

TOWN COUNCIL PROCEEDINGS

MAY 4, 2020

JACKSON, WYOMING

The Jackson Town Council met in regular session in the Council Chambers of the Town Hall located at 150 East Pearl at 6:02 P.M. Upon roll call the following were found to be present:

TOWN COUNCIL: *In-person*: Mayor Pete Muldoon and Jim Stanford. *via Webex*: Vice-Mayor Hailey Morton Levinson, Arne Jorgensen, and Jonathan Schechter.

STAFF: Larry Pardee, Roxanne Robinson, Lea Colasuonno, Zolo, Paul Anthony, Michelle Weber, Johnny Ziem, and Sandy Birdyshaw.

Public Comment. Carl Pelletier made staff comment. Susan Durfee of Central Wyoming College made comment and requested reserving parking spaces for graduation from 2:00pm to 6:00pm on Friday.

A motion was made by Hailey Morton Levinson and seconded by Jim Stanford to approve the request from Central Wyoming College for twelve reserved parking spaces in the upper lot at Center for the Arts for their graduation on Friday, May 8. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Consent Calendar. A motion was made by Jim Stanford and seconded by Jonathan Schechter to approve the consent calendar including items A-E as presented with the following motions. There was no public comment on the Consent Calendar.

- A. **Meeting Minutes.** To approve the meeting minutes as presented for the April 20, 2020 workshop and regular meeting.
- B. **Disbursements.** To approve the disbursements as presented. 842-NCPERS Group Wyoming \$112.00; Ace Hardware \$1,051.71; Aflac \$2,831.24; Amazon Capital Services \$339.98; AT&T \$1,321.84; C & A Professional Cleaning Serv LLC \$75.00; Carquest Auto Parts Inc. \$276.97; Caselle Inc. \$1,725.00; Center Of Wonder \$4,120.00; Centurylink \$1,955.77; Climb Wyoming \$1,250.00; Control System Technology, Inc. \$57,434.50; Delcon Inc \$3,564.58; Delta Dental Plan Of Wyoming \$592.80; Exposure Signs Inc \$2,196.00; HD Fowler Company \$972.78; High Country Linen \$465.13; Idaho State Tax Commission \$3,578.00; Intellichoice, Inc \$11,970.00; Jackson Hole Children's Museum \$3,750.00; Jackson Hole Community Counsel \$25,000.00; Jackson Hole Community Housing \$6,250.00; Jackson Hole Historical Society \$4,187.50; Jackson Hole Law, Pc \$1,500.00; Jackson Hole News & Guide \$1,260.86; Jackson Lumber Inc \$11.20; Lincoln National Life \$7,013.53; Local Gov't Liability Pool \$1,000.00; Lower Valley Energy Inc \$54.41; LSC Transportation Consultants \$2,018.75; Miller Sanitation \$455.00; Napa Auto Parts Inc. \$116.60; Saltworks LLC \$1,260.00; Senior Center Of Jackson Hole \$48,285.00; Simon, Jennifer \$1,500.00; Snake River Roasting \$48.95; State Of Wyoming \$342.59; Stinky Prints, Inc \$95.20; Sublette County Sheriff's Office \$5,610.00; Teton County Clerk \$26,686.02; Teton County Historic \$9,096.25; Teton Literacy Center \$11,400.00; Teton Youth & Family Services \$132,000.00; Valley Office Systems \$98.00; Visa \$21,050.95; Vision Service Plan - (Wy) \$1,687.89; WPOA Secretary-Treasurer \$340.00; Wy Child Support Enforcement \$146.76; Wy Workers' Safety & Comp \$7,901.30; Wyoming Department Of Employm \$9,572.65; Wyoming Department Of Transpo \$25,940.00; Wyoming Retirement System \$105,451.71.
- C. **Second Amendment to Lease Agreement with Vertical Harvest.** To direct town staff to finalize the Second Amendment to Commercial Lease Agreement with Vertical Harvest as presented, subject to any minor modifications necessitated by the Town Attorney and authorize the Mayor to execute that amendment.
- D. **Contract Extension with Winter & Company.** To direct staff to amend the existing professional services contract for Winter & Company for the District 1 Town Square/Historic Preservation LDR update to extend the contract expiration date from June 1, 2020, to June 30, 2020.
- E. **Wastewater Connection and Use Agreement with Mountain View Baptist Church (P19-209).** To approve the Connection and Use Agreement, including any minor edits approved by the Town Attorney and Town Engineer, between Mountain View Independent Baptist Church and the Town of Jackson for connection to the Town's wastewater collection / treatment systems and authorize the Mayor to sign the agreement.

