

**COUNCIL OF THE TOWN OF BLADENSBURG
WORK SESSION AGENDA**

October 9, 2023 @ 5:30 PM

Public Access Virtual via live stream on the Town's Facebook and YouTube pages

I. CALL TO ORDER 1 min

II. APPROVAL OF AGENDA 1 min

III. APPROVAL OF MINUTES 3 min

a. September 11, 2023 Work Session Minutes

IV. APPEARANCES

V. OLD BUSINESS

VI. NEW BUSINESS

- Presentation and feedback on Council Rules (20 minutes)
 - a. Regarding in-person and virtual attendance
 - b. Agenda Setting
 - c. Other Items
- ARPA Update and Presentation (15 Minutes)
- Port Town Meeting and CDC Update (10 Minutes)
- Review of Agenda Items for the Regular Session. Town Administrator (15 minutes)
 1. Ordinance 4-2024: Budget Amendment - Request for the Town Administrator to purchase furnishing for the Police Department in an amount not to exceed \$45,000 using Speed Camera Funds and \$30,000 for Contractual Services.
 2. Contract Approval 4-2024: Approval to allow the Town Administrator to execute a contract with Municipal Grant Services for on-call Grant and Project Management for Annexation services.
 3. Contract Approval 5-2024: Approval to allow the Town Administrator to execute a contract to join the Time to Care Act Insurance Collaborative.
 4. Contract Approval 6-2024: Approval to allow the Town Administrator to renew and execute an agreement with State Highway Administration for Roadway Salt
 5. Contract Approval 7-2024: Approval to allow the Town Administrator to execute a one-year agreement with the City of Hyattsville for Roadway Salt

VII. ADJOURNMENT

COUNCIL OF THE TOWN OF BLADENSBURG
WORK SESSION MINUTES- DRAFT
September 11, 2023 @ 5:30 PM

CALL TO ORDER

Mayor James called the meeting to order. Those in attendance were Mayor James and Council Members Blount and Brown. Council Member McBryde entered later in the meeting after it was called to order. Also in attendance were Chief Collington, Code Enforcement Officer Rinehart, Public Works Supervisor Hall, Treasurer Tinelli, Town Clerk Charnovich, and Town Administrator Michelle Bailey-Hedgepeth.

APPROVAL OF AGENDA

A motion was made by Council Member Brown to approve the agenda, which was seconded by Council Member Blount. The motion passed 3-0.

APPROVAL OF MINUTES

A motion was made by Council Member Blount to approve the July 10, 2023 Work Session Minutes, which was seconded by Council Member Brown. Mayor James asked that a more specific sentence be inserted that is more detailed for both the HUD Cooperation Agreement and the CTC Proposal that was on the agenda. The motion passed 3-0.

APPEARANCES

Flood Barrier Project Update: Joanna Smith, Prince George's County Department of Public Works

Mayor James introduced Associate Director, Joanna Smith, of the Prince George's County Department of Public Works. Ms. Smith made a presentation related to flooding, and, specifically, a proposed PILOT flood barrier mitigation project and alternative flood barrier options in the Town of Bladensburg in two locations: Quincy Run channel and Edmonston channel.

OLD BUSINESS

Town Legislative Priorities Document 2024

Mayor James asked Town Administrator Bailey-Hedgepeth to present this item. The specific items discussed were as follows: Small Cell Towers, Anacostia River dredging, the Port Towns Call-A-Bus Program, wayfinding signage, organized retail theft related policies, Bostwick House, and a new Municipal Center. Budgetary asks from the State of Maryland government were also

discussed such as funding related to condo and homeowner association board reform and tenant rights related policies.

NEW BUSINESS

Review of Agenda items for Regular Session

Mayor James asked Town Administrator Bailey-Hedgepeth to present this item. Items that were covered were as follows: Request for funding to purchase a fire department vehicle, establishment of a Town Beautification Team Program, establishment of a Special Assignment Team within the police department, purchase of public safety mobile surveillance equipment, a 1-year contract extension with Charles P. Johnson and Associates for on-call engineering services, execution of a contract with High Street Strategies to serve as an Economic Development Consultant, an on-demand contract for grant services with Monarch Butterfly Services, and the legislative priorities.

ADJOURNMENT

A motion was made by Council Member Blount to adjourn the meeting which was seconded by Council Member McBryde. The motion passed 4-0.



Agenda Item Summary Report

Meeting Date: October 9, 2023	Submitted by: Rich Charnovich, Town Clerk Michelle Bailey Hedgepeth, Town Administrator
Item Title: Virtual and Telephone Participation in Town Council Meetings	
Work Session Item [X] Council Meeting Item []	Documentation Attached: <ul style="list-style-type: none">• Rules of Procedure• Staff Redline Document
Recommended Action: Town staff is seeking Council guidance on whether or not to modify the Rules of Procedure to allow for virtual or telephonic participation.	
Item Summary: <p>Issue: During the pandemic, state and national-level rules were changed to allow elected bodies to meet virtually. However, the Town's rules of procedure do not reflect language that allows the Council to participate remotely (virtually or telephonically) in the case of another public health emergency or the need for members to quarantine due to such measures. The Town Council may want to consider language allowing members or the entire Council to attend virtually and adequately change the meeting hybrid or online participation appears in the Rules of Procedure.</p> <p>The Town Clerk surveyed other local agencies and found that some larger counties and municipalities have adopted language to allow these possibilities for participation. After review, there are three sections that would require modification:</p> <ul style="list-style-type: none">• 2.10 Roll Call and Attendance• 2.11 Quorum• 2.16 Place of Meeting <p>Here are the options for the Council to consider:</p> <p>A. Keep Rules the Same – No Changes B. Change the rules as recommended by staff C. Provide alternative changes for legal review</p> <p><i>The staff has requested the Town Attorney review the proposed change to the rules so that they meet legal sufficiency.</i></p>	
Budgeted Item: Yes [] No [] Budgeted Amount: One-Time Cost: Ongoing Cost:	Continued Date:
Council Priority: Yes [] No []	Approved Date:



Agenda Item Summary Report

Meeting Date: October 9, 2023	Submitted by: Rich Charnovich, Town Clerk Michelle Bailey Hedgepeth, Town Administrator
Item Title: Council Rule Changes – agenda setting or other items	
Work Session Item [X] Council Meeting Item []	Documentation Attached: <ul style="list-style-type: none">Rules of Procedure (already included)
Recommended Action: Town staff is seeking Council guidance on whether or not to modify the Rules of Procedure regarding the agenda setting or any other Council Items	
Item Summary: <p>Issue: Since the Council is looking at making changes, they can all be made simultaneously.</p> <p>Here are the options for the Council to consider when examining this matter.</p> <p>A. Keep Rules the Same – No Changes B. Change the rules as recommended by staff C. Provide alternative changes for legal review</p> <p><i>These items will require legal sufficiency, and they can be brought back at a later date.</i></p>	
Budgeted Item: Yes [] No [] Budgeted Amount: One-Time Cost: Ongoing Cost:	Continued Date:
Council Priority: Yes [] No []	Approved Date:

**RULES OF PROCEDURE
FOR THE
TOWN COUNCIL
OF THE
TOWN OF BLADENSBURG, MARYLAND**



**Approved by Mayor and Town Council
December 12, 2016**

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ARTICLE 1. AUTHORITY, APPLICABILITY, AMENDMENT

1.1 Authority

Article II, Section 207 - Rules of the Town Charter of the Town of Bladensburg, Maryland, grants the Town Council the right to determine its own rules of procedure; the following rules are enumerated under and by authority of said provision.

1.2 Applicability

The rules of procedure adopted by the Town Council are applicable to Town Council meetings.

1.3 Amendment

These rules may be amended or new rules adopted, by a majority vote of the members of the Town Council present.

1.4 Recession and Suspension of Rules

A motion to suspend these rules and procedures may be brought pursuant to a majority vote of the members of the Town Council present.

ARTICLE 2. GENERAL RULES OF PROCEDURES AND POLICES

2.1 Meetings Shall be Public

A meeting occurs when a quorum of the Mayor and Town Council convenes to consider or transact public business.

All meetings of the Town Council shall be governed by the Maryland Open Meetings Act and shall ordinarily be public, and notices thereof shall be posted as provided under the Maryland Open Meetings Act, General Provisions Article, Title 3, Annotated Code of Maryland, Section 3-302. Except in the case of an emergency meeting, notice of all meetings shall be given at least 24 hours in advance. Nothing in this section precludes the Council from meeting in closed session as outlined in The Maryland Open Meetings Act. The information required in 3-306 of the Open Meetings Act as to notice to the public of the time, vote, persons present and topics discussed shall be appended to the minutes of the next public meeting.

Maryland Open Meetings Act

The Maryland Open Meetings Act, Chapter 3-A-The Right to “attend” a meeting, Section 3-303(a) provides “Whenever a public body meets in open session, the general public is entitled to attend”. That means that members of the public may come to a meeting and observe it. With one exception pertaining to the closing of a meeting, it does not mean that they are entitled to speak (City of New Carrollton v Rogers, 287 Md 56, 72 (1980) (While the Act does not afford the public any right to participate in the meetings, it does assure the public the right to observe the deliberative process and the making of decisions by the public body at open meetings). So, unless the public body is

governed by laws that require the particular body to receive public comment, the decision of whether to allow members of the public to speak is up to the public body. Ordinarily, the management of the public comment period is up to the presiding officer. See, e.g. 9 OMCB Opinions 232, 233(2015) (stating that the Act does not regulate the presiding officer's decisions on whether to allow a member of the public to speak). Complaints about the manner in which a presiding officer conducts a public comment period thus do not state Open Meetings Act violations. 8 OMCB Opinions 84, 85 (2012)

2.2 Regular Meetings

Regular meetings. The Council shall meet at such time as may be prescribed by ordinance or resolution, but not less frequently than once each month unless the Council at the meeting immediately preceding, by a majority vote, cancels the next regularly scheduled meeting. All regular open meetings of the Council shall be open to the public, and the rules of the Council shall provide that citizens of the Town have a reasonable opportunity to be heard at any such meetings, pursuant to Article II, Town Government, Section 205-Meetings (b). Special meetings or work sessions are not regular meetings of the Council, but shall be open to the public unless closed according to state law.

Regular meetings of the Town Council shall ordinarily be on the second Monday of each month at 7:00 PM. The Council may, by majority vote at a regular meeting, change the days or times of meetings as circumstances may necessitate.

2.3 Work Sessions

Purpose. Town Council may call and hold work sessions for the purpose of conducting a detailed and thorough exploration of matters that may properly come before the Town Council.

The work session is a meeting subject to the Open meetings Act. However, the formal adoption or passage of Ordinances, Charter Amendments, Budget Amendments, Legislation or Resolution, should not be done at a work session.

Regular Work Sessions shall ordinarily be on the second Monday of each month at 5:30 P M. The Council may, by majority vote at a regular meeting, change the days or times of meetings as circumstances may necessitate, pursuant to Article II, Town Government, Section 205-Meetings (c) Work sessions are not regular meetings and no opportunity need be provided under Section 205 of the Charter for citizens to speak; or under the Maryland Open Meetings Act, Chapter 3-A- The Right to "attend" a meeting, Section 3-303(a).

2.4 Special Meetings

Special meetings are called by the Town Clerk upon written request of the Mayor, or two or more of the Council Members. Any such notice shall state the subject to be considered at the special meeting and no other subject shall be considered, except by unanimous consent of all members present.

2.5 Emergency Meetings

In case of an emergency or urgent public necessity, which shall be expressed in the meeting notice, it shall be sufficient if members receive, and notice is posted two (2) hours before the meeting is convened. Notice shall be provided also to the media and public by electronic notification.

2.6 Closed Sessions

The Mayor and Town Council may close a meeting to the public by a vote in open session under the circumstances, conditions and for reasons set forth in the Maryland Open Meetings Act, Closing a Meeting – Section 3-305-306 (c). Notice of Closed Session shall be given as required by law.

2.7 Recessed Meetings

No meeting shall be recessed for a longer period of time than until the next regular meeting except when required information has not been received, or, in the case of work sessions or special meetings, to a date certain by motion agreed to by the Council.

2.8 Information Meetings

The Mayor and Town Council may hold information meetings to present information to, and obtain feedback from, residents of the Town. The Mayor and Town Council will determine the rules governing presentations at such meetings.

2.9 Public Hearings.

This section is only used when a statutorily required public hearing is part of the order of business. The Mayor shall first request staff comments. The Mayor shall open the public hearing and receive citizen input in the following order: proponents, then opponents. While the public hearing is open, Council may ask questions of the speakers, but may not deliberate or argue with the public on the matter at hand. Those speaking at a public hearing are required to follow the rules established herein for citizen comments. Upon conclusion of citizen comments, the Mayor shall close the public hearing. Council may deliberate or take action on the matter at hand upon the closing of the public hearing.

2.10 Roll Call and Attendance

- A. A majority of the members of the council then in office shall constitute a quorum.
- B. Before the council proceeds with the business before it, the Town Clerk shall conduct a roll-call and note the members present for the minutes. The late arrival of members shall be entered into the minutes.
- C. Members must be physically present at the council chamber dais to vote. Proxy or absentee voting is not permitted.

2.11 Quorum

A. Majority of the members elected to the Council shall constitute a quorum to do business, but a lesser number may adjourn from time to time and compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance.

B. The affirmative vote of a majority of the members elected to the Council shall be necessary to adopt any ordinance, resolution, order or vote; except that a vote to adjourn, or regarding the attendance of absent members, may be adopted by a majority of the members present.

C. No member shall be excused from voting except on matters involving the consideration of his own official conduct or when his financial interests are involved, pursuant to Article II – Quorum-Section 208 of the Town Charter.

2.12 Loss of a Quorum

A. Once a meeting has been properly convened with the presence of a quorum and the number of persons necessary to constitute a quorum is no longer present, the Presiding Officer or a Council member shall declare the meeting recessed until a quorum is reestablished.

B. Upon reestablishment of the quorum, the Mayor and the Town Council shall resume consideration of the matter before it at the time of the recess.

C. If, in the opinion of the Presiding Officer, a quorum cannot be obtained within a reasonable period of time; the Presiding Officer shall declare the meeting adjourned until the next scheduled meeting.

D. At that next meeting, after taking up the usual preliminary matters, the Mayor and the Town Council shall resume its consideration of the matter that was before it when it previously adjourned. This shall not prevent any Council member from moving to table, defer, postpone, or make any other appropriate motion with respect to any pending matter.

