

TOWN COUNCIL PROCEEDINGS

JULY 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 (via Zoom), Roxanne Robinson, Lea Colasuonno, Kelly Thompson, Floren Poliseo, Brian Lenz, Michelle Weber, Paul Anthony, Tyler Valentine, 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 Lupita Ruiz Perez – Community Service Officer, Olivia Oliver – Community Service Officer, Abe Czarnecki – Street Operator/Utility Locator, April Martinez Mejia – Community Service Officer, Tom Maxwell – Police Department Intern, and Des Concannon – Transportation Intern.

Public Comment. Stefan Fodor made public comment.

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

- A. **Meeting Minutes.** To approve meeting minutes from the July 1, 2024 Regular Town Council meeting and July 8, 2024 Special Town Council Meeting.
- B. **June Municipal Court Report.** To accept the June Municipal Court Report into record.
- C. **Approval of an Agreement for Final Design of Public Artwork – Stilson Transit Center.** To approve a Final Design of Public Artwork for the future Stilson Transit Center in a cost not to exceed \$10,000 and authorize the Mayor to execute all necessary documents.
- D. **Canopy Encroachment Agreement with CCC's Ranch Inn, LLC at 45 E Pearl Ave. (E24-0040).** To approve the Encroachment Agreement for the canopy in South Cache Street with CCC's Ranch Inn, LLC and authorize the Mayor to execute the Agreement, subject to final approval by the Town Engineer and Town Attorney.
- E. **Shoring Encroachment Agreement with CCC's Ranch Inn, LLC at 45 E Pearl Ave. (E24-0041).** To approve the Encroachment Agreement for the shoring with CCC's Ranch Inn, LLC and authorize the Mayor to execute the Agreement, subject to final approval by the Town Engineer and Town Attorney.
- F. **Appointment of Special Municipal Officers.** To appoint Bea Simms, Olivia Oliver, Alise Prestrude, Lupita Ruiz Perez and April Martinez Mejia as Special Municipal Officers.
- G. **Amendment and Restatement Special Restriction for 1070 Elk Run Lane Unit 6.** To approve the Complete Amendment and Restatement Deed Restriction for Workforce Ownership Housing Located at 1070 Elk Run Lane Unit 6, Town of Jackson Wyoming and authorize the Mayor to sign the restriction.
- H. **Consideration of Housing Restrictions for Powderhorn Housing Phase 2.** To approve the Restrictions and authorize the Mayor to sign the Restrictions.

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.

Disbursements. A motion was made by Jessica Sell Chambers and seconded by Jim Rooks to approve the disbursements as presented, with the addition of approve the disbursements as presented, with the additions of \$340,081.00 payable to Avail Valley Construction for the purpose of Spring and Fall Patching and \$19,848.06 payable to W.A.R.M. Property Insurance Pool for the purpose of FY25 coverage. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion

carried. 107 WEST DESIGN, LLC \$1,625.00; ACE EQUIPMENT & SUPPLY \$197.75; ACE HARDWARE \$9,980.43; ADAMS, MELANIE \$284.00; ALPHAGRAPHICS \$807.44; AMAZON \$2,901.84; ANDERS GLASS AND TINT \$950.00; APPLE INC \$13,488.00; ARBOR WORKS TREE SERVICE, LLC \$1,575.00; ARCHITECTURAL BUILDING SUPPLY \$141.46; AT&T \$295.11; AVAIL VALLEY CONSTRUCTION-IDAHO, LLC \$340,081.00; BEST BEST & KRIEGER \$2,689.50; BIG R RANCH & HOME \$54.95; BISON LUMBER \$13,374.49; BOLAND, ANITA \$2,200.00; BRIGGS, ERIC L \$89.95; BURKHOLDER, SHAWN \$1,942.50; CARQUEST AUTO PARTS INC. \$104.91; CASELLE INC. \$1,973.00; CENTER FOR THE ARTS \$8,775.00; CENTURYLINK \$135.20; CHARLIE'S PLUMBING OF JH \$579.00; CITY OF DRIGGS \$1,889.38; CIVICPLUS \$4,301.28; CONRAD & BISCHOFF INC. \$29,043.28; CONTROL SYSTEM TECHNOLOGY, INC. \$2,400.00; DAVID DEL ANGEL SANCHEZ \$126.00; DEX IMAGING \$495.13; DIGITELLIGENT, INC \$1,520.00; DIVISION OF VICTIM SERVICES \$150.00; DLT SOLUTIONS, INC. \$8,788.74; E.R. OFFICE EXPRESS \$93.39; EKOS, INC \$80.00; ELAN ONE CARD \$13,313.44; ENERGY LABORATORIES INC. \$1,574.00; ETNA TRADE PARK LLC \$4,062.00; EVANS CONSTRUCTION INC \$1,012.05; FIGJAM ENTERPRISES, LLC \$5,160.00; FISHPAUGH, KELLIE \$1,152.48; GARCIA, ISRAEL \$160.00; HAWLEY, FLAVIANNA \$315.88; HD FOWLER COMPANY \$2,067.84; HDLA \$1,593.75; HIGH COUNTRY LINEN \$803.87; HIRST APPLGATE, LLP \$5,876.76; HUNT CONSTRUCTION INC \$20,385.00; ICMA MEMBERSHIP \$12,000.00; IDAHO TRAFFIC SAFETY, INC. \$50,905.00; INTERSTATE BATTERY \$268.90; IVY OUTDOOR SERVICES LLC \$18,112.50; JACKSON CURBSIDE INC. \$1,530.00; JACKSON HOLE AIRPORT \$5,505.00; JACKSON HOLE LAW, PC \$3,505.00; JACKSON HOLE NEWS & GUIDE \$8,310.20; JACKSON LUMBER INC \$110.46; JACKSON WHOLE FAMILY HEALTH \$380.00; JEWISON, SAMUEL LEE \$200.69; JORGENSEN ASSOCIATES, PC \$6,098.74; KEENAN, PETER \$2,300.00; KILMER'S BG DISTRIBUTING \$2,860.00; KZJH \$4,608.00; LEPCO \$974.32; LOCAL GOV'T LIABILITY POOL \$1,515.00; LOWER VALLEY ENERGY INC \$40,436.71; MARKMAN, JASON \$4,795.00; MASTERCARE CLEANING, LLC \$224.00; MATTHEW BENDER & CO., INC. \$344.61; MOUNTAIN FIRE PROTECTION \$200.00; MSC INDUSTRIAL SUPPLY CO \$909.84; NAPA AUTO PARTS INC. \$484.98; NELSON ENGINEERING \$11,457.00; ON SIGHT LAND SURVEYORS INC. \$300.00; OPERATOR 6 EXECUTIVE SECURITY LLC \$7,645.06; PALINDROME STUDIO \$2,281.79; PEAK WATER SERVICES, LLC \$1,647.55; POLISEO, FLOREN \$140.00; QUADIENT LEASING USA, INC. \$309.70; QUICK BROWN FOX LLC \$450.00; R & A SAFETY LLC \$452.50; RAMANATHAN, BRINDA \$2,500.00; READ, WRITE, ROAR! LLC \$11,900.00; RENDEZVOUS INSURANCE INC. \$146,508.50; RIDGELINE EXCAVATION INC \$5,000.00; RINK-TEC INTERNATIONAL, INC \$48,308.22; RIPLEYS VACUUM CENTER, INC \$217.00; RON'S TOWING LLC \$1,300.00; RUI INC. DBA VILLAGE GARDNER \$668.36; SAFETY SUPPLY & SIGN CO., INC. \$7,630.18; SCHWARTZ, ANDY \$8,334.00; SHERWIN-WILLIAMS CO. \$3,841.78; SILVERSTAR \$3,760.85; SMITH, MEGAN AMANDA \$6,700.00; SPACESAVER INTERNATIONAL, LLC \$37,517.00; SPRING CREEK ANIMAL HOSPITAL \$794.07; SPSC POA - SOUTH PARK SERVICES CTR POA \$303.82; STEWART, DANIEL \$2,204.72; STINKY PRINTS, INC \$81.07; STONE, KIRK \$2,940.00; SUBLETTE COUNTY SHERIFF'S OFFICE \$12,740.00; SUNRISE ENVIRONMENTAL \$183.04; SUPOWIT, DEBORAH \$155.00; TETON COUNTY CLERK \$597,198.72; TETON COUNTY PUBLIC HEALTH \$200.00; TETON COUNTY SHERIFF'S-JAIL \$1,008.00; TETON COUNTY TREASURER \$65,591.00; TETON COUNTY-FUND 10 \$34,150.67; TETON COUNTY-FUND 13 \$9,376.17; TETON LUNCH COUNTER \$28,225.00; TETON MOTORS INC \$4,798.07; TETON ROPE ACCESS AND SERVICES, LLC \$200.00; TETON TRASH REMOVAL, INC. \$114.00; THE AFTERMARKET PARTS COMPANY, LLC \$283.98; THE RADAR SHOP \$2,605.00; THOMPSON LOGGING, INC \$7,147.00; T-MOBILE \$55.99; TMSC LLC \$5,014.71; TOP TIER TOOLS LLC \$1,526.00; US HOMES LLC \$1,560.00; VISA \$29,535.84; VOICES JACKSON HOLE \$3,750.00; W.A.R.M. PROPERTY INSURANCE \$19,848.06; WAM \$1,080.00; WESTERN STATE \$1,384.54; WHITE GLOVE CLEANING, INC. \$3,158.13; WILSON, JOHN \$2,200.00; WRENCH IT PLUMBING & HEATING INC \$431.85; WSP USA ENVIRONMENT & INFRASTRUCTURE INC \$4,058.75; WYOMING FIRST AID & SAFETY \$87.63; WYOMING LAW ENFORCEMENT \$100.00; YELLOW IRON EXCAVATION, LLC \$1,864.66

