

Jackson Town Council Workshop

January 17, 2023

1:30 PM

Town Council Chambers

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I. ZOOM LINK FOR PUBLIC PARTICIPATION

To join, click the link or copy to your browser: <https://us02web.zoom.us/j/87584384577?pwd=OStVcWpBUGpqMHJyQlFaYXEvS05xZz09>

If the link does not work, join at zoom.com with Webinar ID **875 8438 4577** Password: **83001**

or join by phone **+1 669 444 9171** with Webinar ID **875 8438 4577** and Password: **83001**

II. CALL TO ORDER AND ROLL CALL

III. WORKSHOP ITEMS

- A. Department Director Updates (Community Development & Parks and Rec, 40 min)
- B. Parklet and Town Square Ambassador Recap (Carl Pelletier & Tyler Sinclair)
- C. Snow King Ave/Scott Lane Intersection Design (Brian Schilling)

IV. PROPOSED ITEMS FOR FUTURE WORKSHOPS

- 2/21 Director Updates (Finance, Community Development)
- 2/21 Construction Management Plans (Floren Poliseo)
- 2/21 Airport Capital Projects Review Process (Tyler Sinclair)
- 2/21 Second Code Enforcement Officer Position Description (Michelle Weber & Tyler Sinclair)
- 2/21 Wastewater Treatment Plant Improvements (Floren Poliseo)
- 2/21 Equity and Inclusion Survey (Susan Scarlata)

V. ADJOURN TO EXECUTIVE SESSION

Adjourn to executive session to discuss personnel matters in accordance with Wyoming Statute 16-4-405(a)(ii).

Please note that at any point during the meeting, the Mayor and Council may change the order of items listed on this agenda. In order to ensure that you are present at the time your item of interest is discussed, please join the meeting at the beginning to hear any changes to the schedule or agenda.

STAFF REPORT



Meeting Date:	January 17, 2023	Meeting Title:	Council Workshop
Submitting Department:	Administration	Presenter:	Carl Pelletier
Agenda Item:	Parklets, Flex Space and Downtown Ambassador Update	Public Comment:	Yes

Purpose & Policy Considerations.

The purpose of the agenda item is to update Council on the use of Parklets and Flex Space as well as on the effectiveness of the position of Town Square Ambassador during the summer of 2022 and to receive direction on these programs and improvements for summer 2023..

Requested Action.

Staff is seeking direction on the use of Parklets and Flex Space along with a Town Square Ambassador Program for the summer of 2023.

Recommendations.

Staff recommends continuing Parklets and Flex Space along with a Town Square Ambassador for the summer of 2023.

Background.

In 2020, as a means of offsetting some of the impacts of COVID, the Town of Jackson activated Flex Space along portions of Center Street and Deloney Avenue as well as permitting Parklets outside of various businesses throughout Town. This practice was continued during the summers of 2021 and 2022.

At the June 21, 2022 Regular Town Council meeting an MOU between the Town of Jackson and the Jackson Hole Chamber of Commerce establishing the Parklet Ambassador Program was approved. The MOU is attached to this staff report.

During the summer of 2022 there were 8 Parklets approved and activated in front of businesses on Town owned property - public right of way parking spaces. In addition, the Town activated Flex Space on Center Street and Deloney Avenue. This Flex Space included tables, chairs and planters placed in public parking spaces on Center Street (between Broadway and Deloney) as well as on a small portion of Deloney. No public parking spaces were lost from this Flex Space activation. As part of the Downtown Ambassador program, the JH Chamber of Commerce set up a table on the S.W. corner of the Town Square. In addition to being a presence and answering questions from visitors in the downtown area, the Downtown Ambassador was expected to inspect the approved Parklet spaces, clean and maintain the Flex Space areas, and remove litter in the area surrounding the George Washington Memorial Park.

A representative from the Chamber of Commerce will be present at this meeting to provide an overview of the Downtown Ambassador Program for the summer of 2022.

Looking towards the summer of 2023 Staff is seeking direction on the Council's desire to move forward the following programs:

1. Downtown Ambassador
2. Flex Space
3. Parklets

Analysis.

The following is an analysis of the 3 programs:

Downtown Ambassador: According to the Chamber of Commerce this program was highly successful in being forward facing with the visiting public. The Ambassador was able to alleviate impact typically placed on Town staff by maintaining the Flex Space on a daily basis. This included watering the planters surrounding the Flex Space, cleaning and organizing the tables and chairs within the Flex Space as well as picking up litter in and around the area. The Ambassador would help to maintain the area surrounding the Parklets and when needed they would notify Town staff of any concerns. In addition, the Ambassador would reach out to Town staff when there were any issues taking place in and around the Town Square that may have otherwise gone unattended to or unnoticed.

Parklets: Eight Parklets were approved for the summer of 2022. Five of these Parklets would be considered full-service serving both food and alcohol, two of the Parklets would be considered full-service serving food only and one of the Parklets was used as a seating area without food or beverage service. The majority of these Parklets utilized 3 public parking spaces. Typically, the operating window runs from mid-May through the end of October; however, this year the operating window for Parklets was from June 11, 2022 through October 31, 2022.

No fees were charged for Parklets during previous summers. Last year Council indicated a desire to potentially charge a Parklet fee for future years due to the fact that these Parklets were utilizing public right of way. Staff has investigated several different parklet program fee structures throughout the country. These different fee structures encompass a wide range from less than \$200 to activate a Parklet up to \$10,000 to activate a Parklet. At the conclusion of the summer of 2021 staff surveyed all of the approved Parklet applicants on a number of different fronts including possible Parklet fees. The responses ranged from indicating that if a fee was charged that the business would not activate the Parklet to a business indicating that a reasonable fee would range between \$6,500 and \$8,500 per Parklet. The survey results are attached to this staff report.

