

TOWN COUNCIL PROCEEDINGS

JUNE 3, 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, Lea Colasuonno, Floren Poliseo, Johnny Ziem, Brian Lenz, Michelle Weber, Paul Anthony, Tanya Anderson, Katelyn Page, Tyler Valentine, 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 announced that beginning with this meeting, free childcare is now available to all those attending Town Council meetings. Mayor Morton Levinson proclaimed June 7, 2024 as National Gun Violence Awareness Day and June 2024 as Pride Month.

Public Comment. Bob Lenz, Patrick Guthrie, and Jillian Miller made public comment.

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

- A. **Meeting Minutes.** To approve meeting minutes from the May 6, 2024 Regular Town Council Meeting, May 7, 2024 Regular Town Council Budget Meeting, May 13, 2024 Special Town Council Budget Meeting, and May 13, 2024 Special Town Council Workshop.
- B. **Disbursements.** To approve the disbursements as presented. ACE EQUIPMENT & SUPPLY \$33,032.69; ACE HARDWARE \$3,220.24; ADVANCED LINING LLC \$50,000.00; ALTA PLANNING & DESIGN \$812.00; AMAZON \$390.59; ANDERS GLASS AND TINT \$3,660.00; ANGLESEY, JASON \$92.00; ATLAS COPCO COMPRESSORS, LLC \$6,080.00; AXON ENTERPRISES, INC \$2,701.79; BECKER ARENA PRODUCTS INC \$60,000.00; BEST BEST & KRIEGER \$7,705.00; BESTDRIVE IDAHO FALLS \$1,628.88; BIG R RANCH & HOME \$279.19; BISON LUMBER \$378.76; BLACK HAWK INDUSTRIAL \$138.51; BRIGGS, ERIC L \$411.90; CAMP ON INC \$9,526.41; CARQUEST AUTO PARTS INC. \$6.95; CHROMAN FAMILY LIMITED PARTNERSHIP \$2,000.00; CITY OF DRIGGS \$1,814.48; CONRAD & BISCHOFF INC. \$90,575.27; CONTROL SYSTEM TECHNOLOGY, INC. \$36,692.00; DEAN'S PEST CONTROL LLC \$270.00; DELTA DENTAL PLAN OF WYOMING \$11,102.70; DERO BIKE RACKS \$7,315.03; DEX IMAGING \$45.41; DICK ANDERSON CONSTRUCTION \$80,510.18; DIVISION OF CHILD SUPPORT ENFORCEMENT \$509.23; DIVISION OF VICTIM SERVICES \$300.00; E.R. OFFICE EXPRESS \$122.69; ELAN ONE CARD \$4,018.56; ENERGY LABORATORIES INC. \$938.00; EVOLUTION CONCRETE CUTTING \$9,485.00; EXPOSURE SIGNS INC \$2,875.00; FALL RIVER RURAL ELECTIC \$83.81; FERGUSON ENTERPRISES, INC \$194.72; FIRE SERVICES OF IDAHO \$600.00; FOSTER, KYLE \$588.60; FREEDOM MAILING SERVICE INC. \$1,834.83; GARCIA, ISRAEL \$120.00; GILLIG LLC \$2,088.91; GRAINGER \$62.50; HD FOWLER COMPANY \$4,975.69; HIGH COUNTRY LINEN \$1,233.78; IDAHO CHILD SUPPORT RECEIPTING \$564.20; INTERSTATE BATTERY \$402.85; JACKSON CURBSIDE INC. \$5,475.00; JACKSON DOWNTOWNER, LLC \$101,412.48; JACKSON GROUP LOCKBOX \$752.94; JACKSON HOLE COMMUNITY HOUSING \$12,500.00; JACKSON HOLE NEWS & GUIDE \$13,905.00; JACKSON LUMBER INC \$400.80; JACKSON WHOLE FAMILY HEALTH \$800.00; JAVELIN ARMS \$450.00; JH20 WATER CONDITIONING & FILTRATION \$97.50; JORGENSEN ASSOCIATES, PC \$244,049.77; KENWORTH SALES COMPANY DEPT #1 \$42.51; LEGEND HYDROVACING, INC \$5,550.00; LEIGH, CHRISTOPHER S. \$674.40; LENZ, BRIAN \$118.64; LIQUOR STORE OF JH, INC \$774.30; LOCAL GOV'T LIABILITY POOL \$1,000.00; LOPEZ, CHRYSTAL \$59.00; LOWER VALLEY ENERGY INC \$1,500.00; MACY'S SERVICES \$2,567.50; MEAD & HUNT \$12,761.90; METROQUIP INC \$4,117.84; MONARCH MOTORSPORTS \$25,639.00; MSC INDUSTRIAL SUPPLY CO \$2,674.23; NAPA AUTO PARTS INC. \$2,169.01; NELSON ENGINEERING \$14,974.25; ON SIGHT LAND SURVEYORS INC. \$1,800.00; ONE CALL OF WYOMING \$234.75; PITTS, JASON \$126.54; PREMIER TRUCK- SALT LAKE CITY \$1,146.91; PRISTINE EXTERIORS LLC \$309.00; PRO-WEST & ASSOC., INC \$12,000.00; R & A SAFETY LLC \$839.50; RIPLEYS VACUUM CENTER, INC \$4,635.50; RON'S TOWING LLC \$6,150.00; RT1 INC \$179.12; SAFETY SUPPLY & SIGN CO., INC. \$1,196.79; SCHAEFFER MFG. CO \$3,638.80; SCHWARTZ, ANDY \$8,334.00; SHELL EQUIPMENT COMPANY LLC \$199.44; SHERWIN-WILLIAMS CO. \$638.80; SIGN IT NOW INC \$271.70; SILVER CREEK SUPPLY \$75.35; SMITH POWER PRODUCTS, INC. \$357.25; SMITH PSYCHOLOGICAL SERVICES \$800.00; SNAKE RIVER MEP COMPLETE, INC \$255.00;

