

TOWN COUNCIL PROCEEDINGS

DECEMBER 21, 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 Zoom:* Vice-Mayor Hailey Morton Levinson, Arne Jorgensen, and Jonathan Schechter.

STAFF: Larry Pardee, Lea Colasuonno, Roxanne Robinson, Tyler Sinclair, Michelle Weber, Zolo, Floren Poliseo, Johnny Ziem, Paul Anthony, Tyler Valentine, Carl Pelletier, and Sandy Birdyshaw.

Jim Stanford read a proclamation honoring Steve Ashley.

Public Comment. Jessica Chambers voiced appreciation to Pete Muldoon and Jim Stanford for their service. Abbie Stanford voiced appreciation to Jim Stanford for his service.

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

- A. **Meeting Minutes.** To approve the meeting minutes as presented for the December 7, 2020 regular meeting.
- B. **Disbursements.** To approve the disbursements as presented. Ace Hardware \$420.69; Advanced Glass Trim, LLC \$300.00; Arbor Works Tree Service, LLC \$2,250.00; Architectural Building Supply \$380.00; Badger Daylighting Corp \$2,100.01; B-Cycle LLC \$365.03; Best Best & Krieger \$912.50; Bestdrive Idaho Falls \$611.82; Bison Lumber \$42.91; BMV LLC \$90.47; Bowlin, Kelly \$16.42; Briggs, Eric L \$184.90; Carquest Auto Parts Inc. \$353.99; Caselle Inc. \$1,744.00; Certified Laboratories \$4,014.80; City Of Driggs \$2,005.07; Commercial Tire-Id Falls \$5,397.18; Control System Technology, Inc. \$250.00; Core & Main LP \$18,151.52; Crown Trophy \$37.90; Cummins Rocky Mountain LLC \$3,159.61; Dean's Pest Control LLC \$200.00; Delcon Inc \$8,514.88; Division Of Victim Services \$250.00; Drissel, Roger \$155.00; E.R. Office Express \$306.38; Energy Conservation Works \$14,000.00; Energy Laboratories Inc. \$1,224.00; Entry System Inc. \$480.00; Esri, Inc \$5,500.00; Evans Construction Inc \$133,760.05; Evident \$232.00; Freedom Mailing Service Inc. \$1,822.33; Friends Of Pathways \$7,816.00; Geittmann Larson Swift LLP \$1,235.00; Gillig LLC \$921.52; Greenwood Mapping Inc. \$720.00; Haywire Industries Inc. \$2,373.91; HD Fowler Company \$371.50; Henke \$275.98; High Country Linen -\$600.30; Hirst Applegate, LI LLP p \$272.08; Idaho Traffic Safety, Inc. \$100.00; Interstate Battery \$2,949.15; Jack's Tire & Oil \$436.90; Jackson Animal Hospital \$1,931.67; Jackson Curbside Inc. \$675.00; Jackson Hole Community Housing \$6,250.00; Jackson Hole News & Guide \$1,133.21; Jackson Lumber Inc \$68.89; Jackson Paint And Glass, Inc. \$135.67; Jorgensen Associates, Pc \$8,032.63; Kellerstrass Enterprises, Inc \$39,739.90; Kenworth Sales Company Dept #1 \$886.80; Lawngevity \$462.50; Leigh, Christopher S. \$575.00; Lepco \$885.00; Logical Landscaping.Com \$9,824.40; Lower Valley Energy Inc \$38,763.29; Marquina, Francisca \$100.00; Mastercare Cleaning, LLC \$1,552.00; Mobility Forefront LLC \$35,000.00; Morillon-Arellano, Shellie \$1,150.82; Mountain Electrical \$15,862.66; MSC Industrial Supply Co \$505.61; Napa Auto Parts Inc. \$1,433.23; Naturescape Designs \$1,000.00; Nelson Engineering \$25,744.80; One Call Of Wyoming \$87.00; O'Ryan Cleaners \$73.30; Otis Elevator Company \$2,690.82; Partsmaster \$41.38; Pine Needle Embroidery \$18.00; Premier Truck- Salt Lake City \$1,984.95; Proterra \$2,232.00; Quadient, Inc Dept 3689 \$1,000.00; Rooted Landscape Architecture \$2,892.51; Rotary Club Of Jackson Hole \$300.00; Rui Inc. DbA Village Gardner \$743.70; Ruschill, Russell \$109.98; Rush International Truck Center \$1,293.20; Safety Supply & Sign Co., Inc. \$315.36; Senior Center Of Jackson Hole \$25,832.50; Simic, Brett \$6,000.00; Snake River Roasting \$482.15; Snow King Village Association Inc \$1,000.00; St John's Hospital \$260.00; Teton County Clerk \$126,518.33; Teton County Historic \$5,000.00; Teton Motors Inc \$792.73; Teton Mountain Ranch \$600.00; Teton Trash Removal, Inc. \$47.00; The Aftermarket Parts Company, LLC \$5,414.23; Thomson West \$902.79; Title 22 Consultants \$1,035.73; Upper Case Printing Ink \$222.08; USA Blue Book \$783.80; Vinci Law Office LLC \$252.13; Westbank Sanitation \$310.06; Western State \$238,471.88; Westwood Curtis \$8,423.47; White Glove Cleaning, Inc. \$416.45; Wood Environment & Infrastructure \$2,093.00; Wy Child Support Enforcement \$146.76; Wyoming Association Of Rural Water Sys \$450.00; Wyoming Financial Insurance, Inc \$54.00; Wyoming Landscape Maintenance \$812.78; Wyoming Law Enforcement \$30.00; Wy-Test \$1,305.00; Yellow Iron Excavation, LLC \$610.00.
- C. **Municipal Court Report - November 2020.** To place the November 2020 Municipal Court Report into the record.
- D. **Temporary Sign Permit: Good Samaritan Mission (P20-212).** To approve the temporary banner requested by Good Samaritan Mission subject to three 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 may be installed at: 105 Buffalo Way, Albertsons from December 27, 2020 to January 3, 2021.

