

TOWN COUNCIL PROCEEDINGS

NOVEMBER 2, 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 6:01 P.M. Upon roll call the following were found to be present:

TOWN COUNCIL: *In-person*: None. *via Zoom*: Mayor Pete Muldoon Vice-Mayor Hailey Morton Levinson, Jim Stanford, Arne Jorgensen, and Jonathan Schechter.

STAFF: Larry Pardee, Lea Colasuonno, Roxanne Robinson, Tyler Sinclair, Michelle Weber, Zolo, Darren Brugmann, Floren Poliseo, Brian Lenz, Paul Anthony, and Sandy Birdyshaw.

Mayor Muldoon read a proclamation declaring Saturday, November 28, 2020 as Small Business Saturday.

Public Comment. Anna Olson made comment on Small Business Saturday.

Consent Calendar. A motion was made by Jim Stanford and seconded by Hailey Morton Levinson to approve the consent calendar including items A-D as presented with the following motions:

- A. **Meeting Minutes.** To approve the meeting minutes as presented for the October 19, 2020 special meeting, workshop, and regular meeting.
- B. **Disbursements.** To approve the disbursements as presented. 842-Ncpers Group Wyoming \$96.00; Ace Hardware \$477.59; Advanced Glass Trim, LLC \$530.00; Alan's Welding Inc. \$9.60; Amazon \$3,399.74; Antler Motel, Inc. \$66.00; Apple Inc \$1,522.00; AT&T \$1,367.24; Avail Valley Construction-Idaho, LLC \$105,045.75; B-Cycle LLC \$908.41; Best Best & Krieger \$1,149.50; BestDrive Idaho Falls \$10,444.48; Big R Ranch & Home \$53.47; Briggs, Eric L \$61.95; Brower Psychological Services Inc \$325.00; Buckrail \$500.00; C & A Professional Cleaning Serv LLC \$7,817.30; Carquest Auto Parts Inc. \$639.59; Caselle Inc. \$1,868.00; Center Of Wonder \$3,296.00; Centurylink \$2,216.64; Certified Laboratories \$59.95; Control System Technology, Inc. \$12,065.50; Core & Main LLP \$96.93; Cultivate \$1,250.00; Day Wireless Systems \$571.50; Deal, Jeff \$155.00; Delcon Inc \$1,785.48; Dick May Welding Co \$20.00; E.R. Office Express \$51.16; Energy Laboratories Inc. \$416.00; Etched In Stone \$600.00; Evident \$76.50; Forest Lake \$10,950.00; Galls Inc. \$87.18; Geittmann Larson Swift LLP \$292.50; Gillig LLC \$3,610.58; Global Equipment Company \$172.77; Hach Chemical Co. \$97.35; High Country Linen \$563.12; Hr 28 LLC \$39,997.50; Idaho State Tax Commission \$3,270.00; Idaho Traffic Safety, Inc. \$0.00; Illinois Tool Works Inc \$67,815.80; Immigrant Hope \$1,250.00; International Municipal Lawyers Assoc. \$480.00; Interstate Battery \$1,385.60; Jackson Animal Hospital \$280.28; Jackson Curbside Inc. \$1,375.00; Jackson Hole News & Guide \$5,340.26; Jackson Paint And Glass, Inc. \$7,417.49; Jorgensen Associates, Pc \$12,731.25; KellerStrass Enterprises, Inc \$9,046.53; Kilmer's BG Distributing \$3,800.00; Lacal Equipment, Inc \$3,709.87; Ladd, Brian \$150.00; Leonard Petroleum Equipment \$679.10; Lincoln National Life \$6,423.39; Long Building Technologies Inc. \$244.70; Mccarthy, Mary \$500.00; Meagher, Kevin \$266.89; Metroquip Inc \$163.27; MHL Systems \$2,364.00; MSC Industrial Supply Co \$254.05; Napa Auto Parts Inc. \$1,368.24; Nelson Engineering \$6,641.00; Oldcastle Precast Inc \$370.00; On Sight Land Surveyors Inc. \$9,463.95; Platt \$0.00; Proterra \$2,488,396.00; Safety Supply & Sign Co., Inc. \$1,100.85; Safety-Kleen Systems, Inc. \$289.32; Saltworks LLC \$1,785.00; Schmidt, Linda \$14.82; Schmillen, Scott \$997.50; Sherwin-Williams Co. \$100.00; Sign It Now Inc \$1,633.62; Silver Creek Supply \$12.76; Snake River MEP Complete, Inc \$382.00; Snake River Roasting \$293.70; Spring Creek Animal Hospital \$54.39; St John's Hospital \$81.00; Summit Dirt Werk LLC \$8,000.00; Swagit Productions, LLC \$3,550.00; Teton County Clerk \$148,275.08; Teton County Integrated Solid Waste/Recy \$56.00; Teton County School District 1 \$22,400.84; Teton County Special Fire Fund \$157,608.14; Teton County-Fund 10 \$39,867.40; Teton County-Fund 13 \$107,600.21; Teton County-Fund 19 \$3,866.54; Teton Motors Inc \$2,076.43; Teton Tools LLC \$1,036.00; The Children's Learning Center \$26,710.00; Verizon Wireless \$5,301.90; Vinci Law Office LLC \$252.13; Vision Service Plan - (Wy) \$1,744.77; Weller Truck Parts \$201.09; Westbank Sanitation \$50.37; Western State \$2,366.33; Wild Things \$3,445.00; Wy Child Support Enforcement \$146.76; Wy Workers' Safety & Comp \$6,241.83; Wyoming Department Of Employment \$1,106.94; Wyoming Department Of Health \$240.00; Wyoming Law Enforcement \$260.00; Wyoming Retirement System \$101,689.11; WY-Test \$800.00; Xerox Corporation \$280.39; Yellow Iron Excavation, LLC \$60.00; Zoom Video Communications, Inc \$727.67.
- C. **Municipal Court Report September 2020.** To accept the September 2020 Municipal Court Report into the record.
- D. **Temporary Sign Permit: Jackson Hole High School Honors Veterans (P20-180).** To approve Item P20-180 the temporary banner requested by the Jackson Hole High School subject to three (3) conditions of approval: 1. The use of the site shall be granted by the property owner. 2. The signs

shall not be located on the sidewalks or in the public right of way. 3. The sign for Jackson Hole High School Honors Veterans may be installed at Albertson's at 105 Buffalo Way from November 3 to 15, 2020.

