

TOWN COUNCIL PROCEEDINGS

JULY 1, 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, Jim Rooks, and Jessica Sell Chambers. Jonathan Schechter was absent.

STAFF: Tyler Sinclair, Roxanne Robinson, Lea Colasuonno, Johnny Ziem, Floren Poliseo, Brian Lenz, Michelle Weber, Paul Anthony, Katelyn Page, Tyler Valentine, 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.

Public Comment. Virginia Powell Simons 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-F as presented with the following motions:

- A. **Meeting Minutes.** To approve meeting minutes from the June 10, 2024 Special Town Council meeting, June 17, 2024 Regular Town Council Workshop, and June 17, 2024 Regular Town Council Meeting.
- B. **Disbursements.** To approve the disbursements as presented. 842-NCPERS GROUP WYOMING \$96.00; ACE HARDWARE \$336.85; ADVANCED NETWORK MANAGEMENT, INC. \$16,879.72; AFLAC \$2,399.87; ALLDATA \$1,500.00; ALPHAGRAPHICS \$204.33; AMAZON \$113.56; AMSOIL INC #774148 \$245.70; ANTHONY, PAUL \$1,725.00; AQUASHIELD, INC \$19,172.00; ARCHIVESOCIAL, INC. \$5,027.40; ARMSCOR CARTRIDGE INCORPORATED \$1,560.00; AT&T \$1,159.99; AXON ENTERPRISES, INC \$8,483.50; BARGEN INCORPORATED \$4,000.00; BEST BEST & KRIEGER \$4,347.50; BESTDRIVE IDAHO FALLS \$5,680.00; BIG R RANCH & HOME \$206.96; BISON LUMBER \$6,451.04; BOLAND, ANITA \$2,200.00; BURKHOLDER, SHAWN \$1,942.50; BYRLEY, PATRICK \$155.00; CARQUEST AUTO PARTS INC. \$298.96; CASELLE INC. \$1,973.00; CENTURYLINK \$2,338.20; CERTIFIED LABORATORIES \$905.85; CHAPA STRIPES OF IDAHO \$2,500.00; CONRAD & BISCHOFF INC. \$1,297.75; CONTROL SYSTEM TECHNOLOGY, INC. \$2,306.50; COPYWORKS, LLC \$245.00; CREATIVE ENERGIES, LLC \$531.00; CRT, INC. \$1,000.00; DARKTRACE HOLDINGS LIMITED \$44,640.50; DEAN'S PEST CONTROL LLC \$520.00; DEX IMAGING \$82.03; DICK ANDERSON CONSTRUCTION \$599,337.47; DIVISION OF CHILD SUPPORT ENFORCEMENT \$509.00; DONOVAN, MATT \$850.00; E.R. OFFICE EXPRESS -\$16.04; ENERGY LABORATORIES INC. \$938.00; ETNA TRADE PARK LLC \$4,062.00; EVOLUTION CONSTRUCTION, LLC \$40,005.00; EXPOSURE SIGNS INC \$1,827.00; FIGJAM ENTERPRISES, LLC \$2,100.00; FIRE SERVICES OF IDAHO \$1,774.00; FREEDOM MAILING SERVICE INC. \$1,801.60; GRAINGER \$24,037.30; HIGH COUNTRY LINEN \$1,777.26; HIRST APPLGATE, LLP \$6,787.41; HUB INTERNATIONAL \$12,000.00; IDAHO STATE TAX COMMISSION \$7,416.00; JACKSON DOWNTOWNER, LLC \$95,568.55; JACKSON GROUP LOCKBOX \$578.19; JACKSON HOLE NEWS & GUIDE \$4,200.51; JACKSON LUMBER INC \$24.16; JDG VENTURES, LLC \$319.00; JORGENSEN ASSOCIATES, PC \$12,660.00; KEENAN, PETER \$2,300.00; LOCAL GOV'T LIABILITY POOL \$135,483.00; LOPEZ, CHRYSAL \$59.00; LOWER VALLEY ENERGY INC \$3,000.00; LUNA, GAIL \$293.99; MARKMAN, JASON \$1,995.00; MCLAIN, RICK \$350.00; MEAD & HUNT \$1,500.00; MORILLON-ARELLANO, SHELLIE \$542.14; MSC INDUSTRIAL SUPPLY CO \$572.44; NAPA AUTO PARTS INC. \$1,451.37; NATIONAL TRADE SUPPLY, LLC \$2,696.00; NELSON ENGINEERING \$2,832.75; ON SIGHT LAND SURVEYORS INC. \$300.00; ONE CALL OF WYOMING \$468.75; ONTKO, BRYAN \$118.00; PALAZZOLO, MICHAEL \$69.50; PITTS, SAMANTHA \$47.69; POLISEO, FLOREN \$234.00; PREMIER TRUCK- SALT LAKE CITY \$35.10; R & A SAFETY LLC \$930.00; RHOADES, STEPHEN \$136.00; RIPLEYS VACUUM CENTER, INC \$2,976.50; RT1 INC \$69.47; RUSCHILL, RUSSELL \$575.00; RUSH INTERNATIONAL TRUCK CENTER \$6,862.41; SCHECHTER, JONATHAN \$361.00; SENIOR CENTER OF JACKSON HOLE \$35,505.00; SHERWIN-WILLIAMS CO. \$317.14; SHORELINE CONSULTING \$6,250.00; SILVER CREEK SUPPLY \$136.17; SINCLAIR, TYLER \$234.00; SOLID CONCRETE \$8,972.00; SOSA'S JANITORIAL SERVICE \$7,200.00; SPECTRUM \$99.99; SPRING CREEK ANIMAL HOSPITAL \$1,945.89; STEPHENS, TALON \$69.50; STONE, CINDY \$132.68; STONE, KIRK \$2,940.00; SUSTAINABLE STRATEGIES DC, LLC \$7,500.00; TALLICHET, CATHERINE \$309.84; TETON COUNTY CLERK \$27,893.98; TETON COUNTY

