

TOWN COUNCIL PROCEEDINGS

April 12, 2021

JACKSON, WYOMING

The Jackson Town Council met in special 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:* Arne Jorgensen, Jessica Sell Chambers, Jim Rooks, and Jonathan Schechter. Mayor Hailey Morton Levinson was absent.

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

Arne Jorgensen led those in attendance in the Pledge of Allegiance and read proclamations for Child Abuse Awareness & Prevention Month and for Week of the Young Child and provided a brief update on current COVID levels.

Public Comment. None

Consent Calendar. A motion was made by Jessica Chambers and seconded by Jonathan Schechter to approve the consent calendar including items A-D 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 March 19, 2021 workshop and March 19, 2021 regular meeting.

B. **Disbursements.** To approve the disbursements as presented. 235 E HANSENT LLC \$385.64; ACE HARDWARE \$2,292.53; ADVANCED INDUSTRIAL SUPPLY INC \$615.26; AFLAC \$2,584.63; AMAZON \$2,341.70; AMERIGAS \$2,539.88; ANDERSON, CAROLINE \$2,000.00; APEX SAGE INC \$14,234.00; APPLE INC \$41,980.00; ARCHITECTURAL BUILDING SUPPLY \$33.00; AT&T \$2,169.50; BANK OF JACKSON HOLE \$16,610.00; BEST BEST & KRIEGER \$603.00; BIG R RANCH & HOME \$186.48; BLUE SPRUCE CLEANERS, INC \$14.05; BMV LLC \$74.40; BRIGGS, ERIC L \$735.75; BRISTOL, JAMES \$591.92; CARQUEST AUTO PARTS INC. \$576.26; CENTER OF WONDER \$3,296.00; CENTURYLINK \$2,279.21; CERTIFIED LABORATORIES \$1,164.35; CHARGEPOINT, INC \$2,040.50; CITY OF DRIGGS \$2,352.74; CLIMB WYOMING \$2,500.00; CONTROL SYSTEM TECHNOLOGY, INC. \$9,128.50; CONVERGEONE, INC \$19,928.77; CORE & MAIN LP \$18,859.85; CROWLEY FLECK PLLP \$3,500.00; CURRAN-SEELEY FOUNDATION \$13,268.75; CUSTOM ELECTRONIC CONSULTANTS INC \$11,501.28; DEAN'S PEST CONTROL LLC \$150.00; DELCON INC \$6,648.17; DELL \$5,652.00; DIVISION OF VICTIM SERVICES \$700.00; DUSTBUSTERS, INC \$3,179.00; E.R. OFFICE EXPRESS \$379.57; ELECTRICAL WHSLE SUPPLY CO INC \$99.60; ELITE PARTS \$160.95; ENERGY LABORATORIES INC. \$696.00; EVANS CONSTRUCTION INC \$18,500.00; FALL RIVER PROPANE \$230.00; FLEETPRIDE \$5,035.35; FLOWMARK/HIGH TECH COMPANIES \$317.08; FLOYD'S TRUCK CENTER \$1,087.38; GEITTMANN LARSON SWIFT LLP \$137.00; GFOA \$249.00; GILLIG LLC \$2,357.24; GREENWOOD MAPPING INC. \$1,350.00; HEALTH TECHNOLOGY \$918.20; HIGH COUNTRY LINEN \$2,428.41; HIRST APPLGATE, LLP \$9,304.99; IDAHO FALLS PETERBILT \$435.48; IDAHO STATE TAX COMMISSION \$3,525.68; IDAHO TRAFFIC SAFETY, INC. \$591.85; IDENTISYS, INC \$1,342.00; IDEXX DISTRIBUTION, INC. \$557.77; INFINITE HYDRAULICS LLC \$909.99; INTERSTATE BATTERY \$323.85; INTERWEST SUPPLY COMPANY \$3,079.20; JACKSON CURBSIDE INC. \$1,015.00; JACKSON HOLE CHILDRENS MUSEUM \$3,750.00; JACKSON HOLE COMMUNITY COUNSEL \$51,586.01; JACKSON HOLE HISTORICAL SOCIETY \$5,000.00; JACKSON HOLE LAW, PC \$1,502.50; JACKSON HOLE NEWS & GUIDE \$6,444.31; JACKSON HOLE PUBLIC ART \$2,884.00; JACKSON HOLE RADIO \$2,066.00; JACKSON PAINT AND GLASS, INC. \$5,449.03; J-B MECHANICAL \$175.00; JHAM, INC. \$869.60; JORGENSEN ASSOCIATES, PC \$387.50; KELLERSTRASS ENTERPRISES, INC \$76,719.19; KENWORTH SALES COMPANY DEPT #1 \$23,705.99; LANGUAGE TESTING INTERNATIONAL, INC \$455.50; LEIGH, CHRISTOPHER S. \$75.00; LENOVO (UNITED STATES) INC. \$27,341.90; LEPCO \$985.28; LINCOLN NATIONAL LIFE \$6,911.48; LOCAL GOV'T LIABILITY POOL \$2,000.00; LONG BUILDING TECHNOLOGIES INC. \$3,737.00; LSC TRANSPORTATION CONSULTANTS, INC \$6,682.50; LUMINATOR TECHNOLOGY GROUP INC \$707.78; MACY'S SERVICES \$1,234.00; MARKEE ESCROW SERVICES, INC \$52,552.08; MARQUINA, FRANCISCA \$100.00; MEAGHER, KEVIN \$100.00; METROQUIP INC \$728.82; MIKE'S BODYSHOP INC. \$6,188.27; MILLER SANITATION \$2,646.00; MOBILITY FOREFRONT LLC \$70,000.00; MOHROR, SCOTT \$354.44; MOUNTAIN ELECTRICAL \$262.50; MSC INDUSTRIAL SUPPLY CO \$219.70; NAPA AUTO PARTS INC. \$2,335.11; NELSON ENGINEERING \$23,956.75; NORMAN, DONALD \$1,240.00; NORTHWORKS \$6,702.50; OFFICE OF STATE LANDS & INVESTMENTS \$150,709.63; ONE 22, INC. \$41,250.00; ONE CALL OF WYOMING \$167.50; PALAZZOLO, MICHAEL \$90.00; PARTSMASER \$339.55; PREMIER TRUCK- SALT LAKE CITY \$3,536.17; PROTERRA \$288.61; QUADIENT FINANCE USA, INC

