

Mayor and Council Work Session November 29, 2016 Agenda

*"A diverse, business-friendly, and sustainable community with clean, safe and strong neighborhoods."
"Providing the most efficient and highest-quality services as the municipal location of choice for all
customers."*

4:00 PM WORK SESSION

- | | | |
|----------------|----|---|
| | 1. | Establish Meeting Schedule, Agenda Process, and Seating Arrangement |
| 4:15 PM | 2. | Discussion with Jason Morton and Jennifer Keefer, City Attorneys |
| 4:45 PM | 3. | Orientation Book Preview |
| 4:55 PM | 4. | Discussion regarding Rules of Procedure |
| 5:05 PM | 5. | Board and Commission Interest |
| 5:15 PM | 6. | Discussion of Mayor and City Council Top Priorities |

CITY ADMINISTRATOR'S COMMENTS

MAYOR AND COUNCIL COMMENTS

ADJOURN

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

Establish Meeting Schedule, Agenda Process, and Seating Arrangement

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

Discussion with Jason Morton and Jennifer Keefer, City Attorneys

Mayor and City Council Action Required:

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HAGERSTOWN, MARYLAND**

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Orientation Book Preview

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**REQUIRED MOTION
MAYOR AND CITY COUNCIL
HAGERSTOWN, MARYLAND**

Topic:

Discussion regarding Rules of Procedure

Mayor and City Council Action Required:

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ATTACHMENTS:

File Name

Referendum_on_Charter_Amendment_November_2016.pdf

Description

Rules of Procedure



CITY OF HAGERSTOWN, MARYLAND

MAYOR AND CITY COUNCIL

RULES OF PROCEDURE

TABLE OF CONTENTS:

1. Authority
2. General Rules
3. Meetings
4. Chairman and Duties
5. Order of Business and Agenda
6. Citizens' Rights
7. Suspension and Amendment of These Rules

Amended September 24, 2013

RULES OF PROCEDURE

1. AUTHORITY

- 1.1 The Charter of the City of Hagerstown, Section 206, provides that the Mayor and Council shall determine its own rules of procedure for meetings. Rules pertaining to open meetings are in accordance with the provisions of the Annotated Code of Maryland, State Government Article, Section 10-507(b). The following set of rules shall be in effect upon their adoption by the Mayor and Council and until such time as they are amended or new rules adopted in the manner provided by these rules.

2. GENERAL RULES

- 2.1 **Rules of Order:** "Roberts Rules of Order Newly Revised: Tenth Edition" shall govern the proceedings of the Mayor and Council in all cases, unless they are in conflict with these rules.
- 2.2 **Meetings to be Public:** All official meetings of the Mayor and Council, except where State or local law allows Executive Sessions for certain limited topics, shall be open to the general public, who is invited to listen and observe. Except in instances when the Mayor and Council expressly invites public testimony, questions, comments, or other forms of public participation, no member of the public attending an open session may participate in the session. The journal of proceedings shall be open to public inspection.
- 2.3 **Quorum:** A majority of the members of the Council shall constitute a quorum and be necessary for the transaction of business. If a quorum is not present, those in attendance will be named and they shall adjourn to a later time.
- 2.4 **Journal of Proceedings:** An account of all proceedings of the Mayor and Council shall be kept by the City Clerk and shall be entered in a book constituting the official record of the Mayor and Council.
- 2.5 **Right of Floor:** Any member desiring to speak shall be recognized by the Chair, and shall confine his or her remarks to one subject under consideration or to be considered.
- 2.6 **City Administrator:** The City Administrator shall attend all meetings of the Mayor and Council unless excused. The City Administrator may make recommendations to the Mayor and Council and shall have the right to take part in all discussions of the Council, but shall have no vote.

- 2.7 **City Attorney:** The City Attorney shall attend all meetings of the Mayor and Council unless excused and shall, upon request, give an opinion, either written or oral, on questions of law.
- 2.8 **City Clerk:** The City Clerk shall attend all meetings of the Mayor and Council unless excused and shall keep the official journal (minutes) and perform such other duties as may be requested by the Mayor and Council.
- 2.9 **Officers and Employees:** Department heads of the City, when there is pertinent business from their departments on the Council agenda, shall attend such Council meetings upon request of the City Administrator.
- 2.10 **Cellular Telephones:** The use of cellular telephones in the Council Chamber during Mayor and Council meetings shall be prohibited. Any audible features of cellular or electronic devices shall be turned off during meetings.