SOLV BUSINESS SOLUTIONS-SAFEGUARD \$803.38; SOSA'S JANITORIAL SERVICE \$7,200.00; SPECTRUM \$99.99; SPRING CREEK ANIMAL HOSPITAL \$286.47; STANDARD INSURANCE COMPANY \$10,046.16; STERLING, ODEIN \$740.00; SUNRISE ENVIRONMENTAL \$1,086.17; SUSTAINABLE STRATEGIES DC, LLC \$7,500.00; TETON COUNTY INTEGRATED SOLID WASTE/RECY \$10.00; TETON COUNTY PLANNING & BUILDING \$11,744.99; TETON COUNTY PUBLIC HEALTH \$200.00; TETON COUNTY PUBLIC WORKS \$13,048.22; TETON COUNTY SHERIFF'S-JAIL \$288.00; TETON MOTORS INC \$1,655.65; TETON ROPE ACCESS AND SERVICES, LLC \$751.25; TETON TRASH REMOVAL, INC. \$103.00; THE TIRE RACK, INC. \$1,720.00; THOMSON WEST \$930.14; THYSEN KRUPP ELEVATOR CORP. \$4,471.20; TMSO LLC \$1,978.21; UCM DIGITAL HEALTH, INC \$955.50; UPLIFT DESK \$5,687.79; UPPER CASE PRINTING INK \$230.74; USA BLUE BOOK -\$1,320.30; VERIZON WIRELESS \$8,416.67; VISA \$37,870.36; VISION SERVICE PLAN - (WY) \$1,765.73; WAM \$225.00; WEST COAST CODE CONSULTANTS \$2,635.00; WEST FORK CONSTRUCTION \$7,575.60; WESTBANK SANITATION \$122.06; WESTWOOD CURTIS \$1,125.45; WHITE GLOVE CLEANING, INC. \$1,302.36; WILLIAMS, BAILEY \$349.67; WILLIAMS, RILEY \$398.34; WRENCH IT PLUMBING & HEATING INC \$206.25; WSP USA ENVIRONMENT & INFRASTRUCTURE INC \$5,123.25; WYOMING FIRST AID & SAFETY \$617.93; WYOMING GARAGE DOOR, LLC \$1,644.00; WYOMING LAW ENFORCEMENT \$115.00; WYOMING LAW ENFORCEMENT ACADEMY \$1,757.45; WYOMING.COM INC \$5.00; XYLEM CCI \$434.87; YELLOW IRON EXCAVATION, LLC \$1,862.00