One possible approach to establishing a Parklet fee moving forward would be to consider the following factors:

1. Number of spaces used (1, 2 or 3).
2. Number of months used (May – October: 1, 2, 3, 4, 5 or 6).
3. Type of service in Parklet (seating only (no service), full-service (food only), full-service (food & alcohol)).
 - a. Seating only (no service) - \$50
 - b. Full-service (food only) - \$150
 - c. Full-service (food and alcohol) - \$250

Examples of instituting the fee structure above:

- Establishment A: Seating area only (no food or beverage service).
 - \$50 x 6 months x 2 parking spaces = \$600 Parklet fee
- Establishment B: Full-service (food only)
 - \$150 x 6 months x 3 parking spaces = \$2,700 Parklet fee
- Establishment C: Full-service (food and alcohol)
 - \$250 x 6 months x 3 parking spaces = \$4,500 Parklet fee

For means of comparison, the Public Works Department charges construction companies \$84 for right of way use per day per, per parking space. Using the Public Works ROW fee a Parklet using 3 spaces for the months of June, July, August and September they would be charged over \$30,000.

Flex Space: The Flex Space on Center Street and Deloney Avenue was set up by members of the Public Works Department. The space included tables and chairs with a perimeter comprised of planters. This space was used on the west side of Center Street (between Broadway and Deloney) as well as on the south side Deloney Avenue in the pedestrian bulb-out area near the Center / Deloney intersection. With the addition of Flex Space the traffic pattern on Center Street (between

Broadway and Deloney) was changed from 2-way traffic to 1-way traffic (heading north). No parking spaces are lost with the installation of the Flex Space. The Flex Space was removed by Public Works staff for the season in October.

Possible Alternatives.

1. Direct staff to move forward with planning of Flex Spaces, Parklets and a Downtown Ambassador position for the summer of 2023 without changes from previous years.
2. Direct staff to move forward Direct staff to move forward with the planning of Flex Spaces, Parklets and a Downtown Ambassador position for the summer of 2023 with associated fees as directed by Council and any other changes.
3. Direct staff to make changes, including the discontinuation of any or all of the following programs: Flex Space, Parklets and the Downtown Ambassador position.

Comprehensive Plan & Priority Alignment.

Flex Space, Parklets and a Downtown Ambassador program align within the Comprehensive Plan & Community Priority Goals in addressing Town as Heart of the Region – The Central Complete Neighborhood: The Town of Jackson will continue to be the primary location for jobs, housing, shopping educational and cultural activities.

Principle 4.4—Enhance civic spaces, social functions, and environmental amenities to make Town a more desirable Complete Neighborhood.

The Town of Jackson has traditionally served as the cultural, social and civic hub for Teton County and the region. Maintaining and improving public spaces will support Jackson as the community's central Complete Neighborhood, a gateway to the nation's parks and forests, and the regional center for tourism, the arts and employment.

Policy 4.4.a: Maintain and improve public spaces

Public spaces are the building blocks of a thriving community. Jackson's public spaces and civic facilities should be interesting and memorable, and should reinforce our sense of community. Town will continue to promote high quality design of public spaces, including creating attractive gateways, preserving views, and providing appealing public right-of-way amenities. The integration of fine arts professionals in the design of public spaces will be encouraged to create unique and visually engaging projects. New developments in Town should contribute to quality public spaces—including, but not limited to, pedestrian amenities, parks, outdoor squares, landscaped areas and public art.

Fiscal Impact.

In 2022, the Town of Jackson and the Jackson Hole Chamber of Commerce agreed to share the cost of the Downtown Ambassador program with each entity accountable for 50% of total cost up to \$8,142.30.

Staff Impact.

Flex Space: Staff time to retrieve chairs, tables, planters from storage, set-up and clean equipment prior to the start of the summer. Install signage, plant items in the planter boxes and remove items at the end of the season. It is estimated that approximately 100 hours of staff time is needed for set up and take down of flex space each summer.

Parklets: Staff time to manage the Parklet program (create and publish application, review applications, set-up space, review of guidelines with owner and general maintenance). It is estimated that approximately 75 hours of staff time is needed each summer to manage the Parklet program.

Downtown Ambassador: No staff impact. The presence of the ambassador reduces direct impact of Town staff in both Public Works and in Parks and Recreation. As stated earlier, the Ambassador was able to alleviate impact typically placed on Town staff by maintaining the Flex Space on a daily basis. This included watering the planters surrounding the Flex Space, cleaning and organizing the tables and chairs within the Flex Space as well as picking up litter in and around the area. The Ambassador would help to maintain the area surrounding the Parklets and when needed they would notify

Town staff of any concerns. In addition, the Ambassador would reach out to Town staff when there were any issues taking place in and around the Town Square that may have otherwise gone unattended to or unnoticed.

Attachments or Links.

Map of Parklets/Flex Space/Downtown Ambassador

MOU for Downtown Ambassador

Chamber of Commerce Power Point Presentation

Suggested Motion.

Item 1

I move to direct staff to implement a parklet program with an annual fee for the summer of 2023 as presented.

Item 2

I move to direct staff to implement Flex Space improvements in the downtown as presented.

Item 3

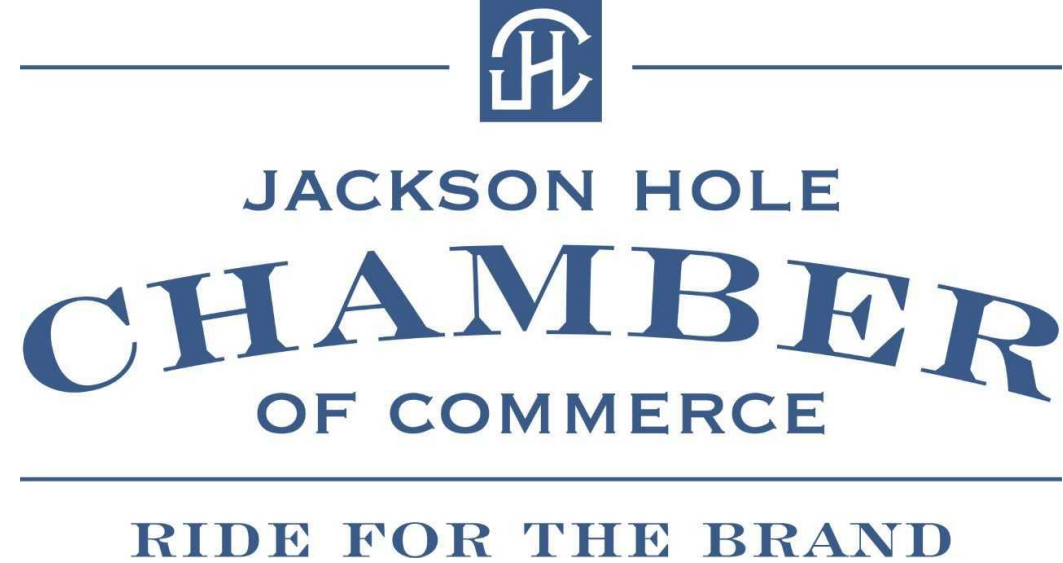
I move to direct staff to prepare a Memorandum of Understanding with the Jackson Hole Chamber of Commerce for a Town Square Ambassador for the summer of 2023 for consideration at a future meeting.

