

TOWN COUNCIL PROCEEDINGS

NOVEMBER 6, 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: Mayor Hailey Morton Levinson, Arne Jorgensen, Jonathan Schechter, Jim Rooks, and Jessica Sell Chambers.

STAFF: Tyler Sinclair, Roxanne Robinson, Lea Colasuonno, Floren Poliseo, Johnny Ziem, Michelle Weber, Paul Anthony, Tyler Valentine, Tanya Anderson, Susan Scarlata, and Riley Taylor.

Council recited the Pledge of Allegiance and Land Acknowledgement. Mayor Morton Levinson proclaimed National Apprenticeship Week and introduced William Thornsley, Riley Williams, and Casey Holden.

Public Comment. There was no public comment.

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

- A. **Meeting Minutes.** To approve meeting minutes from the October 16, 2023 Regular Town Council Workshop and Regular Town Council Meeting.
- B. **Disbursements.** To approve the disbursements as presented. ACE HARDWARE \$1,011.10; ADVANCED NETWORK MANAGEMENT, INC. \$20,130.82; AFFORDABLE ROAD AND DRIVE \$182,450.35; AFLAC \$2,399.87; AIRGAS INTERMOUNTAIN INC. \$38.96; ALLEGIANCE BENEFIT PLAN MANAGE, INC. \$27,282.76; ALLEN, BARBARA \$157.44; AMAZON \$1,457.20; AMERIWEST WATER SERVICES \$17,120.45; ANDAZOLA, ROB \$9.84; ANDERS GLASS AND TINT \$360.00; ANTLER MOTEL, INC. \$13,500.00; APPLE INC \$658.00; ARCHITECTURAL BUILDING SUPPLY -\$1,383.98; ARISTORENAS, MARIA \$450.00; AT&T \$1,138.55; BADILLO, MARCELA \$450.00; BERGMAN, PIERRE \$450.00; BEST BEST & KRIEGER \$8,766.50; BIG R RANCH & HOME \$640.88; BISON LUMBER \$550.95; BLUE SPRUCE CLEANERS, INC \$138.04; BOBCAT OF ROCK SPRINGS \$340.25; BRIGGS, ERIC L \$262.44; BROWN, NATHAN \$2,000.00; CENTURYLINK \$2,233.70; CITY OF DRIGGS \$1,500.19; CIVICPLUS \$5.00; COLORADO DOORWAYS INC \$85,200.28; COMMUNITY SAFETY NETWORK \$17,903.40; CONRAD & BISCHOFF INC. \$69,224.23; CONTROL SYSTEM TECHNOLOGY, INC. \$1,567.50; CREATIVE ENERGIES, LLC \$1,812.50; CROWLEY FLECK PLLP \$2,483.50; DAY, CANDRA \$450.00; DEAN'S PEST CONTROL LLC \$155.00; DELTA DENTAL PLAN OF WYOMING \$7,519.07; DEPUE, GREGORY \$1,500.00; DIVISION OF CHILD SUPPORT ENFORCEMENT \$509.23; E.R. OFFICE EXPRESS \$214.60; EFORCE \$15,000.00; ENERGY LABORATORIES INC. \$1,993.00; EVOLUTION CONCRETE CUTTING \$1,005.00; EXPOSURE SIGNS INC \$185.00; FALL RIVER RURAL ELECTIC \$49.47; FIRE SERVICES OF IDAHO \$8,682.50; FLEETPRIDE \$63.42; FLORES, JUANITA \$320.00; FOWLER, LIAM \$100.00; FREEDOM MAILING SERVICE INC. \$1,876.84; FRITTS, JASON \$450.00; FSD INVESTMENTS, LLC \$14,975.00; GELCO SUPPLY INC. \$65.00; GILLIG LLC \$833.77; GOVOS, INC \$5,554.65; H & R ENTERPRISES, LLC \$359.93; HACH CHEMICAL CO. \$2,912.90; HANSEN, CLAY \$4,000.00; HARMONY DESIGN, INC \$4,921.50; HD FOWLER COMPANY \$8,152.85; HEINER, ROBERT \$80.00; HERNANDEZ, BRANDON \$450.00; HIGH COUNTRY LINEN \$1,644.07; HUNT CONSTRUCTION INC \$19,994.80; IDAHO CHILD SUPPORT RECEIPTING \$564.20; IDAHO STATE TAX COMMISSION \$5,107.00; INTERNATIONAL INSTITUTE OF MUNICIPAL CLE \$210.00; INTERSTATE BATTERY \$1,907.40; IVY OUTDOOR SERVICES LLC \$17,902.50; JACK'S TIRE & OIL \$724.45; JACKSON CURBSIDE INC. \$2,280.00; JACKSON DOWNTOWNER, LLC \$91,279.95; JACKSON GROUP LOCKBOX \$474.32; JACKSON HOLE AIR \$15,000.00; JACKSON HOLE COMMUNITY HOUSING \$12,500.00; JACKSON HOLE NEWS & GUIDE \$3,226.90; JACKSON LUMBER INC \$305.33; JACKSON PAINT AND GLASS, INC. \$1,760.00; JACKSON STREET APARTMENTS LLC \$34,650.00; JACKSON WHOLE FAMILY HEALTH \$380.00; JEWISON, SAMUEL LEE \$155.00; JONES SIMKINS \$41,685.00; JP COOKE CO \$218.95; KEARSLEY, KURT \$274.90; KENWORTH SALES COMPANY DEPT #1 \$650.26; KRUEGER, ERICA JADE \$450.00; LANGUAGE TESTING INTERNATIONAL, INC \$198.50; LEGACY PHILANTHROPY WORKS \$5,020.00; LEONARD PETROLEUM EQUIPMENT \$79,940.87; LEPCO \$193.44; LITTLE FALLS MACHINE \$4,180.00; LOOKOUT MOUNTAIN LOGOWEAR \$684.45; MEAD & HUNT \$16,210.00; METROQUIP INC \$873.57; MIKE'S WELDING INC \$32.50; MORENO, JORGE \$1,500.00; MORTON-LEVINSON, HAILEY \$504.83; MOTOR COACH INDUSTRIES \$377.46; MSC INDUSTRIAL SUPPLY CO \$564.83; NAPA AUTO PARTS INC. \$1,084.51; NATIONAL

