

TOWN COUNCIL PROCEEDINGS

FEBRUARY 16, 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, Al Zuckerman, Brian Lenz, Paul Anthony, Kelly Thompson, Johnny Ziem, and Sandy Birdyshaw.

Mayor Morton Levinson led those in attendance in the Pledge of Allegiance, provided an update on current COVID levels, recommendations, and mandates, and then introduced Lisa Ruschill as our new Shelter Operations Community Service Officer.

Public Comment. Diane McGee made comment on covered tennis courts.

Consent Calendar. A motion was made by Jonathan Schechter and seconded by Jessica Chambers to approve the consent calendar including items A-G as presented with the following motions. There was no public comment on the consent calendar.

- A. **Meeting Minutes.** To approve the meeting minutes as presented for the February 1, 2021 regular meeting.
- B. **Disbursements.** To approve the disbursements as presented. Ace Hardware \$477.16; Advanced Glass Trim, Llc \$590.00; Amsoil Inc \$7,240.86; Apex Sage Inc \$5,059.00; Ayling, Alex \$92.05; Barnhart, Tori \$155.00; Best Best & Krieger \$1,264.00; Big R Ranch & Home \$20.97; Blue Spruce Cleaners, Inc \$99.50; BMV Llc \$67.72; Carquest Auto Parts Inc. \$107.74; Chargepoint, Inc \$766.00; City Of Driggs \$4,401.00; CMI - Teco \$862.12; Command Ballistics, Inc. \$474.06; Commercial Tire-Id Falls -\$1,757.70; Community Safety Network \$3,062.50; Cummins Rocky Mountain Llc \$674.25; David Stubbs \$400.00; Dean's Pest Control Llc \$200.00; Delcon Inc \$1,571.95; Division Of Victim Services \$150.00; E.R. Office Express \$654.34; Energy Laboratories Inc. \$416.00; Evident \$90.30; Ferguson Enterprises, Inc \$39.25; Fire Services Of Idaho \$938.80; Freedom Mailing Service Inc. \$1,808.02; Galls Inc. \$483.92; Garcia-Rodriguez, Jose \$740.00; Gillig Llc \$2,907.56; Grainger \$14.04; Greenwood Mapping Inc. \$585.00; H&R Enterprises \$1,105.64; Heiner, Robert \$100.00; High Country Linen \$1,768.88; Hirst Applegate, Llp \$875.55; Idaho Falls Peterbilt \$83.48; Idaho State Tax Commission \$8,405.00; International Municipal Lawyers Assoc. \$480.00; Interstate Battery \$196.90; Interwest Supply Company \$1,014.64; Jackson Animal Hospital \$180.08; Jackson Hole Historical Society \$5,000.00; Jackson Hole News & Guide \$11,590.10; Jackson Lumber Inc \$202.42; Jorgensen Associates, Pc \$7,860.00; Kellams, Garrett \$100.00; Kellerstrass Enterprises, Inc \$20,824.46; Lawngevity \$697.50; Long Building Technologies Inc. \$236.00; Lower Valley Energy Inc \$52,609.56; LSC Transportation Consultants, Inc \$615.00; Marquina, Francisca \$100.00; Mobility Forefront Llc \$105,000.00; Mountain Electrical \$901.88; Napa Auto Parts Inc. \$1,390.06; National Association Of Clean Water AGNC \$750.00; Nelson Engineering \$5,437.00; NTS Consolidation, Llc \$1,666.50; Omni Security Systems Inc \$242.00; Otis Elevator Company \$3,014.04; Prella, Thomas \$150.00; Premier Truck- Salt Lake City \$506.86; Proterra \$1,737.15; Quadient Finance USA, Inv \$1,000.00; Raftelis \$21,407.50; Safety-Kleen Systems, Inc. \$5,204.23; Savage, Robert \$5,000.00; Schaeffer Mfg. Co \$1,332.65; Sherwin-Williams Co. \$52.99; Silver Creek Supply -\$5.19; Snake River Roasting \$200.35; Sonadores Llc \$2,000.00; Spring Creek Animal Hospital \$54.39; Sunrise Environmental \$167.56; Tech Connect Power Service \$215.89; Teton County Clerk \$128,059.58; Teton County Integrated Solid Waste/Recy \$24,936.22; Teton County Sheriff-Dispatch \$18,072.01; Teton County Special Fire Fund \$122,337.20; Teton County-Fund 10 \$43,054.38; Teton Motors Inc \$417.18; Teton Trash Removal, Inc. \$47.00; Teton Valley News \$100.73; Thomson West \$902.79; Title 22 Consultants \$250.00; Upper Case Printing Ink \$3,448.67; Viera, Amy \$155.00; Vinci Law Office Llc \$252.13; WAMCO Lab, Inc. \$650.00; Westbank Sanitation \$99.46; Western Charters And Tours, Llc \$11,200.00; Western State \$367.62; Westwood Curtis \$2,296.83; White Glove Cleaning, Inc. \$8,109.93; Wood Environment & Infrastructure \$738.50; Wy Child Support Enforcement \$146.76; Wy Workers' Safety & Comp \$6,872.94; Wyoming First Aid & Safety \$46.51; Wyoming Landscape Maintenance \$2,619.88; Wyoming Law Enforcement \$75.00; Wyoming Retirement System \$155,795.19; Wyoming Water Association \$500.00; Wyoming Water Quality & Pollution Contr \$360.00; Wy-Test \$105.00; Yellow Iron Excavation, Llc \$545.00.
- C. **Municipal Court Report for January 2021.** To place the January 2021 Municipal Court Report into the record.

