

Special Town Council Workshop

October 11, 2021

9:00 A.M.

Virtual via Zoom and Swagit

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. ZOOM LINK FOR PUBLIC PARTICIPATION

To join, click the link or copy to your browser: <https://us02web.zoom.us/j/87531942730?pwd=NXBuSTVYWIRaUGFkcmt3aEpkSnkrUT09>

If the link does not work, join at zoom.com with Webinar ID **875 3194 2730** Password: **83001**

or join by phone **1.669.900.9128** with Webinar ID **875 3194 2730** and Passcode **83001**

II. CALL TO ORDER AND ROLL CALL

III. WORKSHOP ITEMS

- A. Council Rules & Procedures and Vacancies in Elected Office Discussion (1 hr)
- B. Future Funding of Local Government (1.5 Hours)
- C. State Legislative Agenda (½ Hour)

IV. UPCOMING PRIORITY WORKSHOP AGENDAS

- A. 12/13 Future Funding of Local Government (1.5 Hours)

V. ADJOURN

Please note that at any point during the meeting, the Mayor and Council 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.

STAFF REPORT



Meeting Date:	October 11, 2021	Meeting Title:	Special Town Council Workshop
Submitting Department:	Administration	Presenter:	Roxanne Robinson
Agenda Item:	Council Rules & Procedures and Vacancies in Elected Office Discussion	Public Comment:	Yes

Purpose & Policy Considerations.

The purpose of this item is for Council to discuss updates to its Rules and Procedures pursuant to Wyoming Statute § 15-1-106, which states that the governing body shall determine the rules for the conduct of its proceedings, and for Council to consider an ordinance specifying the procedure for determining whether a vacancy exists in the office of Mayor or Town Council, which Wyoming Statute § 15-1-107 requires the governing body have by ordinance.

Requested Action.

The requested action is for Council to discuss the proposed update to the Rules and Procedures and the draft ordinance regarding vacancies in elected office; to provide direction for any further edits to either; and to provide direction with regard to placing the Rules and Procedures and the ordinance (first reading) on the agenda for consideration on October 18, 2021.

Recommendations.

Staff recommends the Town Council discuss the proposed updates to the Rules and Procedures and the draft ordinance, direct any changes, and direct staff to place the two items on the October 18, 2021 agenda for consideration.

Background.

At the April 12, 2021, regular meeting, the Town Council voted to direct staff to update the Rules and Procedures in the next 12 months to include edits related to gender neutrality, friendly amendments, and any other technical corrections identified by staff. At the July 6, 2021, regular meeting, the Town Council voted to direct staff to include updates to the Rules and Procedure to address remote participation by the public, remote presentations by applicants, and remote meeting attendance by Town Council and staff. At the July 6 meeting, the following issues were discussed:

- Proxy voting,
- Councilmembers being absent, including the number of consecutive absences, the impact on Council of long-term absence versus occasional absence, compelling attendance, the statute regarding absence, standards for excusing absences,
- Declaring vacancies,
- Mayoral approval for remote attendance,
- Mayor and Council behavior,
- Virtual meeting issues, including setting a minimum allowance for Council virtual attendance, the value of allowing the public and presenters to participate remotely, making meetings more accessible for the public,
- The difference between regular, special, and emergency meetings,
- The need/value of providing for flexibility.

Council Rules and Procedures

The proposed update to the Rules and Procedures encompasses the areas listed above, as well as some additional issues that have been raised in recent years. Below is a summary of where notable changes have been proposed.

Gender Neutrality. Ensuring gender neutrality throughout the document.

Friendly Amendments. Incorporating the Council's use of friendly amendments into the Rules and Procedures. A friendly amendment is a method to offer an amendment to a motion already on the floor without having to make an official motion to amend.

Virtual Meetings. Clarifying that a meeting can be changed to a virtual meeting with authorization by the Mayor or by a majority of Council.

Virtual Participation in In-Person Meetings. Allowing for 3 instances of virtual attendance in a one-year period during in-person meetings at each individual Councilmember's discretion and establishing the requirement for approval from the Mayor for virtual attendance beyond the initial 3 meetings in a one-year period.

How Items Get Added to the Agenda and the Potential Initiative List (PI List). Clarifying how a Councilmember can get an item listed on the agenda under Matters from Mayor and Council and how that item is then 'processed' by staff for future consideration and potential action. Introducing the Potential Initiative List (PI List) (pronounced 'pie') that tracks items that are not currently on Council's priority list or a department work plan, but that a Councilmember wants considered for prioritization at the next annual Council Retreat.

Added Flexibility Into the Conduct of Meetings and Order of Business. Clarifies that for each item on a 6:00 PM regular meeting, certain elements must be included (using the term 'shall') such as public comment and Council discussion, providing a general outline of how the item is handled, and also providing flexibility for the Mayor to alter the exact order of business.

Council Leaving Their Seat. Removed the current rule of requiring permission for a member of Council to physically leave their seat. If someone leaves their seat, the Clerk notes this in the minutes.

Motion Clarity and Restating. Included language clarifying that the motion might be restated, but it is not required, before a vote and that any Councilmember can ask for a motion to be restated or displayed on the screen prior to a vote.

Removal of Timeline for Packet Production. Removed language related to the day and time for packet production and posting so that if/when this changes, a revision to the Rules and Procedures is not necessary.

Announcements for Out of Office. Added an additional example of items that may be brought up under Matters from Mayor and Council for a Councilmember to announce when they will be unavailable to attend meetings or unavailable for communication.

Vacancies in Office. Included a reference to the Jackson Municipal Code for determining when a vacancy exists. A draft ordinance adding this information to Title 2 is included with this staff report item for Council to review and consider.

Staff Procedures. Removed several sections that focused more on staff procedures and did not affect or impact the Council procedures.

Town Manager's Report. Changed the practice of 'accepting' the Town Manager's report into the record to 'approving' the Town Manager's report. There are times when staff provides information about how they intend to proceed on a particular issue and it provides more clarity in the record and to the public for the action to be 'approve' the report, thereby indicating the Town Council's approval of the intended action. Added a statement that if the Council is considering affirmative action on an item in the Town Manager's report, that the Mayor may call for public comment.

Formatting and Numbering. Addressed outline numbering to be consistent throughout the document.

Vacancies in Elected Office

In preparing the update to the Rules and Procedures for the conduct of Town Council meetings, staff found that the Town Council had not adopted, by ordinance, a procedure for determining whether a vacancy exists in the office of Mayor or Town Council. Staff surveyed numerous ordinances around the state to develop the draft vacancy ordinance. The proposed ordinance adds a section to Title 2 of the Municipal Code addressing this issue that staff felt was important to bring forward immediately, rather than waiting for the full update of Title 2 currently being worked on by the Town Attorney. The proposed ordinance will be placed on the agenda for first reading at the October 18, 2021, Town Council meeting.

As noted in the attached draft, the proposed ordinance contains provisions for excusing absences, requires a resolution to declare a vacancy, standardizes filling vacancies, and sets out the duty of the Vice Mayor to serve in the Mayor's place in specific circumstances.

The ordinance does not specify and limit the reasons why an absence would or would not be excused; that is for the Council to determine when considering whether to excuse an absence. But things the Council might take into consideration in this regard could include:

- Any valid reason established by the Family and Medical Leave Act (FMLA) such as the birth of a child, placement of a child for adoption, a serious health condition of the Councilmember or their immediate family member, etc.
- A death in the family
- Etc.

For eligible employees, FMLA is 12 weeks off in a 12-month rolling period and, while driver of its establishment was to protect pregnant women or women who had just given birth from being terminated from their job, it applies uniformly to all eligible employees. Elected officials do not have the protections provided by FMLA because they are not employees, but the Council may consider the reasoning behind the protections sound enough to apply them to excused absences for elected officials.

Staff recommends that rather than develop an exhaustive list of excused absences, which the statute does not contemplate, it is appropriate to leave this determination to the Council in office at the time the issue is raised. Reasons for excused absences may evolve over time and leaving the determination up to the seated Council at the time, rather than codifying reasons that are cumbersome to change by ordinance, allows for flexibility.

Please also note that 6:00pm evening meetings, workshop meetings occurring the 3rd Monday of each month, and JIMs occurring the 1st Monday of each month are all “regular” meetings per our Municipal Code. Because of this, a member of the Council could be absent for a total of 15 days and miss 4 consecutive regular meetings.

Stakeholders involved in the Rules and Procedures and the ordinance addressing vacancies would include members of the Town Council, Town staff in having continuity for a 2-year elected term, constituents in the community that voted for members of the Town Council, and the public attending Town Council meetings.

Analysis.

The desired outcome is to establish updated Rules and Procedures to ensure comfort and understanding amongst all members of the Town Council and for Council to review and adopt an ordinance for a procedure regarding vacancies in elected office. The ordinance will be provided to Council to act on first reading at the October 18, 2021 meeting. As with other ordinances, it requires 3 readings with at least 10 days between 1st and 3rd reading, and advertisement prior to taking effect.

Updating the Rules and Procedures will be positive for staff in that they will provide more clarity for Council on agenda setting, maintaining a list of items for future consideration, and virtual attendance. The updated document also removes the issue of violating the Rules and Procedures in terms of packet preparation and posting for meetings where additional time and flexibility is needed.

Possible Alternatives.

As may be determined by the Mayor and Council

Comprehensive Plan & Priority Alignment.

Fiscal Impact.

There is no fiscal impact to adoption of updated Rules and Procedures. They are not required to be published. There is no fiscal impact in discussing the draft ordinance. Once approved on 3rd reading the ordinance will need to be advertised and the cost ranges between \$400 and \$1000 depending on the length.

Staff Impact.

Staff has spent approximately 50 hours preparing updated Rules and Procedures for Council consideration and researching issues surrounding the draft ordinance. There will be additional staff impact of approximately 2 hours related to codifying the ordinance, prepping the ordinance for advertisement, printing and obtaining signatures for the permanent records books, posting on the website, etc.

Attachments or Links.

Updated Rules and Procedures showing tracked changes.

Clean version of updated Rules and Procedures.

Draft Ordinance Q regarding vacancies in elected office.

Suggested Motion. *Council always has the option to adopt, approve with conditions, continue, or deny items.*

I move to direct staff to place the updated Rules and Procedures, as presented in this staff report and including adjustments, if any, based on Council's discussion, on the October 18 regular meeting agenda for adoption.

And

I move to place Ordinance Q regarding absence and vacancies in elected office as presented in this staff report and including adjustments, if any, based on Council's discussion, on the October 18 regular meeting agenda for first reading.



Rules and Procedures

TOWN COUNCIL Of Town of Jackson, Wyoming

Updated _____, 2021

Pursuant to W.S. § 15-1-106 the governing body shall determine the rules for the conduct of its proceedings.

Effective _____, 2021

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CHAPTER ONE

GENERAL PROVISIONS

Section I. Adoption of Robert's Rules of Order.

The Town has adopted "Robert's Rules of Order" as its guideline for parliamentary procedure. The rules of parliamentary procedure should be adhered to whenever possible for the proper and orderly conduct of Town Council meetings. Where there is a conflict in procedure between that set forth in the Wyoming Statutes for Municipal Ordinances and that contained in "Robert's Rules of Order", the procedures established by law take precedence.

Section II. Suspension of Rules.

The Town Council has the right to suspend such rules as it has the power to adopt, including any rules contained in "Robert's Rules of Order". When the Town Council acts in violation of such rules as it has the authority to suspend, the rules are deemed suspended thereby and its actions are not invalidated by failure to comply with such rules.

Section III. Precedence of Rules.

The following is a compilation of both applicable parliamentary laws and those parliamentary rules and procedures that have been adopted by this Town Council. Any rules herein, in conflict with "Robert's Rules of Order", shall take precedence and shall be considered as amendments to said "Robert's Rules of Order."

CHAPTER TWO

RULES AND PROCEDURES

Section I. Types of Meetings.

Town Council meetings shall be conducted in person unless the Mayor or a majority of the Town Council determines the meeting shall be held virtually due to safety or security reasons. A majority of Council may overturn the decision of the Mayor to hold the meeting virtually. Town Council meetings may be of the following kinds:

- A. "Regular meetings" are set by ordinance and pursuant to Wyo. Stat. Ann. § 16-4-404(a).
- B. "Special meetings" may be called as provided by ordinance and pursuant to Wyo. Stat. Ann. § 16-4-404(b) and § 15-1-105. Regular meetings that are rescheduled are special meetings. Regular meetings that begin earlier or later than the time set by ordinance are special meetings. Special meetings may be called by the Mayor or by a majority of the Town Council.
 - 1. Mayoral Determination. When the Mayor sets a special meeting, the Town Clerk shall inform all members of the Town Council of the details of the meeting and shall proceed with public notification, Town staff notification, and agenda preparation.
 - 2. Majority of the Town Council Determination. When a majority of the Town Council agrees to set a special meeting, a representative of that majority shall contact the Town Clerk. The Town Clerk shall then inform all members of the Town Council of the details of the meeting and shall proceed with public notification, staff notification, and agenda preparation.
 - 3. Town Staff Request. When the Town Manager, or their designee, desires a special meeting, the Town Manager, or their designee, shall contact the Town Clerk. The Town Clerk shall contact the Mayor to obtain authorization for that meeting. The Town Clerk shall then inform all members of the Town Council of the meeting and shall proceed with public notification, Town staff notification, and agenda preparation.
- C. "Executive sessions" may be called as provided by ordinance and pursuant to Wyo. Stat. Ann. § 16-4-405.
- D. "Emergency meetings" may be called pursuant to Wyo. Stat. Ann. § 16-4-404(d).

Section II. Notice of Meetings.

No notice of regular meetings is required. Action may be taken on matters before the Town Council at a regular meeting regardless of prior listing on the agenda, unless the matter requires advance notice as per the Jackson Municipal Code or Wyoming Statutes. Noticing is required for special meetings as set forth in Wyo. Stat. Ann. § 16-4-404(b). The notice for special meetings shall state the business to be transacted. No other business may be considered at a special meeting.

Section III. Quorum.

A majority of the Town Council is sufficient to conduct business, and motions may be passed 2-1 if only three (3) Councilmembers are present, but ordinances, resolutions granting franchises or licenses and motions concerning the payment of money require at least three (3) affirmative votes. Except for meetings designated as virtual by the Mayor or a majority of the Town Council, Town Council members shall attend meetings in person with the following exceptions:

- A. Town Council members may virtually participate, vote, and be counted for purposes of the quorum for no more than three (3) meetings in a one (1) year period, whether regular, special, or emergency meetings without the approval of the Mayor.
- B. The ability for a Councilmember to virtually participate, vote, and be counted in the quorum of the Council beyond the three (3) occurrences in the (1) year period shall be allowed only with the approval of the Mayor for each individual meeting where such a request is made. The ability for staff members to participate virtually shall be allowed only with the approval of the Town Manager for each individual meeting where such a request is made.