2.14 Conflict of Interest

a. A Council member prevented from voting by a conflict of interest shall file a conflict of interest statement with the Town Clerk as soon as possible after the posting of an agenda which contains a conflict; unless a prior conflict of interest statement has already been filed with the Town Clerk.

b. A Council member prevented from voting by a conflict shall step down from the dais and take a seat in the audience, shall not vote on the matter, shall not participate in discussions regarding the matter or attempt to influence the Council's deliberation of the matter in any way, shall not attend Closed Sessions regarding the matter.

2.15 Presiding Officer

a. The Mayor shall serve as the Presiding Officer for all meetings of the Town Council. In the absence of the Mayor, the Mayor Pro Tem shall serve as the Presiding Officer. In the absence of the Mayor Pro Tem, the Town Clerk shall call the meeting to order if a quorum of the Council is present and the first order of business shall be for the Council to elect by majority vote, a temporary Presiding Officer from the members seated and in attendance. The temporary Presiding Officer shall serve in such capacity until the meeting is adjourned.

2.16 Place of Meeting

a. All meetings of the Mayor and Town Council, unless otherwise determined, shall be held at the Town of Bladensburg Town Hall, Council Chambers 4229 Edmonston Road, Bladensburg, Maryland. In addition to the customary forms of notification, the notice of change in meeting place shall be prominently posted on the door of the regularly scheduled meeting place.

2.17 Notice of the Meeting

a. Written notice of all public meetings of the Town Council shall be posted on the bulletin board at Town Hall, posted on the Town's website and Cable Channel. The notice will show the date, time, place and topic(s) of such meetings and shall include a proposed agenda and, if applicable, a notice that portions of the meeting may be closed.

2.18 Conduct of Meetings

Councilmembers shall be recognized by the presiding officer before speaking. Other persons at the meeting of the Mayor and Council may speak when called upon or authorized.

2.19 Dissents and Protests

Any member shall have the right to express dissent from or protest against any ordinance, resolution, or act of the Council and the reason therefor entered into the minutes. Such dissent or protest must be filed in writing, couched in respectful language, and presented to Council no later than the next regular meeting following the date of passage of the ordinance.

2.20 Courtesy, Decorum, Conduct and Order

These rules of order are meant to promote an atmosphere of courtesy and decorum appropriate for the efficient discussion of business. It is the responsibility of the Mayor (and members of the Town Council) to maintain that atmosphere of courtesy and decorum. The Mayor should always ensure that debate and discussion focus on the item and the policy in question, not on the personalities of the participants of the discussion. Debate on policy is healthy; debate on personalities is not. In order to assist in the creation and maintenance of that atmosphere the following rules shall govern all meetings.

1. Before a council member, staff member or an audience member may speak, they must first be recognized by the Mayor. Upon recognition the person requesting to speak shall hold the floor and shall make their point clearly and succinctly. Public comments will be limited to three (3) minutes. Persons making inappropriate, disrespectful and/or, personal attacks, overly redundant or slanderous remarks may be barred by the Mayor from further comment before the Council during the meeting. Audience members who wish to speak during an agenda must first sign-up on the sign-in sheet and submit it to the Town Clerk. The Mayor has the right to cut a speaker off if the discussion becomes too personal, too loud, too crude, inappropriate, disrespectful, redundant, or slanderous (*Maryland Open Meetings Act-Section 3-303 allows for the presiding officer or public body to remove an individual from a meeting if the Presiding Officer determines the behavior of the individual is disrupting an open session*).

2. If a person fails to request to speak before speaking, the Mayor shall rule them ‘out of order’ and remind them that they do not have the floor. While the Council is in session, all council members must preserve order and decorum. A person shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of any Council meeting, whether a Regular meeting, Special meeting or a work session, nor disturb any other person while speaking or refuse to obey the orders of the Mayor. Members of the Town Council should not leave their seats during a meeting without first obtaining permission of the Mayor, or making a motion to recess.
3. Every person desiring to speak shall address the entire Council and shall not single out a member of the Council, the audience or a staff member and confine themselves to the items on the agenda, avoiding all personal attacks and indecorous language.
4. Call for orders of the day, this is simply another way of saying, “let’s return to the agenda.” If a council member believes the discussion has strayed from the agenda. The motion does not require a vote. If the Mayor discovers that the discussion has strayed from the agenda, he or she simply returns to the business of the day.
5. A member of Council indulging in any language or conduct unbecoming a Councilmember shall be called to order by the presiding officer and, in such case; the offending member shall lose the floor and shall not proceed without the approval of a majority of the members present. The Council may, by majority vote, expel a member from a meeting for disorderly conduct or violation of Council rules.
6. Members shall not raise personnel matters pertaining to alleged improper performance or conduct of any Town employee(s) or Council appointee(s) at a public Council meeting. Any concerns about conduct or performance of any Town employee(s) or Council appointee(s) shall be brought to the attention of the Town Administrator, or a Closed session of the Council may be requested to discuss the personnel matter.
7. Members of the Council shall not take positions on either national or foreign political issues that do not affect the Town.
8. Demonstration or Disorder Among Bystanders – If any confusion, demonstration or disorder arises in the Council Chambers, the presiding officer may, upon his or her initiative or upon the request of any member, enforce order. If the offending person(s) be a spectator, such person(s) may be ejected from the Chambers. If any member of the Council shall object to the ruling of the presiding officer, such member shall have the right to appeal to the Council.
9. Town Administrator and Members of Staff – The Town Administrator shall have the right to take part in the discussion of all matters coming before the Council, and other members of staff shall be entitled to take part in discussions of the Council relating to their respective offices.
10. Members of the public may speak for three (3) minutes, (during Public Comment Time) at Regular Town Council meetings of the Mayor and Town Council according to procedures established by the Mayor and Council.

- a. A sign-up sheet will be placed on the side table in the room for people to sign-in if they wish to speak. They will be called to speak at the podium in the order in which they were signed-in.
- b. Each speaker is limited to one presentation per meeting and a maximum timed limit of three (3) minutes.
- c. If the subject matter does not pertain to Town business the Mayor shall advise the individual and/or make recommendations as to how they may get the issue addressed.
- d. Citizens speaking on agenda items shall restrict their comments to the subject matter listed.
- e. Citizens speaking on non-agenda items shall only speak on matters pertaining to Town business or issues which the Council would have the authority to act upon if brought forth as an agenda item.
- f. Council may not act upon or discuss any issue brought forth as a non-agenda item; except to: Make a statement of specific factual information given in response to the inquiry, or a recitation of existing policy in response to the inquiry.
- g. Proper respect, decorum, and conduct shall prevail at all times. Impertinent, slanderous, or personal attacks are strictly prohibited and violators may be removed from the council chambers.
- h. No placards, banners or signs may be displayed in the council chambers or Town Hall. Exhibits relating to a presentation are acceptable.
- i. Arguing, intimidation or other disruptive behavior is prohibited. Discussion and/or debate are acceptable only on items specifically listed on the agenda.

2.21 Council May Discipline its Own Members

In the event a council member violates the Charter, these rules or any other ordinance of the Town, or acts in a manner that causes embarrassment or disgrace to the Town of Bladensburg, the Town Council on supermajority vote may discipline the offending member.

Such action may only take place after an executive session is held to discuss the offense. The offending member shall be present at the executive session to answer any questions asked by members of the Town Council or make other statements as he or she may desire to make in his or her defense. If the offending member refuses to attend the executive session, the remaining members of the Town Council may proceed in his or her absence.

The outcome of the executive session may be as follows and shall be made publicly in open session in accordance with the Maryland Open Meetings Act:

1. *No Action.* The Town Council chooses to take no action.
2. *Private Censure.* The Town Council may choose to privately censure the offending member, leaving their comments to the offending member left in the confines of the closed session.
3. *Public Censure.* The Town Council may choose to publicly censure the offending member through a resolution passed by supermajority vote and entered into the public record.

2.22 Motions – when reduce to writing

Every motion or proposition shall be reduced to writing on the call of any member, and shall a motion be made and seconded shall be deemed in possession of the Town Council and shall be read by the Town Clerk previous to debate, and may be withdrawn at any time previous to the vote being taken.

2.23 Other Motions

1. Motion to Adjourn – This motion, if passed, requires the Council to immediately adjourn to its next regularly scheduled meetings. This motion requires a simple majority.
2. Motion to Recess – This motion, if passed, requires the Council to immediately take a recess. Normally the Mayor will determine the length of the recess which could last for a few minutes to several hours. It requires a simple majority vote.
3. Motion to Table – This motion, if passed, requires discussion of the agenda item to be halted immediately, and the agenda to be placed on hold. The motion may contain a specific time to bring the item up again, or it may not specify a time. If no time is specified, the item shall be placed on the agenda at the following Council meeting.
4. Motion to Remove from the Table – This motion, if passed, allows the Council to remove an item previously placed on hold. A vote in favor of removing an item from the table must be made before the Council can take action on an item that was tabled.
5. Withdraw a Motion during the debate and discussion of a motion, the original maker of the motion on the floor, at any time, may interrupt the speaker to withdraw his or her motion. The motion is immediately deemed withdrawn and discussion on the motion shall cease. Council members are free to make the same motion or another motion.

2.24 Rules of Discussion of pending questions

After the previous question has been seconded and the main questions ordered, the member who has introduced, or the Town Administrator who has reported on the matter under consideration, shall have ample time to discuss the proposition pending, at the close of which the vote shall be taken.

VOTING

3.1 Voting Rules

When a question is put, every Council member present shall vote either in the affirmative or a negative, or abstain if there is a conflict of interest on the matter being voted on before the Council. Any member shall be entitled to abstain so long as such member gives a reason for abstaining and such reason falls within one of the following:

1. When the vote would or could be considered improper pursuant to the Town and State Ethic Laws.

2. When the vote could or may show bias for or against a person, organization or business that the member has a close personal relationship with thus reflecting poorly on the member and office such members holds.
3. When any member has a direct financial gain or personal gain from the outcome of the vote.

All voting shall be made by voice vote. All votes will be taken by a “roll call” by the Town Clerk and shall be stated as a “yea” or “nay”. A record of the “yeas” and “nays” shall be entered upon the minutes of the proceedings of the Council.

3.2 Voting Disqualification.

1. A member shall not vote upon any matter on which the member is disqualified due to a conflict of interest, or any quasi-judicial action regarding that in which the member is biased.
2. A member shall openly state an abstention due to a conflict of interest or bias.
3. A member who is abstaining due to a financial conflict of interest shall publicly identify the financial interest in detail sufficient to be understood by the public, except that disclosure of the exact street address of a residence is not required.
4. As to any other conflict of interest, the member's determination may be accompanied by an oral or written disclosure of the conflict of interest.
5. A member who is disqualified by a conflict of interest in any matter shall not remain on the dais during the discussion and shall not vote on that matter. However, the member may remain on the dais for Consent Calendar items if the member states the abstention from the vote due to the described conflict of interest before the Consent Calendar is voted on in one motion.

MINUTES AND RECORD KEEPING

4.1 Minutes of Meetings

Minutes of regular meetings, special meetings, public hearings, public meetings, and work sessions shall be made available to the Public by the Town Clerk. However, *minutes shall not be available until approved by the Council in a regular meeting.* Approved minutes are also posted on the Town’s website. Minutes of closed sessions of the Council held in accordance with applicable state law *shall not be open to public inspection and shall remain sealed.*

4.2 Record of Meetings

The Town Clerk or the Town Clerk's designee shall be responsible for minutes of each Regular Meeting and Work session of the Mayor and Town Council and for maintaining the official record, which shall include all Council actions. Minutes shall include:

1. All motions made, the name of the motion maker and second, the method and outcome of the votes taken, names of guests and their affiliation; and
2. Copies of resolutions, new or revised ordinances or other actions approved by the Mayor and Town Council.

SUSPENSION AND AMENDMENT OF RULES

5.1 Suspension of Rules

Any provisions of these rules not governed by federal, state law or the Town Charter may be temporarily suspended by a super majority vote of the Town Council and may be amended in a similar fashion if such amendment was introduced at the previous regular meeting of the Town Council and shall have received preliminary approval of the Town Council at such meeting. For the purpose of this section, preliminary approval shall mean a motion and a second with a majority vote to preliminary approve the amendment.

5.2 Enforcement of Rules and Procedures

The following provisions may be used to enforce the good order of the meeting. The action may be taken by the Mayor under his or her own action, or upon a motion to enforce by any council member.

1. *Warning* - The Mayor may order any person (council member, staff member or audience member) in violation of these rules to be silent.
2. *Removal* - If, after receiving a warning from the Mayor, the person continues to disturb the good order of the meeting, the Mayor may order the person to leave the meeting. If the person does not leave the room, the Mayor may have the individual removed by the Police.
3. *Motion to Enforce*. Any council member may move to require the Mayor to enforce these rules and the affirmative vote of a simple majority of the Council shall require the Mayor to do so. A motion to enforce is an allowable interruption and is not debatable.

THE AGENDA

6.1 Agenda.

1. The agenda shall outline the established order of business.
2. The Town Administrator shall include on the agenda any item at the request of any member of Council, provided that the member of Council shall have furnished to the Town Administrator a description of the item in time for inclusion with the printed agenda.
3. At least two days before each regular meeting, the Town Clerk shall provide each member of Council a copy of the agenda for the forthcoming meeting, together with copies of all ordinances, resolutions, and background material of matters to be considered at the meeting.
 - a. *Under Section 3-302 (C) of the Maryland Open Meetings Act, the ability to observe does not mean that the public body must provide to the audience copies of the documents being reviewed by the members. However, the public must be given a grasp of what is being discussed and acted on. The Compliance Board has advised that an oral summary or general description of the documents in question will ordinarily serve this purpose.*

4. Copies of the agenda shall be posted on the Town website and on the bulletin board in the Municipal Building the Friday prior to each regular meeting. A reasonable number of copies of the agenda shall be available to the public at the Council meeting or earlier upon request, as available.
5. All meeting agendas and amendments to the agenda shall be approved by the Town Council at the beginning of the meeting. Items on the agenda can be reordered by the Mayor and Town Council during the scheduled meeting.
6. Items of routine business that generally require no discussion by Council may be placed on a Consent Agenda of a Regular Meeting. Any member of the Council may remove an item from the Consent Agenda and place it under Action Items.
7. All meeting agenda and amendments shall be approved the Mayor and Town Council at the beginning of the meeting. Items on the agenda can be approved by the Mayor and Town Council during the scheduled meeting.
8. Agendas for Regular Meetings and Work sessions shall be published on the Friday prior to the meeting

6.2 Order of Business

- I. Call to Order
- II. Opening Prayer (non-denominational)
- III. Pledge of Allegiance
- IV. Approval of Minutes
- V. Public Comments
- VI. Mayor & Council Reports
- VII. Staff Reports
- VIII. Unfinished Business
- IX. Financial Business
- X. New Business
- XI. Adjournment

WORK SESSION POLICIES AND PROCEDURES

7.1 Purpose.

Purpose. Town Council may call and hold work sessions for the purpose of conducting a detailed and thorough exploration of matters that may properly come before the Town Council. **The work session is a meeting subject to the Open meetings Act. However, the formal adoption or passage of Ordinances, Charter Amendments, Budget Amendments, Legislation or Resolutions, should not be done at a work session.** The following rules shall prevail for the call and conduct of work session meetings.

