

TOWN COUNCIL PROCEEDINGS

APRIL 17, 2023

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: Arne Jorgensen, Jim Rooks, Jonathan Schechter, and Jessica Sell Chambers. *Via Zoom:* None. *Absent:* Mayor Hailey Morton Levinson.

STAFF: Tyler Sinclair, Lea Colasuonno, Paul Anthony, Tyler Valentine, Katelyn Page, Charlotte Frei, Tanya Anderson, Floren Poliseo, Johnny Ziem, Steve Jellie, Brian Lenz, Kelly Thompson, and Riley Taylor.

Vice Mayor Jorgensen read a proclamation for Spring Clean Up and Burn Week.

Public Comment. Matt Bambach, Orion Hatch, Tyler Davis, Ethan McCloud, and Judd Grossman made public comment.

Consent Calendar. A motion was made by Jonathan Schechter and seconded by Jim Rooks to approve the consent calendar including items A-M as presented with the following motions.

- A. **Meeting Minutes.** To approve the meeting minutes from the March 20, 2023 Special Town Council Workshop, Regular Workshop, Special Joint Information Meeting, and Regular Town Council Meeting, and April 10, 2023 Special Town Council Meeting.
- B. **Disbursements.** To approve disbursements as presented. ACE HARDWARE \$554.62; AMAZON \$256.67; BESTDRIVE IDAHO FALLS \$1,322.96; BIG R RANCH & HOME \$49.99; BLUE SPRUCE CLEANERS, INC. \$363.62; BRIGGS, ERIC L \$247.80; BURKHOLDER, SHAWN \$1,850.00; CARQUEST AUTO PARTS INC. \$2,656.27; CENTURY EQUIPMENT \$376.86; CONRAD & BISCHOFF INC. \$28,856.58; CULTIVATE \$1,625.00; DEAN'S PEST CONTROL LLC \$250.00; DELL \$77,856.00; DELTA DENTAL PLAN OF WYOMING \$6,483.00; E.R. OFFICE EXPRESS \$165.99; ETNA TRADE PARK LLC \$4,062.00; FERGUSON ENTERPRISES, INC. -\$170.17; FIRE SERVICES OF IDAHO \$220.00; FLEETPRIDE \$14.34; GE SOFTWARE \$80.00; HD FOWLER COMPANY \$21.84; HEALTHIEST YOU \$1,393.20; HIGH COUNTRY LINEN \$718.22; INTERSTATE BATTERY \$683.80; JACKSON HOLE NEWS & GUIDE \$228.00; J-B MECHANICAL \$629.00; KENWORTH SALES COMPANY DEPT #1 \$673.44; KL2 CONNECTS, LLC \$9,688.00; KOIS BROTHERS EQUIPMENT COMPANY \$1,747.78; LOWER VALLEY ENERGY INC \$55,048.07; MARKMAN, JASON \$1,900.00; METROQUIP INC \$190.16; MEYRING & ASSOCIATES, INC \$810.10; NAPA AUTO PARTS INC. -\$197.24; ON SIGHT LAND SURVEYORS INC. \$2,100.00; PEREZ, GERARDO \$1,500.00; PETHEALTH SERVICES INC \$600.00; PORT53 TECHNOLOGIES, INC \$4,590.00; PREMIER TRUCK- SALT LAKE CITY \$5,113.45; PROTERRA \$900.05; QUADIENT FINANCE USA, INV \$1,054.44; RAFTER J IMPROV/SERV DIST \$146.43; RON'S TOWING LLC \$1,000.00; RUSH INTERNATIONAL TRUCK CENTER \$1,365.00; SAFELITE FULFILLMENT INC \$525.01; SCHOW'S TRUCK CENTER \$339.70; SHERVIN'S INDEPENDENT OIL \$120.50; SHERWIN-WILLIAMS CO. \$48.67; SMITH POWER PRODUCTS, INC. \$2,160.00; SMITH PSYCHOLOGICAL SERVICES \$400.00; SNAKE RIVER ROASTING \$47.00; SPRING CREEK ANIMAL HOSPITAL \$481.05; SPSC POA - SOUTH PARK SERVICES CTR POA \$301.38; STONE, KIRK \$2,800.00; SUSTAINABLE STRATEGIES DC, LLC \$7,500.00; TETON COUNTY INTEGRATED SOLID WASTE/RECY \$327.00; TETON MOTORS INC \$1,820.58; TETON RENTAL CENTER \$30.00; TETON TOYOTA \$36,914.00; TETON TRASH REMOVAL, INC. \$98.00; THE CONNOR E FIELD TRUST \$2,575.00; THOMSON WEST \$920.94; TITLE 22 CONSULTANTS \$1,150.42; TMSC LLC \$3,090.00; UPPER CASE PRINTING INK \$179.95; VALLEY OFFICE SYSTEMS \$43.67; VICTOR VILLAGE, LLC \$1,500.00; VIDIR INC \$20,307.88; VISION SERVICE PLAN - (WY) \$1,804.50; W.A.R.M. PROPERTY INSURANCE \$39,519.85; WATTS STEAM STORE ROCKY MT. INC \$745.84; WESTBANK SANITATION \$189.34; WHITE GLOVE CLEANING, INC. \$1,474.47; WILLIAMS, CHRISTOPHER \$740.00; WILMA D SORSBY TRUST \$3,000.00; WILSON, JOHN \$2,200.00; YELLOW IRON EXCAVATION, LLC \$80.00
- C. **March Municipal Court Report.** To accept the March Municipal Court Report into record.
- D. **P23-036 Prom Dress Rugby Temporary Sign Permit.** To approve temporary banner application (P23-036) for Moose Rugby including the three conditions of approval recommended by the Planning Director in the staff report dated April 17, 2023.

