

TOWN COUNCIL PROCEEDINGS

September 20, 2021

JACKSON, WYOMING

The Jackson Town Council met in a regular session at 6:00 P.M. This meeting was held through the Zoom platform. Upon roll call the following were found to be present:

TOWN COUNCIL: *In-person:* None. *Via Zoom:* Mayor Hailey Morton Levinson, Arne Jorgensen, Jonathan Schechter, and Jessica Sell Chambers. Jim Rooks was absent.

STAFF: Larry Pardee, Lea Colasuonno, Tyler Sinclair, Roxanne, Robinson, Brian Lenz, Brian Schilling, April Norton, Johnny Ziem, Paul Anthony, Kelly Sluder, Michelle Weber, Darren Brugmann, Tyler Valentine, and Lynsey Lenamond.

The Mayor announced that Jim Rooks was absent due to a medical issue. A motion was made by Jonathan Schechter and seconded by Jessica Sell Chambers to excuse Jim Rooks' absence from the meeting. Mayor Morton Levinson called for the vote. The vote showed 4-0 in favor with Rooks absent and the motion carried.

Mayor Morton Levinson led those in attendance in the Pledge of Allegiance and introduced new employees Hanna Sjoberg and Jon Gillings.

Public Comment. William Schwartz and Nick Orthmann made public comment.

Consent Calendar. A motion was made by Jessica Sell Chambers and seconded by Arne Jorgensen to approve the consent calendar including items A-C as presented with the following motions. William Schwartz made public comment.

A. Meeting Minutes. To approve the meeting minutes as presented for the September 7, 2021 regular meeting and September 13, 2021 special workshop.

B. Disbursements. To approve disbursements as presented. 842 \$192.00, Ace Hardware \$137.08, Advanced Concrete Solutions \$14000.00, Aflac \$2501.18, Alphagraphics \$116.44, Amazon \$519.95, American Public Works \$1140.00, Apex Sage \$4364.10, David Baker \$17.83, Big R \$361.43, Bison Lumber \$25.16, Blue Spruce Cleaners \$507.24, BMV \$64.22, Eric Briggs \$552.30, James Bristol \$292.00, Carquest \$49.00, Caselle \$1744.00, City of Driggs \$1541.62, CMI-Teco \$88.21, Community Entry Services \$15375.00, Community Safety Network \$14093.75, Control System Technology \$3516.25, Convergeone \$11873.88, Core & Main \$2695.32, Cultivate \$3062.50, Curran-Seeley \$14225.50, Delta Dental \$7414.80, Diamond Vogal \$247.75, Robert Ditzkoff \$6000.00, Division of Victim Services \$300.00, DPC Industries \$2280.45, ER Office \$315.56, Ecor \$482.09, Energy Laboratories \$788.00, Evans Construction \$171982.73, Evolution Concrete \$900.00, Ferguson Enterprises \$16.45, Fire Services of Idaho \$360.00, Todd Fitzgerald \$9722.00, Flat Creek WID \$12000.00, Fleetpride \$564.72, Fortress Home Improvement \$4880.00, Kyle Foster \$100.00, Freedom Mailing \$3664.58, Friends of Pathways \$7816.00, Gillig \$670.28, Green By Black \$250.00, Greenwood Mapping \$1530.00, High Country Linen \$813.88, Eric Hiltbrunner \$40.00, Hirst Applegate \$5991.57, Mary Hurst \$60.0, Idaho State Tax \$3410.00, Idaho Traffic Safety \$1637.00, Interstate Battery \$846.75, Jackson Animal Hospital \$1394.89, Jackson Curbside \$63.35, Jackson Hole Children's Museum \$3920.00, Jackson Hole Community Counsel \$26500.00, Jackson Hole News & Guide \$7291.10, Jackson Hole Security \$500.00, Jackson Lumber \$106.74, Jorgensen Associates \$41582.21, Lepco \$343.00, Lincoln National Life \$111.40, Lower Valley Energy \$41054.90, Michael Matise \$100.00, Metroquip \$488.88, Miller Sanitation \$280.00, Mobility Forefront \$35000.00, Modern Lighting/Electric \$413.60, Mountain Electrical \$6122.21, Mountainland Supply \$5163.51, Napa \$4530.12, Nelson Engineering \$5074.50, Newman Traffic Signs \$1012.83, One Call of Wyoming \$247.25, O'Ryan Cleaners \$126.15, Premier Truck \$875.96, Prothman \$6833.34, Joshua Rae \$13500.00, Rendezvous Engineering \$465.00, Rhinehart Oil \$29199.34, Jan Roberts \$127.72, Ross Concrete \$4860.00, Rui Inc \$794.62, Safety Kleen \$289.23, Schaeffer Mfg \$139.12, Senior Center of Jackson \$47.00, Shell Equipment \$3796.52, Silver Creek Supply \$198.72, Jarrett Smits \$110.00, Snake River Roasting \$127.84, Spring Creek Animal Hospital \$339.10, Standard Insurance \$15269.21, Teton County Clerk \$321125.13, Teton County Sheriff \$936.00, Teton County Special Fire \$64548.62, Teton County Fund 10 \$49056.10, Teton County Fund 13 \$2341.32, Teton County Fund 19 \$252.00, Teton Motors \$113.67, Teton Trash Removal \$96.00, The Children's Learning Center \$29252.75, Thermo King \$609.03, Thomson West \$893.85, USPS \$1000.00, Valley West Engineering \$19057.50, Virginian Lodge \$327.00, VSP \$1657.56, Wamco Lab \$550.00, Westbank Sanitation \$109.25, Western States \$227817.38, Westwood Curtis \$81212.66, White Glove Cleaning \$7915.01, Wrench It Plumbing \$166.99, WY Child Support \$146.76, Wy Workers Compensation \$7366.35, Wyoming Financial \$36.00, Wyoming Law Enforcement \$90.00, Wyoming Retirement System \$116446.84, Wy-Test \$1920.00, Xerox Corp \$37.75, Y2 Consultants \$5209.25, Yellow Iron Excavation \$1825.00