7.2 Agenda.

Only a limited number of matters shall be considered by the Town Council during a work session, and sufficient time for consideration of such matters shall be provided. An abbreviated agenda order shall be used for all work session agendas.

7.3 Documents and Exhibits to be Presented.

When possible, staff shall make available to the Town Council all documents, exhibits, maps, plans, architectural drawings, specifications or other similar documents at least 72 hours before the beginning of the session.

7.4 Technical Questions.

All questions of a technical nature, which require a detailed explanation for understanding, may be considered in a work session. Council may, through the Town Administrator, request the attendance of such staff members or outside experts as may be required to answer such questions.

7.5 Audience Comments or Questions.

Audience comments or questions will not be considered at a work session.

GENERAL

Council Requests

8.1 Council Requests

Council requests that deal with policy issues and council requests that may be construed as direction shall be directed to the Town Administrator, except for general inquiries or questions, in which case the council may go to the department directors or key staff in the Town Administrators Office.

8.2 Council Requests for Funding

Council requests requiring funding must go through the Town Administrator and Town Treasurer. The Town Administrator and Town Treasurer shall respond in a timely manner.

8.3 Use of Staff Resources.

A request for use of staff time, other than standard requests for information from department heads, by the Mayor or a Councilmember must be made through the Town Administrator unless already approved by the Mayor and Council.

PUBLIC STATEMENTS BY MAYOR AND COUNCIL

9.1 Representation or position by Mayor or Councilmember.

When the Mayor or a Councilmember gives a statement in their elected capacity on an issue affecting the Town, the Mayor or Councilmember shall first identify the adopted position of Mayor and Council with respect to that subject, if any. Thereafter, the Mayor or Councilmember may provide a statement of personal opinion or comment (including a minority or opposing viewpoint), provided the Councilmember expressly acknowledges that such statements do not represent the position of the Town.

As the Mayor and Town Council, we have fully read and understand the above Rules and Procedures governing the Town of Bladensburg's Public Meetings and agree to abide by the Rules and Procedures adopted by the Town Council on December 12, 2016.

Takisha James, Mayor

Date

Marilyn Blount, Council Member

Date

Trina Brown, Council Member

Date

Carrol McBryde, Council Member

Date

Jocelyn Route, Council Member

Date

Attested et al:

Rich Charnovich, Town Clerk

Date

Town of Bladensburg – Rules of Procedure

Item Town Council – October 9, 2023

Staff Drafted: Proposed Changes to allow for Virtual or Telephone attendance by Council Members

Issue: During the pandemic, state and national-level rules were changed to allow elected bodies to meet virtually. However, the Town's rules of procedure do not reflect language that allows the Council to participate remotely (virtually or telephonically) in the case of another public health emergency or the need for members to quarantine due to such measures. The Town Council may want to consider language allowing members or the entire Council to attend virtually and adequately change the meeting hybrid or online participation appears in the Rules of Procedure.

The Town Clerk surveyed other local agencies and found that some larger counties and municipalities have adopted language to allow these possibilities for participation. After review, there are three sections that would require modification:

- 2.10 Roll Call and Attendance
- 2.11 Quorum
- 2.16 Place of Meeting

STAFF PROPOSED REVISIONS:

2.10 Roll Call and Attendance

A. A majority of the members of the council then in office shall constitute a quorum.

B. Before the council proceeds with the business before it, the Town Clerk shall conduct a roll-call and note the members present for the minutes. The late arrival of members shall be entered into the minutes.

PROPOSED Revised B

B. Before the council proceeds with the business before it, the Town Clerk shall conduct a roll-call and note the members present **in person, virtually, or telephonically** for the minutes. The late arrival of members shall be entered into the minutes.

C. Members must be physically present at the council chamber dais to vote. Proxy or absentee voting is not permitted.

PROPOSED Revised C

Members must be physically present at the council chamber dais to vote or must be **present virtually or telephonically through approved Town software**. Proxy or absentee voting is not permitted.

2.11 Quorum

A. Majority of the members elected to the Council shall constitute a quorum to do business, but a lesser number may adjourn from time to time and compel the attendance of absent members in such manner and under such penalties as may be prescribed by ordinance.

PROPOSED Revised A

A. Majority of the members elected to the Council **attending in-person, virtually, or telephonically** shall constitute a quorum to do business, but a lesser number may adjourn from time to time and compel the

attendance of absent members in such manner and under such penalties as may be prescribed by ordinance.

B. The affirmative vote of a majority of the members elected to the Council shall be necessary to adopt any ordinance, resolution, order or vote, except that a vote to adjourn, or regarding the attendance of absent members, may be adopted by a majority of the members present.

C. No member shall be excused from voting except on matters involving the consideration of his own official conduct or when his financial interests are involved, pursuant to Article II – Quorum- Section 208 of the Town Charter.

2.16 Place of Meeting

A. All meetings of the Mayor and Town Council, unless otherwise determined, shall be held at the Town of Bladensburg Town Hall, Council Chambers 4229 Edmonston Road, Bladensburg, Maryland. In addition to the customary forms of notification, the notice of change in the meeting place shall be prominently posted on the door of the regularly scheduled meeting place.

PROPOSED add new B.

B. Virtual meetings using approved Town software may held by the Council under the same provisions for posting as outlined previously and in compliance with the Maryland Open Meetings Act. Virtual meetings may replace in-person meetings, hearings, and informational meetings at the Town Hall.

Suellen - Other Matters to Consider:

- **Definition of Virtual?** I added approved software. Is that enough
- **Public Comment:** The Town required public comment before the meeting to be read by the clerk, should this be added.
- **Hybrid Meetings:** In the case of hybrid meetings where staff and some members of the Council are present if there is elevated health risk, should we have something regarding public attendance?

2.16.020 Place of meeting—Attendance.

- A. The place of meeting of the City Council shall be the room known as the council chamber of the municipal building and no meeting shall be held elsewhere except by a majority vote of all members.
- B. Members shall attend all regular and special meetings of the City Council in person.
- C. Remote participation in meetings. If a member is unable to attend a regularly scheduled meeting in person due to extenuating circumstances and desires to participate in City Council or Standing Committee meetings by electronic means from a remote location, including voting, the member may do so.
 - 1. Extenuating Circumstances. Reasons for requesting remote participating in a City Council or Standing Committee shall include:
 - a. Illnesses of self or family; and
 - b. Accidents; and
 - c. Anything of an unexpected nature.
 - 2. Notification.
 - a. The Member shall send notice of the request to the City Clerk, who shall then notify the other meeting members.
 - b. Notice must be given far enough in advance for the City's video studio staff to set up the remote link.
 - 3. Technology.
 - a. The City Clerk shall notify the City's video studio of the need for remote access to the meeting; and
 - b. The video studio shall ensure remote participation is viable for any particular meeting; and
 - c. Remote participation shall not proceed unless staff is available for setup and confirmation that it works.
 - d. Video staff shall work with the Council member to use proper procedures for accessing the appropriate technology.
 - 4. Remote Member. The member shall have at hand all the materials for the meeting.

(Ord. O-10-86 § 1 (part): Rule 2)

(Ord. No. O-25-12, § I, 7-23-2012; Ord. No. O-11-20, § I, 5-26-2020; Ord. No. 16-23, § I, 4-24-2023)

Editor's note(s)—Ord. No. O-11-20, § I, adopted May 26, 2020, changed the title of § 2.16.020 from "Place of meeting" to read as herein set out.

RESOLUTION NO. 2396

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SALISBURY, MARYLAND AMENDING THE SALISBURY
CITY COUNCIL REGULATIONS AND RULES OF ORDER

WHEREAS, §SC2 - 6 of the Charter of the City of Salisbury provides that the City Council shall determine its own rules and order of business; and

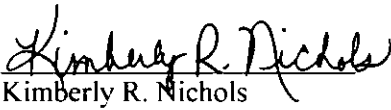
WHEREAS, the City Council of the City of Salisbury has previously adopted Regulations and Rules of Order by Resolution No. 737, and has amended those Regulations and Rules of Order by Resolution Nos. 806, 876, 972, 1043, 1335, 1386; 1451, 1476, 1577, 1600, 1672, 2072 and 2251; and


WHEREAS, the City Council has periodically amended its Regulations and Rules of Order.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Salisbury, Maryland, that the Salisbury City Council Regulations and Rules of Order are hereby amended by the addition of a new section as shown on Attachment A, with deletions struck through and additions underlined.

THE ABOVE RESOLUTION was introduced, read and passed at the regular meeting of the City Council of the City of Salisbury, Maryland held on this 28th day of April, 2014, and shall become effective immediately upon adoption.

ATTEST:


Kimberly R. Nichols
City Clerk


Jacob R. Day
PRESIDENT, City Council

SALISBURY CITY COUNCIL
REGULATIONS AND RULES OF ORDER
As Amended on _____, 2014
As Amended on February 25, 2013

1. PREAMBLE

The City Council is the legislative and policy-setting ~~part-branch~~ of the City's ~~organization~~ government. The Mayor is responsible for carrying out the executive and administrative duties of the eCity, including administering the policies and enforcing the laws set by the eCouncil. The laws enacted by the Council are called ordinances. Usually, the policies established by the Council are enacted by resolution. The Council is made up of five (5) members, elected by the people to four (4) year ~~staggered~~ terms.

It is the ~~fixed~~ policy of the Salisbury City Council to facilitate the expression of views and the introduction of legislation by members of the Council; and to promote the orderly, open discussion of issues relevant to the government of the City. These Rules shall be construed to promote that policy and shall be in effect upon their adoption by a simple majority of the City Council present and voting until they are amended or new rules are adopted.

2. ATTENDANCE AND PARTICIPATION AT COUNCIL MEETINGS

Council members are expected to attend all meetings (regular, special, work sessions, closed sessions, and budget sessions) of the City Council. If a Council member cannot attend a meeting of the City Council because of illness, vacation, business travel or other unavoidable circumstance, the City Clerk shall be advised of such absence and shall notify the entire Council. Council members shall be physically present in legislative meetings in order to participate and/or vote. Any Council member may participate in work and budget session meetings via any appropriate and available electronic means, such as telephone or video conference, provided that no more than one Council member is exercising this option at one meeting and that no one Council member ~~avails themselves of exercises~~ this option more than four (4) times a year, ~~based on beginning~~ with the start date of the Council member's term of office.

3. COUNCIL MEETINGS

- A. Regular open meetings of the Salisbury City Council will be held in Room 301 of the City/County Government Building, 125 N. Division Street, Salisbury, Maryland, unless notice to the contrary is given. Regular meetings are held on the second and fourth Mondays of each month at 6:00 p.m. except when Monday falls on a legal holiday. In the event that a City holiday falls on Monday, the meeting will be moved to the following Tuesday.
- B. Special open or closed meetings may be held at any time and place the City Council determines is appropriate.

- C. All meetings of the Salisbury City Council will be ~~tape~~electronically recorded by the City Clerk. A recording of an open session made by a member of the public, or any transcript derived from such a recording, may not be deemed a part of the record of any proceeding of the City Council of the City of Salisbury.
- D. Notice of open and closed meetings will be posted on the bulletin board in the lobby of the City/County Government Building, 125 N. Division Street, Salisbury, Maryland and on the City's web site, for a reasonable time in advance of the meeting.
- E. The City Clerk will notify the news media of regular and special open meetings, work sessions and closed sessions.
- F. A representative of the news media or any member of the public may record or photograph the proceedings of the City Council at an open session if:
 - 1. ~~If~~The equipment is operated from a fixed position that does not block the view of any other person. The equipment may be occasionally moved about the room, but only to the extent that the use of the recording device or camera does not become disruptive of the meeting. Artificial light may be used, but only reasonably and not for any extended period of time or ~~such as to become~~in any manner that is disruptive.
 - 2. ~~If~~The equipment or its operator does not create a noise or confusion that disturbs members of the City Council or other persons attending the session.
 - 3. ~~At an open session, representatives of the news media or any member of the public may place in~~Microphones placed on the City Council table ~~if they are to be~~ kept in a central location and ~~may~~not interfere with or disturb the meeting.
 - 4. A representative of the news media or any member of the public who desires to arrangements for the use of a recording device or camera at an open session in a manner not consistent with the provisions of this section may request such special arrangements in advance by contacting the City Clerk's Office.
- G. ~~Regular~~ Council ~~M~~meetings and Work Sessions are broadcast live on PAC14. An individual Council member desiring to schedule a televised meeting; or ~~tape-record~~ a meeting for later broadcast, using the facilities in the Council Chambers, must receive a consensus of the City Council in advance.

4. AGENDAS

- A. On the agenda for each work session shall be an opportunity for Council members to discuss the proposed agendas for upcoming regular Council meetings and work sessions.

- B. The preliminary agenda for each regular Council meeting shall be prepared by the City Clerk by 4:00 p.m. on the Thursday preceding the next regularly scheduled meeting by eleven (11) days. The Clerk shall distribute the preliminary agenda to the administrative staff and the Council as soon as it is prepared. If any Council member or a member of the administrative staff wishes to add or delete an item, they are to submit the request in writing, including a brief description, timeline, and any other pertinent information related to the item, to the Council President by noon on the Wednesday preceding the next regularly scheduled Council meeting by five (5) days.

The Clerk shall distribute supporting materials and details for items published on the Council agenda to Council no later than the close of business on the Wednesday preceding the Council meeting or Work Session.

- C. The Mayor, a member of the Council, or a member of the public may request that an item be placed upon the agenda for a Council meeting provided such request is made in writing prior to the established deadlines with a copy to the City Clerk who will acknowledge receipt to the requestor. Only matters of an emergency or urgent nature may be added to the agenda after those deadlines.

