

TOWN COUNCIL PROCEEDINGS

April 18, 2022

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*: Mayor Hailey Morton Levinson, Arne Jorgensen, Jim Rooks, Jessica Sell Chambers, and Jonathan Schechter.

STAFF: Larry Pardee, Roxanne Robinson, Lea Colasuonno, Tyler Sinclair, Paul Anthony, Michael Palazzolo, Carl Pelletier, Floren Poliseo, Susan Scarlata, Kelly Thompson, Lynsey Lenamond, and Riley Taylor.

Mayor Morton Levinson led those in attendance in the Pledge of Allegiance and proclaimed Monday, May 9th through Saturday, May 14th as Community Spring Clean-Up Week and Saturday, May 7th through Sunday, May 15th as Spring Burn Week.

Public Comment. Sven Jorgensen made public comment.

Consent Calendar. A motion was made by Jonathan Schechter and seconded by Jessica Sell Chambers to approve the consent calendar including items A-B as presented with the following motions.

- A. **Meeting Minutes.** To approve the meeting minutes as presented for the April 11, 2022 Special Meeting.
- B. **Disbursements.** ACE HARDWARE \$2,539.99; ADVANCED INDUSTRIAL SUPPLY INC \$834.69; AIRGAS INTERMOUNTAIN INC. \$563.46; AMAZON \$1,689.39; ANTLER MOTEL, INC. \$1,240.00; AT&T \$2,676.44; BESTDRIVE IDAHO FALLS \$3,423.60; BLUE SPRUCE CLEANERS, INC \$31.50; CARQUEST AUTO PARTS INC. \$2,255.57; CASELLE INC. \$1,812.00; CENTER FOR EQUITY AND INCLUSION \$4,000.00; CLIMB WYOMING \$3,062.50; COMMUNITY SAFETY NETWORK \$14,093.75; CURRAN-SEELEY FOUNDATION \$14,225.50; DIVISION OF CHILD SUPPORT ENFORCEMENT \$509.23; DPC INDUSTRIES, INC. \$4,194.25; E.R. OFFICE EXPRESS \$896.00; ENERGY LABORATORIES INC. \$1,017.00; ETNA TRADE PARK LLC \$3,230.00; FITZGERALD, TODD \$4,492.50; FREEDOM MAILING SERVICE INC. \$1,766.11; GERTA LLC \$2,575.00; GILLIG LLC \$1,739.16; GREG ELLNER ASSOCIATES, LTD \$14,074.00; HACH CHEMICAL CO. \$228.45; HCC LIFE INSURANCE COMPANY \$19,933.42; HD FOWLER COMPANY \$3,306.20; HIGH COUNTRY LINEN \$69.00; HOLE FOOD RESCUE \$5,000.00; IDAHO FALLS PETERBILT \$307.00; IDEXX DISTRIBUTION, INC. \$918.78; JACKSON HOLE BAKLAVA \$74.00; JACKSON HOLE COMMUNITY COUNSEL \$28,412.50; JACKSON HOLE COMMUNITY HOUSING \$12,500.00; JACKSON HOLE NEWS & GUIDE \$333.53; JACKSON LUMBER INC \$1,965.71; JAMISON, PAUL \$36.26; JH20 WATER CONDITIONING & FILTRATION \$71.00; JORGENSEN ASSOCIATES, PC \$4,868.00; LACAL EQUIPMENT, INC \$310.67; LOCAL GOV'T LIABILITY POOL \$1,000.00; LOWER VALLEY ENERGY INC \$46,679.00; LYMAN, TRISSTA \$20,000.00; LYONS, FRANK \$801.59; METROQUIP INC \$195.92; MSC INDUSTRIAL SUPPLY CO \$318.21; NAPA AUTO PARTS INC. \$280.18; NELSON ENGINEERING \$5,053.75; OLDCASTLE PRECAST INC \$1,020.00; PREMIER TRUCK- SALT LAKE CITY \$4,213.79; PROTERRA \$1,054.70; QUADIENT FINANCE USA, INV \$1,000.00; QUADIENT LEASING USA, INC. \$468.69; RAFTER J IMPROV/SERV DIST \$146.43; RHINEHART OIL CO, LLC \$42,883.15; RT1 INC \$74.48; SAFELITE FULFILLMENT INC \$399.31; SAFETY SUPPLY & SIGN CO., INC. \$149.46; SALT CITY SALES \$321.30; SNAKE RIVER ROASTING \$113.90; SPRING CREEK ANIMAL HOSPITAL \$1,069.54; STEP BACK LEADERSHIP CONSULTING LLC \$36,000.00; TETON COUNTY SHERIFF'S-JAIL \$1,224.00; TETON MOTORS INC \$3,744.34; TETON TRASH REMOVAL, INC. \$96.00; TETON YOUTH & FAMILY SERVICES \$64,062.50; THE AFTERMARKET PARTS COMPANY, LLC \$248.25; THE CHILDREN'S LEARNING CENTER \$29,252.75; THE CONNOR E FIELD TRUST \$2,575.00; ULINE \$3,285.46; WESTBANK SANITATION \$1,927.25; WHEELER TANK TESTING, INC. \$1,110.00; WILSON, JOHN \$2,200.00; WY CHILD SUPPORT ENFORCEMENT \$146.76; WYOMING DEPARTMENT OF HEALTH \$240.00; WYOMING SECRETARY OF STATE \$60.00; YELLOW IRON EXCAVATION, LLC \$140.00