- D. **Bid 20-21 Award for Spring Street Patching Project.** To approve the award of the 2021 Spring Street Patching Project to Evans Construction Company, of Jackson, WY in the amount of \$140,500.00, and authorize the Mayor to execute the contract.
- E. **Utility Easement at Cache & Broadway for WYDOT (P20-201).** To approve the Electric Distribution Easement between the Transportation Commission of Wyoming and the Town of Jackson and, subject to minor changes by the Transportation Commission and upon approval by the Town Attorney and Town Engineer, authorize the Mayor to execute all necessary easements.
- F. **First Amendment to Housing Special Restrictions for 152 Gill Avenue Unit 5.** To approve the First Amendment to the Complete Amendment and Restatement Special Restrictions for Affordable Condominium Rental Housing Located at 152 E Gill Avenue Unit 5, Town of Jackson, Wyoming.
- G. **Contract for Government Affairs Liaison.** To approve the Attorney-Client Fee Contract with Crowley Fleck PLLP, for Government Affairs representation as a Legislative Liaison and authorize the Mayor to execute the contract on behalf of the Town of Jackson.

Mayor Morton Levinson called for the vote. The vote showed 5-0 in favor and the motion carried.

Utility Location Agreement for Cache Creek Tube Diversion at Genevieve Block (P21-005). This item was withdrawn from the agenda.

Aspen Hill Cemetery plots for Jewish Community. A motion was made by Jessica Chambers and seconded by Arne Jorgensen to direct the Cemetery Sexton to work with the Jackson Hole Jewish Community Executive Director to identify and reserve up to eight (8) plots to be used by Jewish community members. Mayor Morton Levinson called for the vote. The vote showed 5-0 in favor and the motion carried.

Retail Liquor License Transfer of Ownership to Whole Foods Market and Annual Renewal. Sandy Birdyshaw and Lea Colasuonno made staff comment. The Mayor opened a public hearing to hear protest against the issuance of this liquor license. There was no public comment. The Mayor closed the public hearing.

Having considered the Wyo. Stat. §12-4-104(b) statutory factors for this application, a motion was made by Arne Jorgensen and seconded by Jonathan Schechter to approve the retail liquor license transfer of ownership application and renewal application made by Whole Foods Market Rocky Mountain/Southwest L.P. doing business as Whole Foods Market subject to the following conditions and further direct the Town Clerk to issue the license upon confirmation that the conditions of approval has been met within the timeframe set forth in Wyoming Statute 12-4-103(a)(iv).

1. Prior to liquor license issuance, the Town Clerk will receive certification of the successful closing of the private transaction and the fully executed lease to replace the Statement of Lease.
2. Any additional minor corrections deemed necessary by staff and the Wyoming Liquor Division

Mayor Morton Levinson called for the vote. The vote showed 4-1 in favor with Chambers opposed. The motion carried.

Annual Renewal of Wyoming Grocer LLC Retail Liquor License. This item was withdrawn since the transfer of ownership to Whole Foods Market was previously approved.

Annual Renewal of Liquor Licenses. Sandy Birdyshaw and Michelle Weber made staff comment. The Mayor opened a public hearing to hear protest against the issuance of this liquor license. There was no public comment. The Mayor closed the public hearing.