2022 Parklet / Flex Space

-  Parklet location
-  Flex Space location
-  Town Square Ambassador



One additional Parklet not on map
located at 505 Powderhorn Lane



Town Square Ambassador Program 2022
Funded by the Town of Jackson & JHTTB

Town Square Ambassador Program Overview

- July-September 30, 2022
- Kept Grass potters and flowers watered
- Cleaned Veteran's memorial, trash can lids and litter around the town square
- Worked with Town and Parks & Rec to keep trash cans from overflowing
- Helped visitor/resident/business with town and area information (150+visiotrs per day)



Town Square Ambassador Program Overview

- Handed out maps and resources
- Took photos for visitors under the arches
- Worked with local law enforcement to keep visitors safe and a family friendly environment around the square
- Kept Miller Park and Miller Parking garage Free of litter and monitored activities and reported any issues that may need attention.



Parklets Adjacent to Town Square

- The Deloney location seemed to be the one in need of the most attention
- The addition of the parklets seemed to add a more energetic vibe to the downtown experience
- After the first week or so beer bottle and glasses no longer were an issue in any of the locations



Flex Space

- Overall, a big success
- Tables on north side of square seemed to be utilized more
- Tables on east side became hot during mid-day
- Watered planters in and around the flex space area
- Cleaned tables trash receptacles as needed (ice cream is a killer)



Improvements

- More permanent Structure to operate from
- Different water hose (non-kink)
- Add sunshades to tables in the flex space
- Add parking signs along planters in flex space
- Consider more cigarette deposits by trash cans
- Add center street to the program(cleanliness)





Improvements Continued

- Farmers market had the largest impact on the town square with trash, discarded produce and fruit from the fruit cups
- Feedback from businesses, residents & visitors pointed to a huge success and continuing would be preferred

Thank you



JACKSON HOLE
CHAMBER
OF COMMERCE

RIDE FOR THE BRAND

QUESTION #1

Based upon your use of a parklet previously are you in favor of continuing the program? Why?

Absolutely in favor!! Because of the pandemic, and the amazing weather in Jackson during the summer months, a lot of customers were specifically wanting to sit outside. Our parklet was full almost every day and it allowed us to provide seating to more guests than we have in past summers. In addition, our HOA has limited us on how many outside tables we can have so this allowed us to expand outside. We also purchased a lot of tables, chairs, planters, etc. specifically for the parklet – it would be a bummer if we weren't allowed to use again – I'm sure other businesses did the same.

After two years of parklets I would say they served their purpose during the height of the pandemic. I would not be in favor of continuing the program. The town of Jackson is hard enough to navigate with vehicles in the summer. We do not need the extra street blockage and diminished parking. Also, selfishly, we have a competitive advantage of having an outdoor space that we have paid all the mitigation fees on in order to maintain that advantage. Cafe Genevieve only has 50 seats indoors which in the winter is severely limiting. We make up for that lack of space in the summer months with the outdoor seating we provide. We also have paid the mitigation for sewer and water fees for our outdoor space.

We are in favor of it continuing both on a business and personal level. It allows for a lot more visitor entertainment, dining etc and creates a fun outdoor atmosphere in town. We have really enjoyed the ability to have a parklet the last few years and it has added to the visitor experience of Fall Arts Festival greatly. Our parklet allows us to have more of our artists at the gallery actively working and giving the public an opportunity to engage with artists, which is one of the experiences our clients remark as being one of the things they enjoy most about coming and returning year after year for the festival.

Yes, because everyone in this town was talking about how it transformed this town, people thought they were in Europe somewhere. Also the off set of losing dining inside. Even when restrictions were lifted we still didn't feel right cramming people next to others and giving them their space. It just feels right in a pandemic/endemic world. There was also the economic impact to us as a restaurant and the extra dollars that came in due to this. It was all a total win.

I am 100% in favor of keeping the parklet program going forward. Space is at such a premium in Jackson, that most restaurants can normally offer only very limited or no outdoor seating. The parklets are a great way to expand outdoor seating during the only months that it really makes sense as well as increase a restaurant's overall seating capacity and ability to serve more visitors.

I am in favor of continuing the program. I think it's a wonderful way that the town can help businesses with more opportunities and safety measures especially while most places are struggling with so many obstacles.

Yes, the parklet offered us the opportunity to serve a comfortable number of seats while social distance spacing and following the suggested guidelines put forth by the town while in Orange/Red covid levels. Assisted in keeping sales consistent. Without the parklet, we believe our restaurant would be in a much more dire financial position than it is now.

Yes! Definitely want to continue this in coming years ! Worked great for us.

QUESTION #2

Should the parklet program continue what do you believe is the value of the public right of way used for activating a parklet (utilizing 3 parking spaces for 6 months)?

Possible Ranges:

- a) \$0-\$2500
- b) \$2,500 – \$4,500
- c) \$4,500 - \$6,500
- d) \$6,500 - \$8,500
- e) Over \$10,000

Option a: \$0-\$2,500 – unfortunately, would probably not choose to have a parklet in the future if it was more than this.

I would think d. \$6500 - \$8500 per space used is reasonable.