A member who recuses themselves from discussion and action on a particular item shall do so by stepping down from the Council desk, leaving the Council Chambers, or turning off their video during a virtual meeting, and, once they do so, is no longer counted towards a quorum being present.

Section IV. Conduct of Regular Meetings Held at 6:00 PM Pursuant to Section 2.04.010 of the Municipal Code.

- A. The Mayor, or in the absence of the Mayor, the Vice Mayor, shall act as chairperson at all meetings.
- B. The powers and duties of the Mayor include moving, seconding, debating, and voting from the Chair.
- C. The Mayor shall introduce each item on the agenda, ask for a staff presentation (if applicable), ask for applicant presentation (if applicable), ask for a motion on the matter, take public comment (as appropriate), preside over Council discussion, and call for a vote on the item. Below is the schedule for the 6:00PM regular meeting. Such schedule may be altered by the Mayor.
 - 1. Consent Calendar Item
 - a. Mayor reads the title of each item on the consent calendar.
 - b. Mayor asks if any Councilmember would like to withdraw any items from the consent calendar.
 - c. Councilmembers state items to be withdrawn, if any.
 - d. Mayor asks for a motion to approve all items on the consent calendar that were not withdrawn.
 - e. Motion made and seconded to approve all items on the consent calendar that were not withdrawn.

- f. Mayor asks for public comment on all items on the consent calendar that were not withdrawn.
 - g. Vote on all items on the consent calendar that were not withdrawn.
 - h. Withdrawn items are introduced, discussed, moved, publicly commented on, and voted on one at a time.
- 2. Public Hearing, Discussion and/or Action Item
 - a. Mayor opens a public hearing on agenda item and/or reads the title thereof.
 - b. Presentation by staff.
 - c. Town Council questions of staff.
 - d. Presentation by applicant.
 - e. Town Council questions of applicant.
 - f. Mayor asks for public comment.
 - g. Motion made and seconded regarding the item.
 - h. Town Council discussion of the item.
 - i. Mayor calls for the vote.
- 3. Resolution
 - a. Agenda Item is read by Mayor.
 - b. Town Council questions of staff.
 - c. Public comment.
 - d. Motion made and seconded regarding the item.
 - e. Town Council discussion.
 - f. Mayor calls for the vote.
- 4. Ordinance
 - a. Motion to read all ordinances by short title
 - b. Ordinances read by Town Attorney either individually or all consecutively
 - c. Town Council questions of staff
 - d. Public comment
 - e. Motion and Second to Approve
 - f. Town Council discussion
 - g. Mayor calls for the vote
- D. At their discretion, the Mayor may allow additional Town Council questions of staff, Town Council questions of the applicant, and/or public comment at any time they deem appropriate.
- E. The Chief of Police, or their designee, shall serve as Sergeant-at-Arms to preserve order in the Chambers during in-person meetings.

Section V. Conduct of Other Regular or Special Meetings.

The conduct and order of business of regular or special meetings other than those regular meetings held at 6:00 PM shall be determined by the Town Clerk with input from the Mayor, Town Manager, or their designees.

Section VI. Vice Mayor.

Each January, or whenever the Mayor deems appropriate, pursuant to W.S. §15-1-108(a)(i), the Mayor shall appoint a Councilmember to serve as the Vice Mayor or Mayor Pro-Tem. In the absence of the Mayor, the Vice Mayor shall preside at all meetings of the governing body and/or perform other Mayoral duties as requested.

Section VII. Rules of Debate.

- A. In obtaining the floor, every Councilmember shall first address the Mayor, gain recognition by the Mayor, and shall confine themselves to the question under debate.
- B. Staff members, after recognition by the Mayor, shall hold the floor until completion of their remarks or until recognition is withdrawn by the Mayor.
- C. No Councilmember shall speak more than once upon any particular item until every other Councilmember desiring to speak upon the item has spoken. No Councilmember shall speak longer than five (5) minutes the first time, or three (3) minutes the second or subsequent times, on any one particular item, except by majority vote of the Town Council. No Councilmember shall speak more than three (3) times on the item without the express consent of the Mayor.

Section VIII. Addressing the Town Council.

- A. Each person desiring to address the Town Council either under the public comment section or under the public comment period for a particular item shall, whether via a virtual platform or the lectern in-person, state their full name or the record; state the subject they wish to discuss; state whom they represent, if they represent an organization or other person(s); and, unless further time is granted by majority vote of the Town Council or the Mayor, limit their remarks to three (3) minutes.
- B. Public comment made by phone, video, or any other form of electronic communication, in a non-virtual meeting shall not be permitted with the exception of applicant or consultant presentations and interviews for advisory or joint powers boards, as approved in advance of the meeting by the Mayor or Town Manager.
- C. All remarks shall be addressed to the Town Council as a body and not to any individual member thereof.
- D. No question shall be asked of a Councilmember or a member of the staff without the permission of the Mayor. After permission of the Mayor, a question may be asked, but neither staff nor the Councilmember to whom the question is directed shall answer the question during the public comment period.
- E. In order to expedite matters and avoid repetitious presentations, whenever any group of persons wishes to address the Town Council on the same subject matter, it shall be proper for the Mayor to request that a spokesperson be chosen by the group to address the Town Council and, in case

additional matters are to be presented by any other member of said group, to limit the number of such persons addressing the Town Council.

Section IX. Rules of Decorum.

- A. While the Town Council is in session, Councilmembers must preserve order and decorum. No Councilmember, by conversation or otherwise, shall delay or interrupt the proceedings, disturb the order of the Town Council, interrupt any Councilmember while speaking, or refuse to obey the orders of the Mayor.
- B. Staff shall observe the same rules of order and decorum as are applicable to the Town Council.
- C. Any person making impertinent, slanderous, or profane remarks or who becomes boisterous while addressing the Town Council shall be called to order by the Mayor and, if such conduct continues, may at the discretion of the Mayor be ordered barred from further audience before the Town Council during that meeting.
- D. Any person in the audience who engages in criminal conduct as defined in the Jackson Municipal Code or, by any rude behavior, interrupts, molests, or disturbs a Town Council Meeting, upon instructions from the Mayor, may be removed from the meeting by the Sergeant-at-Arms, or by appropriate staff managing the virtual meeting.
- E. Matters before the Town Council in a meeting will normally be handled in one of the following manners:
 - 1. Acted upon.
 - 2. Placed under Matters from Mayor and Council for action later on in the meeting.
 - 3. Referred to Town staff for further research and presentation at a future meeting.
 - 4. Received and filed without action.
 - 5. Continued, pending further consideration or the receipt of information to/by staff.
 - 6. Referred to the Town Manager for placement on an upcoming meeting.

Section X. Motions.

- A. When a motion is made and seconded, it may be stated by the Mayor or the Town Clerk before a vote on said motion is taken. Any Councilmember may ask that a motion be restated or displayed on screen prior to voting. Restatement of the motion may be by the Mayor or delegated to any Councilmember or staff member.
- B. A motion shall not be withdrawn by the mover without the consent of the seconder.
- C. If the question contains two or more divisible propositions, the Mayor may, and upon the request of a Councilmember shall, divide the same.
- D. No motion is before the Town Council until it has been seconded.

E. When a motion is before the Town Council, no other motion shall be entertained except:

1. To adjourn.
2. To fix the hour of adjournment.
3. To lay on the table (postpone indefinitely).
4. For the previous question (to vote immediately).
5. To table to a certain day.
6. To refer (to a committee or a member of the staff for report).
7. To amend or to substitute another motion.
8. To refer to the Town Manager for placement on a future meeting agenda.

These motions have precedence in the order indicated. The first four (4) motions are not debatable, though it is always permissible to raise a point of order on the proper use of any motion and it is also permissible to appeal the point of order. Once an item of business has been disposed of, it is not available for further debate except upon a motion and majority vote to reconsider pursuant to subsection G hereof.

F. Friendly Amendments. A Councilmember may offer a friendly amendment to a motion that has already been made and seconded. If the motion maker and the second accept the request for the friendly amendment, the motion is thereby deemed amended and, when the Mayor calls for the vote, the vote is on the motion as amended.

G. Reconsideration. A Councilmember may make a motion to reconsider the vote on a particular item to permit correction of hasty, ill-advised, or erroneous action; or to take into account added information; or to address a changed situation that has developed since the taking of the vote. Because of the investment made by members of the public to attend specific Council meetings to hear entire presentations and debate, to make public comments, and hear the vote on a particular item, motions to reconsider are strongly discouraged.

1. A motion to reconsider shall occur either at the same meeting where the original vote was taken, or at the next regular or special meeting prior to the approval of the minutes of the meeting during which the original vote was taken.
2. A motion to reconsider must be made by a Councilmember who voted on the prevailing side.
3. A motion to reconsider can be acted upon immediately or it can be delayed until a future Town Council meeting.
4. If the motion to reconsider will be acted on immediately:
 - a. Debate, a motion, and a vote occurs as to whether the conditions of Section X.G.1. have been met.
 - b. If the motion to reconsider is successful, the item is then before the Council for action pursuant to the original motion. Additional information can then be presented and discussed. The vote on the original motion is then called for and taken.
5. If the reconsideration will occur at a future meeting:

- a. The Mayor directs the Town Clerk to place the reconsideration item as the first action item on the next agenda and to place the minutes of the previous meeting as the first item immediately following reconsideration.
- b. Public notice for the subsequent meeting includes that the Council intends to reconsider the vote on the item in question.
- c. At the subsequent meeting, debate, a motion, and a vote occurs as to whether the conditions of Section X.G.1. have been met.
- d. If the motion to reconsider is successful, the motion before the Town Council is the same as it was stated in the original meeting. Additional information can then be presented and discussed, amendments to the original motion can be made, and a vote taken.
- e. The minutes of the previous meeting are then approved as amended to include the reconsideration and outcome.
- f. If the vote to reconsider fails, the minutes of the previous meeting are approved as presented and the meeting continues.

Section XI. Voting.

On the passage of every motion, the vote shall be taken and entered in the record by the Town Clerk.

- A. Every Councilmember should vote unless disqualified by a conflict of interest.
- B. The failure of a Councilmember to voice their vote will be considered as their having cast an affirmative vote on the motion.
- C. Abstention. (To refrain from voting)
 1. While it is the duty of every member who has an opinion on the question to express it by their vote, one cannot be compelled to do so. A Councilmember, though it is discouraged, may abstain from voting.
 2. An abstention has same the effect as if the member voted on the prevailing side.
- D. Recusal. (To disqualify oneself from participation in debate and voting on grounds such as prejudice or personal involvement)
 1. Councilmembers may recuse themselves for cause by publicly stating the reason for their disqualification. When a Councilmember recuses themselves from voting on a particular item, said Councilmember shall not remain in their seat nor, if it is a virtual meeting, appear via the electronic platform during the debate and vote on such item. The Councilmember shall step down and take a seat in the audience, leave the Council Chamber, or turn off their video during a virtual meeting. A Councilmember recusing themselves shall not be counted for purposes of the quorum and shall be considered absent for the purpose of determining the outcome of any vote on such item.
 2. If a Councilmember is requested to recuse themselves with respect to an item by another member, a party to the current matter, or anyone else who may be affected by a decision

relating to the item, the member must decide whether to recuse themselves. If the Councilmember contends that there is no clearly disqualifying conflict of interest, the matter of disqualification shall be decided by the Town Attorney.

Section XII. Consent Calendar.

The consent calendar shall contain any and all items staff determines are routine and do not require debate or discussion. This includes minutes, disbursements, special event requests, bid awards, contracts for projects previously authorized, and the like. All contracts shall, before presentation to Town Council, have been approved as to form and legality by the Town Attorney. The Mayor or any Town Councilmember may pull an item off of the consent calendar to be considered individually.

Section XIII. Ordinances.

Where the particular ordinance has been prepared in advance.

- A. On first reading, an ordinance shall be accompanied by a staff report.
- B. All readings of ordinances may be made by title only. Upon completion of the appropriate reading by the Town Attorney, the Town Council may, by majority vote, make any changes or amendments it desires.
- C. Upon second or third reading, If the ordinance is substantially or materially changed at the time of second or third reading, the reading must be considered a first reading. No staff report is required for second or third reading.
- D. Following the third reading, and at least ten (10) days after the first reading, except for emergency ordinances, upon motion made and seconded, the ordinance is adopted if there are at least three (3) affirmative votes.
- E. Ordinances shall become effective pursuant to Title 15 of the Wyoming Statutes.
- F. It is the duty of the Town Clerk to publish ordinances pursuant to Title 15 of the Wyoming Statutes.
- G. Emergency ordinances may be read by short title; require $\frac{3}{4}$ of the qualified members of the governing body or four (4) affirmative votes for passage; require only one reading; and become effective immediately upon adoption. They may be declared void if no true emergency existed. No franchise may be granted by emergency ordinance.
- H. All ordinances shall, before presentation to the Town Council, have been approved as to form and legality by the Town Attorney.

Section XIV. Resolutions.

- A. Where the particular resolution has been prepared in advance, the procedure is:

1. Resolution title is read by the Mayor.
2. Town Council questions of staff.
3. Mayor asks for public comment.
4. Mayor asks for a motion and second.
5. Town Council discussion.
6. Mayor calls for the vote.

- B. It is not necessary to read in full, as long as the resolution is sufficiently identified. However, any Councilmember may demand that it be read in full. All resolutions shall, before presentation to the Town Council, have been approved as to form and legality, by the Town Attorney.

Section XV. Town Council Minutes.

The minutes are the responsibility of the Town Clerk until presented to the Town Council for approval; the Town Council may, at the time of presentation for approval, by motion make such corrections as conform to fact. The minutes shall be published pursuant to Wyoming Statutes.

Minutes of executive sessions are the responsibility of the Town Attorney. If the Town Attorney is not present at an executive session, the Mayor shall take minutes or delegate the task to a Councilmember.

Section XVI. Order of Business.

The order of business for regular meetings held at 6:00 PM on the first and third Monday of each month shall be:

A. Opening

1. Call to Order.
2. Pledge of Allegiance.
3. Roll call.
4. Announcements and Proclamations.

- B. Public Comment (public comment is reserved for questions and comments from the public on items that are not otherwise included in the agenda)

C. Consent Calendar

1. Minutes.
2. Disbursements.
3. Additional items deemed appropriate by staff or the Mayor.

D. Public Hearings, Discussion and/or Possible Action Items

E. Resolutions

F. Ordinances

G. Matters from Mayor and Council

H. Matters from the Town Manager

I. Adjournment

The regular order of business may be suspended at any time by the Mayor or by a majority vote of Council present. The order of business for meetings, other than regular meetings, shall be determined by the Town Clerk, with input from the Mayor, Town Manager, or their designees.