Any Council member wishing to present a Certificate of Appreciation or Certificate of Recognition must receive a consensus of the Council in advance before it is placed on an agenda.

- D. The Council President shall place upon the agenda of the Council meeting any item which is legal, constitutional and proper for the Council to consider, provided, however, that the Council President may reasonably defer a requested agenda item until a future meeting of the Council in order to secure full attendance by Council members, to afford the public ample opportunity to appear and observe the Council's consideration of such agenda item, or to secure the input of the City's staff.
- E. Items which are matters of a routine, non-controversial nature may be placed on the agenda under Consent Agenda. The purpose of the consent agenda is to provide a method for the expeditious handling of items which, in the opinion of the Council President, City Clerk and City Administrator, will not require discussion and will be approved unanimously by the Council. Items shall be removed from the Consent Agenda at the request of any individual Council member.
- F. Except in the case of an emergency or a matter of an urgent or time sensitive nature, no matter will be discussed in a Council meeting which was not reasonably described in the published agenda for such meeting in accordance with the City's Open Meeting rules.
- G. The Mayor, the Council President, the City Administrator, the City Clerk, and all persons involved in the process of creating meeting agendas, shall endeavor to provide all members of the Council and other relevant City personnel with as much

advance notice of agenda items as is feasible in the interest of fostering informed discussion of such agenda items at meetings.

5. CONDUCT OF REGULAR MEETINGS

- A. The Council President or Council Vice President shall call the meeting to order at the appointed hour. In the absence of both the Council President and Council Vice President, a President Pro Tem shall be selected to preside over the meeting.
- B. After calling the meeting to order, the Council President shall entertain a motion to adopt the agenda for the meeting as presented. After such motion has been made and seconded, any Councilmember may request the deletion of any item on the agenda, a ~~or~~ change in the order of any agenda item, or the addition of any urgent or emergency item. Such changes may be approved by consensus, or in the absence of a consensus, such changes shall be approved upon affirmative vote of a majority of the Council. Any member of the Council may also request that an item be removed from the consent agenda for discussion, for further information, or in order that there might be a separate vote on that item as described in 4.E.
- C. The Council President shall control discussion of the Council on each agenda item to assure full participation in accordance with the Rules of Order.
- D. Each agenda item shall be separately announced by the Council President for purposes of discussion and consideration. To place an agenda item on the floor, the Council President shall entertain a motion and a second to approve. All discussion shall be germane to the agenda item.
- E. A Council member shall speak only after being recognized by the Council President. A Council member recognized for a specific purpose shall limit remarks to that purpose. A Council member, after being recognized, shall not be interrupted except by the Council President to enforce these rules. The Council President, as a member of the Council, may enter into any discussion.
- F. In order to afford all Council members an opportunity to speak on an agenda item, a Council member may speak in debate twice on any debatable motion and may speak for up to five minutes each time. A Council member may not save time or transfer/yield their time to another Council member. The period of time allotted for Council debate may be modified by adopting a motion to extend or limit debate.
- G. After being recognized by the Council President, a member of the Council, during discussion of any agenda item, or during a public hearing, may request and receive information, explanations or opinions of the Mayor, City Administrator, City Solicitor, City Clerk or any City department head.
- H. Council members are encouraged to direct comments to agenda items and to conduct meetings in a professional manner as referenced in the adopted City Council Code of

Conduct (Resolution No.1513 – April 23, 2007). Council members shall be respectful to the public and City staff members at all times.

- I. For all required public hearings conducted by the City Council, citizens wishing to provide testimony will be administered an oath by the City Clerk, or in the City Clerk's absence, administered by the City Attorney.

6. PUBLIC INPUT

- A. Public comments should be directed to the agenda item under consideration. The Council President shall rule on the germaneness of the citizen comments.
- B. A citizen who has been recognized by the Council President to address the Council is requested to state his or her name, whether he or she is a resident within the corporate limits of Salisbury, and any organization affiliation he or she is representing.
- C. In order to afford all persons an opportunity to speak regarding an agenda item, the Council President may impose a reasonable limit upon comments made by members of the public, and/or may limit the number of times a member of the public may speak regarding an agenda item.
- D. Any person making personal, impertinent or slanderous remarks, or who becomes boisterous in any manner that disrupts the meeting while addressing the Council, may be requested by the Council President to leave the meeting immediately.
- E. No placards, banners, or signs will be permitted in the Council Chambers or in any other room in which the Council is meeting. Exhibits, displays and visual aids used in connection with presentations to the Council are permitted.
- F. The Council President shall accept public comments from citizens during Council consideration of an item, in addition to a general public comments period. ~~A time may be established for public comments for citizens to address the Council on any item which is not on the agenda for that meeting.~~ A time limit of three minutes per comment may be imposed and citizens are subject to the same rules of conduct as described above. If a prepared statement is available, a copy should be given to the City Clerk. Generally, members of the Council will not comment upon the ~~comments~~ remarks made by a member of the public. If they are administrative issues, the Council President will refer them to the Mayor's Office for a response. Questions posed by a citizen during the public comments portion will be logged, and tracked, by the City Clerk. The City Clerk will forward the questions to the City Administrator for a response. All City Council members and the City Clerk will be provided a copy of the response from the City Administrator.
- G. Members of the public shall be courteous to their fellow citizens and the proceedings while the Council is in session by avoiding conversations within the Council Chambers and the entrance hallway into the Chambers.

- H. Signed communications shall be accepted by the Council, but are not to be read in their entirety during the meeting. Signed communications shall be submitted to the City Clerk to be attached to the minutes as part of the record.

7. VOTING AND THE MAKING OF MOTIONS

- A. Any member of the Council, except the Council President, may make or second a motion for the Council to take action regarding any agenda item, subject to the City Ethics Ordinance and State Ethics Law.
- B. Any member of the Council may vote regarding any agenda item, subject to the City Ethics Ordinance and State Ethics Law.
- C. The Council President may not make a motion, and may second a motion only when there are only three (3) members of the Council, including the President, present and voting.
- D. In the absence of the Council President, the Council Vice President shall be subject to the same limitations upon voting and the making of motions as the Council President.
- E. The City Clerk shall record the name of the Council member making each motion and the name of the Councilmember who seconded the motion.
- F. Discussion shall be closed on any item by the Council President with the concurrence of a majority of the Council. At the conclusion of debate, the Council President shall call for a vote.
- G. During the course of the meeting, if it becomes necessary to temporarily delay action on an agenda item because of more urgent business, a Council member may move to "lay the item on the table". The motion requires a second, is not debatable and requires a majority vote for adoption.
- H. After an agenda item has been laid on the table, it can be taken from the table by a motion to "take the item from the table". The motion requires a second, is not debatable and a majority vote is required. If a motion to "take from the table" is not received by the close of the meeting, the agenda item dies at the end of the session.
- I. If a Council member wishes to "kill" a motion on the floor, a motion to "postpone indefinitely" shall be used. The motion requires a second, is debatable and a majority vote is required for adoption.
- J. If a Council member wishes to defer an agenda item to another meeting, the motion to "postpone to a certain time" is used. The motion requires a second, is debatable and a majority vote is required for adoption.

- K. In the absence of a rule to govern a point of procedure, the City Council shall follow the general practices of the latest published edition of Robert's Rules of Order.

8. WORK SESSION MEETINGS

- A. The Council may conduct work session meetings on matters which are expected to come before the Council for formal action at a regular meeting or otherwise need study by the Council. Items to be considered will be placed on the agenda by the Council President. The agenda shall be distributed on the Wednesday preceding the work session meeting. Because work sessions are considered informal, items not appearing on the printed agenda may be considered for discussion by a consensus of the Council.
- B. At work session meetings, the Council shall receive information and presentation of issues from the Mayor, City staff and/or invited resource persons. Council may ask questions and may request that certain information be provided or issues be addressed when items are considered further at another work session meeting or a regular meeting of Council. Council may direct that matters under consideration be brought forward for formal action at a regular meeting, that further study be conducted if appropriate, that matters under consideration not be pursued further (except for matters requiring a public hearing), or that modifications be made before a matter is considered further.
- C. Final action on items is not taken at work session meetings. The Council may decide by consensus, or by a majority vote, on how to proceed on various items under consideration. However, no formal vote of the Council in favor or against any agenda item may be taken at a work session meeting.
- D. Work sessions are considered public meetings under the terms of the open meetings law and the public can attend. Members of the public or an interested party may have the right to address the Council only on items under consideration in a work session. The Council President shall control the discussion of the Council and the public in accordance with the Rules of Order. Comment forms shall also be made available for any member of the public to submit written comments on any agenda item for consideration by the Council.

9. CLOSED SESSION MEETINGS

- A. The Council may conduct Closed Session Meetings as permitted by State Law. Everything that is discussed during a closed session, and all materials which are reviewed during a closed session or are prepared in anticipation thereof, shall be considered confidential. No council member shall publicly disclose any such information or material. Public disclosure may be made in the event a majority of the council members vote to approve the public disclosure prior to its disclosure.

- B. No council member shall make any disclosures or release any information which would result in the waiver of the attorney/client privilege without first obtaining the approval of a majority of the council in open session.

10. PROCEDURES FOR SECURITY AT CITY COUNCIL MEETINGS

- A. A Salisbury Police Department officer will report to the City Council Chambers at least one-half hour prior to the meeting and will have their radio. Prior to the meeting, a Salisbury Police Department officer will conduct a visual sweep of the Council Chambers, stairways, elevators and surrounding hallways for any suspicious items such as packages, letters, etc.
- B. The Salisbury Police Department officer must not leave the Council Chambers until the conclusion of the meeting unless an emergency occurs.
- C. If a problem or disturbance arises, the following procedure will be followed:
 - 1. The City Council President will ask the disruptive person to leave the meeting room. In the event of an arrest, the Council President may be summoned to court as a witness.
 - 2. Should the person leave, no further action will be taken.
 - 3. Should the disruptive person refuse to leave, the individual will be requested to leave by the Salisbury Police Department officer. If the person does not leave at that time, the individual will be arrested for trespassing and/or disorderly conduct. If a second member of the Salisbury Police Department is present for the meeting, that person will transport and place the appropriate charges on the arrestee. If a problem was not anticipated, and only a single member of the Salisbury Police Department is present, the member will contact communications to have a patrol officer respond to the meeting room and that officer will conduct the transport while the Salisbury Police Department officer remains in the meeting to ensure continued security. Once the meeting has concluded, and the Council members are safely out of the building, the Salisbury Police Department officer will then respond to headquarters and will charge and transport the arrested subject. If an arrest occurs during the City Council meeting, the Salisbury Police Department officer will notify the Salisbury Police Department Commander upon the conclusion of the meeting.
- D. If there is no problem, the Salisbury Police Department officer will remain at the meeting until its conclusion and will ensure that City personnel are safely out of the building.
- E. The City Council Chambers will be posted with a sign indicating the following:

“For the safety of all persons, all bags and boxes are subject to search. Any persons that refuse to submit to such search may be denied entry.”

If a threat is received or probable cause exists to indicate that there may be a problem with a bag or package, the Salisbury Police Department officer will request that the subject in possession of the bag submit to a search as described.

If the subject refuses to allow the search, the subject will be denied entry to the meeting room. If this causes further disturbance, the above policy regarding arrest will be followed.

- F. If information is received concerning a possible bomb threat, the Salisbury Police Department officer will use the proper procedure to notify the on duty squad commander who will then make the required notifications as outlined in the Salisbury Police Department Written Directives #46.1.5 (BombThreats/ Explosions).

11. USE OF COUNCIL TRAVEL AND TRAINING BUDGET

- A. Council members shall comply with the City of Salisbury Employee Handbook's policies on travel.
- B. Prior to incurring any travel expenses, a Council member shall obtain approval of the travel from the Council. Travel expenses incurred without the prior approval of Council shall not be reimbursed or, if mistakenly reimbursed, shall be refunded by the Council member within thirty (30) days of written notification of the error by the City Clerk.
- C. No member of Council shall use more than 1/5 of the appropriated total of the Council's travel and training budget without prior approval of the Council. If the amount used by any Council member exceeds this amount, the excess shall not be reimbursed or, if mistakenly reimbursed, shall be refunded by the Council member within thirty (30) days of written notification of the error by the City Clerk.

Adopted: 10/23/00 by Resolution No. 737
Amended: 11/26/01 by Resolution No. 806
Amended: 8/26/02 by Resolution No. 876
Amended: 5/12/03 by Resolution No. 972
Amended: 12/8/03 by Resolution No. 1043
Amended: 11/28/05 by Resolution No. 1335
Amended: 3/27/06 by Resolution No. 1386
Amended: 10/23/06 by Resolution No. 1451
Amended: 1/8/07 by Resolution No. 1476
Amended: 10/8/07 by Resolution No. 1577
Amended: 11/26/07 by Resolution No. 1600
Amended: 7/14/08 by Resolution No. 1672

Amended: 7/11/11 by Resolution No. 2072
Amended: 9/10/12 by Resolution No. 2203
Amended: 2/25/13 by Resolution No. 2251

MAYOR AND COUNCIL RULES OF PROCEDURE

SECTION 1 – AUTHORITY AND ADMINISTRATION

A. Authority

- a. The Town Council may determine its own rules and order of business as authorized by the Charter and Code of the Town of Cheverly. The Mayor and Council Rules of Procedure shall be in effect upon adoption of the resolution by the Mayor and Council and remain in compliance with the Charter and Code of the Town of Cheverly and the Constitution and laws of the State of Maryland.
- b. These Rules shall govern the order and conduct of deliberative and legislative meetings of the Mayor and Council and related Council work.
 - i. To the extent these Rules of Order do not address an issue of parliamentary procedure, Robert's Rules of Order Newly Revised may be used as a guide to resolve the issue.
 - ii. When present, the Town Attorney shall serve as parliamentarian. In the absence of the Town Attorney, the Town Administrator shall serve as parliamentarian.

B. Administration

- a. At a Work session scheduled within two weeks of one or more elected officials taking office, orientation shall be provided in order to discuss the role of Council, review meeting procedures, and give an overview of the Town Budget. Newly sworn-in elected officials shall be provided with a hard copy of the Town Charter, Code, and Budget.
- b. The Town Council shall review and readopt these rules, with or without amendments, within sixty (60) days following the regularly scheduled biennial election of Council Members.
- c. The presiding officer is responsible for ensuring that all elected and appointed officials and members of the public adhere to these Rules.
- d. Any Council Member may request that the presiding officer enforce these rules.