I don't want to speak for the restaurants who have a parklet all summer in terms of value for them. Our recommendation would be to also have a shorter term fee for use of the spaces. We typically have it setup for about 2 weeks, so having a prorated weekly fee instead of a 6 month would be ideal for us.

I obviously would like to see this number as low as possible because it is the nature of the businessman in me to do so. However, if your studies have shown the average of \$5,500 then you cant argue that. I trust your judgment on what is right for the town and for its vendors to not make things excessive, but the town is a business just like us and the town has to make money, I get it.

I know that parking is always an issue and especially at a premium in the downtown area, but I really do think that the parklets are even more valuable. They really beautify the streets and make walking around downtown Jackson even more appealing. Personally, I would be comfortable with the B option, \$2500-4500 range for parklets. Beyond the rental of the space, parklets do cost quite a bit of money for each restaurant to equip and maintain. If the cost were above this range, I would have to think hard about participating again. Margins are already small in the food and beverage industry, and with the rising costs of food, rent, employees and inflation, I'm not sure that it is a cost I could justify.

Option a: It's hard to put a value on it because our parklet did not generate income for us this year due to being short staffed. We originally got approved to have it as a place where people could sit and drink a beer while they waited for their table. If we were to keep it as a "waiting area" I don't think it would generate enough income to make it worth a cost, again I'm really not sure because we couldn't use it.

We agree that it would make more sense to charge a monthly fee and an application fee. We do not believe the parklet should be a source of income for the town until we have lessened in risk level for a consistent period of time. If businesses will be charged by parking space we suggest that the town revisits parking fees for publicly parked cars around the square. Considering that we have 15+ employees who are using that parking daily, why charge businesses per parking spot when parking is not priced at a premium otherwise. On Center street alone: Tiger, Moos, Orsetto, Bistro & Kampai have a staff of roughly 10 (conservatively) each in the evenings, potentially 40-50 spots being used by staffing alone. We should push those spaces into public lots and charge for our tourists/locals in their leisure time, by the hours. As a note for Tiger specifically: We are the only restaurant in town that was heavily impacted by parklet costs, as we had to have one built. This program would not have been helpful to us if

we had not been able to afford close to 12k in building costs (especially in a town where the building is hard to come by and exorbitantly expensive.) It would be ideal for the town to help offset costs to businesses that exceed a reasonable cost.

I think the 0-2500 range is a good price

QUESTION #3

If parklets were approved to move forward, do you feel there is value in limiting the number of parking spaces utilized by a single parklet? If so, what would be the maximum number of parking spaces that a parklet should be permitted to utilize?

We had about 3 parking spaces taken up by our parklet I believe.. It was perfect! I don't have any preference really on whether or not it should be limited for our location specifically as there is plenty of street parking. But, I would like to have the option of 3 spots. Because ours was on the street, 3 gave us plenty of room for a decent amount of tables. More than 3 would have been harder to manage and keep clean so that's something to keep in mind. Also, in town parking is practically gold so I can see how limiting spaces in town might be necessary so there's room for people to park.

In order to be effective and financially viable, I would say three spaces would have to be the minimum, and they would need to be paid for up front. I think setting a higher price per space going forward would make operators really think about how they want to use the space they are taking away from the public.

There has to be some regulation or the whole thing has potential to be a giant parklet. I think restricting it to the spaces in front of a business is reasonable so it's not impeding access to any other business.

I think the 3 spaces allocated last year was perfect because it allowed us to get 5 four tops, which is what we lost inside.

I think a maximum of 2 parking spaces is reasonable.

Yes there should be a limit. I think the way you originally had it set up with 3 spaces worked well especially with the parking capacity we have and the amount of vehicles coming to our town.

Yes, We believe 3 spaces is sufficient for a business without a deck or patio, and 2 spaces for a business with a deck for a patio is sufficient. I wonder how the town feels about restaurants that have limited parking near them, Noodle kitchen comes to mind- will there be an option for them or a credit if they're unable to use the parking located around their facility? On a street such as Center, we are looking at 4-5 businesses intentionally taking up 12 spaces during the highest peak of our season- Tiger, Kampai, Orsetto & bistro, maybe Moos. That must impact businesses like Scandia down & the flower shop heavily, and should be taken into consideration. It would make sense that parking spots are prioritized and offered to businesses that do not have an existing roof/deck/patio. Bistro has a patio, rooftop, 3 parking spots for a parklet all while Cloudveil takes up an additional 4 spaces for arriving hotel guests. Orsetto as an example has reduced parking (public or private) by 3-4 spaces by installing a fixed patio. That may not fall under town parking, but it certainly has impacted our street. We recall it was brought up in years past and did not move forward, to turn Center into a closed-to-traffic street. As we move into our 3rd summer of covid, and local businesses on Center street have been able to adjust to parking and flow of traffic changes, this could be a good time to put that idea forward once more. We have been

informed that the town plans to run a walkway down Center street in the summer of 2023 that will push 6ft out from the boardwalk that the tiger is attached to. This could cause tiger to incur yet another parklet related cost for building- and will place a hard (public walking) obstacle between our restaurant and our guests. We would like to have a better understanding of the town's plan before the project is underway so we can plan accordingly, for our finances and service structure.

Limiting each Parklet to 3 spots I think is fair.

QUESTION #4

Do you have any additional feedback and/or considerations that you would like to provide?

We were very thankful to have the option of this parklet & I'm glad we had one. While the pandemic has overall brought many difficulties and effected our town (and the world) in many ways, I would say that the parklet has definitely been one positives to come out of the past 2 years! Thank you guys for allowing us to have this parklet & finding creative ways to support our local businesses.

I think it adds to the overall spirit of the town to have people out and about, provide more seating for dining and to help pull people off the square more. We would like to see them remain.

I know there is a cost to the town for this and I and many others are willing to pay for them, I would just hope that the town doesn't go too far with the fees and make it to where companies don't wish to do them because I think it does transform the town in the way I like my city to look for summer.

Nothing to add. I do believe that parklets add a lot to the atmosphere of downtown and make walking around especially appealing for visitors.

Overall the Parklet was a huge help to us during then continued pandemic and also as a tool to help us draw foot traffic over to our street . Love the atmosphere it creates in our downtown!