\$937.38; QUADIENT LEASING USA, INC. \$20.00; REDEEMER LUTHERN CHURCH \$1,181.41; RED'S AUTO GLASS, INC. \$340.00; RENDEZVOUS ENGINEERING, P.C. \$15,017.50; RINK-TEC INTERNATIONAL, INC \$14,230.18; ROTARY CLUB OF JACKSON HOLE \$300.00; RYAN, JOHN \$155.00; SAARI, CHRISTOPHER \$155.00; SAFETY SUPPLY & SIGN CO., INC. \$307.41; SAFETY-KLEEN SYSTEMS, INC. \$425.23; SALTWORKS LLC \$974.50; SENIOR CENTER OF JACKSON HOLE \$25,832.50; SHERWIN-WILLIAMS CO. \$2.88; SILVER CREEK SUPPLY \$32.25; SILVERSTAR \$6,088.41; SMITH POWER PRODUCTS, INC. \$1,078.74; SNAKE RIVER MEP COMPLETE, INC \$458.00; SNAKE RIVER ROASTING \$314.65; SNAKE RIVER SUPPLY, LLC \$9,264.00; SPRING CREEK ANIMAL HOSPITAL \$115.18; STANARD & ASSOCIATES, INC \$115.50; SUBLETTE COUNTY SHERIFF'S OFFICE \$3,080.00; SYMBOLARTS, LLC \$1,148.50; TEAM LABORATORY CHEMICAL CORP \$1,695.00; TETON COUNTY CLERK \$163,373.04; TETON COUNTY HOSPITAL DISTRICT \$417,372.57; TETON COUNTY INTEGRATED SOLID WASTE/RECY \$1,403.75; TETON COUNTY SHERIFF'S-JAIL \$792.00; TETON COUNTY-FUND 10 \$500,000.00; TETON COUNTY-FUND 13 \$107,600.21; TETON LANDING \$6,000.00; TETON LITERACY CENTER \$4,311.06; TETON MOTORS INC \$35.81; TETON TOOLS LLC \$257.32; TETON TRASH REMOVAL, INC. \$47.00; TETON YOUTH & FAMILY SERVICES \$11,172.23; THE CHILDREN'S LEARNING CENTER \$26,710.00; THE RADAR SHOP \$1,349.00; THOMPSON PALMER & ASSOCIATES \$2,595.00; THOMSON WEST \$902.79; THYSSEN KRUPP ELEVATOR CORP. \$222.50; TMSC LLC \$2,559.83; TRAFFIC SAFETY STORE \$2,283.90; UHL, ANTHONY \$155.00; USA BLUE BOOK \$1,409.53; VERIZON WIRELESS \$16,553.84; VFC CONTROLS \$4,004.25; VINCI LAW OFFICE LLC \$504.26; VISA \$13,079.45; VISION SERVICE PLAN - (WY) \$1,620.65; VWR INTERNATIONAL LLC \$789.01; WEBER, MICHELLE \$735.00; WELLER TRUCK PARTS \$1,321.00; WESTBANK SANITATION \$4,532.88; WESTERN CHARTERS AND TOURS, LLC \$64,050.00; WESTERN STATE \$8,571.46; WHITE GLOVE CLEANING, INC. \$11,360.08; WILD WEST TRANSPORTATION, LLC \$63.00; WINTER & COMPANY \$4,806.28; WOOD ENVIRONMENT & INFRASTRUCTURE \$5,035.50; WY CHILD SUPPORT ENFORCEMENT \$293.52; WY WORKERS' SAFETY & COMP \$7,329.95; WYOMING ASSOC OF RURAL WATER S \$49.00; WYOMING FIRST AID & SAFETY \$494.77; WYOMING LANDSCAPE MAINTENANCE \$3,238.69; WYOMING LAW ENFORCEMENT \$105.00; WYOMING PEACE OFFICERS ASSOCIATION \$310.00; WYOMING RETIREMENT SYSTEM \$106,658.35; WYOMING.COM INC \$5.00; WY-TEST \$875.00; Y2 CONSULTANTS, LLC \$8,600.50; YELLOW IRON EXCAVATION, LLC \$400.00.