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

Special Event: Mondays in May. A motion was made by Arne Jorgensen and seconded by Jessica Sell Chambers to approve the special event application subject to the following conditions and restrictions:

1. The applicant shall abide by any additional conditions not listed in this staff report as directed by the Town Council.
2. The applicant shall abide by all state and local health orders in place during the event.
3. The applicant will work with the Teton County Health Department in efforts to implement practices that help mitigate the potential spread of COVID-19.
4. The applicant shall provide to the Town in advance of the event an insurance certificate that names the "Town of Jackson as an additional insured including its Officers, Officials, Employees, and Volunteers" and must also state that coverage is primary and non-contributory. Insurance limits must be at least \$1,000,000/occurrence and \$1,000,000 aggregate. The additional insured language on the certificate may not include any limitations or exclusions. The insurance must include alcohol liability.
5. The applicant shall provide additional trash receptacles. Parks and Recreation indicated that they would require 1 extra trash can for every food truck present.
6. The applicant shall provide one additional port-o-potty for each event.
7. No vehicles, equipment, trailers, etc. shall be parked on any grass or turf areas at the site unless turf protection measures are in place and have been approved by the parks manager.
8. Vendors shall not dump hot water or other liquids on the turf.
9. If generators are staged in the native or turf areas, the generators shall not be placed directly on the native grass or the turf. A barrier approved by the fire marshal shall be used.

Mayor Morton Levinson called for the vote. The vote showed all in favor and the motion carried.

Special Event: Old West Days. Anna Olson made public comment. A motion was made by JIM Rooks and seconded by Jessica Sell Chambers to approve the special event application subject to the following conditions

1. The applicant will adhere to all federal, state or local health orders in place at the start of the concert.
2. The applicant will work with the Teton County Health Department in efforts to implement practices that help mitigate the potential spread of COVID-19.
3. The applicant shall clean up immediately after the event and shall be responsible for the removal of all refuse and recycled material generated by the event.
4. All town ordinances, including noise and animals (including the prohibition of dogs in any town park) shall apply to all events except where specifically granted relief by the Town Council.
5. The applicant shall advise and instruct all participants on the conditions, restrictions, prohibitions and responsibilities imposed on this event and assist in their enforcement.
6. The applicant shall conduct all activities in a responsible, professional and timely manner.
7. The applicant shall notify, in advance, all business affected by the street closures and shall provide advance community radio and/or newspaper announcements regarding the event, the street closures, and the promotion of free parking in area public parking lots.
8. The applicant shall not block the store fronts of businesses with service vehicles or trailers for longer than one hour.
9. Insurance: An insurance certificate that names the "Town of Jackson as an additional insured including its Officers, Officials, Employees, and Volunteers" and states that coverage is primary and non-contributory is required for every event. Insurance limits must be at least \$1,000,000/occurrence and \$1,000,000 aggregate. The additional insured language on the certificate may not include any limitations or exclusions. Insurance certificates are subject to the review and approval of the Town attorney.
10. The applicant shall obtain an Exposition License for the Town of Jackson covering the days of the events. Social security numbers for all vendors shall be provided to the Finance Department at least 10 days prior to the event.
11. Per Section 5.20 of the Municipal Code: The applicant shall be responsible for ensuring that all sales tax receipts are remitted to the Wyoming Department of Revenue and in no event later than the thirtieth day of the month following the exposition. [and] e. Acquire and keep on file names, addresses and phone numbers of all participants.
12. The applicant shall obtain the necessary food service permits from Teton County Environmental Health.
13. The applicant shall apply and pay for 24 alcohol permits prior to the events.
14. The applicant shall take all measures necessary to comply with applicable alcohol dispensing laws and regulations, including the prevention of sales to and consumption by minors and the prohibition of consumption off the authorized premises. An ID bracelet system shall be utilized and all ID's checked.