C. Suspension

- a. Any rule contained herein may be suspended by five affirmative votes of Town Council Members present and voting.

D. Amendment

- a. These rules of procedure of the council will be placed on the agenda of the first Work session of the council following the seating of the newly elected councilmembers for review, and adopted at the subsequent town meeting. A copy of the rules adopted shall be distributed to each councilmember. The council may alter or amend its rules at any time by five affirmative votes of Town Council Members present and voting, after notice

has been given of the proposed alteration or amendment.

SECTION 2 – CONDUCT OF MEETINGS

A. Frequency and Type

- a. Meetings shall be scheduled in accordance with the Charter and Code of the Town of Cheverly and in compliance with the Open Meetings Act of the State of Maryland.
- b. All portions of all meetings are open to the public unless some portion is closed in compliance with the Open Meetings Act of the State of Maryland.
 - i. Elected officials bear primary responsibility for compliance with that Law.
 - ii. The Mayor, Town Administrator, and at least three Ward Council Members shall be trained in Open Meetings Act compliance at least once during each Council term.
- c. The Town Council will make every effort to schedule meetings on the second and fourth Thursday of every month.
 - i. “Regular meetings” as envisioned in C-13(A1) shall generally be held on the second Thursday of every month.
 - ii. “Worksessions” as envisioned in C-13(A2) shall be held on the fourth Thursday of every month.
- d. Special meetings of The Town Council may be convened by the Mayor or by four Ward Council Members with 72 hours’ notice given by the Town Clerk to the public and to Town Council Members whenever possible.
 - i. Special meetings shall consider only the one item on its agenda.
 - ii. The Town Clerk shall notice the purpose of the meeting and the resultant agenda.
 - iii. Unless the meeting is closed, resident input shall be welcomed in accordance with 4E of these Rules.
- e. While C-13(A2) allows the Town Council to conduct the full range of town business at a Worksession, the Town Council will make every effort to take votes on substantive matters only during the Action Items portion of the Regular Meeting agenda, except in cases of urgency or to meet an immediate deadline. Exception is made for votes to direct staff to draft or investigate something that will be voted on later, or to send a matter to committee for a recommendation.
- f. The Town Administrator shall ensure that every meeting of the Town Council is noticed to the public including on the Town’s website and physically at the Community Center. The Town Administrator shall likewise publish the agenda including supporting documentation for every Town Council Meeting as early as is practicable.

B. Presiding Officer

- a. The Mayor shall preside over all meetings of the Town Council (C-11B).
- b. In the Mayor’s absence, the Vice Mayor shall preside for the duration of that meeting.
- c. In the absence of both the Mayor and Vice Mayor from a meeting, the Town

Administrator shall call the meeting to order and the remaining Ward Council Members constituting a quorum shall elect a Mayor Pro Temp from among the Ward Council Members present who shall preside for the duration of that meeting.

C. Attendance and Quorum

- a. Quorum to conduct public business shall be the presiding officer and three additional Ward Council Members, participating virtually or in person.
- b. The Town Administrator shall ensure that the Town Council operates and offers means of electronic participation for Town Council Members and the public.
- c. Proxy voting is not permitted.
- d. Minutes of every Town Council Regular Meeting and Worksession, prepared by the Town Clerk, shall be approved by the Town Council and shall reflect the attendance of Council Members during all agenda items on which a vote was taken.
- e. The Town Council shall favorably consider excusing the absence of the Mayor or any Ward Council Member absent from the entirety of a meeting.

D. Translation and Interpretation

- a. Regular Meetings and Worksessions shall be simultaneously interpreted into American Sign Language and captioned for recording and broadcast or rebroadcast.
- b. Requests for translation of published materials, or interpretation during meetings, in a spoken language other than English shall be favorably considered by the Town Administrator when the request is made at least 72 hours in advance of the meeting.

SECTION 3 – MEETING AGENDAS

A. Standing Agenda Items:

- a. Regular Meetings shall include:
 - Call to Order
 - Pledge of Allegiance
 - Approval of the Agenda
 - Resident Input
 - Matters Involving Guest Speakers/Elected Official
 - Town Administrator's Report
 - Consent Calendar
 - Action Items
 - Discussion Items
 - Agenda Items for Future Meetings
 - Adjournment
- b. Regular Meetings can additionally include:
 - Approval of Prior Meetings' Minutes (if not included in the Consent Agenda)
 - Police Chief's Report
 - Public Works Director's Report

- Public Recognitions or Presentations
 - Committee Reports
 - Mayor and Council Announcements
- c. Worksessions shall include:
- Call to Order
 - Pledge of Allegiance
 - Approval of the Agenda
 - Town Administrator's Report
 - Discussion Items
 - Agenda Items for Future Meetings
 - Adjournment
- d. Worksessions can additionally include:
- Consent Calendar
 - Action Items
 - Resident Input
- B. The Mayor shall, during the first quarter of the fiscal year, publish an annual agenda calendar that includes budget, mandated hearings, seasonal, recognitions, and other anticipated significant demands on agenda bandwidth.
- C. The Mayor and the Town Administrator will jointly propose to The Town Council a written meeting agenda at least 24 hours in advance of any public posting. All agendas, minutes, and supplemental materials should be reviewed by Council prior to meetings. Typos and other minor edits should be communicated to town staff in advance of meetings.
- D. Every effort will be made to have agenda items that involve guests or young people at the top of the meeting agenda.
- E. All speakers (including Mayor & Council, Town Staff, Residents, and Guests) at any town meeting must speak slowly and clearly and directly into a microphone. Guests and invited speakers will be reminded of this before the meeting.
- F. Council Member(s) desiring to add an item to the agenda shall (1) make that proposal verbally or in writing to the Mayor and Town Administrator at least eight days in advance of any meeting whenever possible; or (2) propose adding the item to the agenda during the specific agenda section Approval of the Agenda. Proposed agenda items will be considered without partiality.
- G. The Mayor and Town Administrator will jointly write and publish the Consent Agenda, which shall consist of matters routine in nature and unlikely to prompt debate or inquiry. The presiding officer, or the Town Council by majority vote, may remove an item from the Consent Agenda and vote it separately.

- H. Action Items require formal approval by the Town Council at the current meeting or specified future meeting. Action Items shall have been discussed at a previous meeting, in accordance with the Town Charter. The Town Administrator, and where necessary the Town Attorney or relevant advisory committee, shall have provided to the Town Council their recommendation on each action item.

SECTION 4: RULES OF ORDER DURING MEETINGS

- A. At every meeting the Town Council shall vote, and that vote shall be recorded by the Town Clerk, to approve the agenda; to approve prior meetings' minutes (if not included on the Consent Agenda); to approve the Consent Agenda; to approve each individual Action Item; and to adjourn the meeting.
- B. Council Members shall vote in the affirmative or in the negative, or shall abstain, or shall vote present, on every vote for which they are present.
- C. Motions
 - a. Motions – Procedure – Withdrawal prior to vote.
 - i. When a motion is made and seconded it shall be deemed to be in possession of the council and shall be stated by the presiding officer or, if in writing, read by the Town Clerk previous to debate. The motion may be withdrawn by the maker and the second prior to a vote.
 - b. Motions – Administration.
 - i. The presiding officer may, at his/her discretion, call any member to take the chair to allow him/her to address the council, make a motion, or discuss any other matter at issue.
 - c. Motions – Order of priority.
 - i. A motion to lay any matter on the table shall be first in order and, on all questions, the last amendment, the most distant day, and the largest sum shall be put first.
 - d. Motions – Restricted when.
 - i. When a question or motion is before the council, no other motion shall be received, unless it is to amend, postpone, lay on the table, consider the main question, or to adjourn.
 - e. Motions to reconsider.
 - i. Motions to reconsider must be by a member who voted with the majority and at the same or the next succeeding meeting of the council.
 - f. Motion to extend.
 - i. Motions to extend the meeting can be solicited by the chair when meetings will be longer than three hours.
- D. Once a motion has been made and seconded, debate/discussion begins.
 - a. All members must be recognized by the chair before speaking. The member who made the motion

has the option to speak first during discussion.

- b. Each member has the opportunity to speak once before any member speaks again.
- c. Discussion is limited to Mayor & Council and Town Administrator.
- d. Once discussion is over, and voting has begun, Council should refrain from additional commentary about the vote. Any explanation as to why a member is voting a certain way should happen during discussion or in another forum.

E. Voting

a. Voting – Requirements.

- i. All members present, will be asked to vote on every order of business that is brought up for a vote except as to matters with respect to which such councilmember or the mayor discloses a reason for a disqualifying interest. A disqualifying interest will not affect the presence of a quorum to enact business.

b. Voting – Abstention.

- i. In the event a member abstains from voting, that member shall announce his/her intention to abstain. An abstention shall not affect the presence of a quorum. An abstention shall not be considered as either a vote for or against the matter.

c. Voting – Tie votes.

- i. Except when voting to appoint an elected official or to select the vice mayor, the mayor shall vote only in case of a tie, unless prohibited through a disqualifying interest.

d. Voting – Disqualification – Member responsibilities.

- i. A councilmember shall disqualify himself/herself from participating on any issue if personal financial interest or other influences will prevent or appear to prevent him/her from exercising fair-minded independent judgment on the facts and established policy.

e. Voting – Disqualification – Procedures.

- i. Should a councilmember be aware of circumstances which might appear to disqualify himself/herself from council action, he/she can either disqualify himself/herself or explain the circumstances before the council. Should the council be aware of circumstances which might appear to disqualify the member, the council may request the disqualification of the member. Any member who is asked to stand down by the remaining members of the council shall evaluate the advice and act in the best interest of the Town.

f. Voting – Majority vote – Motions.

- i. All actions of business or policy shall be made by four affirmative votes. The mayor may cast the fourth affirmative vote. Each vote shall be preceded by a motion, a second, and an opportunity for discussion.

F. Discussion Items are important Town issues not requiring formal action by The Town Council in the next sixty days. Discussion of items listed under Discussion Items shall be limited to

fifteen minutes each.

G. Resident Input

- a. During the specified Resident Input agenda item, the presiding officer will call speakers to the podium in the order in which they requested recognition. The presiding officer will remind speakers of the rules for Resident Input.
 - i. The presiding officer will ask speakers to state their name and ward, to direct their comments to The Town Council as a body.
 - ii. Speakers may speak for up to three minutes. Input can address a specific agenda item or raise a new matter.
 - iii. Unused time may not be transferred to another speaker.
 - iv. The presiding officer will not respond to the input directly and will not allow any Council Member or town official to do so. The presiding officer may request that town staff or council members follow up with the resident as appropriate.
- b. With the exception of some guest presentations and agenda items identified in advance, resident input is limited to the "Resident Input" agenda item and does not occur during other agenda items. If resident input is allowed during other agenda items, input must be solicited before a motion is made. Resident Input cannot take place when there is a motion on the table.
- c. During Town Worksessions, resident input is welcomed during any agenda item.
 - i. Resident Input does not occur until all Mayor & Council questions and discussions have completed. All speakers must be recognized by the presiding officer.
 - ii. Residents have one opportunity for input per agenda item, limited to three minutes. All resident input should be germane to that agenda item.
 - iii. As much as possible, input should be directed to Mayor & Council. Questions asked directly of guests should be posed at the beginning of the resident's input to facilitate accurate timing. The presiding officer has the option to respond to input or redirect questions as appropriate.

- H. During the specific agenda section Mayor and Council Announcements, the presiding officer will afford each elected official five minutes to speak. Unused time may not be transferred to another elected official. Formal Town Council business will not be conducted.

SECTION 5 – REPRESENTATIONS

- A. The Mayor shall represent the decisions and policies of The Town Council in all forums.
- B. The Mayor may delegate to any Ward Council Member, the Town Administrator, any member of the Town staff, or any representative of a Town Organization, the authority to represent the

decisions and policies of The Town Council.

- C. Paragraphs A and B shall not constrain an individual Elected Official from expressing their opinion as their own in any forum. Individual Council Members will be careful to specify that their opinion is non-binding on the Town or The Town Council and not made on its behalf.

SECTION 6 – TOWN STAFF RESOURCES INCLUDING THE TOWN ATTORNEY

- A. The Town Administrator shall be the first point of contact for elected officials seeking information or action on any Town service, operation, or issue.



COUNCIL OF THE TOWN OF LA PLATA

RULES OF PROCEDURE

Revised January 17, 2023

Introduction

The rules of procedure were designed and adopted for the benefit and convenience of the Council of the Town of La Plata (Town Council) and are intended to describe the rules and guidelines by which the Council operates. Additionally, the rules of procedure will help the Council conduct its affairs in a timely and efficient manner and serve as a quick reference for resolving policy and procedural questions during meetings. The rules of procedure do not supersede the provisions of the Town Charter or Code of Ordinances and do not create substantive rights for third parties or participants in proceedings before the Town Council. Further, the Town Council reserves the right to suspend or amend the rules of procedure whenever a majority of Town Council decides to do so. The failure of the Town Council to strictly comply with the rules of procedure shall not invalidate any action of the Town Council.

The rules of procedure may be reviewed and adopted annually and following an election year, at the organization meeting of Town Council in May. Revisions to the rules of procedure may be proposed and adopted during any regular meeting of the Town Council by means of an affirmative vote of a majority of a quorum of the Town Council and become effective upon adoption.

SECTION 1 – PURPOSE AND BASIC PRINCIPLES

Section 1-1. Purpose of Rules of Procedure

- A. To enable the Town Council to transact business fully, expeditiously, and efficiently while affording every opportunity to citizens to witness the operations of government;
- B. To protect the rights of each individual Town Council Member;
- C. To preserve a spirit of cooperation among Town Council Members; and
- D. To determine the will of the Town Council on any matter.
- E. To further advance the core values outlined in the Town of La Plata's Strategic Plan

Section 1-2. Basic Principles Underlying Rules of Procedure

- A. The business of the Town Council should proceed in the most efficient manner possible;
- B. Town Council's rules of procedure must be followed consistently;
- C. Town Council's actions should be the result of a decision on the merits and not a manipulation of the procedural rules;

- D. Only one subject may claim the attention of Town Council at one time;
- E. Each item presented for consideration is entitled to full and free discussion;
- F. Every Town Council Member has equal rights to participate and vote on the issues;
- G. Every Town Council Member must have equal opportunity to participate in decision making;
- H. The will of the majority must be carried out; and the rights of the minority must be preserved; and
- I. The Town Council must act as a body.