- E. **P23-039 Teton Powwow Temporary Sign Permit.** To approve temporary banner application (P23-039) for Central Wyoming College including the three conditions of approval recommended by the Planning Director in the staff report dated April 17, 2023.
- F. **P23-054: Jackson Hole Juggernauts Roller Derby Temporary Sign Permit.** To approve temporary banner application (P23-054) for JH Juggernauts including the three conditions of approval recommended by the Planning Director in the staff report dated April 17, 2023.
- G. **P23-066: Jackson Workforce Center Temporary Sign Permit.** To approve temporary banner application (P23-066) for Jackson Workforce Center including the three conditions of approval recommended by the Planning Director in the staff report dated April 17, 2023.
- H. **E22-007: Jackson Apartments Development Agreement for Utilities - 335 S Millward St.** To direct staff to proceed with the project and amend the FY2023 budget in the amount of \$44,560 as described herein, approve the Development Agreement between the Town and Jackson Street Apartments, LLC, and authorize the Mayor to execute the necessary documents subject to minor changes by staff.
- I. **Energy Audit for Town Facilities Request for Proposals.** To approve the release of the RFP for an energy audit of Town-owned buildings.
- J. **JH Juggernauts Malt Beverage Permit.** To approve the issuance of three (3) malt beverage permits to the Jackson Hole Juggernauts for roller derby bouts on April 22, June 10, and June 17, 2023, each permit for between from 7:00 p.m. to 10:00 p.m., subject to the conditions and restrictions listed in the staff report.
- K. **Special Restriction for Workforce Rental Housing Located at 185 N. Glenwood Unit 18.** To approve the 185 N. Glenwood Unit 18 Restriction for Workforce Rental Housing located at 185 N. Glenwood Unit 18.
- L. **Special Restriction for Affordable Rental Housing Located at 175 S. Glenwood (The Arts District).** To approve the Restrictions for three condo units of Affordable Rental Housing located at 175 S. Glenwood.
- M. **JH Airport Board FY2022/2023 Budget Amendment.** To approve the amendments to the Jackson Hole Airport Board's FY2022/2023 budget.

There was no public comment. Vice Mayor Jorgensen called for the vote. The vote showed all in favor. The motion carried.

Discontinuance of START Bike Program and Disposal of START Bikes. Bruce Abel made staff comment. Council held discussion with staff. There was no public comment. A motion was made by Jonathan Schechter and seconded by Jessica Sell Chambers to discontinue the START Bike program and approve the sale of the START bikes and disposal of equipment pursuant to state statute. Vice Mayor Jorgensen called for the vote. The vote showed all in favor. The motion carried.