Having considered statutory factors in Wyo. Stat. §12-4-104(b) and Jackson Municipal Code §6.60.010 for each license listed in the Renewal Chart, a motion was made by Arne Jorgensen and seconded by Jonathan Schechter to approve the liquor license renewal applications for the 2021–2022 liquor license year as presented and with the following conditions:

1. Prior to the liquor license issuance for Bistro MRG LLC, the Town Clerk will receive the fully signed lease extension and it be deemed acceptable by the Town Clerk and the Wyoming Liquor Division.

- 2. Renewed liquor licenses are subject to the same conditions and restrictions of the initial license approval, as amended. (Applies to Hotel Jackson, Creekside, The Rose, Glorietta, Snake River Grill, Spirits & Spice, and Roadhouse (on Gregory))
- 3. Any additional minor corrections made by staff and the Wyoming Liquor Division.

RENEWAL CHART: The licenses listed below will be included in the motion made for annual renewal unless removed from the Renewal Chart by the Town Council.

Applicant	DBA	Address
Bar & Grill Liquor License (5):		
HAND FIRE PIZZA JH LLC	HAND FIRE PIZZA	120 N CACHE ST
HOLE BOWL LLC	HOLE BOWL	980 W BROADWAY
LOCAL RESTAURANT LLC (THE)	LOCAL RESTAURANT & BAR	55 N CACHE
MERRY PIGLETS MEXICAN CANTINA & BBQ INC	MERRY PIGLETS (THE)	160 N CACHE ST- SOUTH
BISTRO MRG LLC	RENDEZVOUS BISTRO	380 S BROADWAY
Limited Retail (Club) Liquor License (3):		
BPO ELKS 1713	BPO ELKS 1713	270 W BROADWAY
AMERICAN LEGION POST #43	JACKSON HOLE POST #43	190 N CACHE ST
COMMUNITY CENTER FOR THE ARTS INC	CENTER FOR THE ARTS	265 S CACHE
Microbrewery Permit (5):		
JH BREWERY LLC	JH BREWERY	75 E PEARL AVE
GET LOOSE LLC	ROADHOUSE BREWING CO PUB & EATERY	20 E BROADWAY
TETON BREWING COMPANY LLC	STILLWEST BREWERY AND GRILL	45 E SNOW KING AVE
SRB OPERATIONS LLC	JACKSON HOLE PUB & BREWERY SNAKE RIVER BREWING	265 S MILLWARD
GET FUNKY LLC	ROADHOUSE BREWING COMPANY	1225 GREGORY LN
Resort Liquor License (5):		
CCC's CENTER STREET LLC	CLOUDVEIL (THE)	112 CENTER STREET
SNOW KING MOUNTAIN RESORT LLC	KING'S GRILL	402 E SNOW KING AVE
ACP LJH 80 SCOTT HOLDINGS LLC	LODGE AT JACKSON HOLE (THE)	80 S SCOTT LN
JOHNSON RESORT PROPERTIES	RUSTIC INN	425 N CACHE
BENCHMARK HOSPITALITY OF WYOMING LLC	SNOW KING RESORT	400 E SNOW KING
Restaurant Liquor License (39):		
ANNIE'S KITCHEN LLC	ANNIE'S THAI KITCHEN	265 W BROADWAY
KIMS CORNER LLC	BAPP	340 W BROADWAY
BIG HOLE BBQ JACKSON LLC	BIG HOLE BBQ	325 W PEARL AVE
BL RESTAURANT LLC	BLUE LION (THE)	160 N MILLWARD
FLAT CREEK BBQ LLC	BUBBA'S	100 FLAT CREEK
MADE IN JACKSON HOLE INC	BUNNERY (THE)	130 N CACHE ST
135 E BROADWAY LLC	CAFÉ GENEVIEVE	135 E BROADWAY
CHINA FUN WY LLC	CHINA FUN RESTAURANT	826 W BROADWAY
CHINATOWN LEE INC	CHINATOWN RESTAURANT	850 W BROADWAY SUITE A
COE LLC	COELETTE	85 S KING STREET
SALSA GROUP INC (THE)	EL ABUELITO FAMILY RESTAURANT	385 W BROADWAY
EVEREST MOMO SHACK LLC	EVEREST MOMO SHACK	245 W PEARL AVE
FIESTA JACKSON LLC	FIESTA	975 ALPINE LN #3
YOR RESTAURANT GROUP CORP	GATHER	72 S GLENWOOD
GUN BARREL STEAKHOUSE LLC (THE)	GUN BARREL (THE)	862 W BROADWAY
CALIENTE TAQUERIA LLC	HATCH TAQUERIA & TEQUILAS	120 W BROADWAY
JACKSON DRUG LLC	JACKSON DRUG	15 E DELONEY AVE
SRB OPERATIONS LLC	JACKSON HOLE PUB & BREWERY SNAKE RIVER BREWING	265 S MILLWARD
JACKSON HOLE ROASTERS INC	JACKSON HOLE ROASTERS	50 W BROADWAY UNIT 109
KING SUSHI COMPANY LLC	KING STREET SUSHI	75 KING ST
KITCHEN LLC (THE)	KITCHEN (THE)	155 N GLENWOOD
LBJH LLC	LIBERTY BURGER	160 N CACHE- NORTH
J & J FOOD COMPANY LLC	MIAZGA'S	399 W BROADWAY