LEAGUE OF CITIES \$1,701.00; NELSON ENGINEERING \$1,876.00; NOLAND, STACY \$450.00; NUCOR HARRIS REHAB BOISE INC. \$8,614.21; ONE CALL OF WYOMING \$514.50; OTIS ELEVATOR COMPANY \$880.00; PELLETIER, CARL \$176.41; PERFORM PRINTING LLC \$81.65; PLATT \$117.71; PREMIER TRUCK- SALT LAKE CITY \$12,479.40; PREMIER VEHICLE INSTALLATION, INC \$147.00; QA BALANCE SERVICES INC. \$230.00; QUADIENT LEASING USA, INC. \$468.69; QUICK BROWN FOX LLC \$765.00; R & A SAFETY LLC \$1,267.00; RAE, JOSHUA \$41,799.96; RAFTELIS \$4,705.00; RON'S TOWING LLC \$250.00; RT1 INC \$57.46; RUI INC. DBA VILLAGE GARDNER \$350.50; SAFETY SUPPLY & SIGN CO., INC. \$1,435.91; SAFETY-KLEEN SYSTEMS, INC. \$308.34; SANCHEZ-MACHUCA, ROSA \$450.00; SCHEURN, KENNETH \$1,500.00; SENIOR CENTER OF JACKSON HOLE \$35,505.00; SHERWIN-WILLIAMS CO. \$305.69; SILVER CREEK SUPPLY \$126.50; SINCLAIR, TYLER \$362.80; SMITH PSYCHOLOGICAL SERVICES \$400.00; SNAKE RIVER MEP COMPLETE, INC \$210.00; SNAKE RIVER ROASTING \$108.90; SNAKE RIVER SUPPLY, LLC \$511,236.00; SPRING CREEK ANIMAL HOSPITAL \$573.26; STANDARD INSURANCE COMPANY \$9,928.81; STINKY PRINTS, INC \$114.99; STORRUD, JOSHUA \$100.00; STOTZ EQUIPMENT \$0.00; SUSTAINABLE STRATEGIES DC, LLC \$8,058.68; TAYLOR, RILEY \$359.07; TEAM LABORATORY CHEMICAL CORP \$1,150.00; TETON COUNTY INTEGRATED SOLID WASTE/RECY \$1,289.00; TETON COUNTY PUBLIC WORKS \$55,848.79; TETON COUNTY SHERIFF'S-JAIL \$1,368.00; TETON LITERACY CENTER \$6,700.00; TETON MOTORS INC \$975.57; THE TIRE RACK, INC. \$4,683.63; TIMBERLINE CONCRETE \$8,970.75; TMSC LLC \$9,800.63; TOP TIER TOOLS LLC \$342.50; TRC FABRICATION, LLC \$6,331.52; TREES, INC. \$1,460.00; UCM DIGITAL HEALTH, INC \$851.50; UPPER CASE PRINTING INK \$485.36; VALENTINE, B. TYLER \$263.34; VALLEY OFFICE SYSTEMS \$1,247.16; VERIZON WIRELESS \$8,488.41; VIRGINIAN VILLAGE CONDO HOA \$1,080.00; VISA \$25,833.12; VISION SERVICE PLAN - (WY) \$1,789.88; WAM \$3,000.00; WAMCO LAB, INC. \$550.00; WEST COAST CODE CONSULTANTS \$250.00; WESTBANK SANITATION \$1,233.38; WESTERN STATE \$303.72; WHITE GLOVE CLEANING, INC. \$7,351.42; WSP USA ENVIRONMENT & INFRASTRUCTURE INC \$11,966.90; WY CHILD SUPPORT ENFORCEMENT \$69.22; WY WORKERS' SAFETY & COMP \$19,063.04; WYOMING DEPARTMENT OF EMPLOYM \$649.61; WYOMING FIRST AID & SAFETY \$104.22; WYOMING RETIREMENT SYSTEM \$164,924.64; Y2 CONSULTANTS, LLC \$1,932.00; YELLOW IRON EXCAVATION, LLC \$1,610.00

