

TOWN COUNCIL PROCEEDINGS

JANUARY 19, 2021

JACKSON, WYOMING

The Jackson Town Council met in regular session in the Town Hall Council Chambers located at 150 East Pearl in Jackson, at 6:00 P.M. This meeting was held in-person and 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, Jessica Sell Chambers, Jim Rooks, and Jonathan Schechter.

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

Mayor Morton Levinson led those in attendance in the Pledge of Allegiance and made the following statement. “Since this is our first regular meeting since January 6th, I’d like to take a moment to reflect on the violent acts that took place at our nation’s Capital. This has been a hard 10 months for our community and country. Because of coronavirus, our interactions have become increasingly virtual, making it challenging to interact in ways we are used to. We are all under more stress and experiencing distress on a prolonged basis. Despite it all, I trust in our ability as a town to work together, to disagree, and to move our goals forward without hate and violence. I choose to serve as an elected leader because of my commitment to our community and to making our great town a better place for the next generation, and I know my colleagues feel the same. The insurrection on the Capitol highlights the deep divide our nation feels and the danger of mistrust, misinformation, and hate. Attempts to delegitimize our democracy reverberates in every town hall, county courthouse, and state legislature. Two weeks ago, I took the oath to support, obey, and defend the Constitution of the United States and the Constitution of the State of Wyoming. I take this seriously in my duties as your Mayor and will continue to uphold this oath. I ask each of us to think about how we move forward by building each other up instead of tearing each other down, what we can each do to repair the world we see, instead of making it worse. Tonight, is the day after Martin Luther King Day and it is the eve of the Inauguration of our nation’s new president. I would like for us all to take a moment of silence and reflect on what makes our nation great and the work we need to do to repair the many injustices we still see. We will only be able to make progress and weather the difficulties that lie ahead by moving forward together.”

Mayor Morton Levinson introduced recently new Jackson Police Officer Kyle Foster.

Public Comment. None.

Consent Calendar. Floren Poliseo made staff comment that in addition to the funding listed in the staff report that there was additional SLIB funding available which would further offset the cost of the Cache Creek Tube project (item F). A motion was made by Arne Jorgensen and seconded by Jonathan Schechter to approve the consent calendar including items A-G as presented with the following motions.

- A. **Meeting Minutes.** To approve the meeting minutes as presented for the January 4, 2021 regular meeting.
- B. **Disbursements.** To approve the disbursements as presented. Ace Hardware \$179.94; Advanced Glass Trim, LLC \$600.00; Airgas Intermountain Inc. \$91.92; Altitude Jackson, LLC \$640.32; Amazon \$905.75; Apex Sage Inc \$6,286.67; AT&T \$1,535.16; Bank Of Jackson Hole \$60.00; Blue Spruce Cleaners, Inc \$31.50; Bristol, James \$110.00; Carquest Auto Parts Inc. \$488.87; Caselle Inc. \$1,744.00; CDW-Government \$20,804.22; CenturyLink \$2,191.41; Climb Wyoming \$1,250.00; Convergeone, Inc \$42,563.16; Cummins Rocky Mountain Llc \$2,558.76; Curran-Seeley Foundation \$13,268.75; Dean's Pest Control LLC \$150.00; Delcon Inc \$4,420.67; Diagostino, Pauline \$1,500.00; Discount Snow Stakes \$987.66; E.R. Office Express \$536.31; Electrical Whsle Supply Co Inc \$63.49; Elite Parts \$143.95; Energy Laboratories Inc. \$728.00; Exposure Signs Inc \$2,170.00; Ferguson Enterprises, Inc \$9.76; Fleetpride \$90.57; Floyd's Truck Center \$3,261.38; Freedom Mailing Service Inc. \$1,783.63; Garmin USA \$128.90; Gfoa \$460.00; Gillig LLC \$1,465.38; Henke \$10,528.20; High Country Linen \$806.29; Hirst Applegate, LLP \$278.75; Identisys, Inc \$587.43; Interstate Battery \$1,376.35; Interwest Supply Company \$8,356.88; Jackson Animal Hospital \$232.40; Jackson Curbside Inc. \$1,015.00; Jackson Hole News & Guide \$1,468.24; Jackson Lumber Inc \$221.26; Jh20 Water Conditioning & Filtration \$75.00; Jorgensen Associates, Pc \$18,013.13; KellerStrass Enterprises, Inc \$39,908.46; LoganSimpson \$6,662.73; Long Building Technologies Inc. \$1,665.00; Lower Valley Energy Inc \$44,099.54; Metadome, LLC \$2,830.24; MSC Industrial Supply Co \$290.40; Napa Auto Parts Inc. \$1,009.91; Nelson Engineering \$9,486.50; Newman Signs, Inc \$37.62; Prazma Paint & Auto Body \$3,068.95; Premier Truck- Salt Lake City \$12,601.73; Premier Vehicle Installation, Inc \$57.40;

