

Special Town Council Meeting

March 14, 2020

EMERGENCY MEETING

11:00 AM

Town Council Chambers

Chair: Pete Muldoon

NOTICE: THE VIDEO AND AUDIO FOR THIS MEETING ARE STREAMED TO THE PUBLIC VIA THE INTERNET AND MOBILE DEVICES WITH VIEWS THAT ENCOMPASS ALL AREAS, PARTICIPANTS, AND AUDIENCE MEMBERS. **PLEASE SILENCE ALL ELECTRONIC DEVICES DURING THE MEETING.**

- I. CALL TO ORDER AND ROLL CALL**
- II. COVID-19 AND LOCAL GOVERNMENT MEASURES**
 - Agenda Documentation
- III. ADJOURN**

Please note that at any point during the meeting, the Chairman or Mayor may change the order of items listed on this agenda. In order to ensure that you are present at the time your item of interest is discussed, please join the meeting at the beginning to hear any changes to the schedule or agenda.



BOARD OF COUNTY
COMMISSIONERS



TOWN
COUNCIL

JOINT INFORMATION MEETING AGENDA DOCUMENTATION

SUBMITTING DEPARTMENT: Town Administration

PRESENTER: Larry Pardee

MEETING DATE: March 14, 2020

SUBJECT: COVID-19 and Local Government Measures

STATEMENT/PURPOSE

The Mayor requested that this Special Meeting be called to allow the Council time to discuss potential local government measures in light of the rapidly evolving situation around COVID-19.

BACKGROUND/ALTERNATIVES

With the rapidly evolving situation surrounding COVID-19, the Mayor requested a Special Meeting be called to allow the Town Council the opportunity to discuss immediate actions they may want to consider as well as triggers to consider more stringent actions to further protect the health, safety, and welfare of the community.

Specifically, Council may consider whether to pass a regular or emergency ordinance regarding:

- Limiting mass gatherings of more than 100 people on both public and private property, indoors and outdoors.

Gatherings that may be impacted include but are not limited to Bars and Restaurants, Service Club meetings, Conferences, Sporting Events, Private Parties, Weddings, etc.

The World Health Organization (WHO) defines and discusses mass gatherings as follows:

A mass gathering is a planned or spontaneous event where the number of people attending could strain the planning and response resources of the community or country hosting the event. The Olympic Games, The Hajj, and other major sporting, religious, and cultural events are all examples of a mass gathering.

Mass gatherings may stretch health systems beyond their capacity; however, these events also present opportunities for long-lasting positive effects such as a stronger public health systems after the event, or residents and visitors that are better informed about how they can protect themselves from certain diseases.

Potential triggers for consideration of taking action may include but are not limited to:

- The Federal declaration of a National Emergency;
- A case of COVID-19 is identified in our local region (Teton County, Victor/Driggs, Alpine or Star Valley)
- A certain number of COVID-19 cases are identified in our local region (Teton County, Victor/Driggs, Alpine or Star Valley)
- Other

In addition, to the above Council may want to consider the following as they relate to the general operation of Town government at this or a future meeting:

Shorter Term Actions

- To suspend the Town Council Rules and Procedures for 90 days to allow Council and key staff members the ability to participate in Town Council meetings electronically.
- To suspend the Town Council Rules and Procedures regarding public comment for 90 days to except for items that require a public hearing by statute or ordinance

Longer Term Actions

- Set temporary meeting protocols for upcoming public meetings of the Town Council and appointed boards and commissions related to scheduling, public comment, room attendance, social distancing, etc.
- Partial closure of Town public facilities, with consideration of conducting public business by appointment.
- Postponing currently scheduled items for 30-90 days.
- Other issues.

Other communities that have recently enacted similar measures include Vail, CO, Aspen, CO, Cheyenne, WY, Alpine WY. Many local institutions and businesses have also enacted various measures to protect themselves and the public.

Should the Town Council choose to enact measures, by emergency ordinance it would require a 3/4ths majority vote. Emergency ordinances also require a termination date for the emergency. Emergency actions taken today will also need to be ratified at the regular Town Council meeting on Monday, March 16, 2020. Should the situation warrant, an additional emergency ordinance can be considered at the time of termination of the initial ordinance to keep limitations, closures, and protocols in place.

Protocols for consideration for the Monday, May 16 meeting and upcoming meetings include:

STAKEHOLDER ANALYSIS

The stakeholders include employees, residents and guests to the community, emergency service workers, employees of establishments where gatherings occur, and regional, state, national, and international persons who may be involved in one of these gatherings. Stakeholders also include businesses impacted by enacted measures.

FISCAL IMPACT

The fiscal impact of cancellation of any of these actions has not been calculated but it will be significant. There will be direct impacts to residents and guests, local businesses, employees and sales and lodging tax revenue to the community from reduced visitation.

STAFF IMPACT

The staff impact of enacted measures would need to be determined based on the actions taken.

LEGAL REVIEW

Wyoming Statute §15-1-103(a)(xviii) provides, in relevant part, that the “[t]he governing bodies of all cities and towns may: . . . Regulate, prevent . . . any conduct which disturbs or jeopardizes the public health, safety, peace or morality, in any public or private place.”

Wyoming Statute §15-1-103(a)(xli) provides, in relevant part, that “[t]he governing bodies of all cities and towns may: . . . Adopt ordinances, resolutions and regulations, including regulations not in conflict with this act and necessary for the health, safety and welfare of the city or town, necessary to give effect to the powers conferred by this act and . . . enforce all ordinances by imposing fines not exceeding seven hundred fifty dollars (\$750.00), or imprisonment not exceeding six (6) months, or both.”

Council has the authority, under Title 15 of the Wyoming State Statutes to enact an “emergency ordinance,” which is an ordinance “operating for the immediate preservation of the public peace, health, safety or welfare, in which the emergency is defined.” To do so Council must vote, by a $\frac{3}{4}$ majority vote, to suspend the requirement that the ordinance be read three times and approve the emergency ordinance itself by a $\frac{3}{4}$ majority vote. Emergency ordinances are effective immediately upon adoption, and as soon thereafter as is practicable they are published (i.e. in the newspaper).

Emergency actions taken today will also need to be ratified at the regular Town Council meeting on Monday, March 16, 2020.

A draft emergency ordinance has been prepared should Council choose to proceed.

ATTACHMENTS

None

RECOMMENDATION

Staff makes no recommendation at this time. Should the situation evolve before the March 14 meeting at 11:00 AM, staff may present a recommendation at the meeting.

SUGGESTED MOTIONS

I move to suspend the requirements for three (3) public reading of ordinances under W.S. § 15-1-115(c).

I move to read the Emergency Ordinance in short title.

I move to approve the Emergency Ordinance attached hereto implementing a temporary moratorium on mass gatherings of more than 100 people within the Town limits for the immediate preservation of the public peace, health, safety or welfare to: 1) to prevent and slow the potential spread of COVID-19; 2) significantly reduce likelihood of overwhelming the strain on the local health care and emergency service systems; and 3) declaring an emergency, and providing for an effective date and time for termination.