- C. **Temporary Sign Permit for Laff Staff (P23-166).** To approve temporary banner application (P23-166) for Laff Staff including the three conditions of approval recommended by the Planning Director in this staff report dated November 6, 2023.
- D. **Temporary Sign Permit for Tribe JH Church Services (P23-174).** To approve temporary banner application (P23-174) for Tribe JH Church Serves including the three conditions of approval recommended by the Planning Director in this staff report dated November 6, 2023.
- E. **Award Procurement of a New Information Technology (IT) Vehicle.** To approve the procurement of Bid # 24-02 for the purchase of a new Information Technology vehicle and award the bid to Ken Garff of Cheyenne, WY, in the amount of \$60,915.00.
- F. **Award Procurement of New Police Department SUVs.** To approve the procurement of Bid# 24-01 for the purchase of six new all-wheeled drive SUV vehicles and award the bid to Young Automotive Group of Logan, Utah, in the amount of \$238,734.00.
- G. **915 Maple Way Bike Lane and Public Access Easement.** To approve the Easement for Public Access and Town Bike Lane, at 915 Maple Way, subject to minor changes by staff, and authorize payment of \$16,636.20 as just compensation to the property owner.
- H. **Temporary Construction Easement for 180 E. Deloney Sidewalk (E23-0321).** To approve the Temporary Construction and Access Easement Agreement Between the Town of Jackson and Rendezvous Land Conservancy and authorize the Mayor to execute the Agreement, subject to minor changes by staff.

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

Jackson Hole Classical Academy Amended and Restated Connection and Use Agreement (E23-0276). Council held discussion. Floren Poliseo made staff comment. A motion was made by Jim Rooks and seconded by Arne Jorgensen to approve, and authorize the Mayor to execute, subject to minor changes by staff: 1. The Amended and Restated Wastewater Treatment Facilities Connection and Use

Agreement Between the Town of Jackson and Jackson Hole Classical Academy Foundation; and. 2. The Amended and Restated Water Supply Agreement between the Town of Jackson and Jackson Hole Classical Academy Foundation. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

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

Ordinance W: An Amendment to the Official Zoning Map for Karns Meadow.