INTEGRATED SOLID WASTE/RECY \$15.00; TETON COUNTY PUBLIC WORKS \$18,514.75; TETON COUNTY SCHOOL DISTRICT 1 \$20,000.00; TETON MOTORS INC \$5,896.30; TETON VIEW LANDSCAPE CONTRACTORS \$16,285.87; THE AFTERMARKET PARTS COMPANY, LLC \$5,602.70; THE CONNOR E FIELD TRUST \$0.00; THE TIRE RACK, INC. \$344.18; TMSC LLC \$4,752.43; TOP TIER TOOLS LLC \$95.00; TREFONAS LAW, P.C. \$905.55; UCM DIGITAL HEALTH, INC \$968.50; ULINE \$744.44; US HOMES LLC \$1,560.00; VERIZON WIRELESS \$8,269.39; VOICES JACKSON HOLE \$2,500.00; VWR INTERNATIONAL LLC \$73.21; W.A.R.M. PROPERTY INSURANCE \$323,009.91; WEBER, MICHELLE \$700.00; WESTERN STATE \$127.84; WHITE GLOVE CLEANING, INC. \$199.49; WILSON, JOHN \$2,200.00; WIXOM, JEFF \$20.01; WSP USA ENVIRONMENT & INFRASTRUCTURE INC \$13,674.19; WY WORKERS' SAFETY & COMP \$28,186.08; WYOMING ASSOC OF CHIEFS \$3,988.00; WYOMING RETIREMENT SYSTEM \$242,120.00; YELLOW IRON EXCAVATION, LLC \$100.00

- C. **Consideration of Restrictions for Affordable Rental Housing for Mitigation of Rusty Parrot Lodge.** To approve the Restrictions for two Affordable Rentals and authorize the Mayor to sign the restrictions.
- D. **Amendment and Restatement Special Restriction for 260 Scott Lane Unit 304.** To approve the Complete Amendment and Restatement Deed Restriction for Affordable Ownership Housing Located at 260 Scott Lane Unit 304, Town of Jackson Wyoming and authorize the Mayor to sign the restriction.
- E. **Consideration of Opting-In to an Opioid Settlement Agreement.** To approve joining the national opioid settlement with Kroger Co and authorize the Mayor, Town Attorney, and Town Manager execute all necessary documents to do so.
- F. **Temporary Sign Permit for Teton Valley Balloon Rally.** To authorize a temporary sign permit for Teton Valley Balloon Rally.