- C. **April Municipal Court Report.** To accept the April Municipal Court Report into record.
- D. **MOU with Mental Health & Recovery Services of JH and Title 25/BH Crisis Partners of Teton County.** To approve the Agreement between the Town and the Mental Health & Recovery Services of Jackson Hole, and authorize the Mayor to execute the Agreement, subject to minor changes by staff.
- E. **Well 10 Drilling Construction Award.** To approve the contract with Weber Water and Well, LLC and authorize the Mayor to execute all contracts subject to final approval by the Town Engineer and Town Attorney.
- F. **Conceptual Design Agreement for the Public Art for the Stilson Transit Center.** To approve a Conceptual Design Agreement for Public Art for the future Stilson Transit Center in a cost not to exceed \$3,600 and authorize the Mayor to execute all necessary documents.
- G. **WAM Resolutions.** No motion. This item is informational only.
- H. **Amended and Restated Special Restriction for 276 Scott Lane Unit 103.** To approve the Complete Amendment and Restatement Deed Restriction for Workforce Ownership Housing Located at 276 Scott Lane Unit 103, Town of Jackson Wyoming and authorize the Mayor sign the restriction.

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.

Canopy Encroachment Agreement with CCC's Ranch Inn, LLC at 45 E. Pearl. This item was continued.

Shoring Encroachment Agreement with CCC's Ranch Inn, LLC at 45 E. Pearl. This item was continued.

FY25 Budget Public Hearing. Tyler Sinclair made staff comment. Mayor Morton Levinson opened the public hearing. Council held discussion with staff. There was no public comment. No motion was made as action was scheduled on the FY25 Budget Resolution later on in the agenda. Mayor Morton Levinson closed the public hearing.

Fee Schedule Public Hearing. Mayor Morton Levinson opened the public hearing. Kelly Thompson and Tyler Sinclair made staff comment. Council held discussion with staff. There was no public comment. No motion was made as formal consideration of the annual fee resolution was scheduled to occur on June 17, 2024. Mayor Morton Levinson closed the public hearing.

Request for a Conditional Use Permit at 185 S. Willow St. (P24-065). Katelyn Page and Paul Anthony made staff comment. Council held discussion with staff. Jason Berning, Josiah Nash, Rachel Ravitz, and Reed Armijo, spoke on behalf of the applicant. There was no public comment. A motion was made by Arne Jorgensen and seconded by Jonathan Schechter to approve P24-065 for a Conditional Use Permit

for an expansion of 3,285 sf of Office and Heavy Service use at the property addressed 185 S. Willow Street based upon the findings and conditions presented in the staff report, the departmental reviews, subject to this staff report dated June 3, 2024, and the following condition of approval:

1. Determination of, and provision for, any newly generated off-street parking for the General Services Building shall be deferred until master planning of the municipal complex and construction of the Teton County Courthouse project is complete.

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

Planned Unit Development Amendment, Development Plan, Conditional Use Permit, and Fee Waiver Request for the Presbyterian Church of Jackson Hole (P23-206, P23-204, P24-007, P24-024) (Tyler Valentine). A motion was made by Arne Jorgensen and seconded by Jim Rooks to continue items P23-006, P23-204, P24-007, and P24-024 to the regularly scheduled Town Council meeting on July 1, 2024. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Sketch Plan for 290,000 sf Mixed-Use Hotel and Condominiums Along N. Cache (P24-002). Paul Anthony made staff comment. Council held discussion with staff. Public comment for this item was accepted at the May 6, 2024 meeting. A motion was made by Jessica Sell Chambers and seconded by Arne Jorgensen to continue Sketch Plan P24-002 for a new three-story, 290,000 sf mixed-use hotel and condominium building to the regularly scheduled meeting on June 17, 2024. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Petition to Vacate Portion of an Alley at 325 N. Cache St. et al. (PM23-006). Council held discussion. A motion was made by Jessica Sell Chambers and seconded by Arne Jorgensen to direct staff to prepare all necessary documentation associated with potentially vacating (a portion or the entirety) of the alley, including staff's recommended terms and conditions in the departmental reviews and others, and present the items on a future Council agenda for Council's review and consideration. Mayor Morton Levinson called for the vote. The vote showed 0-5 with Mayor Morton Levinson, Arne Jorgensen, Jessica Sell Chambers, Jim Rooks and Jonathan Schechter opposed. The motion failed.

