

TOWN COUNCIL PROCEEDINGS

JULY 16, 2018

JACKSON, WYOMING

The Jackson Town Council met in regular session in the Council Chambers of the Town Hall at 150 East Pearl at 6:01 P.M. Upon roll call the following were found to be present:

MAYOR: Pete Muldoon.

COUNCIL: Jim Stanford, Hailey Morton Levinson, Don Frank and Bob Lenz.

STAFF: Larry Pardee, Audrey Cohen-Davis, Lea Colasuonno, Tyler Sinclair, Tyler Valentine, Todd Smith, Roger Shultz, Johnny Ziem, and Sandy Birdyshaw

Public Comment: Geneva Chong made comment on the Snow King Master Plan and Wes Gardner made comment on housing mitigation regulations.

Consent Calendar. A motion was made by Hailey Morton Levinson and seconded by Don Frank to approve the consent calendar including items A-E as presented with the following motions.

A. **Meeting Minutes.** To approve the meeting minutes for the July 2, 2018 regular meeting and the July 9, 2018 special workshop as presented.

B. **Disbursements.** To approve the disbursements as presented. Carquest \$39.56, Cash \$126.88, Safety Supply \$35.17, Ace Hardware \$761.85, Teton County Sheriff \$1080.00, Thyssen Krupp \$288.39, Diamond Vogel Paints \$336.11, Evans Construction \$578.50, High Country Linen \$1382.66, Caselle \$1198.67, Interstate Battery \$260.85, Jim & Greg Locksmiths \$584.50, Jackson Hole News & Guide \$10830.40, Jorgensen Associates \$953.30, LVPL \$16924.20, Teton County Fund 19 \$12229.43, Nelson Engineering \$21255.30, Red's Auto Glass \$1330.00, O'Ryan Cleaners \$187.67, Shervin's Independent Oil \$39.32, Smith Power Products \$5641.28, Napa \$1326.61, Prazma \$2527.07, Teton Motors \$1628.89, Post Register \$708.50, Wort Hotel \$6154.60, White Glove Cleaning \$65.00, Electrical Wholesale \$18.45, Hunt Construction \$30567.00, Centurylink \$2141.81, Rendezvous Engineering \$738.85, Westbank Sanitation \$712.83, Cummins Rocky Mountain \$3861.50, Freedom Mailing \$1822.04, USA Blue Book \$133.98, Teton Country Special Fire Fund \$55450.97, JJ Keller \$782.17, Wyoming Department of Health \$240.00, Energy Laboratories \$718.00, Teton County Transfer Station \$70.000, Roxanne Robinson \$100.00, Teton County Clerk \$279574.25, One Call of Wyoming \$306.00, Spring Creek Animal Hospital \$734.18, Blue Spruce Cleaners \$33.95, Teton County Fund 10 \$31525.90, Western States \$1951.24, AT&T \$779.15, Rafter J \$146.43, Verizon Wireless \$789.24, Division of Victim Services \$100.00, Teton County Public Health \$251.00, Teton Water Works \$200.00, Alldata \$1500.00, WARM \$182314.12, Westwood Curtis \$294298.41, Yellow Iron \$800.00, LDA Inc \$59.65, Creative Energies \$661.27, Teton County Fund 13 \$13323.24, Teton Trash Removal \$601.00, Meridian Engineering \$1447.69, Idaho Traffic Safety \$61920.00, ER Office Express \$152.17, Architectural Building \$574.00, UPS \$63.68, Advanced Glass Trim \$300.00, Bob Lenz \$29.25, Johnson Roberts & Assoc \$17.00, Advanced Sign & Design \$552.00, Charter \$164.93, Gillig \$1619.29, Sherwin Williams \$2102.76, Long Building Technology \$14157.00, Coban Technologies \$474.00, Stanard & Associates \$172.50, Silver Creek Supply \$195.94, Entersect \$3.00, Naturescape Designs \$1395.00, C&A Professional Cleaning \$1442.08, MSC Industrial Supply \$376.15, Snake River Roasting \$247.10, Industrial Technology \$2100.00, Silverstar \$2312.20, Mountain States Lighting \$11601.00, Control Systems Technology \$3327.50, Dean's Pest Control \$565.00, Chapa Stripes of Idaho \$17700.00, HD Fowler \$2657.83, Carl Pelletier \$75.09, H&R Enterprises \$343.65, Open Creative \$4263.16, G2 Gloves \$539.00, Cornforth Consultants \$3917.04, Jackson Animal Hospital \$48.49, Francisca Marquina \$50.00, Enow Inc \$920.00, Kellerstrass \$26786.63, Meridian Trust \$4000.00, Snake River MEP \$893.25, John Tighe \$47.20, Rink-Tec \$12906.40, Amazon \$1951.43, Greenway Painting \$300.00, American Filtration \$2518.13, Rich Broadcasting \$1008.00, Teton Tools \$255.00, Pethealth Services \$158.75, Jimmy Corona \$503.52, City of Driggs \$1614.86, Bailey O'Neal \$378.74, Civicplus \$24380.00, Step Back Leadership \$24200.00, Outlaw Brothers Construction \$786.86, The Driver Provider \$2179.30, Summit Safety \$523.03, Springhill Suites \$200.00, Woodway USA \$309.20, Piper Belk \$16.14, Forest Spence \$1181.86, Robert Johnson \$1500.00, New West Building Company \$9000.00, American Tower Corporation \$8880.00.