IL FERRAIO LLC	ORSETTO	161 CENTER ST
SHOPCOO LLC	PEARL STREET MARKET	40 W PEARL AVENUE
PERSEPHONE BAKERY LLC	PERSEPHONE BAKERY	145 E BROADWAY
SELKIRK INC	PICAS	1160 ALPINE LN
ILLAMAR LLC	PINKY G’S PIZZERIA	50 W BROADWAY UNIT 105
GET LOOSE LLC	ROADHOUSE BREWING CO PUB & EATERY	20 EAST BROADWAY
SAN JUAN RESTAURANT MEXICAN FOOD LLC	SAN JUAN RESTAURANT	65 S GLENWOOD ST
TETON BREWING COMPANY LLC	STILLWEST BREWERY AND GRILL	45 E SNOW KING AVE
SCARFISH LLC	SUDA	140 N CACHE ST SUITE B
NICOLAS SOSA	TACOS Y TORTILLAS EL METATE	850 WEST BROADWAY SUITE H
<i>NOTE:</i> This license was suspended on 12/21/2020 for failure to pay sales tax. The Council may renew the license; however, it will remain suspended until released by the Dept of Revenue and WLD.		
INDIAN ROOM LLC (THE)	TETON TIGER	165 N CENTER ST
JEREMY TOFTE	THAI ME UP	75 E PEARL AVE
TIJUANA MEXICAN RESTAURANT LLC	TIJUANA AUTHENTIC MEXICAN RESTAURANT	520 HWY 89 #4 & 5
WLB LLC	TRIO	45 S GLENWOOD
WHITE BUFFALO CLUB LLC	WHITE BUFFALO CLUB (THE)	160 W GILL AVE
WYOMING INN HOLDINGS LLC	WYOMING INN OF JACKSON HOLE	930 WEST BROADWAY

Retail Liquor License (17):

CRU LLC	BIN 22	200 W BROADWAY
BUD’S EASTSIDE LLC	BUDS EASTSIDE LIQUOR	582 E BROADWAY
BOCHICCHIO INC	CREEKSIDE MARKET & DELI	545 N CACHE ST #8
CUTTYS BAR & GRILL LLC	CUTTYS	1140 W HWY 22
ANVIL HOTEL PARTNERS LLC	GLORIETTA	242 N GLENWOOD ST
HOTEL JH LLC	HOTEL JACKSON	120 N GLENWOOD
JACKSON LIQUORS LLC	KJS PHILLIPS 66	1055 W BROADWAY
LIQUOR STORE OF JACKSON HOLE INC	LIQUOR STORE (THE)	115 BUFFALO WAY
COWBOY LIQUOR LLC	MILLION DOLLAR COWBOY BAR (THE)	25 N CACHE ST
PLAZA LIQUOR LLC	PLAZA LIQUOR	832 W BROADWAY
PINK GARTER LLC	ROSE (THE)	50 W BROADWAY UNIT 201
NEB LLC	SIDEWINDERS	945 W BROADWAY
SILVER DOLLAR INC (THE)	SILVER DOLLAR BAR	50 N GLENWOOD
SMITHS FOOD & DRUG CENTERS INC	SMITHS FOOD & DRUG #184	1425 S HWY 89
SNAKE RIVER CORPORATION	SNAKE RIVER GRILL	84 E BROADWAY
VFJH LLC	SPIRITS & SPICE	80 W BROADWAY UNIT 101
VIRGINIAN LIQUOR LLC	VIRGINIAN TAVERN	750 W BROADWAY AVE

Mayor Morton Levinson called for the vote. The vote showed 5-0 in favor and the motion carried.

Item P20-228: Vacation of Lot Line at 355 E Broadway. A motion was made by Arne Jorgensen and seconded by Jessica Chambers to continue this item P20-228 to the regularly scheduled Town Council meeting on March 1, 2021. Mayor Morton Levinson called for the vote. The vote showed 5-0 in favor and the motion carried.