Section XVII. Agendas and Packets for Meetings.

A. Regular Meetings. Agendas and packets for regular meetings shall be prepared by the Town Clerk. Agendas for regular meetings shall be closed at 12:00 P.M. on the Wednesday preceding the meeting. The agenda shall be finalized by the Town Clerk with input from the Mayor and Town Manager, or their designees.

B. The Mayor may add or remove items from the upcoming agenda presented by staff for a regular meeting except for:

1. General order of business items in Section XVI.A (ex: call to order, approval of minutes, etc.); or
2. Statutorily required items or public hearings (ex: required public hearings for liquor licenses);or
3. Items required by the Municipal Code or Land Development Regulations (ex: Conditional Use Permits, Final Plats, Annexation Public Hearings, Liquor License Public Hearings, etc.); or
4. Items listed under Matters from Mayor and Council requested by the Mayor or Councilmembers before 12:00pm on the fifth day prior to the regular meeting and provided to the Town Clerk.

C. Items on the agenda of a 6:00 PM regular meeting may include the following:

1. Announcements. Announcements do not need to be accompanied by a staff report. Announcements notify the public of upcoming meetings, schedule changes, new employee introductions, office closings, and the like. Announcements do not require Town Council action and can be recommended for addition to the agenda by the Mayor or any Councilmember or staff member.
2. Proclamations. Proclamations do not need to be accompanied by a staff report. Proclamations notify the public of community-wide events, such as burn week, or of issues of community significance such as commendations, remembrances, and the like. Proclamations do not require Town Council action and can be recommended for addition to the agenda by the Mayor, a majority of Council, or the Town Manager or their designee.
3. Public Comment. This item on the agenda is reserved for questions and comments from the public on items that are not already included on the agenda. If prior notification has been given that a citizen intends to speak under Public Comment, their name shall be so

listed on the agenda. If documents are provided prior to finalization of the Town Council packet, those items shall be included in the packet.

4. Consent Calendar. See Section XII.
5. Public Hearings, Discussion, and/or Possible Action Items. Items in this section shall be accompanied by a staff report. This section of the agenda is for public hearings, administrative items, departmental action items, contracts, public infrastructure project authorizations, and the like.
6. Resolutions. Resolutions may be accompanied by a staff report. Resolutions are related to policy matters, budget adoption or amendment, elected official commendations, schedule amendments, and the like. Resolutions may amend the Municipal Code if an ordinance allows amendment by resolution. Resolution numbers are designated by the Town Clerk.
7. Ordinances. See Section XIII..
8. Matters from Mayor and Council. Items listed in this section of the agenda may be presented by the Mayor or any Councilmember and may be accompanied by a staff report. Staff may also present items for Council consideration in this section with the Mayor's authorization. This section of the agenda is utilized for items and actions including, but not limited to:
 - a. Travel authorizations.
 - i. Action for pre-approval of travel authorization and expenditure for Councilmembers to attend specific conferences.
 - ii. Travel authorizations maybe accompanied by a staff report.
 - b. Designation of meeting delegates.
 - i. Action for approval of a voting delegate(s) for upcoming meetings/conventions.
 - ii. A staff report is optional for this item.
 - c. Board appointments.
 - i. Action for board member appointments pursuant to applicable legal procedure.
 - ii. Board appointments may be accompanied by a staff report stating, the board at issue, the qualifications for appointment, that the candidates meet the qualifications, the term(s), and the candidates for the appointment.
 - d. Announcements regarding Councilmember out of office plans.
 - i. Action to announce when the Mayor or a Councilmember plans to be unavailable for meetings or communication.
 - ii. No staff report is provided with this item.
 - e. Future meeting date/time setting.
 - i. Action to either announce a selected meeting date/time by general consent or to approve a motion to set a specific meeting date/time.
 - ii. A staff report is optional for this item.

- f. Items listed by a Councilmember.
 - i. Action to place the requested item on an agenda in the next 45 days. The motion is made after the requesting Councilmember provides a brief summary about the item (3 minutes).
 - 1) If the motion fails, the item is added to the Potential Initiative List (PI List) for consideration at the next Council retreat.
 - 2) If the motion passes, at that future meeting, staff will present a staff report with information and a recommendation to the Council so that a determination can be made whether to:
 - (a) Make it one of the Council's Priorities and add it to a specific Department's Work Plan, and
 - (b) Determine what item, in turn, would be removed from the Council's Priority List, and
 - (c) Determine what item would be removed or delayed in the Work Plan for the specific Department,
 - OR
 - (d) To add the item to the PI List for consideration at the next Town Council retreat.
 - 3) No staff report is provided with this item.
 - g. Town Council members may announce an item they wish to be added to the PI List for consideration at the next Town Council retreat and provide a brief summary, no more than three (3) minutes, of the item. The item shall then be added to the PI List by staff.
9. Matters from the Town Manager. This section of the agenda is for the Town Manager to report to the Council on the various activities of note of Town government operations and to notify the Council of upcoming meetings and scheduling. Items contained in the Town Manager's report may include issues recommended for affirmative Council action and the Mayor may take public comment. Upon presentation of the Town Manager's report, the Council moves to approve the Town Manager's report.
- D. Special or Regular 3:00 PM Meetings. Agendas and packets shall be prepared for these meetings by the Town Clerk. Agendas shall be closed on the date so determined by the Town Clerk with input from the Mayor and Town Manager, or their designees. The agenda shall be finalized by the Town Clerk with input from the Mayor and Town Manager, or their designees. Items on these meeting agendas may include the following:
- 1. Discussion and/or Action Items. These matters may require detailed discussion in an informal setting between Town Council and Town Staff, Town Council and other appointed boards, Town Council and citizen groups, or Town Council and individual applicants requesting Town Council action. Matters before the Town Council at a special or regular 3:00 PM meeting may be items requiring additional time for review of details or requests, draft ordinances for discussion purposes, complex public infrastructure

projects, or items Town Staff is desirous of feedback on prior to placement on a regular meeting agenda for action. Public comment may or may not be taken on these items and is dependent upon statutory or municipal code requirements or whether public comment has already been taken on the item previously or is planned for a date in the future.

2. Set Next Workshop Agenda. Town Staff shall recommend to the Town Council a proposed listing of items to be placed on upcoming workshop agendas. Changes to the listing of items may be made by the Mayor or a majority vote of the Town Council.

- E. General. Agendas and packets for meetings shall be produced by the Town Clerk and distributed/posted to members of the Council and the public on a timeline established by the Town Manager or their designee with input from the Mayor, or their designee.

Section XVIII. Town Council Board and Committee Liaisons.

- A. The Council may appoint individual members to liaise with various boards and committees throughout the community.
- B. Each January, or as soon thereafter as the Council deems appropriate, the Council shall review the list of board and committee liaisons and make changes as they deem necessary. The liaison appointments shall be by majority vote the Council and shall remain valid until changed.
- C. Council liaisons primary role is that of facilitator of communications from the relevant board or committee to the Council. As a liaison, Councilmembers should not be an advocate for the board or committee for whom they liaise, give direction, or influence a decision of that board or committee. Rather, as a liaison, Councilmembers:
 1. Assist and provide information to the board or committee; and
 2. Act as a spokesperson on behalf of the Council when so directed by the Council when seated as a body; and
 3. Act as a contact person, if the board or committee, or an individual member thereof, wants such a channel of communication.
- D. A Councilmember who is appointed to sit as a member of a board, commission, or committee is not a liaison.
- E. Attendance is discretionary, however, despite attendance not being required, it is strongly encouraged.

Section XIX. Town Staff Reports.

The Town Manager shall approve all staff reports prior to placement in the packet for any Council meeting as they deem necessary. Town Staff reports shall be prepared in a format deemed appropriate by the Town Manager.

Section XX. Town Attorney.

The Town Attorney is retained to provide legal advice and assistance to the Council, staff, boards, and other bodies deemed appropriate by Council. Individual Councilmembers shall first obtain authorization from the Town Council prior to requesting the Town Attorney undertake research, legal work, or prepare resolutions and ordinances. In matters of extreme urgency, Councilmembers shall first obtain authorization from the Mayor for the same. Staff members shall first obtain authorization from their department director, or, if their department director is unavailable, the Town Manager, prior to requesting the Town Attorney undertake research or legal work.

Section XXI. Research for Members of the Town Council.

Individual Councilmembers shall refrain from requesting opinions or research from staff and shall direct all inquiries and requests through the Town Manager, or their designee.

Section XXII. Official Correspondence from the Mayor or Members of the Town Council

The Mayor shall be designated and authorized to represent the Town Council and author letters on issues supported by a vote of the Town Council. Individual Councilmembers shall refrain from using their position as a Councilmember to send official letters on Town letterhead in support of or in opposition to issues without a vote of approval from the Town Council. The Mayor or any Councilmember may author personal letters of reference to individuals on Town letterhead so long as those letters do not indicate that they are representing the Town Council as a whole.

Section XXIII. Appointments.

- A. Mayoral Appointments. Mayoral appointments shall follow a procedure as determined by the Mayor. This procedure may involve advertising, accepting letters of interest, interviews by the Mayor, interviews by the Council, interviews by staff, or any other procedure the Mayor deems appropriate. For Mayoral appointments that require the advice and/or consent of the Council, a majority of Council may set a procedure for providing their advice and/or consent and that procedure may involve interviews by the Council, interviews by staff, or any other procedure a majority of Council deems appropriate. Any procedure used by the Council for the advice and/or consent may change at any time by majority vote of the Council.
- B. Majority of Town Council Appointments. Appointments that require a majority vote of the Council shall follow a procedure as determined by majority vote of the Council. This procedure may involve advertising, accepting letters of interest, interviews by the Council, and interviews by staff or any other procedure as the Council deems appropriate. Any procedure set forth by majority vote of the Council may change at any time by another majority vote of the Council.

Section XXIV. Swearing In of New Members.

- A. Upon Election. Pursuant to Wyoming Statutes, the term of office for a person elected at the general municipal election commences the first Monday in January following the general election but before entering their duties, they must be administered the Oath of Office. The Town Clerk

shall arrange a Swearing In Ceremony to be held on the first Monday in January in the morning, prior to any Town Council meetings being called to order.

- B. Upon Appointment. Upon appointment at a regular or special meeting, the Oath of Office shall be administered.

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Rules and Procedures

TOWN COUNCIL Of Town of Jackson, Wyoming

Updated ~~April 2016~~ [XXXX 2021](#)

Pursuant to W.S. § 15-1-106 the governing body shall determine the rules for the conduct of its proceedings.

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Effective ~~March 1, 2010~~XXX 2021

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CHAPTER ~~I~~ONE

GENERAL PROVISIONS

Section ~~4I~~. Adoption of Robert's Rules of Order.

The Town has adopted "Robert's Rules of Order" as its guideline for parliamentary procedure. The rules of parliamentary procedure should be adhered to whenever possible for the proper and orderly conduct of Town Council meetings. Where there is a conflict in procedure between that set forth in the Wyoming Statutes for Municipal Ordinances and that contained in "Robert's Rules of Order", the procedures established by law take precedence.

Section ~~2II~~. Suspension of Rules.

The Town Council has the right to suspend such rules as it has the power to adopt, including any rules contained in "Robert's Rules of Order". When the Town Council acts in violation of such rules as it has the authority to suspend, the rules are deemed suspended thereby and its actions are not invalidated by failure to comply with such rules.

Section ~~3III~~. Precedence of Rules.

The following is a compilation of both applicable parliamentary laws and those parliamentary rules and procedures that have been adopted by this Town Council. Any rules herein, in conflict with "Robert's Rules of Order", shall take precedence and shall be considered as amendments to said "Robert's Rules of Order."

CHAPTER ~~H~~TWO

RULES AND PROCEDURES

Section ~~4~~1. Types of Meetings.

Town Council meetings shall be conducted in person unless the Mayor or a majority of the Town Council determines the meeting shall be held virtually due to safety or security reasons. - A majority of Council may overturn the decision of the Mayor to hold the meeting virtually. Town Council ~~M~~meetings may be of the following kinds:

~~a.A.~~ “Regular meetings” which are set by ordinance and pursuant to Wyo. Stat. Ann. § 16-4-404(a), and held twice monthly in the Council Chambers of the Town Hall located at 150 East Pearl Avenue, at another venue, or virtually as determined by the Mayor or a majority of the Town Council.

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~~b.B.~~ “Special meetings” which may be called as provided by ordinance and pursuant to Wyo. Stat. Ann. § 16-4-404(b) and §15-1-105. -Regular meetings that Town Council workshop meetings and are rescheduled regular meetings are special meetings. -Regular Mmeetings that begin earlier or later than the time set by ordinance are special meetings. Meetings conducted jointly with the Teton County Commission are special meetings. Special meetings may be called by the Mayor or by a majority of the Town Council.

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1. Mayoral Determination. When the Mayor sets a special ~~Town Council~~ meeting, the Town Clerk shall inform all members of the Town Council ~~individually~~ of the details of the meeting and shall proceed with public notification, Town ~~S~~staff notification, and agenda preparation.
2. Majority of the Town Council Determination. When a majority of the Town Council ~~votes agrees to~~ sets a special ~~Town Council~~ meeting, a representative of that majority shall contact the Town Clerk. ~~-The Town Clerk shall then inform all members of the Town Council individually of the details of the meeting and shall proceed with public notification, Town Sstaff notification, and agenda preparation.~~
3. Town Staff Request. When the Town Manager, or their designee, Town Staff is desirous of conducting a special ~~Town Council~~ meeting, the Town Manager, or their designee, Town Staff member shall contact the Town Clerk. ~~-The Town Clerk shall contact the Mayor to obtain authorization for that meeting. -The Town Clerk shall then inform all members of the Town Council individually of the meeting, and shall proceed with public notification, Town Sstaff notification, and agenda preparation. -If the Mayor is unavailable for the proposed meeting date and time or has no preference regarding the Town Staff proposed meeting date and time, and directs that the meeting should proceed, the Town Clerk shall then contact each member of the Town Council individually to ascertain whether a quorum would exist for the proposed meeting date and time. Upon confirming a receiving quorum for the proposed meeting date and time information from three Councilmembers, the Town Clerk shall then proceed with setting the Sspecial Mmeeting and shall inform all members of the Town Council individually of the details of the meeting and shall proceed with public notification, Town Sstaff notification, and agenda preparation.~~

e. "Executive sessions" may be called as provided by ordinance and pursuant to Wyo. Stat. Ann. § 16-4-405, which are portions of ~~the~~ Special Meetings called by a vote of two-thirds (2/3) of the members present and excluding the public therefrom, when the nature of the business so requires. Prior to recessing or adjourning to executive session, the Town Council must first convene a special meeting.