C. Snow King Ballpark Sewer Replacement. To direct the Town Attorney and Town Engineer to draft a contract for Westwood Curtis Construction of Jackson Wyoming in an amount not to exceed \$35,000.00 for the Snow King Ballpark Sewer Replacement Project and authorize the mayor to execute said contract.

Mayor Morton Levinson called for the vote. The vote showed 4-0 in favor with Rooks absent and the motion carried.

P21-009 Sewer Connect 1935 N. Hwy 89. Brian Lenz made staff comment. Council held discussion with staff. A motion was made by Arne Jorgensen and seconded by Jessica Sell Chambers to 1) approve Flat Creek Inn and Elk Refuge Inn's request for sewer collection and treatment services subject to the conditions of approval set forth in this staff report and 2) direct staff to draft a Sewer Service Connection and Use Agreement for Flat Creek Inn and Elk Refuge

Inn and present the Agreement to Council for consideration at a future Council Meeting. Mayor Morton Levinson called for the vote. The vote showed 4-0 in favor with Rooks absent and the motion carried.

90 Day Stay of Demolition Permit 165 N. Glenwood. Tyler Sinclair, Kelly Sluder, and Lea Colasuonno made staff comment. Council held discussion with staff. Nick Orthmann spoke on behalf of the applicant. A motion was made by Jessica Sell Chambers and seconded by Jonathan Schechter to continue this item to the October 4 regular meeting. Mayor Morton Levinson called for the vote. The vote showed 4-0 in favor with Rooks absent and the motion carried.

P21-220 Temporary Sign Permit CLIMB Wyoming. Paul Anthony made staff comment. Council held discussion with staff. A motion was made by Jonathan Schechter and seconded by Arne Jorgensen to approve the temporary banner in conjunction with Climb Wyoming subject to three (3) conditions of approval: 1. The use of site shall be granted by the property owner. 2. The sign shall not be located on the sidewalks or in the public right of way. 3. The sign is approved for the following locations: 100 E. Snow King, Phil Baux Park during: September 21 – October 3. Mayor Morton Levinson called for the vote. The vote showed 4-0 in favor with Rooks absent and the motion carried.

Council recessed at 7:14 p.m. and reconvened at 7:19 p.m.

400 West Snow King Avenue Community Development Block Grant. April Norton and Lea Colasuonno made staff comment. Council held discussion with staff. Mayor Morton Levinson opened a public hearing. There was no public comment. Mayor Morton Levinson closed the public hearing.