C. **June 2018 Municipal Court Report:** To accept the June 2018 Municipal Court Report as presented.

D. **Temporary Sign Permit: Gun Barrel Steak & Game House (P18-209).** To approve the temporary banner in conjunction with the Gun Barrel Steak & Game House, subject to three (3) conditions of approval.

E. **Temporary Removal of Bike Lane Delineators for Teton County Fair.** To approve the request made by the Teton County Fair Board for the temporary removal of the bike lane delineators on

Snow King Avenue between Flat Creek Drive and South Milward from Sunday, July 22 until Sunday, July 29 for the Teton County Fair.

Mayor Muldoon called for the vote on the motion to approve the consent calendar. The vote showed all in favor and the motion carried.

Jackson Drug, LLC Restaurant Liquor License Application. Sandy Birdyshaw made staff comment. Mayor Muldoon opened a public hearing to hear protests against the issuance of this liquor license. No protests were heard. Mayor Muldoon closed the public hearing.

A motion was made by Hailey Morton Levinson and seconded by Don Frank to the issuance of a restaurant liquor license to Jackson Drug LLC d/b/a Jackson Drug 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 operation, 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. Applicant shall provide TIPS training for staff serving alcohol and malt beverages.
3. Prior to license issuance, the applicant shall pass a final dispensing-room inspection conducted by the Town Clerk or Wyoming Liquor Division.
4. Prior to license issuance, the applicant shall provide a copy of the food service permit.
5. 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.

Item P18-128: Elk Country Inn Development Plan at 480 W. Pearl Avenue. Tyler Valentine made staff comment. Wendy Meadows presented for questions on behalf of Elk County Inn.

Based upon the findings as presented in the staff report and as made by the applicant for Item P18-128, a motion was made by Hailey Morton Levinson and seconded by Don Frank to make findings 1-6 as set forth in Section 8.3.2. (Development Plan) of the Land Development Regulations related to 1) Consistency with the Comprehensive Plan; 2) Achieves purpose of NRO & SRO overlays; 3) Impact of public facilities & services; 4) Compliance with Town Design Guidelines; 5) Compliance with LDRs & Town Ordinances; 6) Conformance with past permits & approvals and to approve a Development Plan for a new three-story hotel building with employee housing for the property located at 480 W Pearl Avenue, subject to the department reviews attached hereto and the following conditions of approval:

1. Prior to issuance of a Building Permit the applicant shall provide a landscape bond in the amount of 125% of the cost of the required plant units.
2. Prior to issuance of a Certificate of Occupancy for the hotel the applicant shall work with the Jackson Teton County Housing Department to record the required deed restrictions against the property.
3. The Development Plan shall expire within 18 months of Town Council approval unless a Building Permit for the project is submitted by January 16, 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 Jim Stanford to read ordinances by short title. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Public comment was given by Judd Grossman, Joanne Hoff, Sara Sturges, Jean Anderson, and Benjamin Wilson.