Council recessed at 7:20pm and reconvened at 7:27pm.

Resolution 24-11: FY25 Budget. A motion was made by Arne Jorgensen and seconded by Jonathan Schechter to approve Resolution 24-11 adopting the Town of Jackson's fiscal year 2025 budget as presented. 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.

A motion was made by Arne Jorgensen and seconded by Jonathan Schechter to further direct staff to request the County Assessor assess 0.5 property mills within the Town of Jackson. 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.

Resolution 24-12: JH Airport FAA Grant. Riley Taylor made staff comment. Council held discussion with staff. There was no public comment. A motion was made by Arne Jorgensen and seconded by Jim Rooks to adopt the proposed Resolution, and approve the FAA Grant Agreement to Conduct Airport Related Environmental Study (Net Zero Carbon Roadmap) with the FAA obligation under the grant being a maximum of \$180,000. 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 Arne Jorgensen to read ordinances in short title. Mayor Morton Levinson called for the vote. The vote showed all in favor. 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.

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 R on third and final reading and designate it Ordinance 1372. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Ordinance S. An Ordinance Extending the Term of the Franchise Granted to Qwest Corporation d/b/a CenturyLink.

AN ORDINANCE AMENDING ORDINANCE 1243 EXTENDING THE TERM OF THE FRANCHISE GRANTED TO QWEST CORPORATION D/B/A CENTURYLINK QC ON BEHALF OF ITSELF TO OPERATE AND MAINTAIN A TELECOMMUNICATIONS SYSTEM FOR THE PURPOSE OF SUPPLYING SERVICE TO THE TOWN OF JACKSON AND GRANTED ON DECEMBER 18, 2019.

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

Lea Colasuonno made staff comment. There was no public comment. A motion was made by Jessica Sell Chambers and seconded by Arne Jorgensen to approve Ordinance S on first reading. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Board of Examiners (BOE) Reappointments. There was no staff comment. A motion was made by Jonathan Schechter and seconded by Jessica Sell Chambers to reappoint Kasey Mateosky, Katie Wilson, and Tyson Slater to the Board of Examiners for two-year terms, all of which shall expire July 1, 2026. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Matters from Mayor and Council. A motion was made by Jessica Sell Chambers and seconded by Arne Jorgensen to direct and authorize the Housing Authority Board to further negotiate for the sale of 60 W. Broadway. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Tyler Sinclair and April Norton made staff comment regarding 90 Virginian Lane land developer selection process. Council held discussion with staff. A motion was made by Mayor Morton Levinson and seconded by Jim Rooks to reconsider the vote on the motion to: "direct and authorize the Housing Authority to direct staff to negotiate a Ground Lease and Development Agreement including the agreed upon internal procedures and negotiation topics with both Pennrose Development and Elmington Affordables, LLC for affordable workforce housing located at 90 Virginian Lane and to bring these documents and the results of the negotiations back to the Council and Board for consideration at a future meeting." There was no public comment on the motion to reconsider. Mayor Morton Levinson called for the vote. The vote showed 3-1 with Jim Rooks, Arne Jorgensen, and Hailey Morton Levinson in favor and Jonathan Schechter opposed. Jessica Sell Chambers abstained from the vote. The motion carried.

Arne Jorgensen, as the motion maker, withdrew his motion made on May 14 to direct and authorize the Housing Authority to direct staff to negotiate a Ground Lease and Development Agreement including the agreed upon internal procedures and negotiation topics with both Pennrose Development and Elmington Affordables, LLC for affordable workforce housing located at 90 Virginian Lane and to bring these documents and the results of the negotiations back to the Council and Board for consideration at a future meeting.