15. Only 16oz or smaller plastic cups (or other 16oz cups pre-approved by the Town) are to be used for beer sales.
16. No more than two beers will be sold to any one person at one time.
17. The applicant shall report any incidents of underage drinking or potential over consumption of alcohol to the Police.
18. The applicant will post no alcohol consumption beyond this point signs at exit points which will be staffed by personnel to monitor participants ensuring that open alcohol does not leave the approved area.
19. Fire department access roads shall have and maintain a clear and unobstructed width of 20 feet and unobstructed vertical clearance of not less than 13 feet 6 inches to allow for emergency vehicle traffic along ALL areas of open and closed streets (IFC 503.2.1). Booths and tents may be erected on either side of street, however, a 20 foot straight path must be provided.
20. All tents having an area in excess of 200 square feet shall require advance permitting through the Fire Department unless open on all sides (IFC 105.6.43)
21. Tents which can hold over 50 or more occupants must provide the Fire Department with a detailed site and floor plan detailing means of egress, seating capacity, location and type of heating and electrical equipment (IFC3103.6).
22. Tents, canopies or membrane structures shall not be located within 20 feet of lot lines, buildings, other tents, canopies or membrane structures, parked vehicles or internal combustion engines (IFC 3103.8.2).
23. Tents must meet the flame propagation performance criteria of NFPA 701 (IFC 3104.2).
24. Combustible materials shall not be located within any tent, canopy or membrane structure in use for public assembly (IFC 3104.5).
25. Smoking shall not be permitted in tents, canopies or membrane structures. Approved "No Smoking" signs shall be conspicuously posted (IFC 3104.6).
26. All open flame devices are strictly prohibited within tents unless approved by the fire code official (IFC 3104.7).
27. Portable 2A:10B-C fire extinguishers shall be provided, one minimum, for tents requiring permits with a 75 foot travel distance (IFC 3104.12).
28. Any cooking performed within tents shall require advance approval by the Fire Department (IFC 3104.15.3 –3104.15.7).
29. Generators and other internal combustion power sources shall be separated from tents, canopies or membrane structures by a minimum of 20 feet and shall be isolated from contact with the public by fencing, enclosure or other approved means (IFC 3104.19).
30. All electrical/temporary power shall be in accordance with the 2011 National Electric Code and subject to inspection from this Department (IFC 605.9).
31. Review and follow all of the guidelines listed on the Jackson Hole Fire/EMS website regarding Special Event Rules, based on the 2012 International Fire Code. These rules can be obtained from the Town of Jackson website.
32. Public Safety Plan: Where the fire code official determines that an indoor or outdoor gathering of persons has an adverse impact on public safety through diminished access to buildings, structures, fire hydrants and fire apparatus access roads or where such gatherings adversely affect public safety services of any kind, the fire code official shall have the authority to order the development of, or prescribe a plan for, the provision of an approved level of public safety (IFC403.2).
33. The applicant shall coordinate the use of the Town Square, including paperwork and applicable fees, with the Parks and Recreation Department.
34. The applicant is required to provide turf protection in front of and behind any table or other exhibit on Town Square where crowds will stand. The applicant shall abide by all Parks & Recreation Department recommendations with regards to turf protection.
35. The applicant shall coordinate the use of electricity with the Parks Manager at least three (3) business days prior to the event.
36. The use of the Parks & Recreation Department bleachers shall be coordinated through that department.
37. No trees or other forestry may be moved, modified, damaged or destroyed to set up booths, tents, or exhibits. No ropes, exhibits or booths may be secured to any live forestry.
38. Use of Town Square shall be subject to the submission to and approval of staff of a detailed site plan, indicating set-up, safety procedures and turf protection, and the imposition of such other conditions or restrictions deemed necessary.
39. No exhibits, tables, chairs, or other equipment shall be placed on walkways as to obstruct pedestrian traffic.

