

TOWN COUNCIL PROCEEDINGS

APRIL 15, 2024

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, Brian Lenz, Heidi Schmidl, Paul Anthony, Katelyn Page, Tyler Valentine, Lynsey Lenamond, Tanya Anderson, Susan Scarlata, and Riley Taylor.

The Pledge of Allegiance was led by Mayor Morton Levinson. The Land Acknowledgement was read by Mayor Morton Levinson. Mayor Morton Levinson introduced Ish Jimenez, Associate Engineer. Mayor Morton Levinson proclaimed April 6-12, 2024 as Week of the Young Child, May 6-11, 2024 as Spring Clean-Up Week, May 4-12, 2024 as Burn Week, April 2024 as Child Abuse Awareness and Prevention Month, May as National Tennis Month, May 2024 as pARTners 30th Anniversary Celebration Month, April 26, 2024 as Arbor Day, and read a proclamation honoring Team Wyoming Boys 18U Hockey Team National Champions. Proclamations were read by Mayor Morton Levinson and members of Council.

Public Comment. Julien Hass and Perri Stern made public comment.

Consent Calendar. A motion was made by Jessica Sell Chambers and seconded by Arne Jorgensen to approve the consent calendar including items A-G as presented with the following motions:

- A. **Meeting Minutes.** To approve meeting minutes from the March 18, 2024 Regular Town Council Workshop and March 18, 2024 Regular Town Council Meeting.
- B. **Disbursements.** To approve the disbursements as presented. 4IMPRINT \$655.56; 842-NCPERS GROUP WYOMING \$96.00; ACE EQUIPMENT & SUPPLY \$11.49; ACE HARDWARE \$596.14; ADVANCED NETWORK MANAGEMENT, INC. \$4,402.40; ADVANCED PUMP & EQUIPMENT, INC \$18,798.50; AFLAC \$2,399.87; ALPHAGRAPHICS \$1,669.30; AMAZON \$2,451.49; ANDERS GLASS AND TINT \$820.00; ARISTORENAS, MARIA \$450.00; AT&T \$1,390.02; BADILLO, MARCELA \$450.00; BERGMAN, PIERRE \$450.00; BEST BEST & KRIEGER \$2,906.50; BISON LUMBER \$64.44; BLUE SPRUCE CLEANERS, INC \$491.05; BOLAND, ANITA \$2,200.00; BRIGGS, ERIC L \$1,013.67; BULL, LYNNETTE GREY \$900.00; BURKHOLDER, SHAWN \$1,942.50; CAMP ON INC \$32,400.00; CARQUEST AUTO PARTS INC. \$170.22; CENTURYLINK \$2,182.47; CHARGEPOINT, INC \$470.00; CHARLIE'S PLUMBING OF JH \$2,395.00; CITY OF DRIGGS \$2,573.59; CLIMB WYOMING \$1,531.25; COMMUNITY SAFETY NETWORK \$17,500.00; CONRAD & BISCHOFF INC. \$92,357.87; CONTROL SYSTEM TECHNOLOGY, INC. \$26,894.50; CORE & MAIN LP \$39,991.04; COSINDAD, CARLOS \$155.00; CUSTOM ELECTRONIC CONSULTANTS INC \$11,501.28; DAWSON, HARMONY \$155.00; DAY, JEAN \$450.00; DEAN, GARY \$100.00; DEAN'S PEST CONTROL LLC \$365.00; DELL \$6,363.60; DELTA DENTAL PLAN OF WYOMING \$16,948.56; DEWBERRY ENGINEERS, INC \$1,040.00; DEX IMAGING \$488.60; DIAMOND L TRUCKING LLC \$1,925.00; DICK ANDERSON CONSTRUCTION \$281,062.73; DIVISION OF CHILD SUPPORT ENFORCEMENT \$1,018.46; DIVISION OF VICTIM SERVICES \$1,050.00; VERIZON WIRELESS \$87.00; E.R. OFFICE EXPRESS \$668.91; EKOS, INC \$160.00; ELKINS, MARINDA \$80.00; ENERGY LABORATORIES INC. \$1,437.00; ENOW, INC. \$1,213.38; ETNA TRADE PARK LLC \$4,062.00; EVANS CONSTRUCTION INC \$6,470.53; EVIDENT \$956.48; FALL RIVER RURAL ELECTIC \$188.51; FIRE SERVICES OF IDAHO \$6,992.08; FIVE-COUNTY DETENTION CENTER \$1,925.00; FLEETPRIDE \$32.07; FLOWPOINT ENVIRONMENTAL SYSTEMS \$2,167.13; FREEDOM MAILING SERVICE INC. \$1,800.32; FRITTS, JASON \$450.00; GARCIA, ISRAEL \$80.00; GARRETT, ROBERT \$155.00; GILLIG LLC \$1,856.87; GM SHEET METAL LLC \$33.85; HACH CHEMICAL CO. \$1,703.11; HERNANDEZ, BRANDON \$450.00; HIGH COUNTRY LINEN \$2,899.06; HOFFMAN, SEAN \$500.00; IDAHO CHILD SUPPORT RECEIPTING \$1,128.40; IDAHO STATE TAX COMMISSION \$4,799.00; IMMIGRANT HOPE \$2,000.00; INEO SYSTRANS USA INC \$82,809.35; INTERNATIONAL CYBERNETICS COMPANY, LP \$2,150.00; INTERSTATE BATTERY \$1,980.45; INTERWEST SUPPLY COMPANY \$5,199.30; IVY OUTDOOR SERVICES LLC \$2,550.00; J.J. KELLER & ASSOC. INC. \$2,899.88; JACKSON CURBSIDE INC. \$1,130.00; JACKSON GROUP LOCKBOX \$1,526.97; JACKSON HOLE CLIMATE ACTION COLLECTIVE \$2,500.00; JACKSON HOLE LAW, PC \$3,505.00; JACKSON HOLE NEWS & GUIDE \$13,251.20; JACKSON LUMBER INC \$220.50; JACKSON PAINT AND GLASS, INC. \$6,090.31; JH20 WATER CONDITIONING &