SECTION 2 – MEETINGS

Section 2-1. Adoption of an Annual Calendar and Meeting Schedule

The time and place of the meetings of the La Plata Town Council shall be established annually with the adoption of a resolution and calendar that sets forth the regular meetings (which may include scheduled and advertised public hearings), Town Hall meetings, and other standing meetings, where applicable.

Regular meetings and public hearings. In general, regular meetings of the Town Council, which may include scheduled and advertised public hearings, will be held on the second, third and fourth Tuesday of each month beginning at 6:00 p.m. in the Council Chambers, located on the first floor at Town Hall. Under exceptional or extenuating circumstances, Town Council meetings may convene virtually. Regular meetings and public hearings are live streamed via the online meeting platform specified on the Town's website and meeting agenda.

Town Hall meetings. The La Plata Town Council may host Town Hall meetings each year with the location and topic of discussion announced prior to the event. The location and topic will be influenced by current Town events, projects, and priorities.

Section 2-2. Special Meetings

The Town Council may schedule special meetings as it deems necessary with the dates and time adopted as part of the annual calendar or announced in accordance with all legal requirements. Special meetings shall be called by the Town Clerk upon the written request of the Mayor, a majority of the members of the Town Council or the Chief Executive Officer; no business shall be transacted at a special meeting but that for which it shall be called, unless the Town Council agrees unanimously to consider such action.

Section 2-3. Pre-Organizational Meeting

In those years in which Town Council elections are held, the Town Council, including members-elect of the body, may meet in a work session prior to the organizational meeting to discuss appointments as members of or liaisons to committees, boards, commissions and multi-jurisdictional agencies. During the discussion of the full Town Council, consideration will be given to a Town Council Member's level of interest, experience, his or her specific schedule, and the location, time, and frequency of the meeting(s).

Section 2-4. Organizational Meeting

In those years in which Town Council elections are held, an organizational meeting of the Town Council

shall be held on the second Monday in May. The purpose of the organizational meeting shall be the appointment of Town Council Members as members of or liaisons to committees, commissions, boards and multi-jurisdictional agencies, the appointment of Mayor Pro Tem and the conduct of such organizational business as may come before the Council.

Appointments of Council Members shall be announced by the Mayor at the organizational meeting and shall become effective when approved by a vote of Town Council. If desired, the Town Council may review appointments on an annual basis.

The Town Council will acknowledge and adopt the Rules of Procedure at its organizational meeting.

Section 2-5. Rescheduling of Meetings

In the event of circumstances preventing the conduct of a regularly scheduled meeting, the Town Council may reschedule such meetings, unless already otherwise indicated on the adopted annual calendar. Appropriate notifications regarding rescheduling of meetings will be made in accordance with the Open Meetings Act.

SECTION 3 – OFFICERS AND EMPLOYEES

Section 3-1. Mayor

The Mayor shall serve as presiding officer over all meetings of the Town Council and perform such other duties as may be prescribed by the Charter and Town Code or general law.

The Mayor shall have the right to vote on matters before the Town Council.

The Mayor Pro Tem serves as presiding officer in the absence of the Mayor. In the case of the absence from any meeting of the Mayor and Mayor Pro Tem, the members of the Town Council present shall choose one of their number as temporary presiding officer.

Section 3-2. Town Manager

The Town Council may appoint a Town Manager who shall be chosen in conformity with the provisions of the Charter and who shall exercise the powers and discharge the duties required of him, subject to the approval of the Town Council. The Town Manager shall exercise administrative supervision and control over all departments of the Town government and have general supervision over all improvements, works, and services.

The Town Manager shall attend all meetings of the Town Council and shall recommend to the Town Council, for adoption, such measures as he may deem expedient or necessary.

Section 3-3. Town Clerk

The Town Clerk shall serve as the Clerk to the Council and shall attend every meeting of the Town Council and will maintain an accurate account of the proceedings of the Town Council, including all motions and subsequent votes, shall be conducted and recorded in compliance with legal requirements.

Statements to be Included in the Minutes. Any member of the Town Council who wishes to have a statement or comment included in the minutes shall make that known prior to making the statement and shall provide the Town Clerk with a written copy of his or her statement.

Section 3-4. Department Heads

The head of any department, or any officer or employee of the Town when requested by the Town Council or the Town Manager, shall attend any regular, adjourned or special meeting and confer with the Town Council on matters relating to the Town.

SECTION 4 – THE AGENDA

Section 4-1. Publishing the Agenda

At the direction of the Town Manager, the Town Clerk shall be responsible for the publication of agendas for all noticed and scheduled meetings of the Town Council.

Section 4-2. Adding Items to the Agenda

The Town Clerk, in collaboration with the Town Manager, shall prepare a proposed agenda to review with the Mayor prior to the scheduled Town Council meeting. Any Town Council Member and Department Head that would like to add items to the proposed agenda should submit such items to the Town Manager seven (7) business days before the meeting. Materials that will accompany the agenda item shall be provided to the Town Clerk no later than noon on the Thursday prior to the scheduled meeting, or at such a time that allows for development of the item, where applicable. Last-minute submissions are discouraged but may be added to a meeting agenda, where applicable, subject to a vote of the Town Council at the meeting approving a change [addition] to the published agenda. This will allow Council consideration of a matter that requires action expeditiously but was not known in time to be presented during the normal agenda development process.

Items added to the agenda by an individual Town Council Member shall be included on the agenda of the first regular meeting of the month to determine Town Council consensus to proceed with development, introduction and consideration of adoption, where applicable.

The agenda items and related materials accompanying the agenda item shall be provided to the Town Clerk for distribution to the Town Council, and for posting of the agenda. Town Council action agenda items may include, but is not limited to, discussion only; referral to a Town Council committee; referral to the Town Manager for development by Town staff; or placement on a future Council regular agenda for further action.

Section 4-3. Distribution of the Agenda

The Town Clerk shall publish agendas and related materials (the agenda packet) to the Town's website in a timely manner to allow the public and elected officials time to review.

The agenda packet for meetings held on a Tuesday will be published before noon on the Friday prior to the meeting date. If key information is outstanding, the Town Manager may delay the publication of the packet or reschedule agenda items.

Section 4-4. Town Council Approval of Agenda and Consent Agenda

- A. At the beginning of every regular meeting the Town Council will have the opportunity to review items on the agenda and, if necessary, the consent agenda to approve or remove items from the agenda.

- B. In the case of the consent agenda, unless one or more members of the Town Council has a reason to discuss and/or debate one or more items, contents of the Consent Agenda will be voted on collectively. Removed items may be taken up either immediately after the consent agenda or placed later on the agenda at the discretion of the majority of the Town Council.
- C. Under no circumstances can anything be added to or removed from the agenda after the Town Council has voted to accept the agenda for that meeting.

SECTION 5 – ORDER OF BUSINESS FOR COUNCIL MEETINGS

Section 5-1. Order of Business

- A. The order of business for the regular Town Council meeting will be established in a written agenda and may include the following: Approval of Agenda; Consent Agenda; Community and Staff Presentations; Reports of the Mayor and Council; Staff Reports; Ordinances and Resolutions; Unfinished and New Business; Awards and Acknowledgements; Public Comment; Closed Meetings; Public Hearings; and other pertinent business of the Town Council.
- B. The order of business for any special Town Council meeting will be established in a written agenda and may include the following: Ordinances and Resolutions, Action Items, Public Hearings, Closed Meetings, and other pertinent business of the Town Council.

Section 5-3. Public Comment Participation

- A. No person, other than a member of the Town Council, Town Manager, or Town Attorney shall have the right to discuss any matter in a meeting of the Town Council, unless by consent of a majority of the Council, or when that person is scheduled to appear before the Council on an agenda item.
- B. The public comment participation portion of the agenda is set aside for those citizens who wish to address the Town Council for less than three (3) minutes each. Citizens need not give prior notice to the Town to speak during the public comment participation portion of the agenda.
- C. Public comment participation shall be for the purpose of allowing members of the public to address any Town business; however, public comment participation is not intended to serve as a forum for debate with the Council.

Section 5-4. Public Hearings

- A. Public hearings before the Town Council may be scheduled for any regular or special meeting of Council and require at least fifteen (15) days' notice in a newspaper of general circulation in the Town, or as may be required by Town Code or state law.
- B. Promptly at the hour set on the day of the public hearing, the members of the Council, the Town Clerk, the Chief Executive Officer, any relevant Town Staff, the Applicant/Petitioner, and those members of the public who wish to address the Town Council shall appear in person in the Council Chambers.
- C. The procedures for public hearings are as follows:

1. Call to Order
 2. Review of Public Notices
 3. Recommendations:
 - a. Summary of Town Staff report and recommendation and/or;
 - b. Planning Commission Recommendation
 4. Applicant/Petitioner presentation and testimony
 5. Questions by the Town Council. [The Town Council may ask questions of the Applicant/Petitioner or Town staff.]
 6. Written documents are entered into the record.
 7. Speakers (signed up) are called on by the Mayor or presiding officer. At the discretion of the Mayor or presiding officer, time may be limited to 3 minutes and may not be yielded.
 8. Additional questions by Town Council.
 9. When the hearing is concluded, the Town Council will not hear further comments or questions during the meeting. If the record is kept open for a specific number of days, written comments should be submitted, by the deadline, and to the attention of the Town Clerk, in person at Town Hall, or email legislative@townoflaplata.org.
- D. The following provisions shall be applied to Applicant/Petitioners and their agents who cannot participate in person due to exceptional or extenuating circumstances.
1. On or before the day of a meeting, an Applicant/Petitioner or the agent of an Applicant/Petitioner who wishes to participate through electronic means when an in-person meeting has been scheduled must notify the Mayor, or in the Mayor's absence the presiding officer, that the member is unable to attend the meeting in person.
 2. Following receipt of notification as required by paragraph 5-4(D)(1), remote participation by electronic communication is authorized if the Town Clerk makes arrangements for the voice of the remote participant to be heard by all persons who wish to participate or attend utilizing electronic means.
 3. At the start of the meeting the Mayor, or other presiding officer, shall advise the Town Council of the request for participation by remote electronic communication. If the conditions and requirements of this Policy have been met, the Town Council shall approve the request by majority vote. If participation through electronic communication means is approved, the Town Clerk shall record in the minutes of the meeting the means from which the member participated (in person or online meeting platform).

Section 5-5. Closed Meetings

- A. Generally, all meetings of public bodies must be open to the public, except in special and appropriate circumstances when a meeting may be closed in compliance with the Maryland Open Meetings Act. The Town Council must create an agenda and must affirmatively pass a roll call vote on a motion in open session that does the following:
1. Identifies the subject matter of the closed meeting;
 2. States the purpose of the closed meeting; and
 3. Makes specific reference to the statutory exemptions relied on to close the meeting.
- B. Once in a closed meeting, only the matters stated on the agenda and in the motion are allowed to be discussed.
- C. The Town Council may invite members of the public or Town Staff to attend a closed meeting if

their presence reasonably aids the Town Council in its consideration of an issue.

- D. Following a closed meeting the Town Council must disclose, in the minutes of the next open session, what topics were discussed, who attended the closed session, and what actions were taken.
- E. Any individual attending a closed meeting should respect the Town Council's decision that the subject matter is too sensitive for public discussion and should treat the closed meeting discussion as confidential.

SECTION 6 – RULES OF PROCEDURE FOR TOWN COUNCIL MEETINGS

Section 6-1. Quorum

- A. Three (3) members of the Town Council shall constitute a quorum for the transaction of business. No ordinance shall be passed, resolution adopted, nor any other action taken without the favorable votes of a majority of the members of the Town Council. No vote or question decided at a stated meeting shall be reconsidered at a special meeting unless all members are present, and three of them concur.
- B. Quorum refers to the number of members present at a meeting, not the number of members voting on an issue. If no quorum is present or if a quorum is lost, the Town Council can only (i) adjourn, (ii) recess, or (iii) take steps to obtain a quorum.
- C. If a quorum fails to be established, those attending may adjourn to such other time prior to the next regular meeting as they may determine and the Town Clerk shall enter such adjournment in the minute book of the Town Council and shall notify absent members thereof in the same manner as required for special meetings.
- D. Conflict of interests shall be disclosed and may only participate or act in accordance with Chapter 20 Ethics of the Code of the Town of La Plata.

Section 6-2. Preservation of Order

- A. At meetings of the Town Council, the presiding officer shall preserve order and decorum and decide on questions of order, subject to appeal to the Town Council. If a member of Town Council transgresses the rules of the Town Council, the presiding officer shall call him or her to order.
- B. No member of the Town Council shall leave the Council Chamber while the Town Council is in regular meeting without the permission of the presiding officer.
- C. The presiding officer has the authority to call a brief recess at any time.
- D. The presiding officer may adjourn the meeting without the Town Council's vote or appeal in an emergency.
- E. The right of a member of the Town Council to address the Town Council on a question of personal privilege shall be limited to cases in which his integrity, character or motives are assailed, questioned or impugned. A member addressing the Town Council on a question of personal privilege shall first address the presiding officer and be recognized. A second is not

required.

- F. Whenever a question arises as to the proper interpretation of a rule of procedure, or in the absence of a rule to govern a point of procedure, the presiding officer of the Town Council shall resolve the question.
- G. Any member of the Town Council may appeal to the Town Council from the ruling of the presiding officer. If the appeal is seconded, the member making the appeal may briefly state his reason for the appeal and the presiding officer may briefly explain his ruling, but there shall be no debate on the appeal and no other member shall participate in the discussion. The presiding officer shall then put the question: "Shall the decision of the presiding officer be sustained?" If the majority of the members present vote "no," the ruling of the presiding officer is overruled; otherwise, it is sustained.

Section 6-3. Town Council Members Addressing Town Council

- D. A member of the Town Council shall seek recognition to speak from the presiding officer, shall address only the question before the Town Council and shall refrain from impugning the motives of any other Town Council Member's argument or vote. No discussion of a sectarian or political nature shall be allowed. No member shall interrupt another while speaking, except to make a point of order, the point to be briefly stated to the presiding officer.
- E. No member of the Town Council shall speak more than once on the same question until every member choosing to speak shall have done so, or for a longer time than ten minutes on any question, without the express permission of the Town Council.