MEMORANDUM OF UNDERSTANDING BETWEEN THE
TOWN OF JACKSON
AND
JACKSON HOLE CHAMBER OF COMMERCE

1. Parties. This Memorandum of Understanding ("MOU") is made and entered into this ____ day of _____, 2022, ("Effective Date") by and between the Town of Jackson, a municipal corporation duly organized in Wyoming, whose address is 150 E. Pearl Avenue, P.O. Box 1687, Jackson, Wyoming 83001 ("Town"), and Jackson Hole Chamber of Commerce, a 501(c)(6) organization, whose address is 260 Broadway Suite A, P.O. Box 550, Jackson, Wyoming 83001 ("Chamber").
2. Purpose of MOU. The purpose of this MOU is to clarify roles and responsibilities relating to the Chamber's employment of a person to serve as an ambassador ("Downtown Ambassador") for the parklet program in the Town of Jackson and memorialize the Town's financial support for this ambassador.
3. Term of MOU. This MOU shall commence upon the Effective Date and shall remain in full force and effect until November 1, 2022.
4. Responsibilities of the Chamber. For the Term of this MOU, the Chamber:
 - A. Hire, employ, and manage a Downtown Ambassador.
 - B. Ensure the Downtown Ambassador works at minimum on the following schedule:
 - i. Six (6) days per week between the hours of 10 a.m. and 3 p.m. from June 5th through September 30th.
 - C. Ensure the Downtown Ambassador provides professional services to the public and business community, to include:
 - i. Wearing Chamber of Commerce employee uniform and name badge;
 - ii. Possessing general knowledge of and providing general information to the public about the Town of Jackson parklet program;
 - iii. Meeting with each parklet owner upon hiring to review site plan, discuss the requirements of the parklet approval issued by the Town of Jackson (including the application, approval, and standard conditions), discuss the layout of each parklet, and answer questions by the owner of each parklet (whether immediately or after consultation with the Town if the Ambassador does not know the answer).
 - iv. Upon hiring, monitoring the parklet to comply with applicable parklet approval.

- v. After parklet activation is completed by the parklet owner, collecting all traffic safety cones and any traffic safety devices used during parklet activation and return to the Town of Jackson.
 - vi. Inspecting each full-service food service parklet for compliance with the Teton County Health Department parklet rules.
 - vii. Identifying and Recording all parklet violations, including but not limited to: documenting which parklet had a non-compliance issue and the nature of the non-compliance issue and appropriately documenting and reporting all non-compliance issues during each parklet season for each parklet to the Town.
 - viii. Providing recommendation to the Town to remove parklets that fails to comply with their parklet approval issued by the Town of Jackson (including the application, approval, and Standard Conditions) after 3 written warnings (per season) have been issued by Town.
 - ix. Inspecting and cleaning the Town of Jackson Flex Space located on the perimeter of the Town Square, including but not limited to: organizing tables & chairs, picking up trash, and watering flex-space plants once a day.
 - x. Providing for twice daily litter removal and general cleanliness within the 3-hour parking zone of downtown, including boardwalks, sidewalks, roadway, rights-of-way, all parking lots, and the Parking Garage and reporting any issues to the Assistant Public Works Director
- D. Be responsible for 50% of the costs associated with the Downtown Ambassador, including, but not limited to, labor, uniforms, materials, and operations, which shall not exceed \$8,142.30.
 - E. Provide any and all materials, including but not limited to, tools, equipment, and personal protective equipment (PPE) for the Downtown Ambassador that are necessary to provide professional services.
5. Responsibilities of the Town. For the Term of this MOU, the Town:
- A. Be responsible for 50% of the costs associated with the Parklet Ambassador, including, but not limited to, labor, uniforms, materials, and operations, which shall not exceed \$8,142.30.
 - B. Town agrees to provide use of traffic safety devices for the installation of the parklets.

6. Notices.

- A. All notices arising out of, or from, the provisions of this MOU shall be in writing and given to the Parties at the address provided under this MOU, either by regular mail or delivery in person.

Town of Jackson
Attn: Town Clerk
P.O. Box 1687
Jackson, WY 83001

Jackson Hole Chamber of Commerce
Rick Howe, Vice President
P.O. Box 550
Jackson, Wyoming 83001

7. General Provisions.

- A. Contact. If an urgent problem arises, the Chamber will contact Johnny Ziem, Assistant Public Works Director, 307-733-3079.
- B. Amendments. Any changes, modifications, revisions, or amendments to this MOU which are mutually agreed upon by the Parties shall be incorporated by written instrument, executed and signed by both Parties of this MOU. No verbal amendments are permitted.
- C. Assignment. This MOU shall not be assigned or transferred without the express written consent of the Town.
- D. Additional Documents and Acts. Each party agrees to execute and deliver such additional documents and to perform such additional acts as may be necessary or appropriate to effectuate, carry out, and perform all of the terms, provisions, and conditions of this MOU.
- E. Governing Law, Jurisdiction, Construction. This MOU shall be construed, performed, and enforced in accordance with, and governed by, the laws of the State of Wyoming, without giving effect to the principles of conflict of laws thereof. The parties hereto irrevocably elect as the sole judicial forum for the adjudication of any matters arising under or in connection with this MOU, and consent to the jurisdiction of, the courts of the County of Teton, State of Wyoming, or the United States of America for the District of Wyoming. This MOU was negotiated by both parties hereto. As such, it shall not be construed against or in favor of any party by virtue of which party drafted it or any portion thereof.
- F. Entirety of Agreement. This MOU represents the entire and integrated agreement between the Parties and supersedes all prior negotiations, representations and agreements, whether written or oral. Where any portion of this MOU is in conflict with state statute, state statute shall govern.