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 1074 (PART) AND 1197 (PART); SECTION 2 OF TOWN OF JACKSON ORDINANCE NO. 1074 (PART) AND AMENDING THE TOWN OF JACKSON OFFICIAL ZONING DISTRICT MAP TO CHANGE THE CURRENT ZONING DESIGNATION OF 42 ACRES OF LAND: TRACT 1 FROM NEIGHBORHOOD LOW DENSITY-1 TO PARK & OPEN SPACE; TRACT 2 FROM NEIGHBORHOOD LOW DENSITY-1 TO PARK & OPEN SPACE; TRACT 3 FROM NEIGHBORHOOD LOW DENSITY-1 TO PARK & OPEN SPACE; TRACT 4 FROM NEIGHBORHOOD LOW DENSITY-1 TO PARK & OPEN SPACE AND NEIGHBORHOOD LOW DENSITY-3; TRACT 5 FROM NEIGHBORHOOD LOW DENSITY-1 TO PUBLIC/SEMI-PUBLIC; TRACT 6 FROM NEIGHBORHOOD LOW DENSITY-1 TO PARK & OPEN SPACE; TRACT 8 FROM NEIGHBORHOOD LOW DENSITY-1 TO PARK & OPEN SPACE; AND ESTABLISHING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JACKSON, WYOMING, IN REGULAR SESSION DULY ASSEMBLED THAT:

Pamela Winters, Kyle Kissock, Jenny Karns, Kevin Krasnow, Sam Petri, Abigail Karen, and Alissa Ehrenkranz made public comment. Council held discussion. A motion was made by Arne Jorgensen and seconded by Jessica Sell Chambers to approve Ordinance W on Second reading. Mayor Morton Levinson called for the vote. The vote showed 3-2 with Mayor Morton Levinson, Arne Jorgensen, and Jessica Sell Chambers in favor and Jim Rooks and Arne Jorgensen opposed. The motion carried.

Ordinance Z. An Ordinance Repealing Noise from the Special Events Section in the Municipal Code.

AN ORDINANCE REPEALING SECTION 1 (PART) OF TOWN OF JACKSON ORDINANCE NO. 1011 AND JACKSON MUNICIPAL CODE SECTION 12.28.050.H; SECTION 1 (PART) OF TOWN OF JACKSON ORDINANCE NO. 1112 AND JACKSON MUNICIPAL CODE SECTION 12.28.050.H REGARDING SPECIAL EVENT NOISE 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 Z, An Ordinance Repealing Noise from the Special Event Section of the Municipal Code, on second reading as presented. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Ordinance A. An Ordinance Adding a Bias Crime Provision to the Municipal Code.

AN ORDINANCE ESTABLISHING CHAPTER 9.27 OF THE TOWN OF JACKSON MUNICIPAL CODE REGARDING BIAS CRIME; 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:

Ordinance B. An Ordinance Amending Discrimination in Housing and Public Accommodations.

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 1200, 1317 § 1(Exh. A); AND SECTIONS 9.26.010, 9.26.020, 9.26.030, 9.26.050, 9.26.060, 9.26.070, 9.26.080, 9.26.090, AND 9.26.120 OF THE TOWN OF JACKSON MUNICIPAL CODE REGARDING NON-DISCRIMINATION 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:

Ordinance C. An Ordinance Regarding Penalties for Assault, Battery, and Unlawful Contact.

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 162, 1105, 1317 § 1(Exh. A); SECTION 2 OF TOWN OF JACKSON ORDINANCE NO. 162; AND SECTIONS 9.16.010, 9.16.020, AND 9.16.025 OF THE TOWN OF JACKSON MUNICIPAL CODE REGARDING PENALTIES FOR VIOLATIONS OF CHAPTER 9.16 ASSAULT, BATTERY, AND UNLAWFUL CONTACT OR TOUCHING; 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 Jessica Sell Chambers and seconded by Arne Jorgensen to approve ordinances A, B, and C at second reading. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Ordinance D. An Ordinance Repealing Short-Term Rental Provisions from the Municipal Code.