Section 6-4. Action by the Town Council

- A. Action on ordinances shall be required in accordance with Town Code.
- B. Items of business will be considered and dealt with one at a time, and a new proposal may not be put forth until action on the preceding one has been concluded.
- C. When a proposal is perfectly clear to all present, and the proposal will not obligate the Town Council in any manner nor finally decide an issue before the Town Council, action can be taken upon the unanimous consent of the Town Council Members present, without a motion having been introduced. However, unless agreed to by unanimous consent, all proposed action of the Town Council must be approved by vote under these rules. Silence, or the lack of spoken dissent, is taken as consent.
- D. If an agenda item requires a public hearing, action by the Town Council may be taken at the same meeting as the public hearing or may be deferred to a later meeting.

Section 6-5. Motions

- A. Informal discussion of a subject is permitted while no motion is pending.
- B. Any member of the Town Council, even if he or she is serving as the presiding officer, may make a motion.
- C. A member may make only one motion at a time.

- D. Except for matters stipulated in these rules of procedure, all motions require a second and a motion dies for lack of a second.

Section 6-6. Receipt of Motions When Question is Under Consideration

- A. When a motion is under consideration, no motion shall be received, except as follows: to postpone indefinitely, to amend, to refer to a board, commission or committee, to postpone to a certain time, to limit or extend debate, to move the previous question or to lay on the table.
- B. The following motions are debatable: to postpone indefinitely, to refer to a board, commission or committee or to postpone to a certain time. A motion to amend is debatable only if the main question is. The other motions named in subsection A. of this section are not debatable. The following motions are amendable: to amend, to refer to a committee, to postpone to a certain time, and to limit or extend debate. The other motions named in subsection A. of this section are not amendable. All motions require a simple majority, except for the motions to limit or extend debate or move the previous question, which require a two-thirds majority.

Section 6-7. Debate

- A. The presiding officer shall state the motion and then open the floor to debate. The presiding officer shall preside over the debate according to the following general principles:
1. The maker of the motion is entitled to speak first;
 2. A member who has not spoken on the issue shall be recognized before someone who has already spoken;
 3. A member of the Town Council may vote against his or her motion but may not speak against his or her motion.
 4. The presiding officer may participate in the debate prior to declaring the matter ready for a vote.
 5. Town Council Members shall not engage in electronic communication amongst themselves regarding a motion that is on the floor for debate.

Section 6-8. Duty to Vote

If there is an abstention, it shall be the responsibility of the abstaining member to state the reason and for Town Clerk to note the abstention and the reason for abstaining in the minutes for the record.

Section 6-9. Method of Voting

- A. After debate, the presiding officer shall ensure that the motion is clear and call for the vote.
- B. All questions submitted to the Town Council shall be determined by a majority vote of the Town Council members voting on any such question, unless otherwise required by special or general law. A majority is more than half.
- C. An "affirmative vote" by a majority of the Town Council present being necessary to adopt a motion, a tie vote means that the motion, resolution or issue has been rejected. When a motion

fails on a tie vote, the “noes” prevail.

- D. In order for a motion in a zoning matter to be adopted, it must be approved by a majority of those voting.
- E. Town Council Members can request that the Town Clerk call for the individual votes of Town Council Members on any matter before the Town Council (Roll Call).

Section 6-8. Participation and Attendance by Remote Electronic Communication

The Town Council has developed various methods to allow for participation and attendance at Town Council, Board, Commission and Committee meetings. The following policy is established pursuant to the Maryland Open Meetings Act to allow members of Town Council, staff members, applicants or petitioners to participate in a Town Council meeting through electronic communication means from a remote location that is not open to the public, subject to the conditions and requirements of this Section. Public attendance to listen and/or view the proceedings of the Town Council may be made available through live streaming on the Town’s online meeting platform or phone in.

The following provisions shall be applied strictly and uniformly, without exception, to the entire membership and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting.

- A. On or before the day of a meeting, a Town Council member who wishes to participate through electronic means, when an in-person meeting has been scheduled, must notify the Mayor, or in the Mayor’s absence the member who will chair the meeting, that the member is unable to attend the meeting in-person.
- B. Following receipt of notification as required by subsection A., remote participation by electronic communication is authorized if the Town Clerk makes arrangements for the voice of the remote participant to be heard by all persons who wish to participate or attend utilizing electronic means or conference call.
- C. At the start of the meeting the Mayor, or other presiding officer, shall advise the Town Council of the member’s request for participation by remote electronic communication. If the conditions and requirements of this Policy have been met, the Town Council shall approve the member’s request by majority vote. If participation by a member through electronic communication means is approved, the Town Clerk shall record in the minutes of the meeting the means from which the member participated (in person or online meeting platform).

SECTION 7 – BOARDS, COMMITTEES, COMMISSIONS, AND AUTHORITIES

Section 7-1. Appointments to Boards, Committees, Commissions, and Authorities

- A. The appointments of Town Council Members to Boards, Committees, Commissions, and Authorities shall be approved by an affirmative vote of a majority of the members of the Town Council at the organizational meeting.
- B. In the event of a vacancy, the Town Council may consider and approve a replacement at any

regular meeting of the Town Council.

- C. If the Town Council wishes, it may review appointments on an annual basis.

Section 7-2. Standing Committees of the Town Council

- A. The Town Council may have Standing Committees of Council, to include but not limited to, financial and budgetary matters, land use and economic development matters, and the appointments of citizens to the Town's various Boards, Committees, and Commissions.

Section 7-3. The Creation of Standing Committees and New Committees

- A. Any new Standing Committee of the Town Council shall be established by an ordinance.
- B. Any new temporary committee shall be established by ordinance or resolution and shall specify the term during which the committee will remain in existence. No temporary committee shall be established for a term of more than 365 days, the period to run from the date the committee holds its initial meeting. The term of the temporary committee may be extended by Town Council through an ordinance or resolution for additional periods of up to 365 days each. A temporary committee shall cease to exist upon (i) the completion of its designated task or assignment, (ii) the date it submits its final oral or written report to Town Council, (iii) the expiration of the term specified in the ordinance or resolution creating the committee or of any extension of its original term, or (iv) three years from the date of its initial meeting, whichever occurs first.
- C. No new committee shall be established until the Town Manager has issued a report with comments and recommendations regarding the creation of the committee. The Town Manager may delegate responsibility for preparing this report to any department head. The report required by this section shall include the comments and recommendations regarding:
 - 1. The need for the committee and possible duplications or conflicts with other committees;
 - 2. The appropriateness of a committee format to deal with the issues involved; and
 - 3. The impact that creation of the committee will have on Town staff and resources, including: (a) the estimated total amount of Town staff time that will be required on an annual or other basis to staff the committee; (b) whether the committee can accomplish its assigned work with existing staff; and (c) if new staff will be required, the total amount of additional staffing that will be required and the projected annual cost of such additional staff.

SECTION 8 – GENERAL OPERATING POLICY

Section 8-1. Staff Attendance at Meetings Organized by Town Council Members

Members of Town Staff, in their official capacity, shall not be invited by the Mayor or Town Council Members to attend meetings which are political in nature. Additionally, any requests for a member of Town staff to attend a community meeting or event that has been organized by or is being hosted by a member of the Town Council shall be made directly to the Town Manager.

Section 8-2. Meetings with the Public, Staff, and the Mayor or Town Council Members

When possible, the balance of Town Council will be given reasonable advance notice of any meetings

scheduled for and attended by the public, a member or members of Town staff, and the Mayor or Town Council Members. A report by the Mayor or Town Council Member(s) in attendance should be given at the next Town Council meeting with a summary of the discussion and details of any follow-up action resulting from the meeting.

Section 8-3. Broadcasting Town Council Meetings

Recordings of regular meetings, special meetings and public hearings of the Town Council shall be made available to the public and may be streamed via the Town's online meeting platform. The video of recorded meetings will be available the day after the Town Council meeting.

Section 8-4. Minutes of the Town Council Meeting

The minutes of the Town Council meetings shall reflect the official actions of the Town Council. The minutes shall provide a summary of the discussion and record how Town Council voted on motions. The minutes will be considered for approval within a reasonable time following the meeting they record, typically, at the next regularly scheduled meeting.

Statements to be Included in the Minutes. Any member of the Town Council who wishes to have a statement or comment included in the minutes shall make that known prior to making the statement and shall provide the Town Clerk with a written copy of his or her statement.

Section 8-5. Official Documents Issued by the Town Council

Official documents issued by the Mayor and Town Council include, but are not limited to, legislation (ordinances and resolutions), proclamations, official citations, and certificates of recognition. Official documents are generally prepared by the Department of Legislative Services at the direction of the Town Manager. Signatures on legislation do not necessarily indicate agreement with the content of the legislation but rather that the signer witnessed the legislative procedures associated with the adoption of the legislation. When signers are not available to sign in person, permission will be obtained in advance for the use of their electronic signature.

- A. Legislation: Actions requiring legislation are defined in Town Code. Any member of the Legislative Branch may propose legislation.
 1. Ordinance: An ordinance is an action taken by the Town Council that creates a law that governs conduct within the jurisdiction. It is a municipal law that may be amended or repealed by the adoption of another ordinance. Ordinances must be read at least twice in separate meetings and are adopted during a regular meeting of the Town Council by means of an affirmative vote of a majority of a quorum of the Town Council. Ordinances are signed by the Mayor and Town Council.
 2. Emergency Ordinance: Extenuating circumstances may require the Town Council to adopt an ordinance after only one reading. In such circumstances, the Town Council adopts an emergency ordinance by means of an affirmative majority vote of a quorum of the Town Council. Emergency ordinances are signed by the Mayor and Town Council.
 3. Resolution: A resolution is an official declaration of the wishes and opinions of a municipal body. A resolution may be issued to formally express the Town Council's policy or to make a public statement from the Town Council. A "motion" is used by the Town Council to indicate approval or denial of a procedural action. Resolutions are adopted during a regular meeting of the Town Council by means of an affirmative vote of a majority of a quorum of the Town Council. Resolutions are signed by the Mayor and Town Council.

B. Proclamation: A proclamation is an official declaration issued by the Town Council to make something known, a public and official announcement. Proclamations are generally issued at the last regular meeting of the Town Council of the month at a regular meeting of the Council but may be issued at a special meeting. Proclamations may be requested by the Mayor, Town Council, Town Staff, or members of the community. Proclamations are signed by the Mayor and Town Council.

1. Official Proclamation: An official proclamation may be required by Town or State Code to announce actions taken by the Town Council when legislation is not required or has already been adopted, such as the declaration of a state of emergency or the cessation of annexation proceedings.

2. Ceremonial Proclamation: A proclamation may also serve as a ceremonial document issued by the Council to commemorate a specific time period (day, week, or month) to increase public awareness of issues with the hope of improving the well-being of our citizens, to recognize and celebrate the extraordinary achievements of La Plata residents and non-profit organizations, and to honor occasions of importance and significance to La Plata residents. Ceremonial proclamations are not legally binding and should not be interpreted as a policy endorsement.

C. Official Citation: An official citation may be issued to individuals, groups, or organizations in recognition of a specific event or occasion such as an anniversary, a milestone birthday, Boy Scout Eagle Award, Girl Scout Gold Award, retirement, a memorial service, a significant contribution to the community, award ceremonies, or a similar achievement. Official citations may be requested by the Mayor, Town Council, Town Staff, or members of the community. Official citations are signed by the Mayor or Mayor Pro Tem.

D. Certificate of Recognition: A certificate of recognition or town seal is provided to a local individual, business, or organization to recognize outstanding achievements such as a grand opening of a business, business anniversary, or similar achievement. Proclamations may be requested by the Mayor, Town Council, Town Staff, or members of the community. Certificates of recognition are signed by the Mayor or Mayor Pro Tem.

Section 8-6. Amending the Rules of Procedure

The rules of procedure may be amended at any regular meeting, or at any properly called special meeting that includes amendment of the rules as one of the stated purposes of the meeting. Adoption of amendments to the rules of procedure shall require an affirmative vote of a majority of a quorum of the Town Council. Amendments to the rules of procedure become effective upon adoption.

Section 8-7. Special Rules of Procedure

The Town Council may adopt its own special rules of procedure to cover situations that are not adequately addressed in these Rules of Procedure. Adoption of a special rule of procedure shall require an affirmative vote of a majority of a quorum of the Town Council.

Adopted: January XX, 2023



Agenda Item Summary Report

Meeting Date:
October 9, 2023

Submitted by:
Michelle Bailey Hedgepeth, Town Administrator

Item Title:

ARPA Update and Recommendations for 2024

Work Session Item [X]
Council Meeting Item []

Documentation Attached:
PowerPoint Presentation

Recommended Action: Review of the Agenda Items and concepts.

Item Summary: This is an update on the current budget and spending on community assistance programs. Staff is seeking the input of the Council on how to spend the remaining funds and to provide some additional guidance on the program.

The program was implemented quickly to address community needs. However, some funds are being requested and sought more than others, and the Council may have different priorities that it may want to express to staff. Funding from the Business Assistance program was moved to support Beautification efforts that have just begun, and the Doorbell Camera program has only received less than five applications to date. This is not to say that these funds will not be used, but staff wanted to provide regular updates on funding so that we can act nimbly.

Staff recommends setting some limits based on the year and a half's experience of issuing out funding. Also, because the Council has a rule of single allocation, we have experienced a decline in new applicants for funding. Below is the overall budget for FY 2024 is as follows:

Below are the Cumulative Expenses for the program

ARPA Cumulative Expense Summary

as of: 9/28/2023

<u>Summary</u>	<u>FY22</u>	<u>FY23</u>	<u>FY24</u>	<u>Total Expended</u>
Compensation	94,840	528,436	185,586	808,862
Community Asst				-
Rental/Mortgage	138,633	1,052,465	195,092	1,386,190
Business/Non-Profit		44,485	6,000	50,485
Food Assistance		17,308		17,308
Monitoring				-
Trauma Kits		46,919		46,919
Computer	31,521	24,831		56,352

Capital - Police	49,331	234,048		283,379
Capital - Other		378,117		378,117
Contractual	11,969	29,492	15,418	56,879
Senior Buildings		3,000	3,000	6,000
Supplies	<u>18,058</u>	<u>-</u>	<u>-</u>	<u>18,058</u>
ARPA Totals	344,352	2,359,101	405,096	3,108,549
Total Award				4,933,972
Interest Earned				140,280
Cumulative Expended				<u>3,108,549</u>
Balance of Funds Remaining as of Aug 31, 2023				1,965,703
Budgeted Item: Yes [<input checked="" type="checkbox"/>] No [<input type="checkbox"/>]			Continued Date:	
Budgeted Amount:				
One-Time Cost:				
Ongoing Cost:				
Council Priority: Yes [<input checked="" type="checkbox"/>] No [<input type="checkbox"/>]			Approved Date:	

American Rescue Plan Act (ARPA) Community Assistance



October 9, 2023

Update Report and Staff Recommendations

Michelle Bailey Hedgepeth, Town Administrator

Overview

Current Spending Update

Proposed Changes to the Rental and Mortgage Program

Proposed Changes to the Utility Program

Proposed Changes to the Food Assistance Program

Proposed Changes to the Business Program

Questions?