Acknowledgement and Consent to Collateral Assignment for The Loop Project. Lea Colasuonno made staff comment. Stephan Fodor spoke on behalf of the developer. A motion was made by Jim Rooks and seconded by Jonathan Schechter to authorize the Mayor to execute the Acknowledgment and Consent to Collateral Assignment on behalf of the Town, subject to minor changes by the Town Attorney. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Memorandum of Understanding (MOU) for Joint Funding Between the Town of Jackson and Teton County. Mayor Morton Levinson announced that Councilman Jorgensen would like to reconsider the vote from the July 8, 2024 Special Joint Information Meeting. A motion was made by Arne Jorgensen and seconded by Jim Rooks to reconsider the vote on the motion to approve the Memorandum of Understanding for Joint Funding between the Town of Jackson and Teton County, subject to minor non-substantive changes by legal staff. Mayor Morton Levinson called for the vote. The vote showed 4-

1 with Arne Jorgensen, Jim Rooks, Jonathan Schechter, and Mayor Morton Levinson in favor and Jessica Sell Chambers opposed. The motion carried.

The vote to approve the Memorandum of Understanding for Joint Funding, subject to minor non-substantive changes by legal staff was reconsidered. Tyler Sinclair and Lea Colasuonno made staff comment. Council held discussion. There was no public comment. Mayor Morton Levinson called for the vote on the motion to approve the Memorandum of Understanding for Joint Funding, subject to minor non-substantive changes by legal staff. The vote showed 4-1 with Arne Jorgensen, Jim Rooks, Jonathan Schechter, and Mayor Morton Levinson in favor and Jessica Sell Chambers opposed. The motion carried.

Planned Unit Development Amendment, Development Plan, Conditional Use Permit, and Fee Waiver Request for the Presbyterian Church of Jackson Hole Housing Development (P23-206, P23-204, P24-007, P24-024). Tyler Valentine, Lea Colasuonno, and Paul Anthony made staff comment. Bill Collins spoke on behalf the Presbyterian Church of Jackson Hole. Council held discussion with staff.