Proterra \$1,124.39; Schaeffer Mfg. Co \$1,318.90; Silverstar \$2,489.93; Smith Power Products, Inc. \$465.75; Snake River Roasting \$140.90; State Of Wyoming \$3,363.69; Swagit Productions, LLC \$1,775.00; Symbolarts, LLC \$337.50; Teton County Clerk \$148,020.08; Teton County Special Fire Fund \$158,029.33; Teton County-Fund 10 \$41,895.07; Teton County-Fund 13 \$107,600.21; Teton County-Fund 19 \$9,675.77; Teton Motors Inc \$2,015.99; Teton Trash Removal, Inc. \$47.00; Teton Youth & Family Services \$45,320.00; Thomson West \$902.79; Thyssen Krupp Elevator Corp. \$2,966.23; Title 22 Consultants \$187.50; TMSC LLC \$18,718.56; Valley West Engineering, Pc \$3,285.00; Vinci Law Office LLC \$252.13; Virginian Village Condo HOA \$1,080.00; Water Technology Group \$1,810.56; Weller Truck Parts \$297.73; Western State \$1,341.47; Wy Child Support Enforcement \$146.76; Wyoming First Aid & Safety \$434.35; Wyoming.Com Inc \$5.00; Yellow Iron Excavation, LLC \$625.00.

- C. **Municipal Court Report December 2020.** To place the December 2020 Municipal Court Report into the record.
- D. **Continuation of Remote Attendance for Meetings.** To suspend Chapter II, Section 3, Quorum, and portions of Chapter II, Section 7.a, Addressing the Town Council, of the Town Council's Rules and Procedures to continue to temporarily allow Elected Officials to attend, participate and vote remotely and by so doing extend that allowance to members of staff, and to continue to temporarily allow members of the public to participate remotely in any regular, special, or emergency meetings through April 19, 2021 at midnight.
- E. **Bid 20-18 Award for Cache Creek Tube Phase 2D Project.** To approve the award of the contract for the Cache Creek Tube – Phase 2D Project to Westwood Curtis Construction, authorizing funding for survey, testing, construction, and construction administration for the project, and upon approval by the Town Engineer and Town Attorney authorize the Mayor to execute the contract.
- F. **Escrow Agreement for Cache Creek Tube Diversion and maintenance (P21-005).** To approve the Escrow Agreement between Jackson Hole Land Trust and the Town of Jackson to allow reimbursement to the Town for construction of a diversion of Cache Creek parallel to the Cache Creek Tube within the Town's public right-of-way for a surface water feature in Genevieve Park, subject to the conditions therein, and upon approval by the Town Engineer and Town Attorney, authorize the Mayor to execute all necessary contract Agreements; and direct staff to provide an Easement document for Council consideration at a Council meeting date uncertain.
- G. **Agreement to Extend Deadline Related to AT&T Application for Small Wireless Facilities.** To approve the Agreement to Extend the Federal Communications Commission Shot-Clock Deadline and authorize the Mayor to sign it, subject to non-material changes by the Town Attorney.

There was no public comment on the consent calendar. Mayor Morton Levinson called for the vote. The vote showed 5-0 in favor and the motion carried.

Item P20-185: Sketch Plan and BUP at 1675 Berger Lane. A motion was made by Jonathan Schechter and seconded by Arne Jorgensen to continue this item P20-185 to the regularly scheduled Town Council meeting on February 1, 2021. Mayor Morton Levinson called for the vote. The vote showed 5-0 in favor and the motion carried.

Item P20-166: Subdivision Plat at 808 Upper Redmond. A motion was made by Jonathan Schechter and seconded by Arne Jorgensen to continue this item P20-166 to the regularly scheduled Town Council meeting on February 1, 2021. Mayor Morton Levinson called for the vote. The vote showed 5-0 in favor and the motion carried.

Matters from Mayor and Council.

Discussion related to COVID-19. Mayor Morton Levinson made comment on a proposed resolution supporting the Public Health Officer's recent release of Recommendation #11 limiting gatherings to household groups only.

A motion was made by Arne Jorgensen and seconded by Jonathan Schechter to adopt Resolution #21-03 as presented.