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

May 2020 Events - Jackson Hole Rodeo. Roxanne Robinson and Lea Colasuonno made staff comment.

A motion was made by Hailey Morton Levinson and seconded by Jim Stanford to cancel the May 2020 rodeo dates and reinstate June 27, 2020 as a rodeo date in lieu of September 4, 2020. Hailey Morton Levinson withdrew her motion.

A motion was made by Hailey Morton Levinson and seconded by Jonathan Schechter to reinstate June 27, 2020 as a rodeo date in lieu of September 4, 2020. Mayor Muldoon called for the vote. The vote showed 4-1 in favor with Stanford opposed and the motion carried.

Consideration of June 2020 Special Events. Carl Pelletier made staff comment.

A motion was made by Jim Stanford and seconded by Hailey Morton Levinson to direct the Town Manager to revoke the special event permits, and any associated permits, for Touch-A-Truck on June 7, 2020 and all Jackson Hole Live Concerts scheduled for June of 2020 because these special events, in light of COVID-19 and Statewide Public Health Order No. 2 present a clear and present danger to the participants and the public. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Downtown Parking Summer Implementation (P20-080). Paul Anthony and Johnny Ziem made staff comment.

A motion was made by Hailey Morton Levinson and seconded by Arne Jorgensen to continue this item to the May 18 workshop. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Item P20-063: Boundary Adjustment without Plat at 640 S Glenwood St for Base Camp. Tyler Valentine made staff comment.

Pursuant to the standards in Section 8.2.13.C.5. Partial Vacation Without Replat, a motion was made by Hailey Morton Levinson and seconded by Jonathan Schechter to approve the Partial Vacation Without Replat to vacate the lots line between Lots 4, 5, 6, and 7 and combine the lots into one lot (Lot 7a) in the Karns Second Addition to the Town of Jackson, subject to the Land Development Regulations and this staff report dated May 4, 2020, and the following condition of approval:

1. The applicant shall address the comments from the County Clerk's office within 30 days of approval of this Partial Vacation Without Replat application.

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

Item P19-262, P20-069 & -070: Amendment to Final Development Plan for Pine Glades PUD. A motion was made by Jonathan Schechter and seconded by Hailey Morton Levinson to continue these items to the regularly scheduled Town Council meeting on May 18, 2020. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Item P20-009 & 010: Development Plan and Hillside Conditional Use Permit for Bluffs Development at 984 Budge Drive. A motion was made by Hailey Morton Levinson and seconded by Jonathan Schechter to continue these items to the Town Council meeting scheduled for May 18, 2020. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Item P20-035 & -036: Development Plan and Hillside Conditional Use Permit at 808 Upper Redmond. A motion was made by Hailey Morton Levinson and seconded by Jonathan Schechter to continue the items to the next scheduled Town Council meeting on June 1, 2020. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Resolution 20-08: A Resolution Authorizing the Submission of an Application to the Community Foundation of Jackson Hole's Old Bill's Fun Run 2020 from Jackson-Teton County Animal Shelter.

Resolution 20-09: A Resolution Authorizing the Submission of an Application to the Community Foundation of Jackson Hole's Old Bill's Fun Run 2020 from START.

Resolution 20-10: A Resolution Authorizing the Submission of an Application to the Community Foundation of Jackson Hole's Old Bill's Fun Run 2020 from Victim Services.