- G. Severability. Should any portion of this MOU be judicially determined to be illegal or unenforceable, the remainder of the MOU shall continue in full force and effect, and either Party may re-negotiate the terms affected by the severance.
- H. Governmental Immunity. The Town does not waive its governmental immunity by entering into this MOU and fully retains all immunities and defenses provided by law with respect to any action based on or occurring as a result of this MOU.
- I. Indemnification. Each Party shall assume the risk of any liability arising from its own actions or omissions or the actions or omissions of its employees, volunteers, and agents at all times. Neither Party agrees to insure, defend, or indemnify the other, subject to negligence or willful misconduct.
- J. Third Party Beneficiary Rights. The Parties do not intend to create in any other individual or entity the status of a third-party beneficiary, and this MOU shall not be constructed so as to create such status. The rights, duties, and obligations contained in this MOU shall operate only between the Parties to this MOU, and shall insure solely to the benefit of the Parties to this MOU. The provisions of this MOU are intended only to assist the Parties in determining and performing their obligations under this MOU. The Parties to this MOU intend and expressly agree that only parties signatory to this MOU shall have any legal or equitable right to seek to enforce this MOU, to seek any remedy arising out of a party's performance or failure to perform any term or condition of this MOU, or to bring an action for the breach of this MOU.
- K. Counterparts; Electronic Signatures. This MOU may be executed simultaneously in two or more counterparts, each of which shall be deemed an original and all of which, when taken together, constitute one and the same document. The signature of any party to any counterpart shall be deemed a signature to, and may be appended to, any other counterpart. Counterparts may be delivered via electronic mail (including pdf or any electronic signature complying with the federal ESIGN Act of 2000, e.g., www.docusign.com) or other transmission method, and any counterpart so delivered shall be deemed to have been duly and validly delivered and be valid and effective for all purposes. At the request of either party, each party agrees to execute an original of this MOU as well as any facsimile or other reproduction hereof.

IN WITNESS WHEREOF, the parties hereto have executed this MOU as of the Effective Date.

TOWN OF JACKSON

A Wyoming Municipal Corporation

By: _____

Hailey Morton Levinson, Mayor

ATTEST: _____

Riley Taylor, Town Clerk

JACKSON HOLE CHAMBER OF COMMERCE

A 501(c)(6) Organization in Jackson Wyoming

By: _____

Rick Howe, Vice President

STAFF REPORT



Meeting Date:	January 17, 2023	Meeting Title:	Town Council Workshop
Submitting Department:	County Public Works - Pathways	Presenter:	Brian Schilling
Agenda Item:	Snow King Avenue/Scott Lane/Simon Lane Intersection Design	Public Comment	Yes

Purpose & Policy Considerations.

This item seeks input and direction from Council on the proposed realignment of Simon Lane in conjunction with the S4 Flats affordable workforce housing development and the Scott Lane-Maple Way Bicycle/Pedestrian/ADA Improvements project.

Requested Action.

Staff requests that Council provide direction on the layout and timeline of the proposed realignment of Simon Lane at the Scott Lane/Snow King Avenue intersection.

Recommendations.

Staff recommends that Council:

- Direct staff to proceed with final design of the Simon Lane realignment (with changes as needed).
- Direct staff to pursue combining the Simon Lane realignment construction with the S4 Flats development construction in summer 2023.

Background.

The intersection of Snow King Avenue, Scott Lane, and Simon Lane is confusing, inefficient, and unsafe for motorists, bicyclists, and pedestrians. This is caused, in part, by the offset alignment of Simon Lane and Snow King Avenue, which creates an off-kilter 4-way intersection that functions essentially as two 3-way intersections. The Town has long identified this intersection for reconstruction to improve all modes of traffic.

The Town Council has previously discussed the concept plan for the Scott Lane-Maple Way Bicycle/Pedestrian and ADA improvements project at their regular meeting on March 7, 2022 (see the link to the Staff Report below). Council approved the concept plan which included protected bike lanes, new sidewalks and curb ramps, and a protected intersection at the Snow King Avenue/Scott Lane intersection. Planning for this project is partially funded by a Transportation Alternatives Program grant through WYDOT and must be completed by the end of 2023. Ideally, construction will be coordinated with utility work in the same corridor pending the outcome of a master planning and phasing currently underway.

Concurrent with the bike/ped/ADA improvements project, Town Public Works and Town Pathways staff have explored additional traffic analysis and alignment options that combine the bike/ped/ADA improvements with improved vehicular traffic flow along the Snow King Avenue-Maple Way corridor between Flat Creek Dr. and Highway 89. (The results of the traffic analysis have not been presented to Council yet). Among the alternatives considered for the Snow King Avenue/Scott Lane intersection were a roundabout and a realignment of Simon Lane. The roundabout option was considered but discarded, as it was determined to not be feasible within the available public right-of-way and adjoining Town-owned properties. The realigned Simon Lane option was carried forward, as it meets the goals of improved safety for non-motorized users and improved traffic flow at the intersection and can fit within the existing right-of-way and Town-owned parcels (an easement would be beneficial in order to extend the sidewalk on the east side of Scott Lane north from Snow King Avenue, but it is not required for the realignment of Simon Lane).

Another upcoming project that will impact this intersection and the surrounding streets is the proposed S4 Flats affordable workforce housing development at 915 Simon Lane and 910 Smith Lane. This multi-unit housing project is currently preparing for building permit application and the developers intend to begin construction this coming summer. The S4 Flats parcels are owned by the Town of Jackson and currently ground leased to the developer with provisions for building setbacks that will enable the Simon Lane realignment and other improvements. The prospective redevelopment creates an opportunity to align the intersection and initiate the bike/ped/ADA improvements in this area.

The attached layout shows the overall concept to realign the east end of Simon Lane and construct a protected intersection connecting to the bike/ped/ADA improvements on Snow King Avenue and Scott Lane.

Analysis.

A realigned intersection at Snow King Avenue, Scott Lane, and Simon Lane will provide significant benefits to the overall safety for bicyclists, pedestrians, and ADA users by creating additional space for a protected intersection and a more conventional alignment of Simon Lane and Snow King Avenue. Without realignment, the pedestrian crossings are skewed and the pedestrian queuing areas are undersized. This makes it very difficult to meet ADA requirements or allow enough room for safe queuing, and generally perpetuates the confusing nature of the current intersection. By realigning Simon Lane to the north so that it matches up with Snow King Avenue, the crossings are straightened out (and shortened), the queuing areas can be made to comply with ADA requirements, and the overall intersection becomes significantly more safe, intuitive, and efficient for all modes of traffic.