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d. "Emergency Meetings;" Emergency meeting may be called pursuant to Wyo. Stat. Ann. § 16-4-404(d) on matters of serious immediate concern to take temporary action without notice. Reasonable effort shall be made to offer public notice. All action taken at an emergency meeting is of a temporary nature and in order to become permanent shall be reconsidered and acted upon at an open public meeting within forty-eight (48) hours, excluding weekends and holidays, unless the event constituting the emergency continues to exist after forty-eight (48) hours.

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Section 2II. Notice of Meetings.

No notice of regular meetings is required. Action may be taken on matters before the Town Council at a regular meeting regardless of prior listing on the agenda, unless the matter requires advance notice as per the Jackson Municipal Code or Wyoming Statutes. Noticing is required for special meetings as set forth in Wyo. Stat. Ann. § 16-4-404(b) the Wyoming Statutes. The notice for special meetings shall state the business to be transacted. No other business may be considered at a special meeting.

Section 3III. Quorum.

A majority of the Town Council is sufficient to ~~do~~ conduct business, and motions may be passed 2-1 if only three (3) Councilmembers are present, but ordinances, resolutions granting franchises or licenses and motions concerning the payment of money require at least three (3) affirmative votes. Except for meetings designated as virtual by the Mayor or a majority of the Town Council, Town Council members shall attend meetings in person with the following exceptions:-

A. Town Council members may virtually participate, vote, and be counted for purposes of ~~in the~~ quorum of the Council for no more than three (3) meetings in a one (1) year period, whether regular, special, or emergency meetings without the approval of the Mayor.

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B. The ability for a Councilmember to virtually participate, vote, and be counted in the quorum of the Council beyond the three (3) occurrences in the (1) year period shall be allowed only with the approval of the Mayor for each individual meeting where such a request is made. The ability for staff members to participate virtually shall be allowed only with the approval of the Town Manager for each individual meeting where such a request is made. A Councilmember listening via conference call or via videoconference is not present at the meeting and shall not be counted in roll call, nor may they vote on any matters or take any action before the Town Council. The privilege of listening via audio conference or video conference shall be granted or denied by the Mayor on a case-by-case basis.

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A member who recuses ~~himself~~ themselves from discussion and action on a particular item shall do so by stepping down from the Council desk, ~~or~~ leaving the Council Chambers, or turning off their video during a virtual meeting, and, once they do so, is no longer counted towards a quorum being present.

Section 4IV. Conduct of Regular Meetings Held at 6:00 PM Pursuant to Section 2.04.010 of the Municipal Code.

- A. The Mayor, or in the absence of the Mayor, the Vice Mayor, shall act as chairperson at all meetings.
- B. The powers and duties of the Mayor include moving, seconding, debating, and voting from the Chair.
- C. The Mayor shall introduce each ~~item~~ matter on the agenda, ~~ask for a staff presentation (if applicable), ask for applicant presentation (if applicable), ask for a motion on the matter, take public comment (as appropriate), unless public comment has been taken and closed on the matter at a previous meeting),~~ preside over Council discussion, and call for ~~the~~ a vote on the item, ~~in its proper order, unless a majority of the Town Council orders otherwise. Below are the general procedures schedule to follow for items usually on a 6:00 PM the 6:00PM regular meeting, and s~~ Such ~~procedures~~ schedule may be altered by the Mayor. ~~The procedure to follow for each type of item is as follows:~~

1. Consent Calendar Item ~~Procedure~~

- a. Mayor reads the title of each item on the consent calendar.
- b. Mayor ~~Asks Town Council~~ if any Councilmember would like to there are Items to be W withdrawn any items from the consent calendar.
- c. ~~Town Council members~~ states items to be withdrawn, if any or states no items to be withdrawn
- d. Public Comment on Consent Calendar
- e. ~~d.~~ Mayor Asks for a Motion to approve all items on the Remainder of the Consent Calendar that were not withdrawn.
- f. ~~e.~~ Motion made and seconded to approve all items on the consent calendar that were not withdrawn, remainder
- f. Mayor asks for Public comment on all items on the consent calendar that were not withdrawn, remainder.
- g. Vote on all items on the consent calendar that were not withdrawn, remainder
- h. Withdrawn items are read-introduced, discussed, moved, publicly commented on, and voted on by mayor one at a time, individually
- i. Mayor asks for a motion on the individual item
- i. Town Council discussion on individual items
- j. Motion and Second to Approve on Individual Items Public comment on individual items
- k. Vote on individual items

2. Public Hearing, Discussion and/or Action Item ~~Procedure~~

- a. Mayor ~~bangs gavel once and~~ opens a public hearing on agenda item and/or, reading the title thereof, as stated on agenda
- b. Presentation by staff.
- c. Town Council questions of staff.
- d. Presentation by applicant.
- e. Town Council questions of applicant.
- b. ~~f.~~ Mayor asks for Public comment. :-
- e. ~~g.~~ Mayor closes the public hearing
- h. Motion made and seconded regarding the item, to approve town council discussion
- d. :-
- e. ~~i.~~ motion and second to approve Town Council discussion of the item.

- f. i. Mayor calls for the Vote.
3. Discussion and/or Action Item Procedure
- a. Agenda item is read by Mayor
 - b. Presentation by tTown staff
 - c. Town cCouncil questions of tTown staff
 - d. Presentation by applicant
 - e. Town cCouncil questions of applicant
 - f. Mayor asks for Public comment on the item
 - g. Town Council Discussion
 - h. Motion made and Seconded regarding the item to Approve(if planning item, discuss and make necessary findings)
 - i. dMayor calls for the Vote
4. 3. Resolution Procedure
- a. Agenda Item is read by Mayor.
 - b. Town Council questions of Town staff.
 - c. Public comment.
 - d. Town Council Discussion
 - e. d. Motion made and Seconded regarding the item to Approve
 - e. Town Council Discussion.
 - f. Mayor calls for the Vote.
5. 4. New Ordinance Procedure
- a. Agenda Item is Read by Mayor
 - b. a. Motion to read all ordinances by short title Avote
 - e. b. Ordinances read by Town Attorney either individually or all consecutively
 - d. c. Town Council questions of Town staff.
 - e. d. Public comment.
 - e. Motion and Second to Approve.
 - f. Town Council Discussion.
 - g. Motion and Second to Approve
 - h. g. Mayor calls for the Vote.
6. Multiple Ordinance 2nd or 3rd Reading
- a. Motion to read all Ordinances by Short Title/Vote
 - b. Ordinance is read by Town Attorney
 - c. Public Comment
 - d. Town Council Discussion
 - e. Motion and Second to Approve
 - f. Vote

D. At histheir discretion, the Mayor may allow additional Town Council Questions of Town Staff, Town Council Questions of the Applicant, and/or Public Comment at any time hethey deems appropriate.

E. “Robert’s Rules of Order” shall be followed in conducting Council Meetings, unless a majority of the Town Council rules otherwise.

~~F.E.~~ The Chief of Police, or ~~their~~
designated subordinate, shall serve as Sergeant-at-Arms to preserve order in the Chambers
during in-person meetings, ~~as directed by the Mayor~~.

Section V. Conduct of Other Regular or Special Meetings.

The conduct and order of business of ~~R~~regular or ~~S~~special meetings other than those ~~R~~regular meetings held at 6:00 PM shall be determined by the Town Clerk with input from the Mayor, ~~T~~Town Manager, and their designees.~~Assistant Town Manager and Community Development Director.~~

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Section ~~5~~VI. Vice Mayor.

Each January, or whenever the Mayor deems appropriate, pursuant to W.S. §15-1-108(a)(i), the Mayor shall appoint a Councilmember to serve as the Vice Mayor or Mayor Pro-Tem. In the absence of the Mayor, the Vice Mayor shall preside at all meetings of the governing body and/or perform other Mayoral duties as requested.

Section ~~6~~VII. Rules of Debate.

- A. In obtaining the floor, every Councilmember shall first address the Mayor, gain recognition by the Mayor, and shall confine himself or herself~~themselves~~ to the question under debate,~~avoiding personalities and indecorous language.~~
- B. ~~Members of the Town S~~Staff members, after recognition by ~~the~~ Mayor, shall hold the floor until completion of their remarks or until recognition is withdrawn by the Mayor.
- C. No Councilmember shall ~~be allowed to~~ speak more than once upon any particular subject item until every other Councilmember desiring to speak upon the subject item ~~has do so shall have~~ spoken. No Councilmember shall ~~be allowed to~~ speak longer than five (5) minutes the first time, or three (3) minutes the second or subsequent times, on any one particular subject item, except by majority vote of the Town Council. No Councilmember shall ~~be allowed to~~ speak more than three (3) times on the subject item without the express consent of the Mayor.

Section ~~7~~VIII. Addressing the Town Council.

- A. Each person desiring to address the Town Council either under the ~~P~~public ~~C~~comment section or under the public comment period for a particular item shall, ~~whether via a virtual platform or the approach the~~ lectern in ~~person, state his or her~~their full name and address for the record; state the subject ~~he or she~~they wishes to discuss; state whom ~~they~~he or she ~~is~~are representing, if ~~he or she~~they represents an organization or other person(s); and, unless further time is granted by majority vote of the Town Council or the Mayor, ~~shall limit his~~their remarks to three (3) minutes.
- B. Public comment made by phone, video, or any other form of electronic communication, in a non-virtual meeting shall not be permitted with the exception of applicant or consultant presentations ~~or and~~ interviews for advisory or joint powers boards, as approved in advance of the meeting by the Mayor or Town Manager.
- C. All remarks shall be addressed to the Town Council as a body~~whole~~ and not to any individual member thereof.
- D. No question shall be asked of a Councilmember or a member of the ~~Town S~~Staff without the permission of the Mayor. After permission of the Mayor, a question may be asked, but neither ~~Town S~~Staff nor the Councilmember to whom the question is directed shall answer the question during the public comment period.
- E. In order to expedite matters and ~~to~~ avoid repetitious presentations, whenever any group of persons wishes to address the Town Council on the same subject matter, it shall be proper for the Mayor

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to request that a spokesperson be chosen by the group to address the Town Council and, in case additional matters are to be presented by any other member of said group, to limit the number of such persons addressing the Town Council.

Section 8IX. Rules of Decorum.

- A. While the Town Council is in session, ~~the Council~~ members must preserve order and decorum. ~~No, and a Council member, shall neither~~ by conversation or otherwise, ~~shall~~ delay ~~nor~~ interrupt the proceedings, ~~disturb~~ of the ~~peace order~~ of the Town Council, ~~nor disturb~~ interrupt any ~~Council member~~ while speaking, ~~nor~~ refuse to obey the orders of the Mayor. ~~Members of the Town Council shall not leave their seats during a meeting without first obtaining the permission of the Mayor.~~
- B. ~~Members of the Town Staff and employees~~ shall observe the same rules of order and decorum as are applicable to the Town Council, ~~with the exception that members of the Town Staff may leave their seats during a meeting without first obtaining the permission of the Mayor.~~
- C. Any person making impertinent, slanderous, or profane remarks or who becomes boisterous while addressing the Town Council shall be called to order by the Mayor and, if such conduct continues, may at the discretion of the Mayor be ordered barred from further audience before the Town Council during that meeting.
- D. Any person in the audience who engages in ~~criminal disorderly~~ conduct as defined in the Jackson Municipal Code ~~by loud or unnecessary talking, hallooing, or by any threatening, abusive, profane, or obscene language, or violent actions,~~ or, by any ~~other~~ rude behavior, interrupts, molests, or disturbs a Town Council Meeting, upon instructions from the Mayor, ~~it shall be the duty of the Chief of Police or his designee to may be removed any such person from the meeting by the Chief of Police, or their designee Sergeant-at-Arms, or by appropriate staff managing the virtual meeting Council Chamber and charge that person with Disturbing Meetings as provided for in 9.40.010 of the Jackson Municipal Code~~
- E. Matters before the Town Council in a meeting will normally be handled in one of the following manners:
 - 1. Acted upon.
 - 2. Placed under Matters from Mayor and ~~Town~~ Council for action later on in the meeting.
 - 3. ~~Received and~~ referred to Town ~~S~~ staff for further research and ~~presentation a recommendation for~~ at a future meeting.
 - 4. Received and filed without action.
 - 5. Continued, pending further consideration or the receipt of ~~information to/by staff a report.~~
 - 6. Referred to the Town Manager for placement on an upcoming meeting.
 - 7. ~~Tabled.~~

Section 9X. Motions.

~~A. The process of motions is that w~~When a motion is made and seconded, it ~~shall may~~ be stated by the Mayor or the Town Clerk before ~~a vote on said motion is taken~~. ~~Any Council-member may ask that a motion be restated or displayed on screen for clarity prior to voting. Restatement of the motion may be by the Mayor or delegated to any Councilmember or staff personmember.may be deferred to the maker of the motion or the Town Clerk.~~

~~A.B.~~ A motion shall not be withdrawn by the mover without the consent of the seconder.

~~B.C.~~ If the question contains two or more divisible~~conable~~ propositions, the Mayor may, and upon the request of a Councilmember, shall, divide the same.

~~D. —b.~~ No motion is before the Town Council until it has been seconded.

~~e. The precedence of motions is w~~When a motion is before the Town Council, no other motion shall be entertained except:

1. To adjourn.
2. To fix the hour of adjournment.
3. To lay on the table (postpone indefinitely).
4. For the previous question (to vote immediately).
5. To postponetable to a certain day,
6. To refer (to a committee or a member of the ~~Town S~~staff for report).
7. To amend or to substitute another motion.
8. To refer to the Town Manager for placement on a future meeting agenda.

These motions have precedence in the order indicated. The first four (4) motions are not debatable, though it is always permissible to raise a point of order on the proper use of any motion and it is also permissible in order to appeal ~~from the decision on~~ the point of order. Once an item of business has been disposed of, it is not available for further debate except upon a motion and majority vote to reconsider pursuant to subsection G hereof.

E. Friendly Amendments. A Council-member may offer a friendly amendment to a motion that has already been made and seconded. If the motion maker and the second accept the request for the friendly amendment, the motion is thereby deemed amended and, when the Mayor calls for the vote, the vote is on the motion as friendly-amended.

~~C.F.~~ Reconsideration. A Councilmember may make a motion to reconsider the vote on a particular item to permit correction of hasty, ill-advised, or erroneous action; or to take into account added information; or to address a changed situation that has developed since the taking of the vote. Because of the investment made by members of the public to attend specific Council meetings to hear entire presentations and debate, to make public comments, and hear the vote on a particular item, motions to reconsider are strongly discouraged.

1. A motion to reconsider shall occur either at the same meeting where the original vote was taken, or at the next regular or special ~~Town Council~~ meeting; prior to the approval of the minutes of the meeting during which the original vote was taken.
2. A motion to reconsider must be made by a Councilmember who voted on the prevailing side.
3. A motion to reconsider can ~~then~~ be acted upon immediately or it can be delayed until a future Town Council meeting.