A motion was made by Hailey Morton Levinson and seconded by Jonathan Schechter to approve Resolutions 20-08, 20-09, and 20-10 authorizing the Jackson-Teton County Animal Shelter, START, and Jackson-Teton County Victim Services to apply to The Community Foundation of Jackson Hole's Old Bill's Fun Run 2020. 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 Arne Jorgensen to read ordinances in the short title. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Ordinance O: An Ordinance Amending the Official Zoning District Map for 66 acres from Planned Resort-Snow King to Planned Unit Development-Planned Resort.

AN ORDINANCE AMENDING AND REENACTING SECTION 2 OF TOWN OF JACKSON ORDINANCE NO. 1074 (PART) AND AMENDING THE TOWN OF JACKSON OFFICIAL ZONING DISTRICT MAP TO CHANGE THE CURRENT ZONING DESIGNATION OF ALL PROPERTIES WITHIN 66 ACRES OF LAND CURRENTLY ZONED PLANNED RESORT – SNOW KING TO PLANNED UNIT DEVELOPMENT – PLANNED RESORT (P19-201) (PUD-PR (P19-201)); AND ESTABLISHING AN EFFECTIVE DATE. BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JACKSON, WYOMING, IN REGULAR SESSION DULY ASSEMBLED THAT:

Public comment was given by Patrice Kangas, Clare Stumpf, and David Navratil. Lea Colasuonno and Tyler Sinclair made staff comment.

A motion was made by Hailey Morton Levinson and seconded by Arne Jorgensen to approve Ordinance O on third reading and designate it Ordinance 1251. Mayor Muldoon called for the vote. The vote showed 4-1 in favor with Stanford opposed. The motion carried.

Ordinance P: An Ordinance Amending the Jackson Municipal Code regarding Compensation for Mayor and Council.

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 787, 717, 326, AND 226 AND SECTIONS 1-3 OF TOWN OF JACKSON ORDINANCE NO. 1 AND SECTION 2.08.010 OF THE MUNICIPAL CODE OF THE TOWN OF JACKSON REGARDING COMPENSATION FOR MAYOR AND COUNCILMEN; 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 P on second reading. Mayor Muldoon called for the vote. The vote showed 4-1 in favor with Schechter opposed. The motion carried.

Ordinance Q: An Ordinance Adding Chapter 8.35 to the Jackson Municipal Code Prohibiting the Sale of Flavored Tobacco Products.

AN ORDINANCE ADDING CHAPTER 8.35 TO THE MUNICIPAL CODE OF THE TOWN OF JACKSON PROHIBITING THE SALE OF FLAVORED TOBACCO PRODUCTS 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 Jason Mincer with the American Cancer Society, Mike Mores with American Heart Association, Beverly Shore with Community Prevention Coalition, Tim Tibbles, and Skyler May. Roxanne Robinson and Lea Colasuonno made staff comment.

A motion was made by Hailey Morton Levinson and seconded by Arne Jorgensen to continue Ordinance Q to the next regular meeting and requested legal to work with representatives of the American Heart Association and American Cancer Society. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Ordinance R: An Ordinance Amending Jackson Municipal Code regarding Prohibiting Smoking in Public Buildings.

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF ORDINANCE NO. 461 (PART), AND CHAPTER 8.34 TO THE MUNICIPAL CODE OF THE TOWN OF JACKSON PROHIBITING SMOKING AND E-CIGARETTE USAGE IN PUBLIC BUILDINGS 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:

Roxanne Robinson made staff comment.

A motion was made by Hailey Morton Levinson and seconded by Jonathan Schechter to approve Ordinance R on first reading with the revision of adding the Airport to the Public Facility definition. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Ordinance S: An Ordinance Adopting the 2020 National Electrical Code.