Ordinances. A motion was made by Jessica Chambers and seconded by Jonathan Schechter to read ordinances in short title. Mayor Morton Levinson called for the vote. The vote showed 5-0 in favor and the motion carried.

Ordinance V: An Ordinance Amending and Reenacting Jackson Municipal Code related to Updating Town of Jackson Fees by Resolution.

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF THE TOWN OF JACKSON ORDINANCE NOS. 194, 216, 245 (PART), 252, 312, 320, 322, 325, 330, 333, 337, 344, 402, 406, 412, 413, 430, 432 (part), 447, 450, 483, 493, 494, 502, 542, 571, 593, 601, 603, 626, 633, 646, 647, 648, 671, 701, 706, 710 ,711, 766, 786, 803, 886, 888, 891, 892, 893, 895, 899, 990, 922, 929, 942, 959, 961, 969, 995, 1003, 1011, 1020, 1023, 1024, 1029, 1057, 1089, 1090, 1092, 1093, 1100, 1101, 1112, 1142, 1145, 1147, 1171, 1179, 1185, 1205, 1229, 1230, 1231, 1232, 1245 AND 1254; SECTION 2 OF TOWN OF JACKSON ORDINANCE NOS. 146, 154, 252, 271, 273, 313, 671, 676, 771, 772, 854, 855, 856, 858 AND 1144; SECTION 3 OF TOWN OF JACKSON ORDINANCE NOS. 371, 676, 762, 764 AND 770; SECTION 4 OF

TOWN OF JACKSON ORDINANCE NOS. 168, 853, 760 AND 793; SECTION 6 OF TOWN OF JACKSON ORDINANCE NOS. 194, 769 AND 860; SECTION 7 OF TOWN OF JACKSON ORDINANCE NOS. 147, 789 AND 860; SECTION 8 OF TOWN OF JACKSON ORDINANCE NOS. 146, 670, 793 AND 860; SECTION 9 OF TOWN OF JACKSON ORDINANCE NOS. 793 AND 860; SECTION 10 OF TOWN OF JACKSON ORDINANCE NO. 789; SECTION 11 OF TOWN OF JACKSON ORDINANCE NOS. 789 AND 860; SECTION 14 OF TOWN OF JACKSON ORDINANCE NO.148; SECTION 21(A) OF TOWN OF JACKSON ORDINANCE NO.148; SECTION 21(B) OF TOWN OF JACKSON ORDINANCE NO. 148; SECTION 22 OF TOWN OF JACKSON ORDINANCE NO. 148; SECTION 23 OF TOWN OF JACKSON ORDINANCE NO. 148 AND SECTIONS 1.01.120, 2.36.120, 5.12.080, 5.12.090, 5.12.130, 5.16.010, 5.16.020, 5.16.025, 5.16.027, 5.20.010, 5.20.020, 5.21.060, 5.32.040, 5.48.050, 5.48.210, 5.50.040, 5.50.050, 5.50.060, 5.60.040, 6.20.006, 7.02.040, 7.02.050, 7.12.020, 8.32.090, 8.36.020, 8.36.040, 8.36.050, 8.36.070, 12.08.060, 12.28.050, 5.04.020, 15.04.090, 15.12.010, 15.12.030, 15.17.010, 15.20.010, 15.24.010, 15.24.030, 15.27.010, 15.36.040, 15.36.050 AND 15.38.010 OF THE TOWN OF JACKSON MUNICIPAL CODE PROVIDING FOR TOWN OF JACKSON FEES BY RESOLUTION 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 Arne Jorgensen and seconded by Jonathan Schechter to approve Ordinance V at first reading. Mayor Morton Levinson called for the vote. The vote showed 5-0 in favor and the motion carried.

Matters from Mayor and Council.

Teton District Board of Health and the Town's appointed seat. Mayor Morton Levinson made comments of appreciate to Mr. J.J. King for the time he served on the Board of Health and that the Town will be appointing a new member as soon as possible.

Town Manager’s Report. A motion was made by Jessica Chambers and seconded by Jonathan Schechter to accept the Town Manager’s Report into the record. The Town Manager’s Report contained an update on a tree removal on the corner of Snow King Avenue and Willow Street, staffing for START bus drivers, and the schedule for budget review sessions in April through June. 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 Jim Rooks 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 7:05 p.m. minutes:spb

TOWN OF JACKSON

ATTEST:

Hailey Morton Levinson, Mayor

Sandra P. Birdyshaw, Town Clerk