Item P21-150 Final Plat 1085 W. Hwy 22. Katelyn Page made staff comment. Gary Silberberg made public comment. Based upon the findings as presented in the staff report and as made by the applicant for Item P21-150, a motion was made by Jonathan Schechter and seconded by Arne Jorgensen to make findings 1-4 as set forth in Section 8.5.4.C (Subdivision Plat) of the Land Development Regulations relating to 1) Conformance with Development Plan or Development Option Plan; 2) Complies with standards of Section 8.5.4. Subdivision Plat; 3) Complies with standards of Division 7.2. Subdivision Standards; 4) Complies with other relevant standards of these LDRs, to approve a Final Plat for the Metro Plateau Third Addition to the Town of Jackson for the property addressed at 1085 W. Highway 22 subject to the departmental reviews attached hereto and the following conditions of approval: 1. Within thirty (30) calendar days from the date of Town Council approval, the applicant shall satisfactorily address all comments made by the Town of Jackson and other reviewing entities in the Departmental Reviews and submit the corrections to the Planning Department. The Planning Director shall review and approve all required changes prior to recording the plat with the County Clerk. 2. Park and School Exactions shall be paid at the time of plat recording. 3. The HOA Lien – Exception 11 (Instrument 0974591) – shall be resolved prior to the recordation of the plat. Mayor Morton Levinson called for the vote. The vote showed 4-0 in favor with Rooks absent and the motion carried.

Solar Mural Project for Budge Pumphouse. Johnny Ziem made staff comment. Council held discussion with staff. Candra Day made comment on behalf of the applicant. A motion was made by Arne Jorgensen and seconded by Jonathan Schechter to approve the Land Art Solar Mural electric solar system concept to be located on the Budge Pump House located at 625 W Broadway Avenue and direct staff to bring the final design concept back to Council for review. Mayor Morton Levinson called for the vote. The vote showed 4-0 in favor with Rooks absent and the motion carried.

Resolution 21-26: A RESOLUTION SUPPORTING THE ALLOCATION OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS TO AND FOR THE FLAT CREEK APARTMENTS

WHEREAS, Flat Creek Apartments, LLC, a to-be-created Wyoming limited liability company (the “Owner”), desires to develop, construct, own and operate a multifamily affordable housing project to be located in the Town of Jackson, Wyoming (the “Town of Jackson”) (the “Project”);

WHEREAS, the Project will provide affordable housing units to low-income families targeting individuals with incomes at 30-60% of the Average Median Income (“AMI”) for the Town of Jackson, Wyoming;

WHEREAS, the Project will provide a public benefit by: (1) meeting a community housing need; (2) increasing the affordable housing stock in the Town of Jackson; and (3) providing additional economic development for the community;

WHEREAS, the Owner intends to finance the Project, in part, with an allocation of Low-Income Housing Tax Credits from the State of Wyoming through the Wyoming Community Development Authority (“WCDA”);

WHEREAS, to further facilitate the development, construction, and operations of the Project, the Owner is requesting that the Town of Jackson apply for certain Community Development Block Grant (“CDBG”) Funds from the WCDA. The Town of Jackson will then contribute the CDBG Funds to the Owner, either directly or through the Jackson/Teton County Housing Authority, to be used in furtherance of the Project;

WHEREAS, specifically the Owner has requested that the Town of Jackson apply for the following CDBG Funds from WCDA, with the corresponding matching funds from the Town of Jackson:

1. General CDBG Funds in the amount of Five Hundred Thousand Dollars (\$500,000.00) with Five Hundred Thousand (\$500,000.00) from the Town of Jackson to match the CDBG funds of Five Hundred Thousand Dollars (\$500,000.00).
2. Community Block Development Block Grant CARES Act (“CDBG-CA”) Funds in the amount of Seven Hundred Fifty Thousand Dollars (\$750,000.00) with Five Hundred Thousand Dollars (\$500,000.00) from the Town of Jackson to match the CDBG-CA funds of Seven Hundred Fifty Thousand Dollars (\$750,000.00).

WHEREAS, the Town of Jackson nor the Jackson/Teton County Housing Authority will be held responsible in the case the Project has certain cost overruns and all cost overruns are the sole responsibility of the Owner.