Caroline Hines, Jamie Lavenstien, and Amy Cooper made public comment. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

State Legislative Advisor Contract. Andy Schwartz, the Town's Legislative Advisor, provided an update to Council. Council held discussion. A motion was made by Jessica Sell Chambers and seconded by Jim Rooks to approve the Agreement for Services with a Legislative Advisor attached to the staff report and authorize the Mayor to execute it subject to minor changes by staff. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Sustainable Strategies Grant Consultants: Service Agreement and Travel Approval. Council held discussion. A motion was made by Jim Rooks and seconded by Jessica Sell Chambers to approve the Service Agreement with Sustainable Strategies and authorize the Mayor to execute it subject to minor changes by staff, and to approve related travel. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Downtown Flex Space. Johnny Ziem made staff comment. Rick Howe spoke on behalf of the Jackson Hole Chamber of Commerce. A motion was made by Arne Jorgensen and seconded by Mayor Morton Levinson to direct staff to implement Flex Space on Center and Deloney streets adjacent to the Town Square during summers going forward. Mayor Morton Levinson called for the vote. The vote showed 2-2 with Mayor Morton Levinson and Arne Jorgensen in favor and Jessica Sell Chambers and Jim Rooks opposed. The motion failed.

Adoption of Town of Jackson Sustainability Plan. Tanya Anderson made staff comment. Council held discussion with staff. Margie Lynch, Shannon Shuptrine, and Samuel Singer made public comment. A motion was made by Arne Jorgensen and seconded by Jessica Sell Chambers to accept the Town of Jackson Sustainability Plan as presented by staff. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Request for Proposals for Purchase and Relocation of the Mercer Cabin. Tanya Anderson made staff comment. Council held discussion with staff. David Vandenburg made public comment. A motion was made by Jim Rooks and seconded by Jessica Sell Chambers to approve the release of the RFP to purchase and remove the Mercer Cabin from the Karns Meadow property. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Request for Subdivision Plat at the Property Addressed at 250 Veronica Lane (P24-066). Katelyn Page made staff comment. Council held discussion with staff. Lane Lamour made public comment. A motion was made by Jim Rooks and seconded by Jessica Sell Chambers to approve Subdivision Plat (P24-066) for the Veronica Lane Condominium Addition to the Town of Jackson at the property addressed at 250 Veronica Lane based upon the findings and conditions presented in the staff report, the departmental reviews, minor changes by staff, and subject to the staff report dated July 1, 2024. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Council recessed at 7:16pm and reconvened at 7:22pm.

Planned Unit Development Amendment, Development Plan, Conditional Use Permit, and fee waiver request for the Presbyterian Church of Jackson Hole Housing Development at 1201 South Park Loop Road (P23-206, P23-204, P24-007, P24-024). Tyler Valentine and Kristi Malone made staff comment. Bill Collins spoke on behalf of the applicant. Council held discussion with staff. Scott Garland, Christine Lichtenfels, David Ellerstein, James Musclow, Ben Pascal, Mark Turner, and John Hanlon made public comment. A motion was made by Arne Jorgensen and seconded by Jim Rooks to continue Planned Unit Development Amendment, Development Plan, Conditional Use Permit, and fee waiver request for the Presbyterian Church of Jackson Hole Housing Development at 1201 South Park Loop Road (P23-206, P23-204, P24-007, P24-024) to the next regularly scheduled meeting on July 15. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Council recessed at 9:08pm and reconvened at 9:13pm.