AN ORDINANCE REPEALING SECTION 1 OF ORDINANCE NO. 1092 AND JACKSON MUNICIPAL CODE SECTIONS 5.60.010 THROUGH 5.60.050, 5.60.080, AND 5.60.100; SECTION 1 OF ORDINANCE NO. 1113 AND JACKSON MUNICIPAL CODE SECTIONS 5.60.020 AND 5.60.030; SECTION 1 OF ORDINANCE NO. 1179 AND JACKSON MUNICIPAL CODE SECTIONS 5.60.010 THROUGH 5.60.050, 5.60.080, AND 5.60.100; AND SECTION 1 OF ORDINANCE NO. 1281 (PART); AND JACKSON MUNICIPAL CODE SECTIONS 5.60.010 THROUGH 5.60.050, 5.60.080, AND 5.60.100 REGARDING RESIDENTIAL SHORT-TERM RENTAL PERMITS 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 Jessica Sell Chambers and seconded by Arne Jorgensen to approve Ordinance D on second reading. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Ordinance E. An Ordinance Amending Water and Sewer Rates.

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 1319, 1271, 1182, 1071, 1040, 1039, 1019, 1018, 1009, 1008, 1000, 999, 992, 991, 936, 935, 867, 866, 834, 833, 805, 804, 588, 576, 551, 539, 538, 479, 410, 381, 370, 270, AND 232; SECTION 2 OF TOWN OF JACKSON ORDINANCE NOS. 745, 743, 677, 270, 259 (PART), 122, AND 97A; SECTION 3 OF TOWN OF JACKSON ORDINANCE NO. 664; SECTION 6 OF TOWN OF JACKSON ORDINANCE NO. 558; SECTION 7 OF TOWN OF JACKSON ORDINANCE NO. 677; SECTION 18 OF TOWN OF JACKSON ORDINANCE NO. 664; SECTION 20 OF TOWN OF JACKSON ORDINANCE NO. 289; SECTION 30 OF TOWN OF JACKSON ORDINANCE NO. 97; AND SECTIONS 13.04.050, 13.04.300, 13.08.013, 13.08.020, AND 13.08.070 OF THE TOWN OF JACKSON MUNICIPAL CODE REGARDING WATER AND WASTEWATER RATES, FEES, AND COSTS; AND PROVIDING FOR AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JACKSON, WYOMING, IN REGULAR SESSIONS DULY ASSEMBLED THAT:

Council held discussion. Johnny Ziem, Tyler Sinclair, and Lea Colasuonno made staff comment. A motion was made by Jonathan Schechter and seconded by Jessica Sell Chambers to approve Ordinance E on first reading. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Matters from Mayor and Council.

Design Review Committee Appointments/Reappointments. A motion was made by Jessica Sell Chambers and seconded by Arne Jorgensen to reappoint Mary McCarthy, Mary Beth Coyne, and Doug Halsey to the Design Review Committee for two-year terms, which shall expire October 31, 2025. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Joint Funding Committee Update. Arne Jorgensen and Jim Rooks provided an update.

Other Matters from Mayor and Council. Council discussed Mountain Towns 2030, and the Town’s upcoming opportunity to host the event. Tanya Anderson will be following up with Mountain Town staff.

A motion was made by Jim Rooks and seconded by Jessica Sell Chambers to direct staff to work with the Jackson Hole Land Trust to determine the process by which the 2008 Restrictive Covenant affecting Tract 5 of Karns Meadow could be amended and present the results at a future Council meeting. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

A motion was made by Jim Rooks and seconded by Arne Jorgensen to direct staff to provide an annual water usage report for discussion and direction at a Town Council workshop. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Town Manager’s Report. Tyler Sinclair made staff comment. The Town Manager’s report contained updates on the Town’s National League of Cities membership, childcare spaces available at Si Ferrin, Sustainable Strategies grant consultants, Wyoming Energy Authority grant, WaterSMART Cooperative Watershed Management Phase 1 grant, US Environment Protection Agency Environmental Education local grants, and an Equal Employment Opportunity (EEO)/Title VI program related to START. A motion was made by Jonathan Schechter and seconded by Arne Jorgensen to approve the Town Manager’s Report. Mayor Morton Levinson called for the vote. Jim Rooks abstained from voting due to his affiliation with Trout Unlimited. The vote showed 4-0 with one abstention. The motion carried.

Adjourn. A motion was made by Jonathan Schechter and seconded by Arne Jorgensen to adjourn. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried. The meeting adjourned at 7:14 p.m. Minutes: rt.

TOWN OF JACKSON

ATTEST:

Hailey Morton Levinson, Mayor

Riley Taylor, Town Clerk

Publish JH News & Guide: November 15, 2023