FILTRATION \$85.00; JHAM, INC. \$6,474.77; JORGENSEN ASSOCIATES, PC \$12,600.75; JORGENSEN, ARNE OLAUS \$982.65; KEENAN, PETER \$11,500.00; KOIS BROTHERS EQUIPMENT COMPANY \$5,829.70; KRUEGER, ERICA JADE \$450.00; LEPCO \$1,701.36; LOWER VALLEY ENERGY INC \$58,871.91; LUMINATOR TECHNOLOGY GROUP INC \$74.88; MACY'S SERVICES \$583.75; MARKMAN, JASON \$1,995.00; MENTAL HEALTH & RECOVERY SERVICES \$45,242.38; MOBILITY FOREFRONT LLC \$81,437.93; MORTON-LEVINSON, HAILEY \$1,681.60; MSC INDUSTRIAL SUPPLY CO \$353.61; NAPA AUTO PARTS INC. \$2,386.76; NELSON ENGINEERING \$9,095.00; NOLAND, STACY \$450.00; ONE 22, INC. \$41,437.50; PENNY, BRAD \$202.42; PHILLIPS, JAMES \$49.42; PLATT \$5,861.26; POLISEO, FLOREN \$46.80; PORTER'S OFFICE PRODUCTS \$37.10; PREMIER TRUCK- SALT LAKE CITY \$213.99; QUADIENT FINANCE USA, INV \$1,000.00; R & A SAFETY LLC \$939.50; RIDGELINE EXCAVATION INC \$1,260.00; ROTARY CLUB OF JACKSON HOLE \$317.30; RT1 INC \$22.89; RUI INC. DBA VILLAGE GARDNER \$581.24; RUSH INTERNATIONAL TRUCK CENTER \$504.70; RYAN, JOHN \$95.00; SANCHEZ-MACHUCA, ROSA \$450.00; SCHECHTER, JONATHAN \$1,850.00; SHELL EQUIPMENT COMPANY LLC \$214.04; SHERWIN-WILLIAMS CO. \$117.21; SIGN IT NOW INC \$1,910.54; SILVERSTAR \$3,565.89; SIMPLY NUC, INC \$10,013.46; SJOBERG, HANNA \$78.68; SMITH POWER PRODUCTS, INC. \$70.55; SNAKE RIVER MEP COMPLETE, INC \$435.00; SNAKE RIVER ROASTING \$341.70; SNOW KING MOUNTAIN RESORT LLC \$2,000.00; SOSA'S JANITORIAL SERVICE \$16,200.00; SPECTRUM \$99.99; SPRING CREEK ANIMAL HOSPITAL \$373.89; SPSC POA - SOUTH PARK SERVICES CTR POA \$303.82; STANARD & ASSOCIATES, INC \$612.50; STANDARD INSURANCE COMPANY \$20,400.56; STANDARD PLUMBING SUPPLY CO. \$289.65; STEP BACK LEADERSHIP CONSULTING LLC \$30,000.00; STONE, KIRK \$2,940.00; SUSTAINABLE STRATEGIES DC, LLC \$7,500.00; TETON COUNTY CLERK \$691,810.86; TETON COUNTY INTEGRATED SOLID WASTE/RECY \$28,297.68; TETON COUNTY PUBLIC HEALTH \$200.00; TETON COUNTY PUBLIC WORKS \$40,212.71; TETON COUNTY-FUND 10 \$139,811.29; TETON COUNTY-FUND 13 \$75,180.56; TETON COUNTY-FUND 19 \$895,072.83; TETON LITERACY CENTER \$6,700.00; TETON MOTORS INC \$2,317.99; TETON MOUNTAIN RANCH \$1,200.00; TETON ROPE ACCESS AND SERVICES, LLC \$6,126.25; TETON TRASH REMOVAL, INC. \$103.00; THE CHILDREN'S LEARNING CENTER \$37,822.75; THE CONNOR E FIELD TRUST \$2,575.00; THOMPSON LOGGING, INC \$1,883.00; THOMSON WEST \$1,860.30; T-MOBILE \$37.46; TMSC LLC \$17,105.02; TOP TIER TOOLS LLC \$55.65; UCM DIGITAL HEALTH, INC \$1,423.50; UNITED EDUCATION INSTITUTE \$1,964.00; USA BLUE BOOK \$1,991.05; VERIZON WIRELESS \$11,787.50; VICTOR VILLAGE, LLC \$1,560.00; VISA \$43,805.28; VISION SERVICE PLAN - (WY) \$3,620.06; VOICES JACKSON HOLE \$7,500.00; WEBER, MICHELLE \$617.20; WERTHEIMER, REBACCA \$740.00; WEST COAST CODE CONSULTANTS \$730.00; WESTBANK SANITATION \$1,259.14; WESTERN CHARTERS AND TOURS, LLC \$197,150.00; WESTERN STATE \$3,295.28; WHITE GLOVE CLEANING, INC. \$5,105.25; WILMA D SORSBY TRUST \$3,150.00; WILSON, JOHN \$2,200.00; WILSON, JOSH \$250.00; WRENCH IT PLUMBING & HEATING INC \$3,659.93; WY CHILD SUPPORT ENFORCEMENT \$138.44; WY WORKERS' SAFETY & COMP \$21,557.01; WYO CONFERENCE OF MUNI COURTS \$375.00; WYOMING FIRST AID & SAFETY \$83.71; WYOMING LAW ENFORCEMENT \$105.00; WYOMING RETIREMENT SYSTEM \$169,875.75; WYOMING.COM INC \$10.00; YELLOW IRON EXCAVATION, LLC \$4,050.00; YEVDOKIMOV, ANDREY \$1,500.00.