40. Attaching signage of any kind to the antler arches or town square fences is prohibited.
41. Any power cords that cross walkways shall be taped and secured as to avoid a tripping hazard.
42. Light post banners shall be coordinated through the Chamber of Commerce and the Town of Jackson Public Works Department.
43. The applicant must receive permission from the Town Council to display signs within the Town of Jackson before or during their event.
44. The applicant shall be responsible for the production, posting and removal of the no parking signage. The applicant will work with the Jackson Hole Police Department who will be responsible for removal or towing vehicles parked in designated no parking spaces.
45. The applicant shall coordinate all road closures with the Police Department and shall provide an adequate number of volunteers to assist with traffic control and barricade setup/removal during the event.
46. Barricades and Road Closed signs are available from the Public Works Department. The applicant shall coordinate all barricade and signage needs with the Public Works Department at least three (3) business days prior to the event.
47. All town ordinances, including noise, possession and use of weapons, open fires and animals (including the prohibition of dogs in any town park) shall apply to all events except where specifically granted relief by the Town Council.
48. The Nightly Shootout Gang is prohibited from entering any bars while in possession of a gun used for the performance.
49. All guns used for the Shootout shall be turned in within fifteen minutes of the end of the performance.
50. All use of the Rodeo Grounds shall be coordinated through and subject to the approval of the Fair Board.
51. Anyone camping at the Rodeo Grounds shall indicate that they are affiliated with the group by placing a card in the windshield of their vehicle. Campers are reminded that fires are not permitted.
52. Anyone camping at the Rodeo Grounds shall not have campfires or open fires during the event.
53. Any additional conditions as directed by the Town Council.

Mayor Morton Levinson called for the vote. The vote showed all in favor and the motion carried.

Summit Connector Chair Placemaking Project. Council held discussion with staff. A motion was made by Jonathan Schechter and seconded by to Jessica Sell Chambers approve the use of the FY22 Public Art Capital Funds, in the amount of \$45,000, towards design, construction, and installation of the Summit Connector Chair Placemaking Project. Mayor Morton Levinson called for the vote. The vote showed all in favor and the motion carried.

New Restaurant Liquor License: SRRC Eatery. Mayor Morton Levinson opened the public hearing. Lynsey Lenamond made staff comment. Council held discussion with staff. A motion was made by Arne Jorgensen and seconded by Jessica Sell Chambers to approve the application for a Restaurant liquor license for SRRC Eatery LLC, subject to the following conditions, and further direct the Town Clerk's office to issue the license upon confirmation that the conditions of approval have been met within the timeframe set forth in Wyoming Statute 12-4-103(a)(iv):

1. The Clerk's office shall not issue the license until all required Town licenses and permits have been obtained.
2. Any additional minor corrections deemed necessary by staff and the Wyoming Liquor Division.

Mayor Morton Levinson called for the vote. The vote showed all in favor and the motion carried. Mayor Morton Levinson closed the public hearing.

New Restaurant Liquor License: Just Juice LLC. Mayor Morton Levinson opened the public hearing. Lynsey Lenamond made staff comment. Council held discussion with staff. A motion was made by Jim Rooks and seconded by Jessica Sell Chambers to approve the application for a Restaurant liquor license for Just Juice LLC, subject to the following conditions, and further direct the Town Clerk's office to issue the license upon confirmation that the conditions of approval have been met within the timeframe set forth in Wyoming Statute 12-4-103(a)(iv):

1. The Clerk's office shall not issue the license until all required Town licenses and permits have been obtained.
2. Any additional minor corrections deemed necessary by staff and the Wyoming Liquor Division.

Mayor Morton Levinson called for the vote. The vote showed all in favor and the motion carried. Mayor Morton Levinson closed the public hearing.

P22-048 10 E. Simpson Condominium Subdivision Plat. Arne Jorgensen recused himself. Paul Anthony made staff comment. Council held discussion with staff. A motion was made by Jim Rooks and seconded by Jonathan Schechter to approve Subdivision Plat (P22-048) for 2-unit condominium subdivision to re-subdivide Lot 1 of the Simpson Corner Townhouse Addition to the Town of Jackson for the property currently addressed at 10 E. Simpson based upon the departmental reviews and the findings presented in this staff report dated April 18, 2022. Mayor Morton Levinson called for the vote. The vote showed 4-0 in favor and the motion carried.