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4. ~~If the motion to reconsider will be acted on immediately:~~ **Action:**
 - a. ~~Debate, a motion, and a vote can then occur~~ as to whether ~~there is added information, a changed situation, whether a Councilmember felt they made a hasty decision, etc.~~ the conditions of Section X.G.1. have been met.
 - b. If the ~~motion~~ vote to reconsider is successful, the item is then before the Town Council for action pursuant to the original motion ~~as stated previously at the previous meeting~~. Additional information can then be presented and discussed. The vote on the original motion is then called for and taken.
 - c. ~~The minutes reflect the original action and the reconsideration of the previous meeting are then approved as amended to include the reconsideration and outcome.~~
 - d. ~~If the vote to reconsider fails, the minutes reflect said failure for the previous meeting are then approved as presented and the meeting continues.~~
5. ~~If the reconsideration will occur at a future meeting:~~ **Delayed Action:**
 - a. The Mayor directs the Town Clerk to place the reconsideration item as the first action item on the next agenda and to place the minutes of the previous meeting as the first item immediately following reconsideration ~~next action item after the item in question~~.
 - b. Public notice for the subsequent meeting includes that ~~is then given that~~ the Council intends to reconsider the outcome ~~vote on of the previous vote taken on~~ the item in question.
 - c. At the subsequent meeting, debate, a motion, and a vote occurs as to whether the conditions of Section X.G.1. have been met. ~~the motion to reconsider is Called Up by the Mayor. Debate can then occur as to whether there is added information, a changed situation, whether a Councilmember felt they made a hasty decision, etc.,~~
 - d. If the ~~motion~~ vote to reconsider is successful, the motion before the Town Council is the same as it was stated in the original meeting. Additional information can then be presented and discussed, amendments to the original motion can be made, and a vote taken.
 - e. The minutes of the previous meeting are then approved as amended to include the reconsideration and outcome.
 - f. If the vote to reconsider fails, the minutes of the previous meeting are approved as presented and the meeting continues.

Section 40XI. Voting.

On the passage of every motion, the vote shall be taken and entered in the record by the Town Clerk.

- A. Every Councilmember should vote unless disqualified by a conflict of interest.
- B. The failure of a Councilmember to voice ~~his or her~~ their vote will be considered as ~~his or her~~ their having cast an affirmative vote on the motion.
- C. Abstention. (To refrain from voting)
 1. ~~Councilmembers may abstain from voting as they cannot be compelled to vote. An abstention on a motion based on a conflict of interest is appropriate and expected. Abstention on a motion in the affirmative, where no conflict of interest exists, is discouraged and has the same effect as a negative vote. While it is the duty of every member~~

who has an opinion on the question to express it by their vote, one cannot be compelled to do so. A Councilmember, though it is discouraged, may abstain from voting.

1. An abstention has same the effect as if the member voted on the prevailing side
2. Councilmembers abstaining from a vote due to a conflict of interest shall not participate in the debate on that matter prior to the vote being taken.
3. Councilmembers abstaining from debate and voting on a motion due to a conflict of interest may briefly state their reason for the abstention prior to debate occurring.

D. Recusal. (To disqualify oneself from participation in debate and voting on grounds such as prejudice or personal involvement)

1. Councilmembers may recuse themselves for cause by publicly stating the reason for their disqualification. When ~~it has been determined that~~ a Councilmember ~~has cause for~~ recusing himself or herself ~~themselves~~ from voting on a particular ~~matter item~~ then before the Town Council, said Councilmember shall not remain in ~~his or her~~ their seat nor, if it is a virtual meeting, appear via the electronic platform during the debate and vote on such ~~matter item~~. The Councilmember, but shall request and be given permission of the Mayor to step down from the Council Table and either take a seat in the audience, or leave the Council Chamber, or turn off their video monitor during a virtual meeting. —A Councilmember recusing ~~himself or herself~~ themselves shall not be counted for purposes of a part of a the quorum and shall be considered absent for the purpose of determining the outcome of any vote on such ~~matter item~~. Stepping down from the Town Council for an item shall be so noted in the minutes of that meeting.
2. If a Councilmember is requested to recuse themselves with respect to an item-matter by another member, a party to the current matter, or anyone else who may be affected by a decision relating to the matter item, the member must decide whether to recuse themselves. If the Councilmember If the Mayor or a Councilmember contends that there is no clearly disqualifying conflict of interest, the matter of disqualification shall be decided by the Town Attorney.

Section 12XII. Consent Calendar.

The consent calendar shall contain any and all items ~~Town Staff~~ for the Town Council believes determines are routine and ~~appear to be lacking the need for~~ do not require debate or discussion. This includes minutes, disbursements, special event requests, bid awards, contracts for projects previously authorized, and the like. All contracts shall, before presentation to Town Council, have been approved as to form and legality by the Town Attorney. The Mayor or any Town Councilmember may pull an item off of the consent calendar to be considered individually.

Section 12XIII. Ordinances.

Where the particular ordinance has been prepared in advance.

- A. On first reading, an ordinance shall be accompanied by a ~~Town Staff~~ report.
- B. ~~Upon unanimous vote, a~~ All readings of ordinances may be made by title only. ~~Otherwise it must be read in full.~~ Upon completion of the appropriate reading by the Town Attorney, the Town Council may, by majority vote, make any changes or amendments it desires.
- C. Upon second or third reading, ~~if~~ the ordinance is substantially or materially changed at the time of second or third reading this time, the reading must be considered a first reading. No ~~Town Staff~~ report is required for second or third reading.
- ~~D. Upon third reading, if the ordinance is changed at this time, the reading must be considered a first reading. No Town Staff report is required for third reading.~~
- ~~E.D.~~ Following the third reading, and at least ten (10) days after the first reading, except for emergency ordinances, upon motion made and seconded, the ordinance is adopted if there are at least three (3) affirmative votes.
- ~~F.E.~~ Ordinances shall become effective pursuant to Title 15 of the Wyoming Statutes.
- ~~G.F.~~ It is the duty of the Town Clerk to publish ordinances pursuant to Title 15 of the Wyoming Statutes. ~~Ordinances shall be published between 2nd and 3rd reading so that they become effective upon 3rd reading except for charter ordinances, ordinances related to annexation, or any other ordinance as directed by the Town Attorney.~~
- ~~H.G.~~ Emergency ordinances may be read by short title; require $\frac{3}{4}$ of the qualified members of the governing body or four (4) affirmative votes for passage; require only one reading; and become effective immediately upon adoption. They may be declared void if no true emergency existed. No franchise may be granted by emergency ordinance.
- ~~I.H.~~ All ordinances shall, before presentation to the Town Council, have been approved as to form and legality, by the Town Attorney.

Section 12XIV. Resolutions.

- A. Where the particular resolution has been prepared in advance, the procedure is:
 - 1. Resolution title is read by the Mayor.

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2. -Town Council questions of ~~Town Staff~~;

3. Mayor asks for ~~Public Comment~~;

4. Mayor asks for a ~~Motion and Second~~;

5. Town Council discussion, ~~Motion, second~~;

6. Mayor calls for the vote.

—It is not necessary to read in full, as long as the resolution is sufficiently identified. However, any Councilmember may demand that it be read in full. ~~Resolutions shall be published in full in the text of the minutes and do not require separate publishing.~~

~~A-C.~~ All resolutions shall, before presentation to the Town Council, have been approved as to form and legality, by the Town Attorney.

Section ~~14~~XV. Town Council Minutes.

The minutes are the responsibility of the Town Clerk until presented to the Town Council for approval; the Town Council may at the time of presentation for approval, then, by motion make such corrections as conform to fact. The minutes shall be published pursuant to Wyoming Statutes.

Minutes of executive sessions are the responsibility of the Town Attorney. If the Town Attorney is not present at an executive session, the Mayor shall take minutes or delegate the task to a Councilmember.

Section ~~15~~XVI. Order of Business.

The order of business for regular meetings held at 6:00 PM on the first and third Monday of each month ~~regular order of business for regular meetings~~ shall be:

- A. Opening
 - 1.Call to Order
 - 2.Pledge of Allegiance
 - 3.Roll call
 - 4.Announcements and Proclamations
- B. Public Comment (public comment is reserved for questions and comments from the public on items that are not otherwise included in the agenda)
- C. Consent Calendar
 - 1.Minutes
 - 2.Disbursements
 - 2-3. Additional items deemed appropriate by staff or the Mayor
- D. Public Hearings, Discussion and/or Possible Action Items
- E. Resolutions
- F. Ordinances
- G. Matters from Mayor and ~~Town~~ Council
- H. Matters from the Town Manager
- I. Adjournment

The regular order of business may be suspended at any time by the Mayor or by a majority vote of ~~a quorum of the Town Council present, in order to take up a matter on the agenda out of its regular order.~~ The order of business for meetings, other than regular meetings, shall be determined by the Town Clerk,

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with input from the Mayor, Town Manager, or their designees, based on the anticipated needs of the Town Council.

Section 16XVII. Agendas and Packets for Meetings.

A. Regular Meetings. Agendas and ~~P~~packets for regular meetings shall be prepared by the Town Clerk. Agendas for regular meetings shall be closed at 102:00 ~~A~~P.M. on the ~~Wednesday~~Thursday preceding the meeting. The agenda shall be finalized by the Town Clerk with input from the ~~Town Manager and the~~ Mayor ~~and~~, Town Manager, or their designees.

B. The Mayor may add or remove items from the upcoming agenda presented by staff for a 6:00 PM regular meeting except for:

1. General order of business items in Section XVI.A (ex: call to order, approval of minutes, etc.); or
2. Statutorily required items or public hearings (ex: required public hearings for liquor licenses); or
3. Items required included in a procedural timeline established in by the Municipal Code or Land Development Regulations (ex: Conditional Use Permits, Final Plats, Annexation Public Hearings, Liquor License Public Hearings, etc.); or
4. Items listed under Matters from Mayor and Council ~~if requested by the Mayor or Councilmembers at or before 12:00pm on the fifth day prior to the regular meeting and provided in title to the Town Clerk by members of the Town Council to be listed under Matters from Mayor and Council prior to 12pm 5 days prior to the regular meeting.~~

A.C. ~~Matters~~ Items on a the agenda of a 6:00 PM regular ~~meetings held at on the first and third Monday of each month meeting agenda are comprised of~~ may include the following:

1. Announcements. Announcements do not need to be accompanied by a ~~Town S~~staff report. Announcements notify the public of upcoming meetings, schedule changes, new employee introductions, office closings, and the like. Announcements do not require Town Council action and can be recommended for addition to the agenda by ~~the Mayor or~~ any Councilmember or ~~Town S~~staff member.
2. Proclamations. Proclamations do not need to be accompanied by a ~~Town S~~staff report. Proclamations notify the public of community-wide events, such as burn week, or of issues of community significance such as commendations, remembrances, and the like. Proclamations do not require Town Council action and can be recommended for addition to the agenda by ~~the Mayor, a majority of Council, any Councilmember or Town the Town Manager or their designee~~ a ~~S~~staff member.
3. Public Comment. This item on the agenda is reserved for questions and comments from the public on items that are not ~~otherwise already~~ included on the agenda. If prior notification has been given that a citizen intends to speak under Public Comment, their name shall be so listed on the agenda. If documents are provided prior to finalization of the Town Council packet, those items shall be included in the packet.
4. Consent Calendar. ~~See Section XII. The consent calendar shall contain any and all items Town Staff or the Town Council believes are routine and appear to be lacking the need for debate or discussion. This includes minutes, disbursements, special event requests, bid awards and the like. Any item on the consent calendar other than minutes, disbursements or the Municipal Court Report shall be accompanied by a Town Staff report.~~

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5. Public Hearings, Discussion, and/or Possible Action Items. Items in this section shall be accompanied by a ~~Town Staff~~ report. This section of the agenda is for ~~liquor license~~ public hearings ~~and action, planning items~~, administrative items, departmental action items, contracts, ~~easements~~, public infrastructure project authorizations, and the like. ~~All contracts, prior to presentation to Town Council shall have been approved as to form and legality by the Town Attorney.~~
6. Resolutions. Resolutions ~~shall may~~ be accompanied by a ~~Town Staff~~ report. Resolutions are related to policy matters, budget adoption or amendment, elected official commendations, ~~parking schedule or speed limit~~ schedule amendments, and the like. Resolutions may amend the Municipal Code if ~~the enacting an~~ ordinance allows amendment by resolution. Resolution numbers are designated by the Town Clerk ~~and shall be so numbered as to represent the year of adoption.~~
7. Ordinances. ~~See Section XIII. Ordinances presented for first reading shall be accompanied by a Town Staff report. Ordinances presented for second or third reading do not require a Town Staff report. Ordinances shall be designated with a letter of the alphabet upon first reading and shall retain that letter until passed on third reading. The agenda shall specify which reading is before the Town Council. Upon presentation for third reading, the agenda shall specify the ordinance number to be designated per the Town Clerk. Ordinance readings shall occur at consecutive regular Town Council meetings unless directed otherwise by the Mayor, Town Manager or Town Attorney.~~
8. Matters from Mayor and Town Council. Items listed in this section of the agenda may be presented by the Mayor or any Councilmember and may be accompanied by a staff report. Town Staff may also present items for Town Council consideration in this section with the Mayor's authorization. This section of the agenda is utilized for items and actions including, but not limited to:
 - a. Travel authorizations.
 - i. Action for pre-approval of travel authorization and expenditures for Town Councilmembers to attend specific conferences in advance of the conference.
 - ii. Travel authorizations must may be Aaccompanied by a staff report.
 - b. Designation of meeting delegates to various meetings and conventions.
 - i. Action for approval of a voting delegate(s) for upcoming meetings/conventions.
 - ii. A Sstaff report is optional for this item.
 - c. Board appointments.
 - i. Action for board member appointments pursuant to ,depending on the legalapplicable legal procedure, for the Mayor to appoint a board member and for the Council to act on their advice and consent, or for the majority of Council to appoint a board member.
 - ii. Board appointments must may be Aaccompanied by a staff report stating, at least, designating the board at issue, the qualifications for appointment, that the candidates meet the qualifications, the term(s), and the candidatesnames available for the appointment.
 - d. Announcements regarding Councilmember out of office plans.
 - i. Action to announce when the Mayor or a Councilmember plans to be unavailable for meetings or communication.
 - ii. No staff report is provided with this item.
 - e. Future meeting date/time setting.