There was not any public comment on the Consent Calendar. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Amendment to Deed Restrictions for Westview Townhomes. April Norton and Lea Colasuonno made staff comment. Stefan Fodor and Hunter McCardle made comment on behalf of the applicant.

A motion was made by Hailey Morton Levinson and seconded by Arne Jorgensen to approve the proposed Employer-Owned Workforce Rental restriction that contains additional rental protection such as termination notice of 30-days, subject to final approval by the Town Attorney, and further move to allow Red Roots to record the Employer-Owned Workforce Rental restriction on up to eight units. Mayor Muldoon called for the vote. The vote showed 3-2 in favor with Muldoon and Stanford opposed. The motion carried.

Water and Sewer System Proposed Rate Structure. Johnny Ziem made staff comment.

A motion was made by Hailey Morton Levinson and seconded by Arne Jorgensen to approve Alternative #2 for updating the Town of Jackson Water and Sewer Capacity Fees. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

A motion was made by Hailey Morton Levinson and seconded by Arne Jorgensen to approve Alternative #3 for updating the Town of Jackson Water Volume Rates. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

A motion was made by Hailey Morton Levinson and seconded by Arne Jorgensen to approve Alternative #2 for updating the Town of Jackson Sewer Volume Rates. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

A motion was made by Hailey Morton Levinson and seconded by Jonathan Schechter to approve a commencement date for the Town of Jackson new rate structure beginning July 1, 2021, and direct staff to bring back a draft ordinance update at a future workshop meeting. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

START Town Transfer Location at Milward / Deloney. Darren Brugmann made staff comment.

A motion was made by Hailey Morton Levinson and seconded by Jonathan Schechter to allow START to utilize the southern portion of West Deloney between N Jackson and N. Millward streets as the temporary transfer location for the Winter Season beginning on November 28, 2020 and concluding on April 8, 2021. Mayor Muldoon called for the vote. The vote showed 4-1 in favor with Stanford opposed. The motion carried.

P20-173: Amendments to Planning Commission Residency Requirement. Paul Anthony made staff comment.

ITEM A: A motion was made by Hailey Morton Levinson and seconded by Jonathan Schechter to approve P20-173, dated October 2, 2020, to amend the Town of Jackson Land Development Regulations to clarify the eligibility requirements and membership limits for the Planning Commission, being able to find, based upon the findings as presented in the staff report, that pursuant to Section 8.7.1.C of the Land Development Regulations, 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, subject to this staff report dated November 2, 2020, and no conditions of approval, and direct staff to present ordinances for adoption. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

ITEM B: A motion was made by Hailey Morton Levinson and seconded by Jim Stanford to approve the proposed amendments to Chapter 2.40 Town Planning Commission in the Town Municipal Code as shown in this staff report, dated November 2, 2020 and direct staff to present ordinances for adoption. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

P20-166: Subdivision Plat at 808 Upper Redmond. A motion was made by Hailey Morton Levinson and seconded by Jonathan Schechter to continue P20-166 to the December 7, 2020 Council regular meeting. 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 Jim Stanford to read Ordinances in short title. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

**Ordinance I: An Ordinance Amending and Reenacting Jackson Municipal Code
Title 2.40 regarding the Planning Commission.**

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 283, 350, 652, 934, 1051 AND 1190 AND SECTION 4 OF ORDINANCE NOS. 164 AND 256 AND SECTIONS 2.40.010 AND 2.40.040 OF THE TOWN OF JACKSON MUNICIPAL CODE REGARDING THE PLANNING COMMISSION 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 I at first reading. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

**Ordinance J: An Ordinance Amending Section 8.10 of the Jackson
Land Development Regulations for the Planning Commission.**

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 1049, 1050, 1191 AND SECTION 2 OF TOWN OF JACKSON ORDINANCE NO. 1074 (PART) AND SECTIONS 8.10.5 AND 8.10.6 OF THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS REGARDING THE PLANNING COMMISSION AND BOARD OF ADJUSTMENT 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 J at first reading. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Matters from Mayor and Council. Jim Stanford made comment on the COVID-19 Dashboard. Pete Muldoon made comment on Planning Commission member David Vandenberg and that he plans to nominate Wendy Martinez to fill Mr. Vandenberg’s seat when available.

Town Manager’s Report. Johnny Ziem made comment on a net metering letter of support addressed to the Wyoming Legislative Services Office.

A motion was made by Jim Stanford and seconded by Arne Jorgensen to reiterate the Council’s position in support of net metering and authorize the Mayor to sign a new letter. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

A motion was made by Hailey Morton Levinson and seconded by Jim Stanford to accept the Town Manager’s Report into the record. The Town Manager’s Report contained an update the All-Employee Meeting held October 27th and upcoming Diversity, Equity and Inclusion Training. There was discussion on inviting Teton County to sign the net metering letter. 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 8:35 p.m. minutes:spb

TOWN OF JACKSON

ATTEST:

Pete Muldoon, Mayor

Sandra P. Birdyshaw, Town Clerk