3. **MEETINGS**

- 3.1 **Regular Meeting:** The Mayor and Council shall hold a Regular Meeting a minimum of once each month, in accordance with the City Charter. All Regular Meetings shall generally convene on the fourth Tuesday of each month at 7:00 p.m. in the Council Chamber, second floor, City Hall.
- 3.2 **Special Meetings:** Special meetings may be called by three or more members of the Council or by the Mayor. The City Clerk shall prepare a notice of special session, stating time, place, and object, and the notice shall be served personally upon each member of the Council or left at his or her usual place of residence, at least three hours before the time of the meeting. It shall also be the duty of the City Clerk to make diligent effort to notify each member of the Council in person, either by telephone or otherwise, of such special session. Notice of such special session shall be properly publicized by the news media as specified by law. Only matters set forth in the notice of the meeting shall be discussed at such meeting.
- 3.3 **Work Sessions:** The Mayor and Council may meet informally in work sessions (study sessions), open to the public, at the call of the Mayor or three or more members of the Council, to review forthcoming programs of the City, receive progress reports on current programs or projects, or receive other similar information from the City Administrator, provided that all discussions and conclusions thereon shall be informal. No formal actions may be taken in a work session.
- 3.4 **Executive Sessions:** Executive Sessions, or closed meetings, may be held in accordance with the applicable provisions of the Charter of the City of Hagerstown and of the Annotated Code of Maryland. A majority of the members present must vote in favor of closing the session prior to meeting in Executive

Session. The vote will be recorded and a written statement shall be provided outlining the reason for closing the meeting, including a citation of the authority under the Annotated Code of Maryland, and a listing of the topics to be discussed.

Topics that may be discussed include: (1) Personnel matters; (2) Protection of the privacy or reputation of individuals in matters not related to public business; (3) Consider the acquisition of real property for a public purpose; (4) Proposal for a business or industrial organization to locate, expand or remain in the City; (5) Investment of public funds; (6) Marketing of public securities; (7) Consultation with legal counsel to obtain legal advice; (8) Pending or potential litigation; (9) Collective bargaining negotiations; (10) Public security, including the development and implementation of emergency plans; (11) Qualifying examinations; (12) Investigative proceedings concerning criminal misconduct; (13) Compliance with specific constitutional, statutory, or judicially imposed requirements that prevents public disclosures about particular matters; (14) Discuss matters directly related to a negotiating strategy or contents of a bid or proposal, if public discussion would adversely affect the competitive bidding or proposal process; and (15) Administrative functions. No ordinance, resolution, rule or regulation shall be finally adopted at such an executive session.

- 3.5 **Recording of Open Meetings:** All official meetings of the Mayor and City Council, except Executive Sessions, shall be open to the news media and to members of the general public, freely subject to recording by radio, television, tape recorder and photographic services at any time, provided that such arrangements do not interfere with the orderly conduct of the meetings.

A recording of an open session made by a member of the news media or general public, or any transcript derived from such a recording, may not be deemed a part of the record or any proceeding of the Mayor and City Council.

4. **CHAIRMAN AND DUTIES**

- 4.1 **Chairman:** The Mayor shall preside as Chairman at all meetings of the Mayor and City Council. In the absence of the Mayor, the Council shall elect a Chairman.
- 4.2. **Call to Order:** The meetings of the Mayor and Council shall be called to order by the Mayor. In the absence of the Mayor, the meeting shall be called to order by the City Clerk for the election of a temporary Chairman.
- 4.3 **Preservation of Order:** The Chairman shall preserve order and decorum, prevent attacks on personalities or the impugning of members motives, and confine members in debate to the question under discussion.