Some of the reasons for considering the realigned Simon Lane at this time are: a) the S4 Flats housing development project at 915 Simon Lane and 910 Smith Lane is preparing for building permit application and the developers intend to construct this coming summer, so staff are hoping to combine some of the intersection realignment construction with the S4 Flats development; b) the S4 Flats developer has expressed a willingness to coordinate efforts, and; c) the overall design of the Scott Lane-Maple Way bike/ped/ADA improvements will be affected by the Simon Lane alignment, and staff needs direction on the general approach in order to keep the design process moving forward to meet the grant deadline at the end of 2023.

Staff has conducted public outreach as follows (this summarizes outreach specific to the Simon Lane realignment that was conducted after the prior public outreach for the Scott Lane-Maple Way Bike/Ped/ADA improvements):

- Hand-delivered neighbor notices to all homes on Simon Lane and the immediate surrounding parcels on Scott Lane.
- Met with representatives of the Scott and Snow King Condos HOA.
- Mailed notifications to and met with each of the three properties that will have altered curb lines as a result of the Simon Lane realignment.
- Met with all applicable Town departments to review the concept realignment.

The impacts to the general public of realigning Simon Lane would likely include temporary disruptions to vehicular and non-motorized traffic at the Snow King Avenue/Scott Lane/Simon Lane intersection. While the entire intersection might not be significantly impacted in realigning Simon Lane, there would be impacts on the west side of the intersection and likely in the shoulder areas along Scott Lane. Neighbors on Simon Lane would also see additional construction impacts to Simon Lane itself.

Three properties on Simon Lane will have adjusted curb lines. On the south side of the street, there are two properties for which the curb line will move away from the property line, effectively creating more yard and/or driveway space. On the north side, there is one property for which the curb line will move toward the property

line, slightly reducing the length of the current driveway but not impacting any private property. In no case will there be any permanent encroachment onto private property. Staff has met with each of these three property owners to discuss specific concerns and design options to best accommodate the needs for each property owner for the altered yard/driveway space.

Possible Alternatives.

Alternatives include:

1. No change – intersection remains as is, no improvements to bike/ped/ADA facilities
 - a. This would result in the Town having to return the grant funding for the bike/ped/ADA improvements, would not do anything to improve traffic flow, and would not address the existing safety issues for non-motorized traffic at the intersection.
2. Bike/Ped/ADA improvements only (no realignment of Simon Lane)
 - a. The bike/ped/ADA improvements would be less effective due to intersection misalignment and less available corner space. This option would not improve traffic flow.
3. Realignment – concurrent with S4 Flats development (recommended alternative)
 - a. Options 3 and 4 improve traffic flow and bike/ped/ADA mobility. Timing the construction with the S4 Flats development may reduce the duration of the impacts on Simon Lane itself and reduce the number of people affected (because no residents will be living in the S4 Flats development yet). It should be noted that in this scenario, the short-term construction only includes the realignment of Simon Lane and tying this into the existing adjoining streets. Much of the construction on the remaining portion of the intersection construction would occur later with the remainder of the bike/ped/ADA improvements. An additional benefit to this option is that some of the work along the west side of Scott Lane up to Smith Lane could be completed as part of the S4 Flats development. When future utility and other nearby intersection improvements are completed, some of this work will be replaced or reconstructed.
4. Realignment – post-S4 Flats development
 - a. This option provides the same benefits as Option 3 for traffic flow and bike/ped/ADA mobility in the long run but would require the street adjustments on Simon to be completed at a future date separate from the S4 Flats construction process. This may result in prolonged construction impacts on Simon Lane itself. Also of concern is having to repeat the public outreach process, which would require communication/outreach to more individuals (as the residents of S4 Flats will be living in the new development). This option would allow more time to coordinate the improvements with other utility work and improvements proposed for the intersection.
5. Other

Comprehensive Plan & Priority Alignment.

The bike/ped/ADA improvements and protected intersection improvements (and associated Simon Lane realignment) will significantly improve safety for bicyclists and pedestrians are supported by the foundational principle of the Comprehensive Plan's transportation policy (Section 7), which reads:

Travel by walk, bike, carpool, or transit will be more convenient than travel by single occupancy vehicle.

The plan goes on to state:

*The community's transportation vision is to create a multimodal transportation system by enhancing the current automobile-oriented system to include a network of complete streets, transit, and pathways system accessible by residents and visitors **of all ages and abilities**. By pursuing this vision, the*

community will ensure all users of the public right-of-way, including: pedestrians, bicyclists, automobile drivers, trucks and transit riders can do so safely and efficiently...

...Complete Streets are designed and operated to enable safe access for all users. Pedestrians, bicyclists, motorists and transit riders of all ages and abilities must be able to safely move along and across a complete street...

...Complete streets that incorporate all transportation modes (bikes, walking, cars, transit, rideshare, etc.) will also enhance our Quality of Life. While we acknowledge that our transportation vision will be accompanied by increased congestion and a reduction in the level of service on many of our roadways for the automobile, as a community, we have made this conscious trade-off to encourage a shift in our community's transportation behavior.

Principle 7.1 states that the community will “Meet future transportation demand with walk, bike, carpool, transit, and micro-mobility infrastructure.” This will be accomplished by creating a transportation network that is an “interconnection of walking, biking, carpool, and transit infrastructure that makes the single-occupancy vehicle the least convenient mode of travel” and includes a network of complete streets that “prioritize the movement of pedestrians [and] bicyclists.”

The Comprehensive Plan speaks directly on the concept of Safe Routes to School as part of a TDM strategy, stating as a goal to “Encourage or require students in all grades to use active modes of transportation rather than driving or being driven to school.” The project corridor is the primary route for many kids riding to school and other public facilities such as the Library.

The Comprehensive Plan provides very clear direction that the community will prioritize safe, connected networks that promote the use of alternative (active) transportation modes over a system that only encourages single-occupancy vehicle usage. It emphasizes numerous times the concepts of connectivity, safety, and accessibility for users of all ages and abilities, which are all critical components for bicycle networks and are directly related to this project.