Council recessed at 7:12pm and reconvened at 7:23pm.

Council continued to hold discussion with staff and the applicant. James Musclow, David Ellerstein, Dan Heilig, Tara Ellerstein, Calvin Anderson, Scott Garland, and Jessica Jaubert made public comment. Mark Turner spoke on behalf of Presbyterian Church of Jackson Hole.

A motion was made by Arne Jorgensen and seconded by Jessica Sell Chambers to approve PUD Amendment P23-206 to amend the Cottonwood Park CNMP to allow “Multi-family Residential” (i.e., condominiums, townhomes, apartments) and “Institutional” (i.e., church) as allowed uses at the property addressed at 1201 South Park Loop Road, based upon the findings presented in the staff report, the departmental reviews, and subject to the staff report dated July 15, 2024. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

A motion was made by Arne Jorgensen and seconded by Jessica Sell Chambers to approve Development Plan P23-204 for a two phase development of 21-townhome units totaling 25,466 sf of above-ground habitable at the property addressed 1201 South Park loop Road, based upon the condition that the applicant will, prior to certificate of occupancy record a workforce deed restriction against each of the 20 units (excepting the required affordable unit); the departmental reviews; and subject to the staff report dated July 15, 2024. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

A motion was made by Arne Jorgensen and seconded by Jessica Sell Chambers to approve Conditional Use Permit P24-007 for a new Institutional use, specifically for a 1,500 sf ancillary church building at the property addressed at 1201 South Park Loop Road, based upon the findings and condition presented in the staff report, the departmental reviews, and subject to the staff report dated July 15, 2024. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

A motion was made by Arne Jorgensen and seconded by Jessica Sell Chambers to approve a fee waiver request to waive all planning and building permit application fees and direct staff to refund any application fees that have already been collected. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Request for an LDR Text Amendment to Replace the Title of Community Development Director and to Introduce the Title of Planning and Building Director (P24-042). Paul Anthony 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 LDR Text Amendment P24-042 based upon the findings presented in the staff report, the departmental reviews, minor changes by staff, and subject to the staff report dated July 15, 2024. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Request for an LDR Text Amendment to Repeal Sections Referencing Noise Standards (P24-043). Paul Anthony 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 LDR Text Amendment P24-043 based upon the findings presented in the staff report, the departmental reviews,

minor changes by staff, and subject to the staff report dated July 15, 2024. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Request for an LDR Text Amendment to Findings of Approval (P24-044). Paul Anthony made staff comment. Council held discussion with staff. There was no public comment. A motion was made by Jessica Sell Chamber and seconded by Jim Rooks to approve LDR Text Amendment P24-044 based upon the findings presented in the staff report, the departmental reviews, minor changes by staff, and subject to the staff report dated July 15, 2024. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Resolution 24-16: Specific Purpose Excise Tax (SPET) Resolution for Justice Center. Tyler Sinclair 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 the Joint Resolution approving the proposition for an additional 1% Specific Purpose Excise Tax in Teton County, State of Wyoming, said proposition to be placed on the general election ballot on November 5, 2024. 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 Jessica Sell Chambers 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 Jessica Sell Chambers and seconded by Jonathan Schechter to approve Ordinance V at third reading and designate it Ordinance 1375. 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 Ordinance W at third reading and designate it Ordinance 1376 and approve Ordinance X at third reading and designate it Ordinance 1377. Mayor Morton Levinson called for the vote. The vote showed all in favor. The motion carried.

Matters from Mayor and Council. Council discussed the letter they previously sent to the Teton County Commission regarding an extension of the fairgrounds lease.

Town Manager’s Report. Tyler Sinclair made staff comment. The Town Manager’s report contained updates on WAM Resolutions, Town of Jackson Employee Housing Stock, USDA Farmers Market Promotion Program, BOR WaterSMART Grant, and DOE Charging and Fueling Infrastructure Grant. 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 8:23 p.m.

TOWN OF JACKSON

ATTEST:

Hailey Morton Levinson, Mayor

Riley Taylor, Town Clerk

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