- E. **Electric Distribution Easement to LVE at 255 W Deloney (P20-202).** To approve the Electric Distribution Easement between Lower Valley Energy and the Town of Jackson, upon approval by the Town Engineer and Town Attorney, and authorize the Mayor to execute all necessary easements.
- F. **Establishment of Committee to Approve Minutes.** To appoint a special committee for the purpose of approving the minutes of all Council meetings from December 21, 2020 through January 3, 2021 due to a change in the makeup of the Town Council and that this committee be comprised of Hailey Morton Levinson, Arne Jorgensen, and Jonathan Schechter.

There was no public comment on the consent calendar. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Zone 3 Water Supply Well 9 Exploration. Brian Lenz made staff comment. A motion was made by Arne Jorgensen and seconded by Hailey Morton Levinson to approve the Rangeview Park vicinity to utilize WWDC grant funding for water supply well feasibility exploration. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Amendment to Wastewater COVID-19 Testing Contract with Wyoming Health Department. Johnny Ziem made staff comment. A motion was made by Arne Jorgensen and seconded by Hailey Morton Levinson to approve the Contract amendment for wastewater COVID-19 testing between the Wyoming Health Department and the Town of Jackson and authorize the Mayor to execute the necessary Contract amendment agreement. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Special Event: Pedigree Dog Sled Race. Carl Pelletier made staff comment. A motion was made by Hailey Morton Levinson and seconded by Jonathan Schechter to approve the temporary signs and banners requested by the Pedigree Stage Stop Dog Sled Race subject to three 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 signs may be installed at the locations listed in this staff report between the dates of January 24, 2021 to February 7, 2021. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Sister City Proposal with Tlaxcala Mexico. Roxanne Robinson made staff comment. A motion was made by Jim Stanford and seconded by Hailey Morton Levinson to direct staff to prepare a formal letter from the Jackson Mayor, on behalf of the full Town Council, on Town letterhead to be delivered to the Municipal President of Tlaxcala. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Renewal of Gaming License for Elks Lodge #1713. Sandy Birdyshaw made staff comment. The Mayor opened a public hearing to hear protests against the issuance of this license. There were none and the public hearing was closed.