- 4.4 **Points of Order:** The Chairman shall determine all points of order, subject to the right of any member to appeal to the Council. If any appeal is taken, the question shall be, "Shall the decision of the Chairman be sustained?"
- 4.5 **Questions to be Stated:** The Chairman shall state all questions submitted for a vote and announce the result. A roll call vote shall be taken upon the request of any member.
- 4.6 **Substitution for Chairman:** The Chairman may call any other member to temporarily chair the meeting in order to take part in debate or to cover a temporary absence. Such substitution shall not continue beyond adjournment.

5. **ORDER OF BUSINESS AND AGENDA**

- 5.1 **Order of Business:** The business of all regular meetings of the Mayor and Council shall be transacted in the following order, unless the Council, by a majority vote of the members present, suspends the rules and changes the order:
- (1) Call to Order
 - (2) Invocation
 - (3) Pledge to the Flag
 - (4) Announcements
 - (5) Appointments
 - (6) Guests
 - (7) Citizen Comments
 - (8) Public Hearings
 - (9) Administrator's Comments
 - (10) Mayor and Council Comments/Reports
 - (11) Approval of Minutes
 - (12) Consent Agenda
 - (13) Unfinished Business
 - (14) New Business
 - (15) Adjournment
- 5.2 **Consent Agenda:** The Consent Agenda may contain items of a routine and non-controversial nature which may include, but are not limited to the following: communications, memos and reports for information, resolutions, agreements, petitions, minutes, applications, approval of purchase requisitions. The Consent Agenda may be accepted by the consent of the Council by a single vote without reading, unless a member of the Council should request any item be removed for further discussion. Any item removed from the Consent Agenda will automatically become the last item under New Business.

- 5.3 **Agenda:** The agenda of each meeting shall be prepared by the City Clerk and shall be delivered to members of the Council at least forty-eight (48) hours preceding the meeting to which it pertains. The agenda shall be available in the City Clerk's office on the Friday afternoon preceding each meeting of the Mayor and City Council.

6. **CITIZENS' RIGHTS**

- 6.1 **Addressing the Mayor and Council:** Any person desiring to address the Mayor and Council may do so when recognized by the Chairman (during Citizen Comments).
- 6.2 **Manner of Addressing the Mayor and Council -- Time Limit:** Each person addressing the Mayor and Council shall utilize the microphone, give his or her name and address for the record and, unless further time is granted by the Council, shall limit their address to five minutes. When large groups of citizens wish to address the Mayor and Council on the same topic, each organization or group addressing the Mayor and Council shall choose two representatives to make comments to the Mayor and City Council, acting as spokespersons. The spokespersons shall limit their addresses to five minutes. All remarks shall be addressed to the Mayor and Council as a body, and not to any member individually. No person, other than members of the Council and the person having the floor, shall be permitted to enter into any discussion, either directly or through the members of the Council. No questions shall be asked the Councilmembers, except through the presiding officer. The Council will then determine the disposition of the issue (to be placed on the agenda, work session, other agenda, take under advisement or refer to the City Administrator).
- 6.3 **Personal and Slanderous Remarks:** Any person making personal, impertinent or slanderous remarks, or who shall become boisterous while addressing the Mayor and Council, may be requested to leave the meeting and may be forthwith, by the presiding officer, barred from further audience before the Mayor and Council during that meeting.
- 6.4 **Reading of Protests:** Interested persons, or their authorized representatives, may address the Mayor and Council for the reading of protests, petitions, or communications relating to any matter over which the Council has control, when the item is under consideration by the Mayor and Council, if a majority of the Council present agrees to let them be heard.
- 6.5 **Written Communication:** Interested parties, or their authorized representatives, may address the Mayor and Council by written communication in regard to any matter concerning the City's business or over which the Council has control at any time by direct mail or by addressing the City Clerk and copies will be distributed to the Councilmembers.

7. **SUSPENSION AND AMENDMENT OF THESE RULES**

- 7.1 **Suspension of Rules:** Any provision of these rules not governed by the City Charter or City Code may be temporarily suspended by a vote of a majority of the City Council. The vote on any such suspension shall be taken by ayes and noes and entered upon the record.
- 7.2 **Amendment of Rules:** These rules may be amended, or new rules adopted, by a majority vote of all members of the City Council, provided that the proposed amendments or new rules shall have been introduced into the record at a prior Council meeting.

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MAYOR AND CITY COUNCIL
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Board and Commission Interest

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