A motion was made by Jessica Sell Chambers and seconded by Jim Rooks to direct staff to schedule a Special Joint Information Meeting to discuss selection of a developer for 90 Virginian Lane. Council held discussion. Mayor Morton Levinson called for the vote. The vote showed 2-3 with Jessica Sell Chambers and Jonathan Schechter in favor and Mayor Morton Levinson, Arne Jorgensen, and Jim Rooks opposed. The motion failed.

A motion was made by Jim Rooks and seconded by Jessica Sell Chambers to direct and authorize staff to negotiate a Ground Lease and Development Agreement including the agreed upon internal procedures and negotiation topics with Pennrose Development for affordable workforce housing located at 90 Virginian Lane and to bring these documents and the results of the negotiations back to the Council and Board for consideration at a future meeting. Mayor Morton Levinson called for the

vote. The vote showed 3-2 with Mayor Morton Levinson, Arne Jorgensen, and Jim Rooks in favor and Jessica Sell Chambers and Jonathan Schechter opposed. The motion carried.

Council recessed at 8:50pm and reconvened at 8:57pm.

Council held discussion with staff on initiating a moratorium on non-residential buildings larger than 35,000 sf in CR-1, CR-2, CR-3, Downtown Core-1, and Downtown Core-2 zones. Lea Colasuonno and Tyler Sinclair made staff comment.

Council recessed at 9:31pm and reconvened at 10:07pm.

A motion was made by Mayor Morton Levinson and seconded by Jonathan Schechter to suspend the requirements of section 15-1-115(c) of the Wyoming Statutes requiring three readings of ordinances and ten days between first and third reading. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

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

Ordinance T. An Ordinance Placing a 120 Day Temporary Moratorium on Non-Residential Buildings Larger than 35,000 SF

AN ORDINANCE PLACING A 120-DAY TEMPORARY MORATORIUM ON THE SUBMISSION AND ACCEPTANCE OF APPLICATIONS TO CREATE, ADD, OR CHANGE THE USE OF THE HABITABLE FLOOR AREA FOR NON-RESIDENTIAL BUILDINGS LARGER THAN 35,000 HABITABLE SQUARE FEET WITHIN THE COMMERCIAL RESIDENTIAL – 1 (CR-1), COMMERCIAL RESIDENTIAL – 2 (CR-2), COMMERCIAL RESIDENTIAL – 3 (CR-3), DOWNTOWN CORE – 1 (DC-1), AND DOWNTOWN CORE – 2 (DC-2) PURSUANT TO THE TOWN OF JACKSON LAND DEVELOPMENT REGULATIONS; DECLARING AN EMERGENCY, PROVIDING FOR AN EFFECTIVE DATE AND A TIME FOR TERMINATION.
NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF JACKSON, WYOMING, IN REGULAR SESSION DULY ASSEMBLED THAT:

Lea Colasuonno made staff comment. Michael Kudar and Daniel Ragsdale made public comment. A motion was made by Mayor Morton Levinson and seconded by Jim Rooks to approve ordinance T, an emergency ordinance placing a moratorium on non-residential buildings larger than 35,000 sf within the Commercial Residential-1, Commercial Residential-2, Commercial Residential-3, Downtown Core-1, and Downtown Core-2, and designate it Ordinance 1373. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Mayor Morton Levinson read a Mayoral proclamation placing into effect Ordinance 1373, An Emergency Ordinance Placing a Temporary Moratorium on the Acceptance, Review, and Processing Of Applications To Create Or Add Habitable Floor Area For Buildings Larger Than 35,000 Square Feet Within the Commercial Residential – 1, Commercial Residential – 2, Commercial Residential – 3, Downtown Core – 1, And Downtown Core – 2 Pursuant To The Town of Jackson Land Development Regulations.

Council discussed the Bison and Elk Management Plan, residential parking, and the regulatory reduction taskforce.

Town Manager’s Report. Tyler Sinclair made staff comment. The Town Manager’s report contained updates on the Mountains of Color Film Festival and Temporary Sign Permits, including the River Bend Temporary Sign from June 9 to June 15. A motion was made by Jonathan Schechter and seconded by Jim Rooks 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 10:53 p.m.

ATTEST:

Hailey Morton Levinson, Mayor

Riley Taylor, Town Clerk

Minutes: rt. Publish JH News & Guide: June 12, 2024