A motion was made by Jonathan Schechter and seconded by Jim Stanford to approve the Benevolent & Protective Order of Elk of the USA Jackson Lodge #1713 Renewal Application for a Gaming License for 2021 and direct the Town Clerk to issue the license. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Liquor License Suspension for Delinquent Sales Tax. Sandy Birdyshaw made staff comment.

A motion was made by Pete Muldoon and seconded by Arne Jorgensen to suspend the Tacos Y Tortillas El Metate restaurant liquor license held by Nicolas Sosa until such time the Department of Revenue issues a release notice. This suspension is based on the Department of Revenue's Certification of Sales Tax Delinquency and Wyoming Liquor Division's Certification of a Sales Tax Hold. And further direct the Chief of Police and Town Clerk to perform steps outlined in Jackson Municipal Code 6.60.020 C. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Contract with Salt Lake Express for Additional START Service. Darren Brugmann and Larry Pardee made staff comment. Public comment was given by Steve Meadows, Jessica Chambers, Anna Olson, Jim Terry, Melissa Turley, Benjamin Wilson, and Mary Kate Buckley.

A motion was made by Arne Jorgensen and seconded by Hailey Morton Levinson to approve a contract with Salt Lake Express and authorize the Mayor to execute that contract for an amount not to exceed \$281,000 conditioned on the following: a) that Salt Lake Express only provide bus service to/from Teton Village for the Winter 2020-2021 Season; and b) that none of the \$281,000 be paid by the Town of Jackson; and c) that Teton County, Wyoming pass a motion prior to Mayoral execution obligating Teton County to reimburse the Town of Jackson for the full contract amount. Mayor Muldoon called for the vote. The vote showed 4-1 in favor, with Stanford opposed. The motion carried.

Item P20-193: Partial Vacation without Replat at 415 E Deloney Avenue. Tyler Valentine made staff comment.

A motion was made by Arne Jorgensen and seconded by Jonathan Schechter to approve the Partial Vacation Without Replat to vacate the lot line between Lots 9 and 10 and combine the lots into one lot (Lot 9a) in the L.G. Gill Subdivision, subject to the Land Development Regulations, the departmental reviews and this staff report dated December 21, 2020. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Parking Agreement with Snow King. Tyler Sinclair made staff comment. Jeff Golightly made comment on behalf of Snow King.

A motion was made by Arne Jorgensen and seconded by Jonathan Schechter to approve and authorize the Mayor to execute a Parking Agreement between the Town of Jackson, Snow King Resort, and the Snow King Resort Master Association as presented with three additions to the document: 1) language accounting for the Town's western parking lot, 2) language accounting for the approved changes to that area included in the Snow King Resort District Master Plan, and 3) with a notice period and a stormwater master plan, as determined by staff and Snow King, for non- parking use on the Snow King parcel. 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 K: An Ordinance Amending and Reenacting Jackson Municipal Code Title 10.04 regarding Parking Garage Level 4 Winter Parking Restrictions.

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 1080, 897, 681, 641, 610, 1114, 1079 AND 1052; SECTION 2 OF ORDINANCE NO. 214; AND SECTIONS 10.04.220 AND 10.04.225 OF THE TOWN OF JACKSON MUNICIPAL CODE REGARDING OVERNIGHT PARKING IN THE PUBLIC PARKING STRUCTURE 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 Jim Stanford to approve Ordinance K at third reading and Designate it Ordinance 1269. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Ordinance L: An Ordinance Amending and Reenacting Jackson Land Development Regulations Section 6.3.3 Amount of Affordable Workforce Housing Required (Mitigation Rates).