RESOLUTION # 21-03: A RESOLUTION SUPPORTING THE RE-ISSUANCE OF RECOMMENDATION #11 REGARDING LIMITING GATHERINGS TO HOUSEHOLD GROUPS ONLY

WHEREAS, Dr. Travis Riddell, MD as the Teton District Health Officer, pursuant to Wyoming Statute §35-1-306(a), enacted the *Re-Issuance of Recommendation #11 Recommendation from the Teton District Health Officer Gather in Household Groups Only* on January 12, 2021, which recommends that gatherings be limited to household groups in order to help stop the spread of COVID. A “household group” is defined as a group of individuals who reside in the same residence. A “gathering” is any planned or spontaneous event, public or private, bringing together, or likely bringing together, people from outside a person’s household group in a single room or a single confined space (whether indoor or outdoor) at the same time. For clarification, persons should continue to go to work and to school, but should not gather outside of household groups that occur outside of work or school; and

WHEREAS, Dr. Riddell supports the Town Council passing a resolution to affirm this re-issuance and encourage its widespread adoption with the specific objective of slowing viral spread over the next two weeks in hopes that the leadership of our community can simultaneously speak in a unified voice in order to see greater compliance and therefore greater efficacy with this approach; and

WHEREAS, a significant number of Wyoming citizens are at risk of serious health complications, including death, from COVID-19. Although most individuals who contract COVID-19 do not become seriously ill, people with mild symptoms, and even asymptomatic persons with COVID-19, place other vulnerable members of the public at significant risk; and

WHEREAS, Teton County is an isolated rural community with a single small hospital with limited resources including only six (6) Intensive Care Unit beds and no critical care specialists such that caring for many patients with COVID-19 can compromise the ability of the healthcare system in Teton County to deliver the necessary healthcare to the public; and

WHEREAS, as of January 18, 2021 the number of active cases of COVID-19 in Teton County is 313; and

WHEREAS, as of January 18, 2021 there are 7 COVID-19 related hospitalizations at St. John's Health in Jackson, Wyoming; and

WHEREAS, as of January 17, 2021 the previous seven-day average of new cases in Teton County is 45; and

WHEREAS, as of January 15, 2021 the two-week rolling average of test positivity rate for Teton County is 10.07%; and

WHEREAS, limiting gatherings to household groups could substantially reduce transmission of COVID-19 throughout the community and thereby reduce the infection rate, the death toll, and the economic impact of the disease.

NOW THEREFORE BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF JACKSON, WYOMING, having duly met on January 19, 2021, at a Regular Town Council Meeting, which was properly noticed and open to the public, and having fully considered the matter at hand, that:

The Jackson Town Council supports the Teton County Health Department and Dr. Travis Riddell, MD, MPH, the Teton District Health Officer, with regard to the public health recommendation that gatherings be limited to household groups in order to help stop the spread of COVID-19 and strongly urge compliance therewith.

PASSED, APPROVED, AND ADOPTED this 19th day of January 2021.

Arne Jorgensen and Jessica Chambers made comment. Mayor Morton Levinson called for the vote. The vote showed 5-0 in favor and the motion carried.

At this time, Mayor Morton Levinson introduced the Town’s recently new law enforcement officer Elley Votruba.

Council Updates. Jim Rooks made comments on Martin Luther King Jr. and his affect on our nation’s history.

Jessica Chambers made additional comments on face coverings.

Mayor Morton Levinson made comment on Town Ordinance 473 regarding the limitation on the number of persons in a household. A motion was made by Hailey Morton Levinson and seconded by Arne Jorgensen to direct staff to bring back a workshop item to open discussion on the number of persons in a household. The Council held discussion. Tyler Sinclair made staff comment on potential staff impact and prioritization. Mayor Morton Levinson called for the vote. The vote showed 5-0 in favor and the motion carried.

Jessica Chambers also made comment on Martin Luther King Jr.

Executive Session. At 6:39 p.m., a motion was made by Arne Jorgensen and seconded by Jessica Chambers to recess into executive session to consider matters concerning litigation to which the governing body is a party or proposed litigation to which the governing body may be a party, matters posing a threat to the security of public or private property and matters of national security in accordance with Wyoming Statute 16-4-405(a) (i), (iii), and (iv). Mayor Morton Levinson called for the vote. The vote showed 5-0 in favor and the motion carried.

The public meeting reconvened at 7:12 p.m.

Possible Action Related to Executive Session. A motion was made by Arne Jorgensen and seconded by Jessica Chambers to direct staff to action as discussed in executive session. Mayor Morton Levinson called for the vote. The vote showed 5-0 in favor and the motion carried.

Adjourn. A motion was made by Jonathan Schechter and seconded by Jessica Chambers to adjourn the meeting. Mayor Morton Levinson called for the vote. The vote showed 5-0 in favor and the motion carried. The meeting adjourned at 7:13 p.m. minutes:spb

TOWN OF JACKSON

ATTEST:

Hailey Morton Levinson, Mayor

Sandra P. Birdyshaw, Town Clerk

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