Resolution #22-09 Old Bill’s Fun Run – Animal Shelter. A motion was made by Arne Jorgensen and seconded by Jessica Sell Chambers to allow the Animal Shelter to submit an application to The Community Foundation of Jackson Hole’s Old Bill’s Fun Run 2022. Mayor Morton Levinson called for the vote. The vote showed all in favor and the motion carried.

Resolution #22-10 Old Bill’s Fun Run – Victim Services. A motion was made by Arne Jorgensen and seconded by Jessica Sell Chambers to allow Victim Services to submit an application to The Community Foundation of Jackson Hole’s Old Bill’s Fun Run 2022. Mayor Morton Levinson called for the vote. The vote showed all in favor and the motion carried.

Resolution #22-11 Old Bill’s Fun Run – START. A motion was made by Arne Jorgensen and seconded by Jonathan Schechter to allow START to submit an application to The Community Foundation of Jackson Hole’s Old Bill’s Fun Run 2022. Mayor Morton Levinson called for the vote. The vote showed all in favor and the motion carried.

Ordinances. A motion was made by Jessica Sell Chambers and seconded Jim Rooks to read ordinances in short title. Mayor Morton Levinson called for the vote. The vote showed all in favor and the motion carried.

Ordinance F: An Ordinance Updating Council Salaries

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 1252, 787, 717, 326, AND 226 AND SECTIONS 1-3 OF TOWN OF JACKSON ORDINANCE NO. 1 AND SECTION 2.08.010 OF THE MUNICIPAL CODE OF THE TOWN OF JACKSON REGARDING COMPENSATION FOR MAYOR AND COUNCIL; 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:

Earl Lindel made public comment. A motion was made by Arne Jorgensen and seconded Jonathan Schechter to approve Ordinance F on third reading and designate it no. 1314. Mayor Morton Levinson called for the vote. The vote showed 4-1 in favor with Jim Rooks opposed and Mayor Morton Levinson, Jonathan Schechter, Arne Jorgensen, and Jessica Sell Chambers in favor and the motion carried.

Ordinance H: An Ordinance Limiting the Height of Attached Dwellings

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 1216 AND 1217; SECTION 2 OF TOWN OF JACKSON ORDINANCE NO. 1074 (PART); AND SECTIONS 2.2.8 AND 2.2.9 OF THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS REGARDING MAXIMUM ALLOWED HEIGHT AND STORIES OF DETACHED HOMES AND DUPLEX BUILDINGS IN THE NEIGHBORHOOD MEDIUM DENSITY – 2 (NM-2) DISTRICT AND NEIGHBORHOOD HIGH DENSITY (NH-1) DISTRICT.

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 Jonathan Schechter to approve ordinance H on third reading. Mayor Morton Levinson called for the vote. The vote showed all in favor and the motion carried.

Matters from Mayor and Council.

Alternate Municipal Judge Appointment. Mayor Morton Levinson appointed Dick Stout as an Alternate Municipal Judge. A motion was made by Arne Jorgensen and seconded by Jessica Sell Chambers to consent to the appointment of Dick Stout as an Alternate Municipal Judge. Mayor Morton Levinson called for the vote. The vote showed all in favor and the motion carried.

WAM Summer Convention Travel Authorization. A motion was made by Jonathan Schechter and seconded by Jim Rooks to approve travel expenses for councilmembers and staff who wish to attend the WAM 2022 Summer Conference in Laramie, Wyoming. Mayor Morton Levinson called for the vote. The vote showed all in favor and the motion carried.

Town Manager’s Report. A motion was made by Jessica Sell Chambers and seconded by Jonathan Schechter to approve the Town Manager’s Report. The Town Manager’s Report contained an update on the classification and compensation study and SPET process. Mayor Morton Levinson called for the vote. The vote showed all in favor and the motion carried.

Adjourn. A motion was made by Jonathan Schechter and seconded by Jessica Sell Chambers to adjourn the meeting. Mayor Morton Levinson called for the vote. The vote showed all in favor and the motion carried. The meeting adjourned at 6:52 p.m. Minutes: rt

TOWN OF JACKSON

ATTEST:

Hailey Morton Levinson, Mayor

Riley Taylor, Town Clerk