- C. **March Municipal Court Report.** To accept the March Municipal Court Report into record.
- D. **South Millward Water Main Replacement Contract Award.** To direct staff to amend the FY24 budget as described herein with the next budget resolution, award the contract to Westwood Curtis Construction, Inc. of Jackson, Wyoming, and authorize the Mayor to execute a contract for construction subject to review and final approval by the Town Attorney and Town Engineer.
- E. **Miller Park Ground Lease with 4-H.** To approve the Town of Jackson notice to Teton County of nonrenewal of the Town-County Ground Lease Agreement, approve the termination of the Ground Lease Agreement and recordation of an appropriate document, and direct staff to negotiate a ground lease between the Town of Jackson and 4H for the 4H Building in Miller Park and present it for Council consideration at a future Council meeting.
- F. **Per- and Polyfluoroalkyl Substances Litigation: Retainer Agreement Modification.** To approve the amendment to the Napoli Shkolink retainer agreement and authorize the Town Attorney to execute the necessary document(s).
- G. **Professional Services Agreement with West Code Consultants for Plan Review Services.** To approve the Agreement for Professional Plan Review Services between the Town of Jackson and West Coast Consultants Inc., attached to this staff report, and subject to minor changes by staff.

Perri Stern made public comment on the consent calendar. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Application for New Restaurant Liquor License at 140 N. Cache St. Suite B. Mayor Morton Levinson opened the public hearing. Lynsey Lenamond made staff comment. Council held discussion with staff. There was no public comment. Having considered Wyoming Statute 12-4-104(b) statutory factors, motion was made by Jim Rooks and seconded by Jonathan Schechter to approve the application for a new restaurant liquor license for Roosevelts 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. The motion carried.

Development Plan at 380 S. Highway 89 (P23-226). Tyler Valentine made staff comment. Council held discussion with staff. There was no public comment. Jay Lems made applicant comment. Tanya Anderson made public comment. A motion was made by Jessica Sell Chambers and seconded by Arne Jorgensen to approve Development Plan P23-226 for a new 2-story, 12,366 sf bank at the property addressed at 380 S. Highway 89 based upon the findings and conditions listed below, the departmental reviews, and subject to this staff report dated April 15, 2024:

1. At the time of building permit submittal, an updated photometric map shall be provided that demonstrates no light trespass occurs beyond any property line.
2. Prior to issuance of a Certificate of Occupancy for the building, the applicant shall apply and be approved for a Basic Use Permit for the "Service" use and "Drive-thru ATM" use.

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

105 Mercill Ave. Units 101-103 Conditional Use Permit (P24-006). Katelyn Page made staff comment. Council held discussion with staff. Ethan Lobdell made applicant comment. There was no public comment. A motion was made by Jim Rooks and seconded by Jessica Sell Chambers to approve P24-006 for a Conditional Use Permit for an Assembly use at the properties addressed 105 Mercill Avenue Units 101-103, based upon the findings and conditions presented in the staff report, the departmental reviews, and subject to this staff report dated April 15, 2024. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

210-230 N. Glenwood Sketch (P24-018). At the request of the applicant, this item was continued to May 6, 2024.

Development Agreement at 1080 South Park Loop Rd. (E23-0012). Brian Lenz made staff comment. Council held discussion with staff. Stephan Fodor with Fodor Law made comment on behalf of the applicant. There was no public comment. A motion was made by Arne Jorgensen and seconded by Jessica Sell Chambers to approve the Development Agreement between the Town of Jackson, Mogul Capital, and Teton County School District No. 1, and authorize the mayor to execute it subject to minor changes by staff. Jim Rooks requested an amendment to the 7th condition regarding Timing of Completion so that the left-turn lane needs to be completed by the first Certificate of Occupancy. Councilmembers Jorgensen and Sell Chambers consented to the friendly amendment. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Council recessed at 8:03 p.m. and reconvened at 8:11 p.m.