Center for the Arts Comprehensive Lease Review Scoping Staff Report. Roxanne Robinson made staff comment. Council held discussion with staff. Carissa Achen, Laura Clarey, Scott Steen, Candra Day, Michelle Miller, Emma McKale, Audrey Hagen, and Marty Camino made public comment. A motion was made by Jim Rooks and seconded by Jessica Sell Chambers to prioritize a comprehensive lease review and usage of the Center for the Arts (CFA) and present that review when it is completed. Vice Mayor Jorgensen called for the vote. The vote showed 1-3 with Jim Rooks in favor, and Jessica Sell Chambers, Arne Jorgensen and Jonathan Schechter opposed. The motion failed.

A motion was made by Jonathan Schechter and seconded by Jim Rooks to direct staff to prioritize an outdoor sound-related review of Center for the Arts (CFA) lease and present that review when it is completed. Council held discussion. Vice Mayor Jorgensen called for the vote. The vote showed 2-1 with Jim Rooks and Jonathan Schechter in favor, Arne Jorgensen opposed, and Jessica Sell Chambers abstained. The motion carried.

Mountain Towns 2023 Scoping Staff Report. Tanya Anderson made staff comment. Council held discussion with staff. A motion was made by Jessica Sell Chambers and seconded by Jim Rooks to direct

staff to prioritize hosting the Climate Solutions Summit in 2024 and to delay or defer the implementation of some strategies from the Town Sustainability Plan until it is complete. Vice Mayor Jorgensen called for the vote. The vote showed all in favor. The motion carried.

Regional Transportation Task Force Appointment. Charlotte Frei made staff comment. Council held discussion with staff. A motion was made by Jonathan Schechter and seconded by Jim Rooks to appoint Charlotte Frei to represent the Town of Jackson on the Regional Transportation Task Force. Vice Mayor Jorgensen called for the vote. The vote showed all in favor. The motion carried.

Opioid Lawsuit Settlement Agreement and Class Action Lawsuit PFAS. Lea Colasuonno made staff comment. Council held discussion with staff. A motion was made by Jessica Sell Chambers and seconded by Jim Rooks to approve the OneWyo II Opioid Settlement Memorandum of Agreement and authorize the Mayor to execute the Agreement, subject to minor changes by staff. Vice Mayor Jorgensen called for the vote. The vote showed all in favor. The motion carried.

A motion was made by Jim Rooks and seconded by Jonathan Schechter to direct staff to authorize and approve the Town of Jackson joining the PFAS multi-district litigation, and the Mayor executing the Retainer Agreement Between the Town of Jackson and the Law Firm of Napoli Shkolnik PLLC. Vice Mayor Jorgensen called for the vote. The vote showed all in favor. The motion carried.

Council recessed at 7:31 p.m. and reconvened at 7:40 p.m.

P22-253 Development Plan at 245 and 265 N. Millward St. Katelyn Page, Steve Jellie, Paul Anthony, and Brian Lenz made staff comment. Rose Robertson, Jacob Henry, Dave Sollitt, John Bickner, Diana Welch, Sharron Henry, Les Rowllins, Eugenie Copp, made public comment. Stuart Suna made applicant comment.

Council recessed at 9:12 p.m. and reconvened at 9:22 p.m.

A motion was made by Jim Rooks and seconded by Jessica Sell Chambers to approve Development Plan for P22-253 for a new 3-story mixed-use building at the property addressed as 245 and 265 N. Millward Street based upon the findings presented in the staff report, the departmental reviews with the exception of the fire department comment regarding adding a fire lane to Millward Street, subject to this staff report dated April 17, 2023, and the following conditions of approval:

1. Prior to certificate of occupancy, the applicant is required to pave the entire alley from W. Gill Avenue to a standard that meets or exceeds the paving standards of the Town.
2. Prior to certificate of occupancy, a 6-foot wide public access easement across the eastern frontage of the property for sidewalk access shall be provided by the applicant to the Town and general public and recorded with the Teton County Clerk.
3. Prior to certificate of occupancy, a utility easement to access the transformer and associated equipment in the northwest corner of the Property shall be provided by the applicant to Lower Valley Energy and recorded with the Teton County Clerk.
4. The applicant is required to widen the portion of the alley the Town of Jackson does not, consistent with the staff comments from engineering prior to the start of construction, or as approved by the Town Engineer.
5. The applicant will meet all new standards of the Town's Construction Management Plan (CMP) and said CMP shall be presented to Council for its approval.

