AFTON TOWN COUNCIL MEETING
MAY 12, 2020
5:00 P.M.

Mayor Jason C. Inskeep called the regular meeting of the Afton Town Council to order at 5:00 p.m. and welcomed those in attendance. The meeting was held via Zoom due to the COVID-19 pandemic.

Those present via Zoom included Council Member Barbara Sessions, Council Member Will Wilkes, Council Member Abby Johnson, Council Member Tom Davis, Town Attorney Dale Cottam, Afton Planning & Zoning Board Member Gay Petersen, Cache Kennington, Jeff Jensen, Joyce Kennington, and Marlowe Scherbel. Others present attending at the Afton Town Hall included Mayor Jason C. Inskeep, Town Administrator Violet Sanderson, Town Clerk Lisa Hokanson, and Mary Call.

Mayor Inskeep presented the agenda for the Afton Town Council meeting. At the call of the Mayor, Council Member Johnson made a motion to approve the agenda for the May 12, 2020, Afton Town Council meeting. Council Member Wilkes seconded the motion. Motion carried unanimously.

Mayor Inskeep presented the consent agenda, which included:
Approval of the minutes from the regular Afton Town Council meeting held April 14, 2020.
Approval of the business licenses and building permits issued for April, 2020.
Approval of the bills against the Town of Afton for the period ending April 30, 2020.

The bills against the Town of Afton for the period ending April 30, 2020, are as follows:

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| Idexx Distribution, Inc.- Supplies | $ 175.80 |
| Call Ready Mix- Supplies | 21.96 |
| Blue Cross Blue Shield of Wyoming- Insurance | 20,348.69 |
| Valley Auto- Parts & Supplies | 276.83 |
| CNA Surety- Bond | 350.00 |
| Local Government Liability Pool- Deductible Payment | 1,000.00 |
| L.N. Curtis & Sons- Services | 900.00 |
| Energy Laboratories, Inc.- Services | 384.00 |
| Hastings Hardware- Parts & Supplies | 560.75 |
| Kellerstrass Inc.- Fuel Exp. | 1,246.84 |
| Lincoln County Sheriffs Office- Communications | 1.848.00 |
| Lower Valley Energy- Electricity & Gas Exp. | 7,670.84 |
| Old Dominion Brush Company- Parts | 1,426.13 |
| Afton Point S- Tires | 393.85 |
| Petty Cash- Town of Afton- Misc. Exp. | 12.02 |
| Quality Service- Parts | 784.68 |
| Silver Star Telephone- Telephone & Cell Phone Exp. | 1,310.08 |
| Caselle, Inc.- Software Support | 978.00 |
| Sweeny, Harold- Services | 280.00 |
| Printstar- Supplies | 113.49 |
| Wyoming Workers Compensation- Workers Comp. | 1,781.99 |
| Wyoming Retirement Systems- Retirement | 9,025.41 |
| NCPERS Group Life Insurance- Insurance | 96.00 |
| Volunteer Fireman's Retirement Fund- Pension Fund | 510.00 |

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| Bank of Star Valley- FICA & Fed/W | 13,834.26 |
| Valley Sanitation Inc.- Trash Removal | 519.75 |
| Wells Fargo Remittance Center- Parts & Supplies | 953.57 |
| Office Depot- Supplies | 216.11 |
| Gardner's Country Store- Fuel Exp. & Supplies | 212.95 |
| High Country Linen- Service & Supplies | 216.28 |
| Wyoming Child Support Enforcement- Payroll Deduction | 1,500.00 |
| Freedom Mailing Services- Services | 502.99 |
| Pitney Bowes- Postage Exp. | 173.04 |
| Quality Quick Lube LLC- Parts & Services | 145.96 |
| Sunrise Environmental- Supplies | 358.19 |
| Johnson Controls Fire Prevention- Services | 662.95 |
| J-Bar Excavation, LLC- Supplies | 518.06 |
| Warren, Heather- Services | 17.50 |
| Pitney Bowes Inc.- Supplies | 169.98 |
| Great- West Trust Company- Payroll Deduction | 300.00 |
| J-Bar Trucking LLC- Services | 647.98 |
| Broulims- Supplies | 37.75 |
| VSP of Wyoming- Insurance | 212.52 |
| Wyoming Educators Benefit Trust- Insurance | 54.00 |
| NAPA All Star Auto Parts- Parts & Supplies | 807.45 |
| Fore Up- Software Support | 600.00 |
| Desktop Design- Supplies | 1,193.30 |
| Tolman, Pam- Services | 900.00 |
| Western Wyoming Drug Collection- Services | 100.00 |
| Wex Bank- Fuel Exp. | 3,187.89 |
| Ferguson Waterworks- Parts | 3,350.00 |
| Miles Beverage, Inc.- Supplies | 498.50 |
| Yamaha Motor Finance Company- Lease Payment | 1,631.84 |
| Mobile Golf Services- Parts & Services | 5,549.15 |
| Harmony A/V LLC- Services | 112.50 |
| Yost Pacific Office Automation- Lease Payment | 29.67 |
| The Flower Shoppe- Services | 89.25 |
| Rich, Cheryl B.- Services | 800.00 |
| U.S. Bank Equipment Financing- Lease Payment | 201.94 |
| Tippetts, Lexi- Supplies- Tourism Funds | 50.00 |
| Faustini, Anthony- Restitution Funds | 80.00 |
| Wyoming Association of Sheriffs & Chiefs- Annual Dues | 150.00 |
| Hire Right, LLC- Services | 241.00 |
| Payroll | 59,516.36 |