WAM Resolutions, Travel Authorization, and Voting Delegate. Susan Scarlata made staff comment. Andy Schwartz, contracted legislative liaison for the Town of Jackson, made public comment. Council held discussion with staff. There was no public comment. A motion was made by Jim Rooks and seconded by Arne Jorgensen to approve the WAM Resolutions attached to this staff report related to support for retention of ownership of condominium plats, amending state statute to increase fees for liquor licenses, and fostering local revenue generation, with minor edits from staff and any additional Resolutions suggested at this 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 Jessica Sell Chambers to appoint Mayor Morton Levinson as Jackson’s voting delegate for WAM’s Summer Convention, and to provide the delegate with discretion to support other resolutions that align with the Town of Jackson’s interests. 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 approve travel for Councilmembers to attend WAM’s 2024 Summer Convention. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Resolutions 24-04, 24-05, and 24-06: Public Art Guidelines, Gift Policy, and Monument Policy. Lea Colasuonno made staff comment. Council held discussion with staff. There was no public comment. A motion was made by Jim Rooks and seconded by Jonathan Schechter to adopt Resolutions, 24-04, 24-05, and 24-06 for the Town of Jackson Public Art Guidelines, Gift Policy, and Monument Policy, respectively. Mayor Morton Levinson 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. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Ordinance P: An Ordinance Amending Neighborhood High Density-1 (NH-1) Zone.

N ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 1197 (PART), 1217, 1313, 1316, AND 1343, SECTION 2 OF TOWN OF JACKSON ORDINANCE NO. 1074 (PART) AND SECTION 2.2.9.A AND 2.2.9.E OF THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS REGARDING NEIGHBORHOOD HIGH DENSITY-1 (NH-1) 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:

There was no public comment. A motion was made by Arne Jorgensen and seconded by Jonathan Schechter to approve Ordinance P on third reading and designate it Ordinance 1370. Council held discussion. Mayor Morton Levinson called for the vote. The vote showed 3-2 with Mayor Morton Levinson, Jonathan Schechter, and Jim Rooks in favor and Jessica Sell Chambers and Jim Rooks opposed. The motion carried.

Ordinance Q. An Ordinance Regarding Compensation for Mayor and Council.

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF TOWN OF JACKSON ORDINANCE NOS. 1315, 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

There was no public comment. A motion was made by Arne Jorgensen and seconded by Jonathan Schechter to approve Ordinance Q on third and final reading and designate it Ordinance 1371. Mayor Morton Levinson called for the vote. The vote showed 4-1 with Mayor Morton Levinson, Arne Jorgensen, Jonathan Schechter, and Jim Rooks in favor and Jessica Sell Chambers opposed. The motion carried.

Ordinance R. An Ordinance Granting Westbank Environmental Services, Inc. a Franchise.

AN ORDINANCE GRANTING WESTBANK ENVIRONMENTAL SERVICES, INC. A FRANCHISE FOR THE COLLECTION AND DISPOSITION OF GARBAGE, ASHES, REFUSE, RECYCLABLE REFUSE AND COMPOSTABLE MATERIALS FOR THE PURPOSE OF REDUCING IMPACTS ON WASTE HAULING AND LANDFILL OPERATIONS AND SUPPORTING RECYCLING EFFORTS; PROVIDING THE RIGHTS AND LIABILITIES THEREUNDER; AND ESTABLISHING AN EFFECTIVE DATE.

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

There was no discussion. A motion was made by Jessica Sell Chambers and seconded by Jim Rooks to approve Ordinance R on first reading. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Matters from Mayor and Council.

Early Learning Nation Policy Fellowship. Mayor Morton Levinson introduced the fellowship program. A motion was made by Jonathan Schechter and seconded by Jim Rooks to support Mayor Morton Levinson serve as an Early Learning Nation Fellow and to execute the memorandum of understanding with the Hunt Institute. 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 status and value of Sustainable Strategies grants, a letter of support for POWJH to receive grant funding to begin fecal pathogen monitoring of Flat Creek and Fish Creek, and temporary sign permit requests. A motion was made by Jonathan Schechter and seconded by Jessica Sell Chambers to approve the Town Manager’s Report. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Adjourn. A motion was made by Jonathan Schechter and seconded by Jessica Sell Chambers to adjourn. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried. The meeting adjourned at 9:00 p.m.

TOWN OF JACKSON

ATTEST:

Hailey Morton Levinson, Mayor

Riley Taylor, Town Clerk

Minutes: rt. Publish JH News & Guide: April 24, 2024