- C. **Municipal Court Report for March 2021.** To place the March 2021 Municipal Court Report into the record.
- D. **Gun Barrel Restaurant Outdoor Liquor Service** To approve outdoor service of alcohol and malt beverages on the porch and patio as presented in the staff report pursuant to Wyoming Statute 12-5-201(a), at The Gun Barrel Steakhouse LLC located at 826 West Broadway, with one condition: 1. Obtaining a Basic Use Permit issued by the Town's Planning Department.

Vice Mayor Arne Jorgensen called for the vote. The vote showed 4-0 in favor and the motion carried.

Professional Services Agreement for Core Services Facility Phase 2. A motion was made by Jessica Chambers and seconded by Jonathan Schechter to approve the funding for the Phase 2 Core Services Facility Contract with Jorgensen Engineering of Jackson, Wyoming, in an amount not to exceed \$170,013.00 and authorize the Mayor to execute the necessary contract Agreement. Vice Mayor Arne Jorgensen called for the vote. The vote showed 4-0 in favor and the motion carried.

Restaurant Liquor License Application by Kampai Holdings LLC. Sandy Birdyshaw presented. Vice Mayor Arne Jorgensen opened a public hearing in order to hear protest against this application. None were given. Vice Mayor Arne Jorgensen closed the public hearing.