At the call of the Mayor, Council Member Sessions made a motion to approve the consent agenda as presented, seconded by Council Member Johnson. Motion carried unanimously.

Mrs. Violet Sanderson, Town Administrator, advised that the Town would be holding interviews for the recently vacated maintenance/ mechanic position.

Mrs. Sanderson stated that the Afton Police Department would be working overtime hours for a traffic grant that they recently received. She stated that they have also applied for grant funds to purchase equipment. She presented the calls of service that the department has responded to for April, 2020.

Mrs. Sanderson advised that the Utility Department is working on DEQ and EPA matters. They are also repairing water meters throughout the Town.

Mrs. Sanderson stated that the Afton Golf Course is open and the employees have been hired for the season. Discussion was held regarding the number of riders allowed per cart due to COVID. This item will continue to be reviewed and monitored.

Mrs. Sanderson presented the Afton financial statements for the period ending April 30, 2020.

Mrs. Sanderson presented a zone change application submitted by Mr. Cache Kennington. The property is described as Lots 14, 19, 20 and E of the Glen Kennington Addition, Lots F-1 and F-2 of the Glen Kennington Second Addition Amended and Lots D-1 and D-2 of the Glen Kennington Third Addition to the Town of Afton, in Lincoln County, Wyoming. She advised that they are requesting a zone change from (R-2) Mixed Single Family Residential to (R-3) Mixed Residential. The Kennington's are proposing to build two four-plex housing units. They are requesting that a four-plex unit be allowed to be built on Lot E of Block 34 as well as a four-plex unit on Lot 19 of Block 36. They stated that the proposed zone change would meet the increased housing demand in the area. Mrs. Sanderson advised that the Afton Utility Board approved the zone change and they had no concerns with utilities regarding this matter. However, the Afton Planning & Zoning Board recommended denial of the application.

Mr. Cache Kennington, applicant, advised that when the property was originally purchased, four plex units were allowed. He stated that at one time, there was a building permit issued for the four plexes which was later revoked due to the neighbors expressing concerns. He stated that the Afton Planning & Zoning Board denied the application due to spot zoning. Mr. Kennington stated that the definition of spot zoning is singling out a small parcel of property of land that is different from the surrounding area. He advised that this does not apply to his property due to the fact that it adjoins the property located on Doyle Child Circle that is zoned as (R-3) Mixed Residential.

Mrs. Sanderson stated that she has received written comment from Mr. Francis Brown and Mr. Randy Sanderson, neighbors of the property, opposing the zone change based on concerns regarding snow removal, parking, and traffic. Mayor Inskeep advised that he has received comments from Dr. Donald Kirk and Mr. Scott Merritt, whom also live in the vicinity, opposing it as well due to concerns regarding traffic.

Ms. Gay Petersen, Afton Planning & Zoning Board member, advised that the Board discussed the zoning in the area and questioned why four-plexes were previously allowed in an (R-2) zone. She stated that they also expressed concerns regarding traffic density and visibility as well as snow removal issues.