WHEREAS, the Owner has identified to the Town of Jackson that in the case the Project has certain cost overruns, the Owner could access multiple sources of funds to address the cost overruns, including: (1) construction contingencies; (2) the deferred developer fee as permitted under the Low-Income Housing Tax Credit rules; and (3) additional debt financing sources that are available to the Owner and the Project.

NOW, THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF JACKSON, WYOMING, having duly met on September 20, 2021, at a Regular Town Council Meeting, properly noticed and open to the public, and having fully considered the matter at hand, and having held a public meeting thereon, that:

1. The Project provides a Public Benefit to the Town of Jackson in that it provides needed affordable housing to low-income individuals residing in the Town of Jackson, as well as additional economic development for the Town of Jackson; and
2. The Town Council of the Town of Jackson, does hereby support the Owner’s request to submit applications for CDBG and CDBG-CA funds by the Town of Jackson to WCDA.

PASSED, APPROVED AND ADOPTED this 20th day of September, 2021.

A motion was made by Jonathan Schechter and seconded by Jessica Sell Chambers to approve Resolution 21-26 and authorize the Mayor to execute it and further to direct staff to review and provide approval for the final Community Development Block Grant applications prior to final submission to the Wyoming Community Development Authority. Mayor Morton Levinson called for the vote. The vote showed 4-0 in favor with Rooks absent and the motion carried.

Ordinances. A motion was made by Arne Jorgensen and seconded by Jessica Sell Chambers to read ordinances in short title. Mayor Morton Levinson called for the vote. The vote showed 4-0 in favor with Rooks absent and the motion carried.

Ordinance O: AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 1214 AND 1221 AND SECTIONS 2.2.6 AND 6.1.1 OF THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS REGARDING ALLOWED USES IN THE NEIGHBORHOOD LOW DENSITY-5 (NL-5) ZONING DISTRICT.

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

There was no public comment.

A motion was made by Arne Jorgensen and seconded by Jonathan Schechter to approve Ordinance O on first reading. Mayor Morton Levinson called for the vote. The vote showed 4-0 in favor with Rooks absent and the motion carried.

Matters from Mayor and Council. The Mayor announced that Town meetings will be held virtually through October. A motion was made by Jonathan Schechter and seconded by Jessica Sell Chambers to authorize travel costs for any councilmember desiring to attend the CAST meeting in Park City, UT. Mayor Morton Levinson called for the vote. The vote showed 4-0 in favor with Rooks absent and the motion carried. Council discussed the Teton Conservation District and the

Center for the Arts. Council discussed councilmember absences at meetings. A motion was made by Jessica Sell Chambers and seconded by Mayor Morton Levinson to direct staff to establish a required framework, to address such situations in the future and present the framework, as deemed appropriate by staff and the Town Attorney, to the Town Council on October 18th. Mayor Morton Levinson called for the vote. The vote showed 4-0 in favor with Rooks absent and the motion carried. Council discussed EBike safety. Brian Schilling, Lea Colasuonno, and Michelle Weber made staff comment. A motion was made by Jessica Sell Chambers and seconded by Mayor Morton Levinson to direct staff to present the following at a meeting by January 31, 2022: Recommendations for implementing speed limits on pathways within the Town of Jackson city limits; and Recommendations for putting up new signage regarding speed and safety on pathways within the Town of Jackson city limits; and Recommendations for additional measures to address public safety and e-bikes and bikes on pathways. Mayor Morton Levinson called for the vote. The vote showed 4-0 in favor with Rooks absent and the motion carried.

Town Manager's Report. Larry Pardee and Lynsey Lenamond made staff comment. A motion was made by Jonathan Schechter and seconded by Jessica Sell Chambers to accept the Town Manager's Report into the public record. The Town Manager's report included information on an update on Available Liquor Licenses and Winter Season START Transit Operator and Season Bonuses. Mayor Morton Levinson called for the vote. The vote showed 4-0 in favor with Rooks absent and the motion carried.

Adjourn. A motion was made by Jonathan Schechter and seconded by Jessica Sell Chambers to adjourn. Mayor Morton Levinson called for the vote. The vote showed 4-0 in favor with Rooks absent and the motion carried. The meeting adjourned at 8:26 p.m.

TOWN OF JACKSON

ATTEST:

Mayor Hailey Morton Levinson

Lynsey Lenamond, Town Clerk

minutes:ll

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