Having considered the Wyo. Stat. §12-4-104(b) statutory factors for this application, a motion was made by Jonathan Schechter and seconded by Jim Rooks to approve the application and issuance of a restaurant liquor license to Kampai Holdings LLC for the license year beginning April 12, 2021, subject to the following conditions and further direct the Town Clerk to issue the license upon confirmation that the condition of approval have been met within the timeframe set forth in Wyoming Statute 12-4-103(a)(iv). 1. The Clerk shall not issue the liquor license until all required town permits and licenses have been obtained. 2. Any additional minor corrections deemed necessary by staff and the Wyoming Liquor Division. Vice Mayor Jorgensen called for the vote. The vote showed 4-0 in favor and the motion carried.

Restaurant Liquor License Application by Alpine Hotel Partners LLC. Sandy Birdyshaw made staff comment. Vice-Mayor Jorgensen withdrew this item from the agenda.

Application Process for Retail / Bar & Grill Liquor License. Sandy Birdyshaw presented.

A motion was made by Jonathan Schechter and seconded by Jessica Chambers to direct the Town Clerk to provide notice to the public that application packets for 2 retail and 1 bar & grill liquor license will be available on May 3rd and further direct the Clerk to accept those completed applications between June 1 and June 15. After June 15, staff is directed to not accept applications for retail or bar & grill licenses until further notice. I further move that staff work with the Mayor to set special meetings as necessary during the last two weeks of July to conduct public hearings for applications received. Vice Mayor Jorgensen called for the vote. The vote showed 4-0 in favor and the motion carried.

Item P21-031: Permit Fee Reduction for 440 West Kelly Housing Project. Paul Anthony presented. April Norton made staff comment.

A motion was made by Jessica Chambers and seconded by Jonathan Schechter to approve a request from 440 W. Kelly Partners LLC, to waive the \$8,228.25 building permit review fee for the 12-unit, affordable housing project located at 440/430 W. Kelly Avenue. Vice Mayor Jorgensen called for the vote. The vote showed 4-0 in favor and the motion carried.

Item P21-007: Sewer Connection at 2165 Fish Creek Road. Floren Poliseo presented. Tyler Sinclair and Lea Colasuonno made staff comment. John Wasson made comment on behalf of the Wilson Sewer District.

A motion was made by Jonathan Schechter and seconded by Jessica Chambers to approve the connection of 2165 Fish Creek Road to the Wilson Sewer District as presented. Vice Mayor Jorgensen called for the vote. The vote showed 4-0 in favor and the motion carried.

Resolution 21-07: A Resolution Certifying Compliance and Setting a Public Hearing for the Annexation of 3 roadway portions and 1 parcel (Jurisdictional Cleanup). Presented by Lea Colasuonno.

A motion was made by Jonathan Schechter and seconded by Jessica Chambers to approve Resolution 21-07, which initiates annexation proceedings by certifying statutory compliance of the proposed annexations, to set an annexation public hearing to be held in the Town Council's regular meeting on May 17, 2021, and to direct staff to provide the appropriate public notices.

RESOLUTION 21-07: A Resolution Initiating Annexation Proceedings for a Portion of Three Roadways and a .49 Acre Parcel into the Town of Jackson, Certifying Statutory Compliance of the Proposed Annexations, and Establishing a Date, Time, and Place when a Public Hearing will be held on the matter of Such Annexations.

WHEREAS, direction was provided by the Town Council on October 21, 2019, pursuant to W.S. § 15-1-404, to annex approximately 1709.7 linear feet of High School Road starting at South Park Loop Road and going east toward Highway 89; a portion of Highway 22 from where it contacts Highway 89 to the Town's western boundary; a portion of Highway 89 along the Town's northern boundary; and a .49 acre rural parcel along Flat Creek; and

WHEREAS, pursuant to W.S. 15-1-404(b), before proceeding with annexation, the Town of Jackson must determine if the areas proposed to be annexed comply with W.S. § 15-1-402 and should they comply, the governing body must adopt a resolution certifying compliance; and,

WHEREAS, a description of the lands contemplated for annexation is attached hereto as **Exhibit A, B, C, and D**; and,

