter to the United States Forest Service outlying comments on the Snow King Mountain Resort On-Mountain Improvements Project Proposal to the January 22, 2019 Regular Town Council meeting. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried, with Morton Levinson absent.

Item P18-314: Land Development Regulations (LDR) Clean-Up. Paul Anthony made staff comment that this amendment of various sections throughout the Land Development Regulations (LDRs), would address a variety of issues to clarify and correct provisions, based on the adoption of Districts 3-6.

Based upon the findings pursuant to Section 8.7.1.C for an amendment to the text of the Land Development Regulations, as presented by the applicant and by the Council for Item P18-314, the application: 1) Is consistent with the purposes and organization of the LDRs; 2) Improves the consistency of the LDRs with other provisions of the LDRs; 3) Provides flexibility for landowners within standards that clearly define desired character; 4) Is necessary to address changing conditions, public necessity, and/or state or federal legislation; 5) Improves implementation of the Comprehensive Plan; and 6) Is consistent with other adopted Town Ordinances, a motion was made by Jim Stanford and seconded by Arne Jorgensen to approve the requested text amendments subject to this staff report and the departmental reviews attached hereto.

Item P18-267: Zoning Map Amendment for 135 & 175 East Broadway Avenue. A motion was made by Jonathan Schechter and seconded by Arne Jorgensen to continue item P18-267 to the regular Council meeting on January 22, 2019. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried, with Morton Levinson absent.

Ordinances. A motion was made by Jim Stanford and seconded by Arne Jorgensen to read ordinances by short title. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried, with Morton Levinson absent.

Ordinance P: An Ordinance Adding Chapter 8.36 to the Jackson Municipal Code Establishing Disposable Bag Requirements.

AN ORDINANCE ADDING CHAPTER 8.36 TO THE MUNICIPAL CODE OF THE TOWN OF JACKSON ESTABLISHING DISPOSABLE BAG REQUIREMENTS AND PROVIDING FOR THE COLLECTION AND DESIGNATION OF THE FEE TO THE TETON COUNTY WASTE REDUCTION PROGRAM 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:

Public comment was given by Bob Lenz, Wes Gardner, and Henry Sollit.

A motion was made by Jim Stanford and seconded by Arne Jorgensen to approve Ordinance P at third reading and designate it Ordinance 1205. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried, with Morton Levinson absent.

Ordinance S: An Ordinance Amending and Reenacting Section 1 of Town Ordinance 1074 (part) and Division 4.4 Planned Unit Development Zones to Add Section 4.4.2.h.7 of the Town LDRs, for a Neighborhood Medium Density-2 Zone (Glenwood project P17-201).

AN ORDINANCE AMENDING AND REENACTING SECTION II OF TOWN OF JACKSON ORDINANCE NO. 1074 AS AMENDED (PART) TO ADD SUBSECTION 4.4.2.H.7 TO THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS REGARDING THE ADDITION OF A NEW PLANNED UNIT DEVELOPMENT ZONE AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF JACKSON, WYOMING, IN REGULAR SESSION DULY ASSEMBLED THAT:

A motion was made by Jim Stanford and seconded by Arne Jorgensen to approve Ordinance S at second reading. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried, with Morton Levinson absent.

Ordinance T: An Ordinance Amending and Reenacting Section 2 of Town Ordinance 1074 (part) and the Town's Official Zoning District Map to Change the Current Zoning of Land Addressed at 640 & 650 S. Glenwood Street to Planned Unit Development – Neighborhood Medium Density-2 (P17-201).

AN ORDINANCE AMENDING AND REENACTING SECTION II OF TOWN OF JACKSON ORDINANCE NO. 1074 AS AMENDED (PART) TO AMEND THE TOWN OF JACKSON OFFICIAL ZONING DISTRICT MAP TO CHANGE THE ZONING DESIGNATION OF 0.62 ACRES OF LAND ADDRESSED AS 640 S GLENWOOD STREET AND 650 S GLENWOOD STREET FROM

NEIGHBORHOOD MEDIUM DENSITY-2 (NM-2) TO PLANNED UNIT DEVELOPMENT-NEIGHBORHOOD MEDIUM DENSITY-2 (P17-201) (PUD-NM-2 (P17-201)); AND ESTABLISHING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF JACKSON, WYOMING, IN REGULAR SESSION DULY ASSEMBLED THAT:

A motion was made by Jim Stanford and seconded by Jonathan Schechter to approve Ordinance T at second reading. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried, with Morton Levinson absent.

Ordinance U: An Ordinance Amending and Reenacting Section 12.16.030 of the Jackson Municipal Code Providing Law Enforcement Jurisdiction at the Jackson Hole Airport

AN ORDINANCE AMENDING AND REENACTING SECTION 2(a) OF TOWN OF JACKSON ORDINANCE NO. 175 (PART) AND SECTION 2 OF TOWN OF JACKSON ORDINANCE NO. 923 (PART) AND SECTION 12.16.030 OF THE MUNICIPAL CODE OF THE TOWN OF JACKSON TO INCLUDE APPLICABILITY OF ALL ORDINANCES OF THE TOWN OF JACKSON FOR LAW ENFORCEMENT JURISDICTION AT THE AIRPORT AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE GOVERNING BODY OF THE TOWN OF JACKSON, WYOMING, IN REGULAR SESSION DULY ASSEMBLED THAT:

A motion was made by Jim Stanford and seconded by Arne Jorgensen to approve Ordinance U at first reading. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried, with Morton Levinson absent.

Matters from Mayor and Council.
Voting Delegate Form for WAM Winter Conference. A motion was made by Arne Jorgensen and seconded by Jonathan Schechter to appoint Hailey Morton Levinson as the voting delegate for the WAM Winter Conference and Arne Jorgensen as an alternate. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried, with Morton Levinson absent.

Arne Jorgensen made shared information on his community involvement: he is partners with Bruce Hawtin, owners of Hawtin Jorgensen Architects, a member of the Wyoming State Board of Architects and Landscape Architects, an Advisory Board Member with First Interstate Bank, an emeritus member of the Wyoming Community Foundation, and emeritus member of the Jackson Hole Community Housing Trust.

Jonathan Schechter made comment on his community involvement: founder of the Charture Institute, a founding board member of the Jackson Hole Center for Global Affairs, and a past hospital trustee.

The Council discussed January 29, 2019, as a possible date for special joint and council meetings.

Town Manager's Report. A motion was made by Jonathan Schechter and seconded by Jim Stanford to accept the Town Manager's Report. The Town Manager's Report contained an update on the Council's Retreat and Joint Retreat with the County Commissioners, the January CAST Meeting, the WAM Winter Workshop, and upcoming schedule for the FY20 Budget. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried, with Morton Levinson absent.

Adjourn. A motion was made by Jonathan Schechter and seconded by Arne Jorgensen to adjourn the meeting. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried, with Morton Levinson absent. The meeting adjourned at 8:22 p.m. minutes:spb

TOWN OF JACKSON

ATTEST:

Pete Muldoon, Mayor

Sandra P. Birdyshaw, Town Clerk

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