AMERICAN RESCUE PLAN ACT (ARPA) COMMUNITY ASSISTANCE OCTOBER 2023 UPDATE

	<u>FY24 Budget</u>	<u>FY24 Expenses</u>	<u>Budget Balance</u>
Compensation	742,133	185,586	556,547
Community Asst			-
Rental/Mortgage	500,000	220,386	279,614
Business/Non Profit	250,000	6,000	244,000
Food Assistance	20,000		20,000
Monitoring	50,000	891	49,109
			-
Computer	20,000		20,000
Ground Maint.	50,000	2,752	47,248
Capital - Other	575,000		575,000
Contractual	50,000	15,418	34,582
Senior Buildings	3,000	2,000	1,000
Supplies	28,000	-	28,000
	2,288,133	433,033	1,855,100

American Rescue Plan Act (ARPA) Community Assistance October 2023 Update

Proposed revisions to the Rental/Mortgage Assistance Program Options:

- **Continue to provide assistance to residents on a first-come, first-served basis**
 - *This practice currently works well, and we have a limited amount of funds left. When funds are fully distributed, then the program ends. This is simple to explain, and it's easily understood.*
- **Continue to provide assistance to residents only once**
 - *Staff has had repeat applications from some residents, but the program would be unsustainable if we gave out multiple awards to these residents.*
- **Create a funding ceiling – up to \$4,000**
 - *Currently, the TA has set a ceiling not to exceed her spending authority of \$10,000, but before that, the Council did not implement a funding ceiling.*
 - *The average award is \$4,000. However, this average is skewed by previous awards exceeding \$10,000 up to \$17,000. In these cases, the town paid rent balances of over one year when, in many cases, the average resident is behind 2-3 months. Setting the limit would allow more people to benefit from the program and reduce the chances of going through the last few months without turndown residents.*
- **End the program – March 31, 2024**
 - *Staff recommends an end date so the Council can reevaluate am in light of the FY 2025 Budget.*
 - *The Council could choose to end the current program at any time and limit funds to focus on other priorities.*

American Rescue Plan Act (ARPA) Community Assistance October 2023 Update

Proposed revisions to the Utility Assistance Program Options (Utility is funded as part of Rental and Mortgage):

- **Continue to provide assistance to residents on a first-come, first-served basis**
 - *This practice currently works well, and we have a limited amount of funds left. When funds are fully distributed, then the program ends. This is simple to explain, and it's easily understood.*
- **Create a funding ceiling – up to \$2,500**
 - *The average award is \$1,000; most residents have already sought payment plans and reduced balances.*
 - *Setting the limit would allow more people to benefit from the program and reduce the chances of going through the last few months without turning down residents.*
- **End the program – March 31, 2024**
 - *Staff recommends an end date of March 31, 2024, so the Council can reevaluate the program in light of the FY 2025 Budget.*
 - *The Council could end the current program anytime and limit funds to focus on other priorities.*

American Rescue Plan Act (ARPA) Community Assistance October 2023 Update

Proposed revisions to the Food and Community Assistance Program Options:

- **Continue to provide assistance to residents on a first-come, first-served basis**
 - *This practice currently works well, and we have a limited amount of funds left. When funds are fully distributed, then the program ends. This is simple to explain, and it's easily understood.*
- **Continue to provide assistance to residents only once**
 - *This program was limited to specific events and has not been expanded.*
- **Move funding to support local food banks and create opportunities for distribution sites in Bladensburg**
 - *Food insecurity is a critical issue and may allow the Town to assist those most in need.*
- **End the program – June 30, 2024**
 - *Staff recommends moving any remaining funding to food and community assistance programming as a general category, giving the Town Administrator the ability to fund projects under 10,000 that benefit community organizations and town events.*
 - *The Council could end the current program anytime and limit funds to focus on other priorities.*

American Rescue Plan Act (ARPA) Community Assistance October 2023 Update

Proposed revisions to the Business Assistance Program Options:

- **Continue to provide assistance to residents on a first-come, first-served basis**
 - *This practice currently works well, and we have a limited amount of funds left. When funds are fully distributed, then the program ends. This is simple to explain, and it's easily understood.*
- **Continue to provide assistance to residents only once**
 - *This program was limited to specific events and has not been expanded.*
- **No Changes to Funding Structure**
 - *In September 2023, the Council made changes to provide funding to upgrade that support the commercial corridor*
- **End the program – March 31, 2023**
 - *Staff recommends moving any remaining funding to food and community assistance programming.*
 - *The Council could end the current program anytime and limit funds to focus on other priorities.*

Questions?

THANK YOU!





Agenda Item Summary Report

Meeting Date: October 9, 2023	Submitted by: Michelle Bailey Hedgepeth
Item Title: Port Town Meeting and CDC Updates	
Work Session Item <input checked="" type="checkbox"/> Council Meeting Item <input type="checkbox"/>	Documentation Attached: PowerPoint
Recommended Action: This item is to provide a brief overview of the Port Towns Meeting on September 18, 2023, and to gather Council input.	
Item Summary: The Town Administrator will provide a quick meeting overview. Staff is looking for input on the CDC and other items. A PowerPoint has been attached for this item.	
Budgeted Item: Yes <input type="checkbox"/> No <input type="checkbox"/> NA Budgeted Amount: One-Time Cost: Ongoing Cost:	Continued Date:
Council Priority: Yes <input type="checkbox"/> No <input type="checkbox"/>	Approved Date:

PORT TOWN MEETING / PORT TOWNS CDC UPDATE

October 9, 2023



QUARTERLY PORT TOWN MEETING

The Port Towns met virtually on **September 18, 2023**, and Cottage City hosted the meeting.

- The following topics;
 - Port Towns Sector Plan - Prince George's County Planning Department - Update
 - Port Towns Sustainable Community Designation
 - Two-person train crews - Commissioner Ann Young, Town of Cottage City
 - Discussion Port Town of the consortium to purchase equipment
 - Port Towns CDC Discussion Denise Hamler – former Board Member Port Towns CDC
 - Diana Guelespe – Board Member – Port Towns CDC

Reports from the Towns

- Bladensburg – Mayor Takisha James
- Colmar Manor – Mayor Monica Casanas
- Cottage City – Commissioner Chair Wanda Wheatley
- Edmonston – Mayor Tracy Gant

CDC UPDATE

- The Port CDC was a topic of discussion that was raised by Denise Hamler – former Board Member of the Port Towns CDC, and Diana Guelespe – Board Member – of the Port Towns CDC
- The discussion centered around whether or not to revive the current organization or create a new structure,
- Some of the participants wanted to explore the starting of a new organization. The Towns may evaluate this process. Staff will be seeking further direction from the Council.



Agenda Item Summary Report

Meeting Date: October 9, 2023	Submitted by: Michelle Bailey Hedgepeth
Item Title: Town Administrator Review of Council Items	
Work Session Item <input checked="" type="checkbox"/> Council Meeting Item <input type="checkbox"/>	Documentation Attached: PowerPoint
Recommended Action: This item is to provide a brief overview of the items that will be featured during the regular Town Council meeting	
Item Summary: The Town Administrator will provide a quick overview of the following items for the Town Council. <ol style="list-style-type: none">1. Ordinance 4-2024: Budget Amendment - Request for the Town Administrator to purchase furnishing for the Police Department in an amount not to exceed \$45,000 using Speed Camera Funds and \$30,000 for Contractual Services.2. Contract Approval 4-2024: Approval to allow the Town Administrator to execute a contract with Municipal Grant Services for on-call Grant and Annexation services.3. Contract Approval 5-2024: Approval to allow the Town Administrator to execute a contract to join the Time to Care Act Insurance Collaborative.4. Contract Approval 6-2024: Approval to allow the Town Administrator to renew and execute an agreement with State Highway Administration for Roadway Salt5. Contract Approval 7-2024: Approval to allow the Town Administrator to execute a one-year agreement with the City of Hyattsville for Roadway Salt	
Budgeted Item: Yes <input type="checkbox"/> No <input type="checkbox"/> NA Budgeted Amount: One-Time Cost: Ongoing Cost:	Continued Date:
Council Priority: Yes <input type="checkbox"/> No <input type="checkbox"/>	Approved Date:

Town Administrator Council Item Overview

October 9, 2023 – Work Session
Michelle Bailey Hedgepeth, Town Administrator



Key Items of Interest

1. Ordinance 3-2024: Budget Amendment - Request for the Town Administrator to purchase capital items (such as furnishings) for the Police Department in an amount not to exceed \$45,000 using Speed Camera Funds and augment the contractual services line item by \$30,000.
2. Contract Approval 4-2024: Approval to allow the Town Administrator to execute a contract with Municipal Grant Services for on-call Grant and Annexation services.
3. Contract Approval 5-2024: Approval to allow the Town Administrator to execute a contract to join the Time to Care Act Insurance Collaborative.
4. Contract Approval 6-2024: Approval to allow the Town Administrator to renew and execute an agreement with State Highway Administration for Roadway Salt
5. 5Contract Approval 7-2024: Approval to allow the Town Administrator to execute a one-year agreement with the City of Hyattsville for Roadway Salt

Ordinance 4-2024: Budget Amendment - Request for the Town Administrator to purchase capital items (such as furnishings) for the Police Department in an amount not to exceed \$45,000 using Speed Camera Funds and augment the contractual services line item by \$30,000.

- This is a request to allocate the use of speed camera funds to purchase furniture and other capital for the Police Department. It also requests an augmentation of the contractual services line item to fund Public Safety grant management and funding opportunities.
- Issue: Much of the existing furniture was older and was damaged by the recent leak. Newly purchased furniture will be moved and reused. Public Safety grants are specialized, and this firm will also manage reporting.
- Staff is requesting a budget transfer not to exceed \$45,000 / \$30,000 so that we can move these funds from the particular account for a public safety expense.
- The funding contractual services will be reallocating funds that are being spent on the rental of the temporary trailer and storage units.



Contract Approval 4-2024: Approval to allow the Town Administrator to execute a contract with Municipal Grant Services for on-call Grant and Project Management Annexation services.



- This request to allow staff to execute an agreement with Municipal grant services.
- This group has worked with various agencies in the area to obtain grant funds and provided services in outreach for annexation processes.
- Issue: The Town has been trying to grow its portfolio of grants and public safety services. We believe this group has been in other agencies and will be helpful to the Town.
- The Company has worked as an Annexation project manager for various Towns and agencies.
- The funding for the contract will come from the Police Department contractual services line item. Yearly cost: 35,000 and Annexation fees will be scoped per project. The Town has budgeted for these services as of the overall budget.

Contract Approval 5-2024: Approval to allow the Town Administrator to execute a contract to join the Time to Care Act Insurance Collaborative.

- This item is asking the Town Council to Authorize the Town Administrator to enter into an agreement with the Time to Care Act Collaborative.
- This is an insurance group that is being started by MML to cover the costs of municipal agencies to cover the benefits of this new state program.
- Starting in 2026, the Maryland FMLI system will ensure that workers are able to take time away from work to care for themselves or a family member and still receive up to \$1,000 a week for up to 12 weeks. FMLI was established through the Time To Care Act passed by the Maryland General Assembly.
- The Initial cost to the town is \$3,000 to join and the group will determine fees by the number of employees.



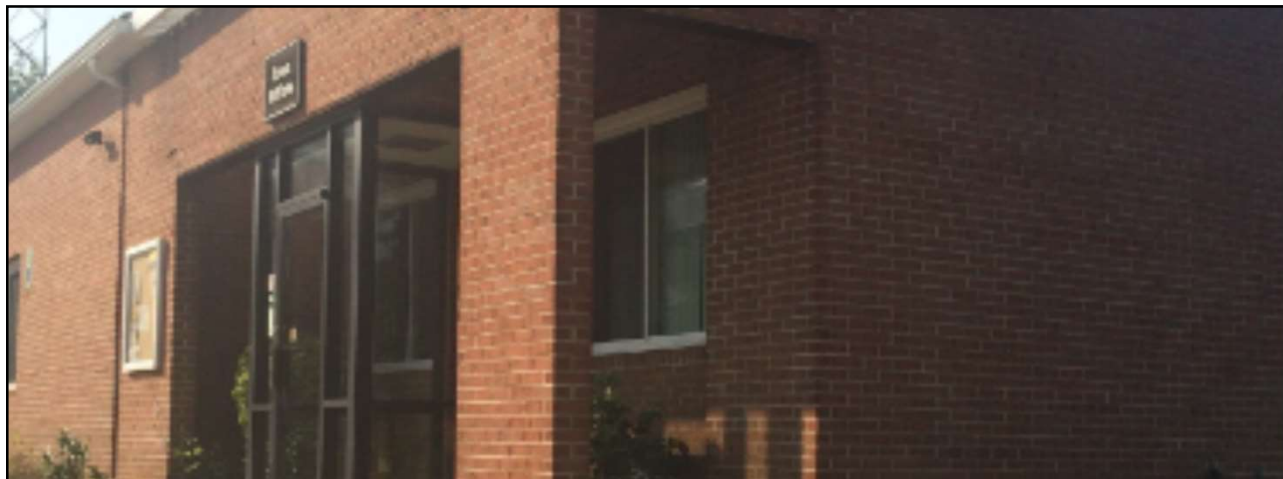
Contract Approval 6-2024: Approval to allow the Town Administrator to renew and execute an agreement with State Highway Administration for Roadway Salt



- This is a three-year agreement with the State Highway Administration (SHA) for Roadway salt to augment our snow removal program. The Town Administrator is asking for approval to renew and execute.
- The Town has entered into this agreement previously, and we use SHA as a backup supplier.
- This contract is a contingency that the Town has in place in case of supply chain disruptions.

Contract Approval 7-2024: Approval to allow the Town Administrator to renew an agreement with the City of Hyattsville for Roadway Salt

- This is a one-year agreement with the City of Hyattsville for Roadway Salt to augment our snow removal program. The Town Administrator is asking for approval to execute this partnership agreement.
- The Town has entered into this agreement previously, and we use Hyattsville as a backup supplier.
- This contract is a contingency the Town has in place in case of supply chain disruptions.



Questions

Thank you