WHEREAS, on this 12th day of April 2021, the governing body of the Town of Jackson met in public session to determine compliance of the areas with the requirements of W.S. § 15-1-402 set forth below and by adoption of this resolution certifying compliance, have determined that the annexation substantially complies;

NOW, THEREFORE, the Mayor and Town Council of the Town of Jackson, Wyoming, find that:

1. Annexing the Property into the Town of Jackson will enable the Town to better coordinate future development and transportation improvements in this important gateway area, which will benefit both residents and businesses in the annexed area and the community as a whole. The jurisdictional lines in these areas are irregular, creating challenges for law enforcement operations and public works maintenance responsibilities.
2. The Property and portions of the public right-of-way are situated adjacent to multiple properties that are within the Town's boundary. These annexations into the Town would provide a natural addition of the Town's boundary.

3. The areas sought to be annexed are a logical and feasible addition to the Town of Jackson, and the extension of basic and other services customarily available to residents of the Town shall, within reason, be available to the area proposed to be annexed.
4. The areas sought to be annexed are contiguous with the presently existing corporate limits of the Town of Jackson.
5. Franchise holders in the Town would be able to serve the Property and portions of the public rights-of-way if annexed. The Town of Jackson is prepared to amend current franchises if necessary.
6. As required, the proposed annexation report and public hearing notice will be sent by certified mail to landowners and public utilities. Staff will follow notification requirements as outlined in Wyoming State Statute.

BE IT FURTHER RESOLVED, pursuant to W.S. § 15-1-405, that on the 17th day of May 2021, at 6:00 o'clock p.m. or as soon thereafter as the matter can be heard, during a regular meeting of the Town Council of the Town of Jackson, a public hearing shall be held to determine if the proposed annexation complies with W.S. § 15-1-402.

IN ACCORDANCE WITH W.S. § 15-1-405(b) the Clerk shall give appropriate public notice of said hearing in compliance with applicable law.

ADOPTED AND DATED this 12th day of April 2021.

Vice Mayor Jorgensen called for the vote. The vote showed 4-0 in favor and the motion carried.

Ordinances. A motion was made by Jessica Chambers and seconded by Jim Rooks to read ordinances in short title. Vice Mayor Jorgensen called for the vote. The vote showed 4-0 in favor and the motion carried.

**Ordinance W: An Ordinance Amending and Reenacting Jackson Municipal Code
Title 5 in its Entirety.**

AN ORDINANCE AMENDING AND REENACTING TITLE 5 OF THE TOWN OF JACKSON MUNICIPAL CODE PROVIDING FOR BUSINESS REGULATION 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 Jonathan Schechter and seconded by Jessica Chambers to approve Ordinance W at second reading. Vice Mayor Jorgensen called for the vote. The vote showed 4-0 in favor and the motion carried.

Town Manager's Report. A motion was made by Jessica Chambers and seconded by Arne Jorgensen to place an update to the rules and procedures on the work plan within the next 12-months to include making all language gender-neutral, add friendly amendment, and any other corrections needed. Vice-Mayor Jorgensen called for the vote. The vote showed 4-0 in favor and the motion carried.

A motion was made by Jonathan Schechter and seconded by Jim Rooks to accept the Town Manager's Report into the record. The Town Manager's Report contained an update on Spring Clean Up, the Ground Transportation Fare Map Resolution, and a Clarification on Motions. Larry Pardee made comment on the WAM Resolution timeline and purpose of the process. Vice Mayor Jorgensen called for the vote. The vote showed 4-0 in favor and the motion carried.

Adjourn. A motion was made by Jonathan Schechter and seconded by Jessica Chambers to adjourn the meeting. Vice Mayor Jorgensen called for the vote. The vote showed 4-0 in favor and the motion carried. The meeting adjourned at 7:16 p.m. minutes:spb

TOWN OF JACKSON

ATTEST:

Arne Jorgensen, Vice Mayor

Sandra P. Birdyshaw, Town Clerk
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