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 1196 AND SECTION 2 OF TOWN OF JACKSON ORDINANCE NO. 1074 (PART) AND SECTION 6.3.3 OF THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS REGARDING THE AMOUNT OF AFFORDABLE WORKFORCE HOUSING REQUIRED 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 L at third reading and Designate it Ordinance 1270. Mayor Muldoon called for the vote. The vote showed 4-1 in favor, with Stanford opposed. The motion carried.

Ordinance U: An Ordinance Amending and Reenacting Jackson Municipal Code Sections 13.04 and 13.08 Regarding Water and Wastewater Rates, Fees, and Costs.

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 1182, 1071, 1039, 1018, 1040, 1019, 1009, 1008, 999, 992, 1000, 991, 935, 936, 866, 867, 894, 833, 834, 804, 805, 684, 683, 575, 576, 538, 541, 588, 567, 551, 539, 479, 451, 410, 381, 370, 308, 289, 270 AND 254; SECTION 2 OF TOWN OF JACKSON ORDINANCE NOS. 757, 758, 743, 745, 677, 270, 259, 97A, 122; SECTION 3 OF TOWN OF JACKSON ORDINANCE NOS. 664, 259 AND 122; SECTION 4 OF TOWN OF JACKSON ORDINANCE NOS. 677 AND 270; SECTION 6 OF TOWN OF JACKSON ORDINANCE NOS. 677, 558 AND 97; SECTION 7 OF TOWN OF JACKSON ORDINANCE NO. 677; SECTION 30 OF TOWN OF JACKSON ORDINANCE NO. 97; SECTION 32 OF TOWN OF JACKSON ORDINANCE NO. 97; AND SECTIONS 13.04.050, 13.04.060, 13.04.300, 13.08.012, 13.08.013, 13.08.020 AND 13.08.030 OF THE TOWN OF JACKSON MUNICIPAL CODE REGARDING WATER AND WASTEWATER RATES, FEES AND COSTS 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 Jim Stanford to approve Ordinance U at third reading and Designate it Ordinance 1271. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Matters from Mayor and Council.

Appointments to Design Review Committee. Mayor Muldoon reappointed Brad Hoyt, Hans Flinch, Katherine Koriakin, and Michael Stern to two-year terms on the Design Review Committee expiring October 31, 2023 and requested a motion from the Town Council to consent to these appointments.

A motion was made by Hailey Morton Levinson and seconded by Arne Jorgensen to consent to the Mayor’s appointments to the Design Review Committee. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Appointment to Planning Commission. Mayor Muldoon nominated Amanda Lawson to the open, vacated seventh seat on the Planning Commission.

A motion was made by Arne Jorgensen and seconded by Hailey Morton Levinson to consent to the Mayor’s appointment to the Planning Commission. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

WAM Legislation. Jim Stanford made comment on membership in the Wyoming Association of Municipalities and proposed legislature on publishing. A motion was made by Jim Stanford and seconded by Hailey Morton Levinson that before the Town advocates for any legislation that the Council should have a chance to weigh in on the issue. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Other topics. Jim Stanford made comment on the Historical Society and Museum’s board meeting and the steering committee meetings for Northern South Park. Arne Jorgensen made comment honoring Pete Muldoon and Jim Stanford. Pete Muldoon made comment on his time on the council.

Town Manager’s Report. A motion was made by Jim Stanford 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 Victim Services Advocate position and December sales and lodging tax. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Adjourn. A motion was made by Jim Stanford and seconded by Hailey Morton Levinson to adjourn the meeting. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried. The meeting adjourned at 9:40 p.m. minutes:spb

TOWN OF JACKSON

ATTEST:

Pete Muldoon, Mayor