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- i. Action to either announce a selected meeting date/time by general consent or to approve a motion to set a specific meeting date/time.
 - ii. A staff report is optional for this item.~~No staff report.~~
 - f. Items listed in title by a Councilmember of the Town Council.
 - i. Action to either place the requested item on an agenda in the next 30 days, the motion is made or promote the item to a Council Priority (and added to the Work Plan for a department) taken after is for the requesting Councilmember of Council to provides a brief summary about an the item (3 minutes) and make a motion to place it on an agenda in the next 30 days, to consider promoting the item to be one of the Council's Priorities and have it added to the current year Work Plan for a specific department.
 - 1) If the motion fails, the item is added to the Potential Initiative List (PI List) for consideration at the next Town Council retreat.
 - 2) If the motion passes, at that future meeting, staff will present a staff report with information and a recommendation to the Council so that a determination can be made whether to:
 - a. Make it one of the Council's Priorities and add it to a specific Department's Work Plan, and
 - b. Determine what item, in turn, would be removed from the Council's Priority List, and
 - c. Determine what item would be removed or delayed in the Work Plan for the specific Department.
 - OR
 - d. To add the item to the PI List for consideration at the next Town Council retreat.
 - ii. No staff report is provided with this item.
 - g. Town Council members may announce an item they wish to be added to the PI List for consideration at the next Town Council retreat and provide a brief summary, no more than three (3) minutes of the item. The item shall then be added to the PI List by staff.
8. ~~Items in this section of the agenda can be presented from any member of the Town Council and may or may not be accompanied by a Town Staff report and may or may not be listed on the agenda. This section of the agenda is for travel authorizations, designation of voting delegates to various meetings or conventions, or any item the Town Council may wish to bring up for Town Council consideration or discussion. Town Staff may also present items for Town Council consideration under this section of the agenda with authorization from a member of the Town Council. Town Council requests of Town Staff shall be directed to the Town Manager.~~
9. Matters from the Town Manager. This section of the agenda is for the Town Manager to report to the Town Council on the various activities of note of Town government operations and to notify the Town Council of upcoming meetings and scheduling. Items contained in the Town Manager's report may include issues recommended for affirmative Town Council action and the Mayor may take public comment. Upon presentation of the Town Manager's report, the Town Council moves to accept approve the Town Manager's report into the public record.~~acts on the acceptance of that report.~~

B.D. Special or Regular/Workshop 3:00 PM Meetings. Agendas and Pp~~ackets~~ shall be prepared for these Special/Workshop Mm~~eetings~~ by the Town Clerk. Agendas for Special/Workshop

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~~meetings shall be closed at 10:00 A.M. on the Thursday preceding the meeting or on the date so determined by the Town Clerk with input from the Mayor and; Town Manager, or their designees.~~ The agenda shall be finalized by the Town Clerk with input from the Mayor; and Town Manager, or their designees ~~and the Mayor.~~ Matters/Items on these/a Special/Workshop meeting agendas are ~~may include~~ comprised of the following:

1. Discussion and/or Action Items. These matters may require detailed discussion in an informal setting between Town Council and Town Staff, Town Council and other appointed boards, Town Council and citizen groups, or Town Council and individual applicants requesting Town Council action. Matters before the Town Council at a special or regular 3:00 PM/workshop meeting may be items requiring additional time for review of details or requests, draft ordinances for discussion purposes, complex public infrastructure projects, or items Town Staff is desirous of feedback on prior to placement on a regular meeting agenda for action. Public comment may or may not be taken on these items and is dependent upon statutory or municipal code requirements or whether public comment has already been taken on the item previously or is planned for a date in the future.
2. Set Next Workshop Agenda. Town Staff shall recommend to the Town Council a proposed listing of matters-items to be placed on upcoming workshop agendas. Changes to the listing of items may be made by the Mayor or a majority vote of the Town Council. The Town Council may add, delete, or rearrange this listing during the meeting by motion and a majority vote. ~~Additional items for upcoming workshops shall be finalized by the Town Clerk with input from the Town Manager and the Mayor.~~

C.E. General.

- ~~1. Items submitted from the public are due to the Town Clerk two (2) weeks prior to the packet deadline for a particular meeting in order to provide Town Staff sufficient time to review the request and prepare a Town Staff report and recommendation to the Town Council.~~
- ~~2.1. Agendas and packets for regular meetings shall be produced by the Town Clerk and distributed/posted to members of the Town Council and the public on a timeline established by the Town Manager or their designee with input from the Mayor, or their designees. by no later than 4 o'clock p.m. on the Thursday preceding the meeting. A hard copy packet shall be provided to each of the five (5) Town Council members, the Town Clerk, the Town Manager and the Town Attorney. An electronic version of the agenda and packet shall be constructed by the Town Clerk and posted on the Town's website no later than 4 o'clock p.m. on the Thursday preceding the meeting. The Town Clerk shall provide e-mail notice of agendas to anyone requesting such notice.~~
- ~~3. Agendas and packets for other meetings, shall be produced by the Town Clerk and distributed to members of the Town Council in the same manner as regular meetings unless the timeframe does not allow it. If the timeframe does not allow sufficient time for such distribution, the Town Clerk shall produce the agenda, packet and provide notice at the next earliest opportunity.~~
- ~~4. Public hearings shall be set by:~~

- ~~a. The Town Council, when the law requires the Town Council to set the hearing.~~
- ~~b. The Town Clerk in all other cases.~~
- ~~c. Unless otherwise ordered by the Town Council or determined by the Town Clerk, public hearings shall normally be scheduled for the first item of business under Public Hearings, Discussion and/or Action Items at regular Town Council meetings.~~

Section 47XVIII. Town Council Board and Committee Liaisons.

- ~~A. The Town Council may appoint individual members to liaise ~~represent the Town Council at~~with various boards ~~s meetings~~ and committees ~~s meetings~~ throughout the community.~~
- ~~B. Each January, or as soon thereafter as the Town Council deems appropriate, the Town Council shall review the list of board and committee liaisons and make changes as they deem necessary. These liaison appointments shall be by majority vote mutually agreed upon by the Town Council and shall remain valid until changed. Individual Councilmembers serving as a liaison shall not represent themselves as speaking for the Town Council on any matter or in any respect unless directed to do so by majority vote of the Town Council on individual matters as they arise. The Councilmember's role as liaison is to remain informed of the board or committee's issues and be a conduit for information to be relayed back to the Town Council. Depending on the board or committee's bylaws, the Councilmember may be a voting member or may be an ex officio member or may simply attend the meetings to remain informed without actually serving on the board or committee.~~
- ~~C. Council liaisons primary role is that of facilitator of communications from the relevant board or committee to the Council. As a liaison, Councilmembers should not be an advocate for the board or committee for whom they liaise, give direction, or influence a decision of that board or committee. Rather, as a liaison, Councilmembers:~~
 - ~~a. Assist and provide information to the board or committee; and~~
 - ~~b. Act as a spokesperson on behalf of the Council when so directed by the Council when seated as a body; and~~
 - ~~c. Act as a contact person, if the board or committee, or an individual member thereof, wants such a channel of communication.~~
- ~~D. A Councilmember who is appointed to sit as a member of a board, commission, or committee is not a liaison.~~
- ~~E. Attendance is discretionary, however, despite attendance not being required, it is strongly encouraged.~~

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Section 48XIX. Town Staff Reports.

The Town Manager shall approve all ~~Town S~~staff reports prior to placement in the packet for any ~~Town~~ Council meeting as ~~he they~~ deems necessary. ~~The Town Council may, at its discretion, request a Town S~~taff Report from the Town Manager on any matters under consideration. ~~The Town Manager may then assign the Town Staff report to any member of Town Staff.~~

- ~~a. Members of the Town Staff may, at their discretion, initiate and submit to the Town Council reports on any matters before the Town Council or any matter deemed important with the Town Manager's~~

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~~approval. These reports may be listed on the agenda, or they may be submitted to the Town Council outside of the agenda at the Town Manager or Town Attorney's discretion.~~

~~b.~~ Town Staff reports shall be prepared in a format deemed appropriate as determined by the Town Manager.

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Section 19XX. Town Attorney.

The Town Attorney is retained to provide legal advice and assistance to the ~~Town~~ Council, staff, Commissions, boards, and the Town Staff, and other bodies deemed appropriate by Council. Individual ~~Council~~ members ~~shall of the Town Council wishing to have the Town Attorney undertake any research or the preparation of any resolution or ordinance shall first obtain authorization from the Town Council prior to requesting the Town Attorney undertake research, legal work, or prepare resolutions and ordinances;~~ or, in matters of extreme ~~emergency~~urgency, Councilmembers shall first obtain authorization from the Mayor for the same. Individual Town-Staff members ~~wishing to have the Town Attorney undertake any research or the preparation of any resolution or ordinance shall first obtain authorization from their Department Director, or, if their department director is unavailable, and in some cases the Town Manager, prior to requesting the Town Attorney undertake research or legal work.~~

Section 20XXI. Research for Members of the Town Council.

Individual Councilmembers shall refrain from requesting opinions or research from ~~Town Staff~~ and shall direct all inquiries and requests through the Town Manager, or their designee. ~~Individual Councilmembers shall direct all requests through the Town Manager, or the Assistant Town Manager, or the Community Development Director except simple matters related to citizen information requests.~~

Section 21XXII. Official Correspondence from the Mayor or Members of the Town Council

The Mayor shall be designated and authorized to represent the Town Council and author letters on issues supported by a vote of the Town Council. ~~The Mayor shall also be authorized to author letters on behalf of the Town of Jackson organization when a response is appropriate as determined by the Mayor or the Town Manager.~~ Individual Councilmembers shall refrain from using their position as a Councilmember to send official letters on Town letterhead in support of or in opposition to issues without a vote of approval from the Town Council. The Mayor or any Councilmember may author personal letters of reference to individuals on Town letterhead so long as those letters do not indicate that they are representing the Town Council as a whole.

Section 22XXIII. Appointments.

- A. Mayoral Appointments. Mayoral appointments ~~that require the advice and/or consent of the Town Council~~ shall follow a procedure as determined by the Mayor. This procedure may involve advertising, accepting letters of interest, interviews by the Mayor, interviews by the ~~Town Council~~, interviews by ~~Town Staff~~, or any other procedure ~~as the Mayor deems appropriate~~. Any procedures used by the Mayor for the appointment may change at any time with or without notice provided. For Mayoral appointments that require the advice and/or consent of the Council, a majority of Council may set a procedure for providing their advice and/or consent and that procedure may involve interviews by the Council, interviews by staff, or any other procedure a majority of Council deems appropriate. Any procedure used by the Mayor may change at any time with or without notice provided. Any procedure used by the Council for the advice and/or consent may change at any time by majority vote of the Council.
- B. Majority of Town Council Appointments. Appointments that ~~are require~~ a majority vote of the ~~Town Council~~ shall follow a procedure as determined by majority vote of the ~~Town Council~~. This procedure may involve advertising, accepting letters of interest, interviews by the ~~Town Council~~, and interviews by ~~Town Staff~~ or any other procedure as the ~~Town Council~~ deems appropriate. Any procedure set forth by majority vote of the ~~Town Council~~ may change at any time by another majority vote of the ~~Town Council~~.

Section 23XXIV. Swearing In of New Members.

- A. Upon Election. Pursuant to Wyoming Statutes, the term of office for a person elected at the general municipal election commences the first Monday in January following the general election but before entering their duties, they must be administered the Oath of Office. The Town Clerk shall arrange a Swearing In Ceremony to be held on the first Monday in January in the morning, prior to any ~~regular or special~~ Town Council meetings being called to order.
- B. Upon Appointment. Upon appointment at a regular or special meeting, Pursuant to Wyoming Statutes and Jackson Municipal Code, when a vacancy exists in the governing body of a

~~municipality, the Town Council shall appoint an eligible person as successor. A vacancy in the office of Mayor shall only be filled by a member of the governing body. The appointment shall be made at a regular or special meeting of the Town Council and upon appointment, the Oath of Office shall be administered.~~

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ORDINANCE Q

AN ORDINANCE ADDING SECTION 2.04.060 AND 2.04.070 TO THE TOWN OF JACKSON MUNICIPAL CODE REGARDING ABSENCE AND VACANCIES IN ELECTED OFFICE; 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:

SECTION I.

There is hereby added Section 2.04.060 and 2.04.070 to the Jackson Municipal Code to read as follows:

2.04.060 Excused Absences; Vacancies; Procedure for filling.

A. Excusing Absences. Members of the governing body may be excused from participation at any meeting of the governing body at any time by a simple majority vote of the governing body.

B. Resolution Declaring Vacancy Required.

1. In order to declare a vacancy exists in the office of Mayor or Town Council pursuant to W.S. §15-1-107, the governing body must adopt a resolution declaring such.
2. The procedure for filling either a Council office or that of the Mayor may not begin until such a resolution is adopted.

C. Filling the Office of Mayor. If the office of Mayor is declared vacant, the procedure for appointment to fill such vacancy shall include at a minimum:

1. The Vice Mayor, or in their absence a senior member of the Town Council, will, at a regular or special meeting of the Town Council, call for nominations from the Council to determine who among them shall fill the office of Mayor until the next general election. Each Councilmember is limited to one nomination.
2. The Vice Mayor or in their absence a senior member of the Town Council, shall then call for a motion to vote on the member of the governing body who will fill the office of Mayor. The governing body shall select the Mayor by successive votes, if necessary, until one of the nominees receives a simple majority of the votes.
3. The member selected to fill the Mayoral vacancy will be required to resign their Council office when sworn in as Mayor.

D. Filling Vacancy in Council Office.

1. If a vacancy in the office of Council is declared, the procedure for appointment to fill such vacancy shall include at a minimum:
 - a. Applications shall be filed in writing to the Town Clerk on a form prepared by the Town Clerk. Applicants must meet all qualifications pursuant to the state law and applicable Town ordinances to be considered for and to hold office.
 - b. The Town Council shall select and publicly interview a maximum of five qualified applicants at a regular or special meeting of the Town Council.
 - c. Appointment shall be by motion and simple majority vote of the Town Council at a regular or special meeting of the Town Council.
 - d. The governing body shall select the appointee by successive votes, if necessary, until one of the qualified applicants receives a simple majority of the votes.
2. The procedure for appointment to fill a vacancy in the office of Council may include consideration and deliberation of the appointment in executive session.

E. Simultaneous Vacancies: If vacancies are determined to have occurred simultaneously, the governing body shall establish by resolution the sequence in which the vacancies are filled.

2.04.070 Vice Mayor.

A. Pursuant to W.S. §15-1-108(a)(i), the Mayor shall designate a Councilmember to serve as mayor pro tem or Vice Mayor in the Mayor's absence or inability to perform the duties of the Mayor.

SECTION II.

All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION III.

If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed as a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portions of the ordinance.

SECTION IV.

This Ordinance shall become effective after its passage, approval and publication.