ORDINANCE I

AN ORDINANCE AMENDING AND REENACTING SECTION II OF TOWN OF JACKSON ORDINANCE NO. 1074 AS AMENDED (PART), THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS, AND OFFICIAL ZONING DISTRICT MAP OF THE TOWN OF JACKSON TO RE-NUMBER SECTIONS 2.2.2, 2.2.3, 2.2.4 and 2.2.5, TO ADD SECTIONS 2.2.2 THROUGH 2.2.9 AND 2.2.13, TO DELETE SECTIONS 2.3.4, 2.3.5, 2.3.6, 2.3.9, 2.3.11, 2.3.12, 2.3.14, 2.3.15, AND 2.3.16, TO AMEND SECTIONS 2.1.1, 2.1.2, 2.2.1.D.5, 4.4.1.G, 5.2.1.D, 5.3.1.B.2, 5.3.1.B.5, 5.3.2.D.3, 5.4.1.B,

5.5.3.C.1, 5.5.3.D, 5.5.4.C, 5.6.1.E.7.a, 5.8.1.A, 6.1.1.F, 6.4.3.A, 7.1.1, 7.2.1, 7.8.4.B.1, 8.2.2.B.1.b, 9.4.6.D, 9.4.8.J AND 9.5.P, TO REMOVE THE URBAN RESIDENTIAL (UR), AUTO-URBAN COMMERCIAL-TOWN (ACTOJ), AUTO-URBAN RESIDENTIAL-TOWN (AR-TOJ), BUSINESS PARK RESTRICTED USES (BP-R), BUSINESS CONSERVATION-TOWN (BC-TOJ), RESIDENTIAL BUSINESS (RB), NEIGHBORHOOD CONSERVATION-TOWN (NC-TOJ), NEIGHBORHOOD CONSERVATION-2-FAMILY (NC-2), AND SUBURBAN-TOWN (S-TOJ) LEGACY ZONES, AND TO ADD THE NL-1: NEIGHBORHOOD LOW DENSITY 1, NL-2: NEIGHBORHOOD LOW DENSITY 2, NL-3: NEIGHBORHOOD LOW DENSITY 3, NL-4: NEIGHBORHOOD LOW DENSITY 4, NL-5: NEIGHBORHOOD LOW DENSITY 5, NM-1: NEIGHBORHOOD MEDIUM DENSITY 1, NM-2: NEIGHBORHOOD MEDIUM DENSITY 2, NH-1: NEIGHBORHOOD HIGH DENSITY 1, AND CR-3: COMMERCIAL RESIDENTIAL 3 CHARACTER ZONES, TO IMPLEMENT CHARACTER DISTRICTS 3 THROUGH 6 OF THE JACKSON/TETON COUNTY COMPREHENSIVE PLAN, 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 Hailey Morton Levinson and seconded by Jim Stanford to approve Ordinance I on third reading and designate it Ordinance 1197. The Council held discussion with Tyler Sinclair on several zoning changes. Mayor Muldoon called for the vote. The vote showed all in favor. The motion carried.

ORDINANCE J

AN ORDINANCE AMENDING AND REENACTING SECTION II OF TOWN OF JACKSON ORDINANCE NO. 1074 AS AMENDED (PART) TO DELETE SECTIONS 4.4.2, 6.1.4.H, AND 7.1.3 AND DIVISION 7.3; TO AMEND SECTIONS 2.2.10.D, 2.2.11.D, 2.2.12.C.1, 2.2.12.D, 2.2.14.C.1, 2.2.14.D, 2.3.1.D, 2.3.2.D, 2.3.10.B.1, 2.3.10.C.1, 2.3.10.C.3, 2.3.10.D, 2.3.13.D, 3.3.1.D, 4.2.1.D, 4.2.2.D, 4.4.1.G, 4.4.1.H, 6.1.1.F, 6.2.2.A, 7.1.1, 9.3.2, 9.4.6, 9.5.L, 9.5.O AND 9.5.U OF THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS TO REMOVE THE LIVE/WORK USE AND THE PLANNED UNIT DEVELOPMENT - TOWN (PUD-TOJ) AND URBAN CLUSTER DEVELOPMENT (UCD) DEVELOPMENT OPTIONS, 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 Hailey Morton Levinson and seconded by Bob Lenz to approve Ordinance J on third reading and designate it Ordinance 1198. Mayor Muldoon called for the vote. The vote showed all in favor. The motion carried.