Mrs. Sanderson presented the Town Code that was in effect in 1978 which was when the property was originally purchased. She advised that the property was zoned as (R-2), Mixed Single Family Residential. It was determined that four-plexes were previously allowed in an (R-2) zone. She stated that the property has remained (R-2) throughout the years but the permitted uses of an (R-2) zone has been changed, which now does not allow four-plex units.

Mr. Dale Cottam, Town Attorney, advised that if a building permit was issued then that is a place holder. However, if the permit was revoked or never acted upon, it would go back to the

rights that the property owner had before. He also stated that if the Council chooses to have the Planning & Zoning Board review this matter further due to new information, they can ask them to do that or the Council can move forward and make a motion to approve or deny the application.

Council Member Sessions asked if Mr. Kennington would consider changing just the zoning on Lot E to an (R-3) zone due to the fact that a four-plex unit already exists on the property. Mr. Kennington advised that he would consider that option. Council Member Johnson stated that there is a need for multi-family housing and there are apartments that already exist in the area.

After some discussion, Council Member Sessions made a motion to accept the recommendation of the Afton Planning and Zoning Board and deny the application due to the fact that there are no other existing buildings in the area east of Jefferson Street that are out of conformance except the existing four-plex unit. Council Member Davis seconded the motion. Council Member Wilkes and Council Member Johnson voted nay. Mayor Inskeep voted in favor of the motion. Motion carried.

Mayor Inskeep presented the following retail liquor licenses for renewal: C & G LLC dba A.J.'s Discount Liquor, Shelly's Cowboy Bar, LLC dba Cowboy Bar, Colter's Lodge, Inc. dba Colters Lodge, Maverik Inc. dba Maverik #355, and Broulim Supermarkets, LLC dba Broulim's #12. Mayor Inskeep presented the following restaurant liquor licenses for renewal: Agave Mexican Restaurant, LLC dba Agave Mexican Restaurant, and Habif Enterprises, LLC dba Los Cabos Baja. Mayor Inskeep presented the following bar & grill liquor license for renewal: Stellas 467 LLC, dba Stellas 467 Doughbox & Roadhouse. Mrs. Lisa Hokanson, Town Clerk, advised that the Wyoming Liquor Division has approved the applications as submitted. At the call of the Mayor, Council Member Wilkes made a motion to approve and renew the applications as presented, seconded by Council Member Johnson. Motion carried unanimously.

Mrs. Sanderson presented a quitclaim deed request submitted by Surveyor Scherbel on behalf of the property owners that have the proposed Quincy Street showing on their deeds. The property is described as east of Lot 3 and Lot 4 Block 1; and east of Block 12 and Block 13 within the Town of Afton. Mr. Marlowe Scherbel stated that his clients have title to the land as described. However, this part of Quincy Street has never been improved or used as a street or road, nor has it been maintained by the Town. It has always been titled and historically maintained by the private landowners. Since the Patents were granted in the early 1910s, this land has continued to be described on each deed, successively granted, until the title was passed to the current landowners. He advised that no dedication of Quincy Street occurred with the original plat. The Town has never had or been given any title to the land upon which Quincy Street is platted. He advised that his clients have requested that the Town issue a quitclaim deed to each property owner currently having title to the land upon which Quincy Street is platted. This would in effect grant the landowners any right and title of which the Town may have acquired through prior documentation of Quincy Street and clear the title of each entity. Mrs. Sanderson presented a letter received from Ms. Valerie Brock, Afton resident, in favor of the Town giving a quitclaim deed to the property owners. Mayor Inskeep presented Resolution 2020-05, a resolution authorizing the Mayor to confirm ownership of Quincy Street and execute the quitclaim deeds. At the call of the Mayor, Council Member Johnson made a motion to approve Resolution 2020-05 and accept the relinquishment to title as well as authorize the Mayor to sign the required documents. Council Member Wilkes seconded the motion. Motion carried unanimously.

Mrs. Sanderson presented a simple subdivision application submitted by Surveyor Scherbel on behalf of Ms. Teresa Jan Kofford. The property is located within the NW1/4SW1/4 of Section 6, T31N, R118W, in Lincoln County, Wyoming. The property would be divided into two residential lots, with both lots being zoned as (R-1) Detached Single Family Residential. Access to the proposed lots would come from Valley- Vu Drive, which is a private roadway. She advised that the Afton Planning & Zoning Board approved the application. It was determined that the Council would make a motion to accept or deny the simple subdivision application later in the meeting, once the annexation ordinance had been voted upon.