PASSED 1ST READING THE _____ DAY OF _____ 20____.
PASSED 2ND READING THE _____ DAY OF _____ 20____.
PASSED AND APPROVED THE _____ DAY OF _____ 20____.

TOWN OF JACKSON

Hailey Morton Levinson, Mayor

ATTEST:

Lynsey Lenamond, Town Clerk

ATTESTATION OF TOWN CLERK

STATE OF WYOMING)
) ss.
COUNTY OF TETON)

I hereby certify that the foregoing Ordinance No. _____ was duly published in the Jackson Hole News and Guide, a newspaper of general circulation published in the Town of Jackson, Wyoming, on the _____ day of _____ 20____.
I further certify that the foregoing Ordinance was duly recorded on page _____ of Book _____ of Ordinances of the Town of Jackson, Wyoming.

Lynsey Lenamond, Town Clerk

STAFF REPORT



Meeting Date:	October 11 th , 2021	Meeting Title:	Special Town Council Workshop
Submitting Department:	Administration	Presenter:	Larry Pardee
Agenda Item:	Future Funding of Local Government	Public Comment:	Yes

This staff report has changed from the September 13th report and staff has removed the large attachments from Phases 1 and 2 which included both 2004 – 2021 Revenues and Expenditures sections.

Purpose & Policy Considerations.

The purpose of this item is for Council to give direction on a framework for moving forward with the Council Priority - Future Funding of Local Government initiative.

Requested Action.

The desired outcome is to continue to evaluate, receive direction, and take next steps towards securing more diversified funding for the Town of Jackson in order to bring the community closer to achieving the desired Quality of Life through health, safety, and welfare of our community.

Recommendations.

To direct staff to proceed with the Future Funding of Local Government initiative.

Background.

At Town Council's January 2021 Retreat, Council members suggested potential priorities for the next two years, which were then discussed and ranked by each member. Future Funding of Local Government was one of the Council's top priorities. The goal of this initiative is to develop a Future Funding of Local Government framework including the identification of desired funding sources and matching of desired expenditures for all Town and Joint programs and departments. This initiative will start with Town staff developing a short and long-term implementation plan laying out a Future Funding of Local Government strategy for the Town, then working with Teton County to produce a similar strategy for joint programs and areas.

The Town began the Future Funding of Local Government initiative with the previous Council, with the goal to gain a thorough understanding of how the Town is currently funded, how revenue is allocated, and options for increasing sustainable recurrent funding. Based upon that discussion, the previous Council identified an additional penny (7th cent) of Sales Tax as the preferred option for addressing revenue diversification and shortfalls in the Town budget. This tax proposal was put to the Teton County voters in November 2020 and failed (passing in the Town but not in the County). In January 2021, Council again identified the Future Funding of Local Government as a priority to continue to work on both at the Town's Retreat and the Joint Retreat with Teton County.

Analysis

Goal and Desired Outcomes

The current goal for this initiative, developed by staff and the previous Council, is provided here as a starting point for discussion. During the September 13, 2021 Town Council Workshop on, Council discussed a few alternatives to the goal statement were identified to encompass the desired outcome(s) of the initiative. The current goal and two alternatives are as follows:

Current: To diversify, increase, and develop sustainable funding for the Town of Jackson

Alternative 1: To diversify and develop sustainable funding for the Town of Jackson

Alternative 2: To diversify and develop sustainable funding to meet the needs and desires of the community.

Staff wants to ensure there is a clear, common understanding of the goal for this initiative prior to moving forward, to ensure next steps align with Council's desired goal for the process.

Discussion Points: Does Council want to diversify, increase, and find new sustainable funding streams for the Town? Is the goal to increase revenue or could outcomes be achieved by reallocating existing revenue, shifting expenditures, or reducing levels of service? Is Council looking for sustainable sources of funding?

Next, staff has provided a draft framework for addressing the Future Funding of Local Government initiative. In order to assist Council in preparing for this discussion and facilitate the meeting, staff has identified “Discussion Points” throughout this report. This discussion will provide “initial” direction, and staff anticipates additional work at future meetings with more detailed drafts concluding with a final agreed upon framework.

Six-phase framework for moving forward with this initiative as follows:

- Phase 1 – Identification, review, and evaluation of historical, and current revenues
- Phase 2 – Identification, review, and evaluation of historical and current expenditures
- Phase 3 – Community Priorities Framework
- Phase 4 – Identification of Desired Future Expenditures
- Phase 5 – Identification/Matching of Funding Sources with Expenditures and Framework for Completing
- Phase 6 – Implementation Action Steps

Today’s Workshop

For today’s workshop, staff plans to work with Council starting with phase 4 along with discussion of the overall goal (phase 1) Staff has continued to provide an overview of all phases in this report for Council to see all the phases of the proposed discussion and how they fit together.

Phase 1 - Identification, review, and evaluation of historical, and current revenues -Discussed on September 13

Staff will review historical and current funding sources with Council, including a review of data trends, analysis of increases and decreases, if sources are sustainable or one time only, and who authorizes various sources of revenue. Staff has attached a Revenue Workbook for review prior to the workshop, but it is not expected. In addition, staff will discuss potential new revenues sources and review against the following criteria for initial consideration and evaluation:

Discussion Points: Does Council understand the source and collection method for current Town revenues? Does Council have additional criteria to consider when discussing potential new revenue? Does Council have any further new revenue sources they would like to consider?

Phase 2 - Identification, review, and evaluation of historical and current expenditures -Discussed on September 13

Staff will review with Council historical and current expenditure trends including how expenses break down in terms of the Community Priorities framework (included below). Staff has attached an Expenditures Workbook for review prior to the meeting, but it is not expected.

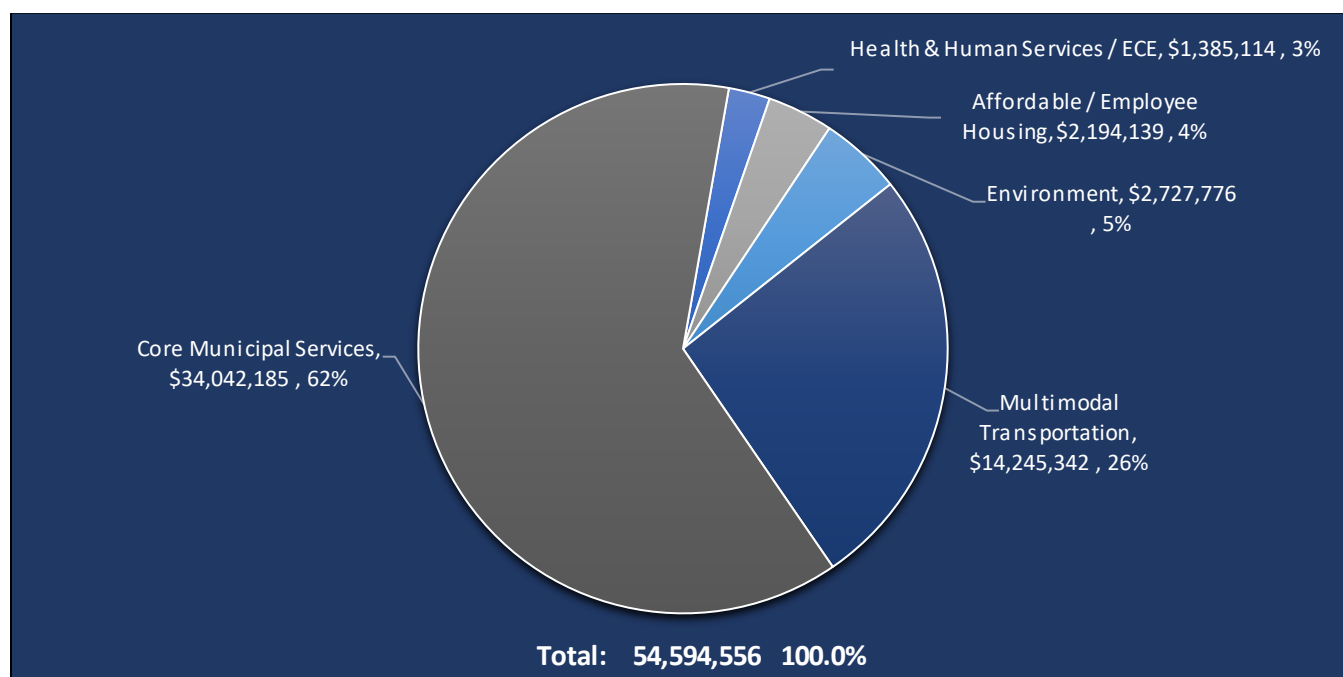
Staff will review all types of expenditures including services, programs, capital, contracts for service (health & human services), utilities, etc. and consider them through the following criteria:

Staff will also identify the current source(s) of funding for each expenditure to have Council better understand where and how all Town expenditures are currently being met.

Discussion Points: Does Council understand the Town’s historical and current expenditures? What questions does Council have regarding how the Town funds expenditures?

Phase 3 – Community Priorities Framework -Discussed on September 13

During this phase, staff will review the proposed Community Priorities Framework to group expenditures and revenues into the community's highest priorities for ease of comparison and discussion as follows:



The Town has tried a variety of different methods for grouping expenditures and funding in the past including the iceberg model (Programs, Planning & Potential), Comp Plan Common Values, Comp Plan Chapters, etc. It is staff's hope that the proposed Community Priority grouping utilizes the benefits from each of the previous versions to create a clear understandable summary of the Town's budget for Council and the community going forward. Staff have attached a Community Priorities Framework worksheet indicating what programs and services are included in each category should Council choose to review prior to the meeting.

Discussion Points: Does Council support the use of the Community Priorities Framework for budget discussions moving forward? Does Council have any changes to the programs or services provided in each category?

Phase 4 – Identification of Desired Future Expenditures – to be discussed on October 11

During this phase, staff will assist Council in identifying where Council would like to expend resources in the future. This may include increasing or decreasing current levels of service and/or adding or eliminating program areas. This step will include an estimate of how much, if any, additional funding is desired, but will not identify where additional funding would come from, which will be part of Phase 5. Discussion here may include status quo and/or expansion of existing programs, and new areas for Town involvement. For example, the Comprehensive Plan calls for identifying dedicated funding sources for Housing, Transportation, and Open Space. Council could determine if these three Community Priorities should receive further dedicated funding and, if so, how much and for what. Staff is providing the following worksheet for consideration by Council regarding this phase:

Community Priorities Framework	
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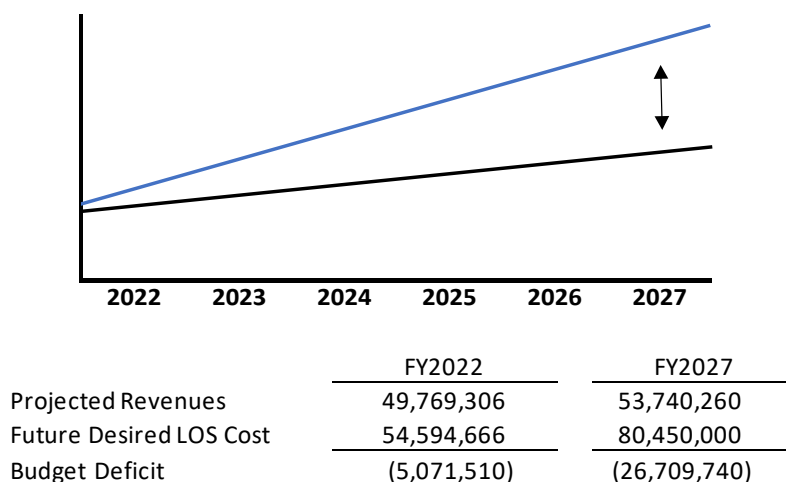
	Health & Human Services / ECE	Affordable / Employee Housing	Environment	Multimodal Transportation	Core Municipal Services	Totals
Current Approved LOS & \$	\$ 1,385,224 3%	\$ 2,194,139 4%	\$ 2,727,776 5%	\$14,245,342 26%	\$34,042,185 62%	\$54,594,666 100%
Future Desired LOS & \$	\$3,500,000 4%	\$4,200,000 5%	\$4,000,000 5%	\$20,000,000 25%	\$48,750,000 60%	\$80,450,00 100%

To begin this discussion, staff has drafted a 5-year budget projection to assist Council to think about potential changes to expenditures in the future to better align and support Council's priorities while maintaining, or in some cases, increasing core services. Department directors identified potential future expenditures in the 5 Community Priority Framework categories based on the 39 Priority Driven Budget programs. For each increase, staff identified the purpose of the expenditure, and whether it was a new area of Town service, an increase to an existing level of service, or something needed to maintain a current level of service. Staff notes that these projections have not been largely discussed or prioritized but are provided to give Council an estimate and idea of the magnitude of possibilities for future expenditures while maintaining and supporting core services. Moving forward, staff and Council will work to further develop the specific needs, priorities, and timing of these requests. In addition, it will be important to ensure that Council's top priorities are receiving the funding necessary to move them forward. Staff have attached at the end of the staff report a list of what 39 programs are included in each of the 5 Community Priority Framework categories along with the estimated dollar values for fiscal year 2022 and fiscal year 2027. Staff will provide an overview of what is included in each of the 5 categories at the workshop.

Discussion Points: Does Council generally support the estimated increases in the 5 Community Priorities Framework categories? What categories should be increased or decreased and for what in order to establish a desired future expenditure target?

Phase 5 – Identification/Matching of Funding Sources with Expenditures and Framework for Completing

During this Phase, the outcome of Phases 1 and 4 will be combined to identify the available and most appropriate type of funding for all desired expenditures. The criteria and evaluation completed during Phase 1 will be utilized to match the most appropriate funding sources (phase 1) with the desired expenditures through the Community Priorities Framework. Upon the conclusion of Phase 4, staff will prepare a draft plan to match the desired expenditures with potential funding sources in Phase 5. Staff will discuss matching principals and 2027 projections at that workshop.