ORDINANCE K

AN ORDINANCE AMENDING AND REENACTING SECTION II OF TOWN OF JACKSON ORDINANCE NO. 1074 AS AMENDED (PART) AND SECTIONS 1.9.2.B.1, 1.9.2.B.3.a, 1.9.3.B.1, 1.9.3.C, AND 1.9.3.D.1 OF THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS REGARDING A NONCONFORMING DETACHED SINGLE-FAMILY HOME, 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 Hailey Morton Levinson and seconded by Bob Lenz to approve Ordinance K on third reading and designate it Ordinance 1199. Mayor Muldoon called for the vote. The vote showed all in favor. The motion carried.

ORDINANCE M

AN ORDINANCE ESTABLISHING CHAPTER 9.26 TO THE TOWN OF JACKSON MUNICIPAL CODE REGARDING NON-DISCRIMINATION; 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: Jim Genzer, Claudia Morrow, Aleesa Stevens, Matt Stech, Dr. Lisa Ridgeway, David Bott, Amery Wells, Jean Jorgensen, Brian Nighstrom, Andrew Munz, Jan Campbell, Ashley Rice, Angel Dillon, Clark Price, Scott Austin, Alex Mensaway, Samuel Singer, Mike Yin,

Inger Hanson, Jody Donovan, Shelby Read, McKenzie Read, Don Landis, Becky Hawkins, and Dan Brophy.

A motion was made by Jim Stanford and seconded by Hailey Morton Levinson to approve Ordinance M on third reading and designate it Ordinance 1200. Mayor Muldoon called for the vote. The vote showed all in favor. The motion carried.

Matters from Mayor and Council.

Appointments to Volunteer Boards. Mayor Muldoon appointed Thomas Smits and Will Gale to three-year terms on the Planning Commission/Board of Adjustment ending July 2021 and requested a motion from the Town Council to consent to this appointment. A motion was made by Bob Lenz and seconded by Don Frank to affirm the Mayor's appointments of Thomas Smits and William Gale to three-year terms on the Planning Commission/Board of Adjustment ending July 2021. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

A motion was made by Bob Lenz and seconded by Don Frank to appoint Casey Rammell and James Ross to two-year terms on the Board of Examiners ending July 2020. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Mayor Muldoon appointed Matt Kissel, Inanna Reistad, and Joe Lovett to three-year terms on the Public Art Taskforce ending July 2021 and requested a motion from the Town Council to consent to this appointment. A motion was made by Jim Stanford and seconded by Hailey Morton Levinson to affirm the Mayor's appointments of Matt Kissel, Inanna Reistad, and Joe Lovett to three-year terms on the Public Art Taskforce ending July 2021. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Travel. A motion was made by Bob Lenz and seconded by Hailey Morton Levinson to approve travel for two Council members to Washington DC to accompany Larry Pardee in Build Grant Meetings on July 24-26. Mayor Muldoon called for the vote. The vote showed all in favor and the motion carried.

Bob Lenz stated to Council that at the August 6th Town Council meeting that he plans to make a motion to amend an action taken at the November 6, 2017 Town Council meeting regarding an encroachment.

Town Manager's Report. A motion was made by Jim Stanford and seconded by Hailey Morton Levinson to accept the Town Manager's Report. The Town Manager's Report contained an update on the final steps of Engage 2017, an upcoming CAST meeting in Mt. Crested Butte, visitation numbers provided by the Chamber of Commerce, and Town fees for water meters. 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 8:42 p.m.

TOWN OF JACKSON

ATTEST:

Pete Muldoon, Mayor

Sandra P. Birdyshaw, Town Clerk