AN ORDINANCE AMENDING AND REENACTING SECTION 2 OF TOWN OF JACKSON ORDINANCE NO. 313, SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 325, SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 413, SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 633, SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 706, SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 803, SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 886, SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 899, SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 990, SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 1057, SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 1101, SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 1171 AND SECTION 15.20.010 OF THE MUNICIPAL CODE OF THE TOWN OF JACKSON BY CHANGING THE VERSION OF THE NATIONAL ELECTRICAL CODE ADOPTED BY REFERENCE FROM THE 2017 EDITION TO THE 2020 EDITION, WITH CERTAIN AMENDMENTS AND FOR ALLOWING ELECTRICAL PERMIT FEES TO BE SET BY RESOLUTION OF THE TOWN COUNCIL; AND PROVIDING FOR AN EFFECTIVE DATE. 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 S on first reading. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Matters from Mayor and Council. Restaurant Outdoor Seating Discussion. Pete Muldoon made comment. A motion was made by Hailey Morton Levinson and seconded by Jonathan Schechter to direct staff to work with the Economic Recovery Taskforce to study the feasibility of expanding retail and/or restaurant operations and bring back a wide range of potentials to the May 18 workshop. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Jim Stanford commented on excessive tree cutting in Snow King Estates and an update from the Board of Health meeting. Jonathan Schechter commented on the BUILD grant support letter. The Council asked staff to bring back an update on the Snow King Estates lot.

Pete Muldoon made comment on the 2020 Census. Pete Muldoon proposed a Resolution that would adopt rental housing guidelines during the COVID-19 Pandemic.

A motion was made by Hailey Morton Levinson and seconded by Arne Jorgensen to approve Resolution 20-12 as presented.

RESOLUTION 20-12: A Resolution Adopting Rental Housing Guidelines During COVID-19 Pandemic

WHEREAS, the Jackson Town Council desires that all residents have safe and secure housing and the livability and viability of Jackson is directly affected by our ability to house all our residents in safe, reliable housing; and

WHEREAS, housing matters. It is an essential aspect of our lives and society. A safe, secure and affordable living environment serves as a contributing factor for a high quality of life; and

WHEREAS, being late or behind on rent is strongly associated with an elevated risk of food insecurity, poor physical health, mental health issues, and educational delays in children; and

WHEREAS, the private and public sectors play an integral role in establishing rental housing throughout our community; and

WHEREAS, we recognize that we are living in extraordinary times, where our town and every community across the country is dealing with the effects of the COVID-19 pandemic including job losses, lower wages, uncertainty, and health and mental issues; and

WHEREAS, we acknowledge that renters and landlords alike share a common value in safe housing and a strong community; and

WHEREAS, we the Jackson Town Council acknowledge the struggles on both sides, that not every situation is the same, and hope that working together on rent payments – forgiving rents or portions of rents, where applicable – we will be able to continue to move forward as a strong, united community; and

WHEREAS, nonprofits throughout our community including One 22, Community Foundation of Jackson Hole, and more are working diligently to establish solutions to rental payments for our citizens throughout our community; and

WHEREAS, rent payments are a significant monthly expense for our working individuals and families; and

WHEREAS fostering a strong, united community is vital for Jackson to successfully emerge from our current economic crisis; and

WHEREAS, we acknowledge and salute the fact that many of our citizens across this community have already forgiven portions or totality of rents, recognizing that safe, secure housing is fundamental to a person or families’ well-being and the community’s well-being; and

NOW, THEREFORE, BE IT RESOLVED that the Jackson Town Council do hereby adopt a resolution actively encouraging that all landlords work with tenants, nonprofits, and individuals throughout our community to ensure that housing remains a safe respite during these troubled times.

PASSED, APPROVED, AND ADOPTED this 4th day of May 2020.

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

Town Manager’s Report. A motion was made by Arne Jorgensen and seconded by Hailey Morton Levinson to accept the Town Manager’s Report into the record. The Town Manager’s Report contained an update on the schedule of budget workshops. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Adjourn. A motion was made by Hailey Morton Levinson 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 7:55 p.m. minutes:spb

TOWN OF JACKSON

ATTEST:

Pete Muldoon, Mayor

Sandra P. Birdyshaw, Town Clerk