Mrs. Sanderson presented a discussion for a partial vacation of Lincoln Street requested by Surveyor Scherbel on behalf of Mr. & Mrs. Kevin Kilroy. Mr. Scherbel advised that Mr. & Mrs. Kilroy own property adjoining a portion of Lincoln Street. The property is described as within the Afton Townsite in the SE1/4 NE1/4 NE1/4 SE1/4 of Section 25, T32N R119W, in Lincoln County, Wyoming. The property is on Lincoln Street between the second and third block. He stated that Lincoln Street is shown on the plat of the original Townsite with a width of ninety-nine feet. However, Lincoln Street has been constructed, used, and maintained by the Town of Afton at a width less than ninety-nine feet. He stated that there is an existing structure, fence lines, etc., that are located within Lincoln Street or within the setbacks allowed by the Town. He advised that the Town did quitclaim property to a previous landowner located on Lincoln Street in the past due to this matter. Mr. Cottam advised that the property owners may have issues in the future with obtaining property insurance due to this matter. Discussion was also held regarding the possibility of the Town requesting a fee from the property owners for the property that would be vacated. After some discussion, it was determined that Mr. Cottam would research this matter further and the Town would have a public hearing at the Council meeting to be held June 9, 2020.

Mayor Inskeep presented Ordinance 660 for third and final reading, an ordinance to annex Allred Annexation into the Town of Afton. The property is located within the NE1/4SW1/4 of Section 6, T31N R118W, in Lincoln County, Wyoming. The property would be zoned as (R-1) Detached Single- Family Residential. At the call of the Mayor, Council Member Johnson made a motion to pass Ordinance 660 on third and final reading as presented, seconded by Council Member Davis. Motion carried unanimously.

Mayor Inskeep called for a motion to accept or deny the simple subdivision application submitted by Ms. Teresa Jan Kofford that Mrs. Sanderson discussed earlier in the meeting. This item coincides with Allred Annexation. Council Member Johnson made a motion to accept the recommendation of the Afton Planning & Zoning Board and approve the simple subdivision as presented and authorize the Mayor to sign the final plat. Council Member Wilkes seconded the motion. Motion carried unanimously.

Mayor Inskeep presented Ordinance 661 for second reading, an ordinance re-zoning Honeybee Ranch located in the Town of Afton within the S1/2 W1/4 Section 6 T31N R118W from its present zoning of (R-1) Single Family Residential to (R-2) Mixed Single Family Residential. Mr. Marlowe Scherbel, property owner, stated that from his research, he feels that there is a bigger demand for smaller lot sizes. Therefore, that is why he is requesting to change the zone. The Council requested that Mr. Scherbel present a master plan of the property for the Council's review prior to the third and final reading of the ordinance. At the call of the Mayor, Council Member Davis made a motion to pass Ordinance 661 on second reading as presented, seconded by Council Member Sessions. Motion carried unanimously.

Mayor Inskeep presented Ordinance 662 for second reading, an ordinance for the Town of Afton, County of Lincoln, State of Wyoming, for the annual appropriation for fiscal year July 1, 2020, through June 30, 2021, pursuant to Wyoming Statute §16-4-104. Discussion was held regarding the budgeted funds pertaining to road improvements. Mrs. Sanderson advised that there may possibly be additional funds available for this item. She stated that she would continue to research this matter. After some discussion, Council Member Johnson made a motion to pass Ordinance 662 on second reading, seconded by Council Member Davis. Motion carried unanimously.

Mrs. Sanderson stated that the permit application has been submitted to the Forest Service to place lights on the star located on the hill. She advised that they are still waiting for estimates from the lighting engineers for the project.

Mayor Inskeep presented the Afton Municipal Court docket for April, 2020.

At the call of the Mayor, Council Member Sessions made a motion to adjourn the regular meeting of the Afton Town Council, seconded by Council Member Wilkes. Motion carried unanimously. The regular meeting adjourned at 7:10 p.m.

The next regular meeting of the Afton Town Council will be held on Tuesday, June 9, 2020, at 5:00 p.m. at the Afton Town Hall.

Jason C. Inskeep, Mayor
(ATTEST:)
/s/ Lisa Hokanson, Afton Town Clerk

**Publish June 3, 2020.**