Vice Mayor Jorgensen called for the vote. The vote showed 3-1 with Jessica Sell Chambers, Jim Rooks, and Arne Jorgensen in favor and Jessica Sell Chambers opposed. The motion carried.

P23-030 Well 9 Wellhouse at 3001 Rangeview Drive. A motion was made by Jonathan Schechter and seconded by Jessica Sell Chambers to continue item P23-030 to the regularly scheduled Town Council meeting on May 15, 2023. Vice Mayor Jorgensen called for the vote. The vote showed all in favor. The motion carried.

P21-333 Short-term Rental LDR Update. A motion was made by Jonathan Schechter and seconded by Jessica Sell Chambers to continue item P21-333 to the regularly scheduled Town Council meeting on May 1, 2023. Vice Mayor Jorgensen called for the vote. The vote showed all in favor. The motion carried.

P23-026 LDR Annual Update and Cleanup. A motion was made by Jonathan Schechter and seconded by Jessica Sell Chambers to continue item P23-026 to the regularly scheduled Town Council meeting on

May 15, 2023. Vice Mayor Jorgensen called for the vote. The vote showed all in favor. The motion carried.

Resolutions. Resolution 23-04: JH Airport Grant to Rehabilitate and Expand Terminal Building. A motion was made by Jim Rooks and seconded by Jessica Sell Chambers to approve Resolution 23-04 Jackson Hole Airport Grant to Rehabilitate and Expand Terminal Building. Vice Mayor Jorgensen called for the vote. The vote showed all in favor. The motion carried.

Ordinances. A motion was made by Jonathan Schechter and seconded by Jim Rooks to read ordinances in short title. Vice Mayor Jorgensen called for the vote. The vote showed all in favor. The motion carried.

Ordinance K: An Ordinance Establishing Encroachment Permits for Parklets.

AN ORDINANCE ADDING CHAPTER 12.10 TO THE MUNICIPAL CODE OF THE TOWN OF JACKSON CREATING ENCROACHMENT PERMIT – PARKLETS 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 Jim Rooks and seconded by Jonathan Schechter to approve Ordinance K on first reading. Vice Mayor Jorgensen called for the vote. The vote showed all in favor. The motion carried.

Ordinance J: Neighborhood High Density-1 (NH-1) Zoning Amendment.

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NO. 1217; SECTION 2 OF TOWN OF JACKSON ORDINANCE NO. 1074 (PART); AND SECTION 2.2.9.E OF THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS REGARDING MINIMUM DENSITY REQUIREMENTS IN THE NEIGHBORHOOD HIGH DENSITY-1 ZONING 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 Jonathan Schechter and seconded by Jim Rooks to approve Ordinance J on second reading. Vice Mayor Jorgensen called for the vote. The vote showed all in favor. The motion carried.

Ordinance G: Municipal Code Recodification.

AN ORDINANCE PROVIDING FOR THE GENERAL REVISION AND RECODIFICATION OF THE TOWN OF JACKSON MUNICIPAL CODE AND PROVIDING FOR AN EFFECTIVE DATE.

A motion was made by Jessica Sell Chambers and seconded by Jonathan Shechter to approve Ordinance G on third reading and designate it Ordinance 1342. Vice Mayor Jorgensen called for the vote. The vote showed all in favor. The motion carried.

Matters from Mayor and Council. None.

Town Manager’s Report. Tyler Sinclair made staff comment. The report contained updates on removal of mature spruce trees, USDA Farmers Market Promotion Program, Department of Energy’s Energy Efficiency and Conservation Block Grant, Town funding for climate action and ecosystem stewardship, a Letter of Support for Protect Our Water Jackson Hole, and Karns Meadow survey responses. A motion was made by Jonathan Schechter and seconded by Jim Rooks to approve the Town Manager’s Report. Vice Mayor Jorgensen called for the vote. The vote showed all in favor. The motion carried.

Adjourn. A motion was made by Jessica Sell Chambers and seconded by Jonathan Schechter to adjourn. Vice Mayor Jorgensen called for the vote. The vote showed all in favor. The motion carried. The meeting adjourned at 10:02 p.m.

TOWN OF JACKSON

ATTEST:

Hailey Morton Levinson, Mayor

Riley Taylor, Town Clerk

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