The area is also identified for improvement in the 2007 Pathways Master Plan and the 2021 Teton Mobility Project (the latest round of community-wide pathways and bicycle/pedestrian master planning).

Fiscal Impact.

Combining the Simon Lane realignment with the S4 Flats construction this summer would have short-term cost impacts to the FY23 and/or FY24 budgets. The exact cost of this work has not been identified and will depend largely on the extent of the project limits (i.e., how much of the intersection would be impacted and how far along Scott Lane and/or Snow King Avenue the short-term work would extend), but it would be expected to be in the range of several hundred thousand dollars. Staff will develop a detailed scope of work and cost estimate if directed to proceed with design.

Staff Impact.

Staff impacts for the design process will be comparable for all the alternatives that include developing the bike/ped/ADA improvements. All will require staff review of the proposed designs on approximately the same timeline of completing the design work in 2023. Staff impacts will vary for the different options based on construction timeline. The option to construct the realignment in 2023 as part of the S4 Flats development project will add 40-60 hours of time this year to Public Works staff and Pathways staff work plans. Pushing the construction to a later date will require a similar amount of time eventually, just in a different year. There would also be lesser impacts to staff for public outreach, planning, and legal review on similar timelines.

Attachments or Links.

1. Concept Layout of Simon Lane Realignment and Snow King/Scott/Simon Protected Intersection
2. Link to Scott Lane-Maple Way Bike/Ped/ADA Improvements Staff Report from March 7, 2022 Regular Meeting: [Scott Lane-Maple Way Concept Design - FINAL STAFF REPORT 20220307.pdf](#)

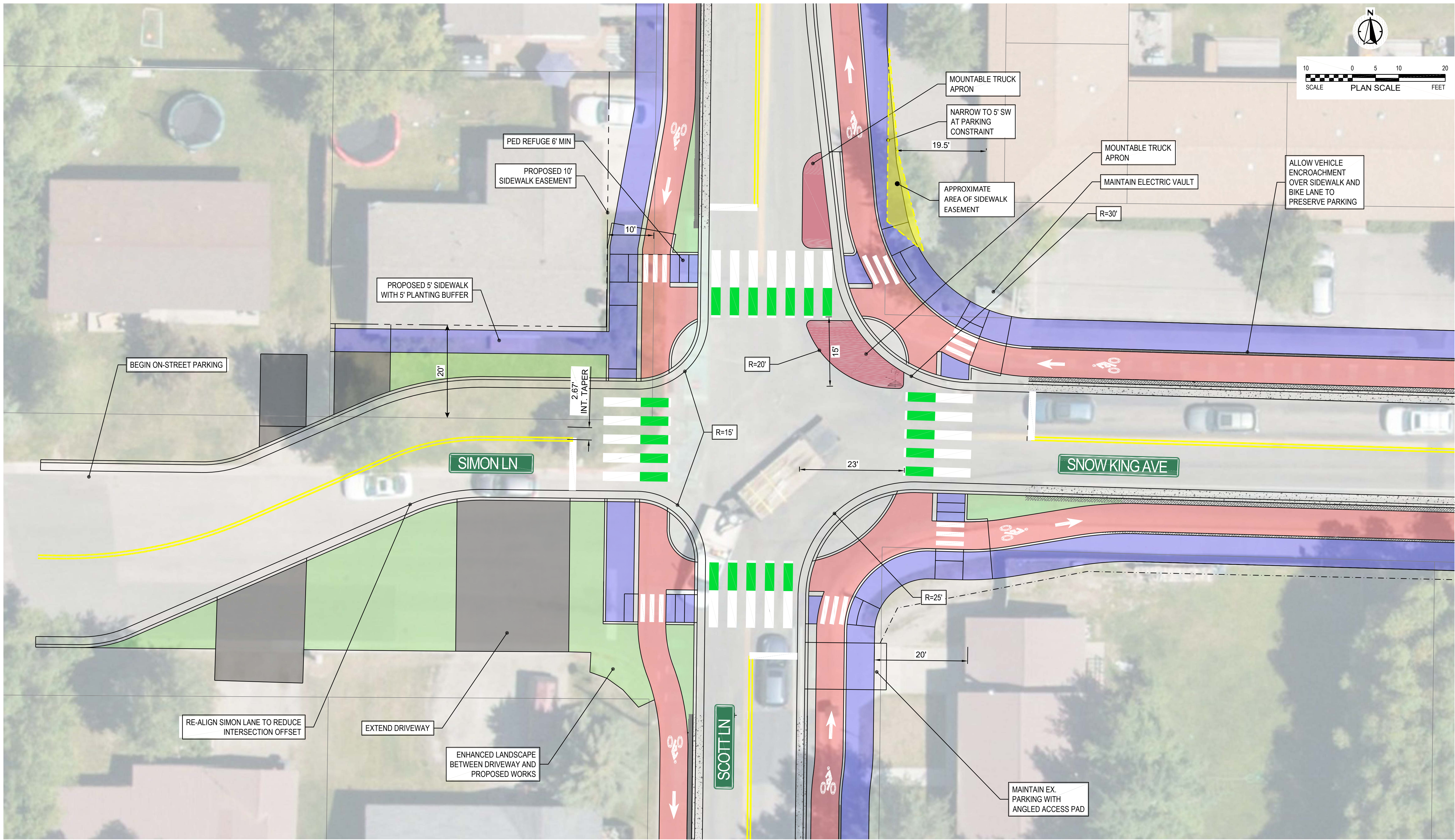
Suggested Motion.

I move:

- a) To direct staff to proceed with final design of the Simon Lane realignment;
- b) And to direct staff to pursue combining the Simon Lane realignment with the S4 Flats development construction in summer 2023.

Line measures 1 inch on full scale drawing, if not 1 inch scale accordingly.

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JACKSON, WY PROTECTED INTERSECTION DESIGN

SCOTT LANE AND SNOW KING AVENUE
EXHIBIT 1 - CONCEPT PLAN - SEPARATED BIKEWAY