Development Plan and Conditional Use Permit for Central Wyoming College’s Jackson Campus Located at 2020 W. High School Road (P23-214 & P24-048). Tyler Valentine made staff comment. Brendan Shulte spoke on behalf of the applicant. Council held discussion with staff. Stephan Fodor, Kelly Lockhart, and David Bannock made public comment. Brad Flynt spoke on behalf of the applicant. A motion was made by Jim Rooks and seconded by Arne Jorgensen to approve Conditional Use Permit P23-214 for a new 20,288 sf Institutional use (i.e., school) for the CWC Jackson campus located at 2020 W. High School Road based upon the findings and conditions presented in the staff report, the departmental reviews, and subject to the staff report dated July 1, 2024. Mayor Morton Levinson called for the vote. The vote showed 3-1 with Mayor Morton Levinson, Arne Jorgensen, and Jim Rooks in favor and Jessica Sell Chambers opposed. The motion carried.

A motion was made by Jim Rooks and seconded by Arne Jorgensen to approve Development Plan P24-048 for a new 20,288 sf school for the CWC Jackson campus located at 2020 W. High School Road based upon the findings and conditions presented in the staff report, the departmental reviews, and subject to the staff report dated July 1, 2024. Mayor Morton Levinson called for the vote. The vote showed 3-0 with Mayor Morton Levinson, Arne Jorgensen, and Jim Rooks in favor. Jessica Sell Chambers abstained from the vote. The motion carried.

Resolution 24-15: A Resolution to Recognize and Uphold the Rights of Nature. Tanya Anderson made staff comment. Council held discussion with staff. There was no public comment. A motion was made by Jim Rooks and seconded by Jessica Sell Chambers to approve Resolution 24-15: A Resolution to Recognize and Uphold the Rights of Nature. 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 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 V. An Ordinance Relating to Credit Cards as a Form of Payment and Credit Card Processing Fee.

AN ORDINANCE ADDING SECTION 1.01.130 TO THE MUNICIPAL CODE OF THE TOWN OF JACKSON RELATING TO CREDIT CARDS AS A FORM OF PAYMENT AND CREDIT CARD PROCESSING FEE; 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 Jim Rooks to approve ordinance V at second reading. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Ordinance W. An Ordinance Regarding Water Fees.

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF ORDINANCE NOS. 1358, 1319, 1271, 1071, 992, 935, 866, 538, 410, AND 270; SECTION 2 OF ORDINANCE NO. 743; SECTION 3 OF ORDINANCE NO. 664; AND SECTION 13.04.050 OF THE MUNICIPAL CODE OF THE TOWN OF JACKSON REGARDING WATER FEES; 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 X. An Ordinance Regarding Wastewater Fees.

AN ORDINANCE AMENDING AND REENACTING SECTION 1 OF ORDINANCE NOS. 1358, 1319, 1271, 991, 936, 867 AND 576; SECTION 2 OF ORDINANCE NOS. 745 AND 122; SECTION 7 OF ORDINANCE NO. 677; AND SECTION 13.08.020 OF THE MUNICIPAL CODE OF THE TOWN OF JACKSON REGARDING WASTEWATER FEES; 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 Jessica Sell Chambers and seconded by Arne Jorgensen to approve ordinances W and X at second reading. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Matters from Mayor and Council. Council briefly discussed the Town/County joint department funding split. A motion was made by Jim Rooks and seconded by Arne Jorgensen to send a letter of deepest thanks to WYDOT and all parties involved in the quick re-opening of Teton Pass and include the expression of gratitude of the Council and all Jackson residents for their team’s hard, timely, and great work. 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 tree removal in Cottonwood Park and expansion of the Community Garden at May Park. Tanya Anderson made staff comment regarding the Community Garden at May Park. A motion was made by Jim Rooks and seconded by Arne Jorgensen 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 Jessica Sell Chambers and seconded by Jim Rooks to adjourn. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried. The meeting adjourned at 10:39 p.m.

TOWN OF JACKSON

ATTEST:

Hailey Morton Levinson, Mayor

Riley Taylor, Town Clerk