Revenue / Funding Worksheet	How Much Revenue is generated	Is it Reoccurring or One Time	Who Needs to Authorize
Currently Allowed Revenues			
Sales & Use Tax 4 - cents	\$ 9,865,840	Reoccurring	Town / County
Sales & Use Tax 5th - cent (split 50% General & 50% Capital)	\$ 8,137,518	Reoccurring	Town / County
Lodging Tax 2%	\$ 1,224,113	Reoccurring	TOJ/TC / Community
Property Tax .05 mill	\$ 251,897	Reoccurring	Town
Fee's	\$ 1,279,143	Reoccurring	Town
Development Exactions & Impact Fees	\$ 156,800	Reoccurring	Town / County
START Revenues	\$	Annual Grant	Federal
Federal and State - Sources and Programs	\$	TBD	Federal / State
Total:	\$ 20,915,311		
Allowed but currently not utilized			
Additional 1 - cent local option or SPET from sales & use tax	\$ 8,137,518	Reoccurring	Town / County / Community
Additional Lodging Tax 2% - needs a vote	\$ 1,224,113	Reoccurring	Community
Property Tax 7.5 mills	\$ 3,280,473	Reoccurring	Town
Development Exactions & Impact Fees	\$ -	Reoccurring	Town / County
Surface Water Drainage (Stormwater)	\$	Reoccurring	Town
Bonding	\$ -	One Time	Town / Community
Improvement & Service Districts & Special Districts	\$ -	TBD	Town / Community
Downtown Managed (Paid) Parking	\$ -	Reoccurring	Town
Other -	\$ -		
Total:	\$ 12,642,104		
Currently not allowed and will need State Legislation			
Real Estate Transfer Tax	\$ -	TBD	State of WY
Unearned Income Tax	\$ -	TBD	State of WY
Other	\$ -		State of WY
Total:	\$ -		

Phase 6 – Implementation Action Steps

During this phase, based upon the outcome of the previous work, staff and Council will work to develop implementation action steps, and an associated timeline identifying parties responsible for implementation. It is staff's recommendation that the Town complete review of all Town programs and services prior to working with the County on joint departments and issues as follows:

- **Step 1: Town**
Town Council completes the Future Funding of Local Government process described herein.
- **Step 2: Town and County**
The Town and County work to complete a similar Future Funding of Local Government process for joint departments and areas similar to the one completed for the Town.

Schedule

Staff would like Council direction about the pace that Council would like to move this initiative forward, with a possible goal of completing it before the next budget cycle that begins in February.

In order to complete this initiative prior to next year's budget session, staff recommends a 6-month timeframe, with completion by February 2022. Based upon this, staff has identified the following meeting options for consideration:

1. Utilize thirty minutes to an hour from each monthly Town Council workshop to discuss
 - a. Regular workshops - Oct 18, Nov 15, Dec 20, and Jan 17
2. Add an hour (start at 2:00) to each monthly workshop to discuss
 - a. This option would only be utilized when the regular agenda (3:00 to 5:00) is full
3. Schedule Special Meetings on multiple days over a period of time (4-6 months)
 - a. Special workshops – Nov 8, Dec 13, and Jan 10
4. Etc.

Staff anticipates some combination of the above meeting options may be necessary to complete the project in a timely manner.

Discussion Points: *Is the proposed 6-month timeline for completion of this initiative realistic/desirable? What is the appropriate type(s) of meetings and schedule to ensure the desired goals of the initiative are achieved? Should completing discussions with Teton County occur during the proposed timeline or could that occur after?*

Alternatives (Optional).

Comprehensive Plan & Priority Alignment.

To successfully implement the Comprehensive Plan, Council must set priorities, be strategic, and be disciplined. A critical component is prioritizing and identifying the necessary level of funding to address desired goals, policies, and strategies. As a result, this project is critical to the successful implementation of the Community Priorities and Comprehensive Plan. Specifically, dedicated funding sources are identified for open space, transportation, and housing. In addition, many of the programs and strategies called for in the Comp Plan come at an additional cost to the community that current funding levels cannot accommodate. Chapter 8 - Quality Community Service Provision calls for *"Timely, efficient and safe delivery of quality services and facilities in a fiscally responsible and coordinated manner."*

Fiscal Impact.

None at this time.

Staff Impact.

Staff resources have been added through the adoption of the FY22 Budget including a Community Engagement Specialist, Community Development Director and reorganization of the Town Manager, Assistant Town Manager and Planning Director jobs. The staff impact of preparing this information for the August 30 meeting is approximately 40 hours. Staff is expecting to spend an additional 600 combined hours in order to complete the initiative. Work on this initiative includes time primarily from the Finance Director and Town Manager with additional time spent by the Community Development Director, Assistant Town Manager and other Department Directors.

Attachments or Links.

Community Priority Framework Categories with Priority Driven Budget Programs

Suggested Motion.

I move to direct staff to proceed with the Future Funding of Local Government initiative as described in this staff report, including any additional direction provided by Council at this meeting.

Community Priority Framework Categories with Priority Driven Budget Programs

Community Priority Groupings Workbook	
Health & Human Services/Initiatives	
1	Community Initiatives:
	Agency Description
	JH Historical Society & Museum
	Trash Collection
	Recycling Services
	Fireworks (4th of July)
	Jackson Hole Air
	Rodeo Grounds/Fair
	Energy Conservation Works
	Jackson Hole Public Art Initiative
	TC Historic Preservation Board
	Dancers' Workshop
	Yellowstone-Teton Clean Cities
	Teton Climate Action Planning (TCAP) Projects
	Total Community Initiatives:
2	Community Health & Human Services:
	Agency Description
	Community Entry Services
	JH Community Counseling
	Teton Youth & Family Services
	Children Learning Center
	Senior Center
	Community Safety Network
	ONE22
	Curran-Seeley
	Teton Literacy Program
	DUI/Drug Court
	CLIMB Wyoming
	Hole Food Rescue
	JH Children's Museum
	Immigrant Hope Wyoming Idaho
	Voices JH
	Cultivate
	Early Childhood Education
	CARES - Passthru Funds = \$1,493,944
	Total Community H&HS:
Affordable / Employee Housing	
	Agency Description
3	Affordable Housing
4	Employee Housing \$25,100,000
	Total Housing:

Multimodal Transportation	
	Agency Description
5	Joint - Teton Village Route
6	Joint - Town Shuttle
7	Joint - Commuter Routes
8	Joint - ADA On Demand
9	Joint - Grand Targhee
10	Joint - Bike Share
11	Joint - Jackson Hole Community Pathways
12	Pedestrian Mobility
	Total Multimodal Transportation:
Environment	
	Agency Description
13	Sewer Utility
14	Storm Water Management
15	JH Sustainability - Energy Conservation Works
	Total Environment:
Core Municipal Services	
	Core Municipal Services
	Agency Description
16	Joint - Fire & EMS
17	Joint - Parks & Recreation
18	Joint - Communications Center
19	Joint - Victim Services
20	Joint - Animal Control
21	Patrol Operations
22	Community Development/Long Range Planning
23	Investigations
24	Code Enforcement
25	Building Safety & Security Inspection
26	Special Events
27	Parking Management
28	LDR Code Enforcement
29	Winter Maintenance Operations
30	Licensing
31	Public Right-of-Way Maintenance
32	Cemetery
33	Public Engagement - Participation & Outreach
34	Snow King Ice Center
35	Fleet Maintenance & Management
36	Municipal Court
37	Facilities Maintenance & Repair
38	Records Request Management
39	Water Utility
	Total Core Municipal Services:

STAFF REPORT



Meeting Date:	October 11, 2021	Meeting Title:	Special Council Priority Workshop
Submitting Department:	Admin/Community Development	Presenter:	Larry Pardee / Susan Scarlata
Agenda Item:	Legislative Policy Approach	Public Comment:	Yes

Purpose & Policy Considerations. For Town Council to give staff direction on near-term items related to our Legislative Policy Approach, which seeks to be proactive regarding issues at the state. On August 30, Council approved a two-year process to submit Resolutions to WAM, participate on statewide coalitions related to Town priorities, help other municipalities with policies and initiatives whenever possible, and eventually work on developing and advancing bills with committee support. Staff will also update Council on progress made to hire a Legislative Liaison.

Requested Action.

Staff is requesting Town Council consider and provide direction on position on a Real Estate Transfer Tax, specifically the version being drafted to come back to the Revenue Committee, which would reduce local distributions; and on working to get HOV lanes discussed as an Interim Topic.

Recommendations.

Staff recommends approval to work with State Legislators to propose HOV as an Interim Topic and local option for a Real Estate Transfer Tax.

Background.

In recent years, the Town of Jackson has had to react to pre-emption and anti-mitigation measures that undermined local policy goals. Going forward, our Legislative Policy Approach focuses on taking a proactive stance across various time frames to develop relationships and build networks. Teton County continues to be a “recapture county.” When economic fortunes in other areas of Wyoming are in decline, also our region continues to gain population while much of the state is not. With the rise of “Zoom Towns” across the state, many areas are experiencing issues around workforce housing, which the Town of Jackson has been a regional leader on for years. Combined, these factors shift Jackson’s role in the state of Wyoming and provide the Town an opportunity to lead. The following outlines a two-year timeline.

LEGISLATIVE APPROACH TIMELINE	August to December 2021	January to March 2022	April to July 2022	August to December 2022	January to March 2023
Legislative Priority Review 2021					
Interim Session 2021					
Budget session 2022					
Session Review					
Adopt Policy Approach					
Interim 2022					
General session					

Budget Session | February 2022

- Higher threshold (2/3 of the majority) for introduction of bills, except for the budget
- Monitor, support, and oppose bills working with Leg. Liaison and WAM
- Toward end of session, propose Interim Topics for committees to discuss

Interim Session

- Attend committees around state in-person (post-pandemic)
- Comment on any topics the Town proposed to try to have bills with committee support
- Propose topics as Resolutions to WAM in spring to be voted on in summer
- Participate in coalitions and support of partner municipalities

General Session

- January to March 2023, no additional threshold required for introduction
- Monitor, support, and oppose bills related to list above
- Comment on bills directly related to the Town

Analysis.

Staff has reached out to the Legislative Liaison we worked with last year. He has changed law firms in the intervening months, and we are in early discussions about the possibility of him working with us again. We will continue to keep Council updated on this matter through regular updates about our Legislative Approach and the Town Manager's report. Below, staff has provided a distilled list of topics and two items for dialogue with key policy questions highlighted.

TOPICS OF INTEREST

➤ Human Services

- **Medicaid Expansion:** Monitor and support federal and state-level expansion efforts, and stay apprised of direct federal option and municipal level administration options
- **Early Childhood Education/Childcare/Education:** Support bills that expand options for childcare and early childhood education. Collaborate with TCSD's School Board on items of common interest.
- **Share:** Resources about the Town's Non-Discrimination Ordinance with other communities.

➤ Housing

- **Potential Bills:** Support bills that expand options for housing including State laws that enable local government to acquire or dedicate land for the development of affordable housing; and increased federal and state funding for affordable housing tax credits, vouchers, subsidies, and other financial tools to develop affordable housing. Oppose bills that do not support housing.
- **Share:** Resources with other Wyoming communities starting workforce housing programs. At a recent Joint Revenue Committee meeting Mayor Matt Hall of Cody, testifying as the President of WAM, indicated that all municipalities have concerns about housing.

➤ Infrastructure

- **Net Metering:** Oppose changes to Net Metering that limit support for sustainable energy, continuing work with statewide coalition.
- **Potential Bills:** Monitor bills that provide strategies for maintaining, operating and replacement of infrastructure including water, sewer, IT, etc.

➤ Revenue

- **Resolution on New Revenue Options:** Support with WAM to allow local governments greater opportunities to access tools for raising revenue.
- **Bills:** On September 30, the Legislature's Joint Revenue Committee voted to have Legislative staff draft a bill focused on a Real Estate Transfer Tax (RETT) for discussion at the next Revenue Committee meeting. This bill would provide a County RETT option in exchange for a reduction in the direct distribution to localities utilizing this tax.

- **Potential Bills:** Support bills for Real Estate Transfer Tax, Vacancy Tax, Tax on Investment income, which could lead to more recapture funds for the state. Monitor 'Tourism Improvement Districts' being worked on by Corporations Committee, consideration of 'Sunsets' for Exemptions that WAM is working on with the Revenue Committee and look for ways to accommodate community members with the ever-rising cost of living in our area.

➤ **Transportation**

- **HOV Lanes:** Support bills allowing HOV lanes, tolls roads, and the use of cameras.
- **Potential Bills:** Support bills that address funding maintenance and replacement of highways, roads, and multimodal transportation. Support bills that encourage a balanced transportation policy addressing the need to maintain and expand roadways, bike paths and lanes, pedestrian access, carpool/vanpool, and transit options. Support bills that recognize the needs of commuters and reduction in traffic congestion.

Key Policy Question: Does Council want to take a formal position on a Real Estate Transfer Tax?

State Representative Andy Schwartz has run Real Estate Transfer Tax (RETT) bills in various legislative sessions. Last session, one of his bills got the farthest one had, but was short one vote for getting out of the House Revenue Committee. Recently, on September 30 Representative Mike Yin made a motion and the Legislature's Joint Revenue Committee voted to have staff draft a bill focused on a local option RETT with concurrent reductions to local distributions for discussion at its next meeting, which is not yet scheduled but will likely be in November. Anna Olson, CEO of the JH Chamber of Commerce, testified strongly in support of local options, especially RETT, to potentially help address housing challenges in Jackson, Teton, and surrounding Counties.

Key Policy Question: Does Council support staff working to have HOV lanes discussed as an Interim Topic?

The inclusion of High-Occupancy-Vehicle (HOV) and/or Bus Rapid Transit (BRT) lanes is a foundational action step in the Town/County [Integrated Transportation Plan](#) calling for the Town and County to work on this issue with the State. With the BUILD grant, continued congestion on local roads, planning for the redesign of Highway 22 and coming development around Stilson, the ability to create HOV/BRT lanes is becoming more and more of a necessity. WYDOT recently hired a staff liaison for Teton County and the Town looks forward to greater collaboration with someone focused on the needs and challenges in our area specifically. If directed, staff would work on getting the Joint Transportation Committee to discuss the possibility to create HOV/BRT lanes as an Interim topic.

Possible Alternatives.

Town Council can choose to monitor any of the items above or to follow them more as individuals rather than demonstrate support as a body.

Comprehensive Plan & Priority Alignment.

Engagement with the State Legislature can help our community achieve the Comp Plan's aspirational goals. From Growth Management and Quality of Life to Achieving our Vision, there is regular overlap and interweaving of our community's goals with those of the state we reside in. From housing to multimodal transportation and development of a diverse and balanced economy, the Town of Jackson recognizes the need for state-level support to achieve its long-term vision.

Fiscal Impact.

The fiscal impact of this item relates to the potential of engaging a Legislative Liaison, which was budgeted for with \$25k this year. Assuming we can work with a Legislative Liaison, there is a range of possibilities in terms of the time, focus, commitment, and effort for engagement with a liaison.

Staff Impact.

Staff has already allocated time to the Town's approach to Legislative Policy. The Town Manager and Community Engagement Specialist each have approximately 200 hours of time (400 hours total) allotted to focus on state work with a third of those hours falling during the Legislative Session. In addition, the Town Attorney supports on items, when needed, and the Assistant Town Manager, Community Development Director, and other Directors follow various items and connect about planning and strategy, when needed.

Attachments or Links.

NA

Suggested Motion.

I move to direct staff to continue monitoring progress on a Real Estate Transfer Tax, keeping Council aware of any need for comment and/or input, and to work on steps to get discussion of the creation of HOV lanes approved as an Interim topic for discussion.