

Mayor and Council Work Session October 28, 2025 Agenda

"The City of Hagerstown will inspire an inclusive, business-friendly, and sustainable community with clean, safe, and vibrant neighborhoods."

"The City of Hagerstown shall be a community focused municipality"

The agenda and meeting packet is available at www.hagerstownmd.org/government/agenda

"Courage is more exhilarating than fear and in the long run it easier." - Eleanor Roosevelt

6:30 PM WORK SESSION

6:30 PM 1. Mayor and City Council Rules of Procedure Review

CITY ADMINISTRATOR'S COMMENTS

MAYOR AND COUNCIL COMMENTS

ADJOURN

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

Topic:

Mayor and City Council Rules of Procedure Review

Mayor and City Council Action Required:

Discussion:

Financial Impact:

Recommendation:

Motion:

Action Dates:

ATTACHMENTS:

File Name

Memo_-_Review_of_Rules_of_Procedure.pdf

Description

Memo - Rules of Procedure



CITY OF HAGERSTOWN, MARYLAND

Donna Spickler

City Clerk

One East Franklin Street • Hagerstown, MD 21740

E-mail: dspickler@hagerstownmd.org

Telephone: 301.766.4183 • TDD: 301.797.6617 • Website: www.hagerstownmd.org

TO: Mayor and City Council Members
Scott Nicewarner, City Administrator

FROM: Donna Spickler, City Clerk 

SUBJECT: Mayor and City Council Rules of Procedure

DATE: October 24, 2025

The Mayor and City Council adopted Rules of Procedure (ROP) for meetings on December 17, 2024. A copy of the current ROP document is attached.

A Work Session is scheduled for October 28, 2025 to review the Rules of Procedure and discuss potential amendments.

If you have any questions or need additional information, please contact me.

Thank you.

Attachments: Rules of Procedure – Adopted December 17, 2024





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

December 17, 2024

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, General Provisions Article, Section 3-303(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: Twelfth 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, whether the session is in person or via internet. 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 (three [3] Council Members) 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 or electronic devices in the Council Chamber during Mayor and Council meetings shall be prohibited. Any audible features of cellular telephones or electronic devices shall be turned off during meetings.

3. **TYPES OF 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 upon each member of the Council 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) Consultation with staff, consultants or other individuals about pending or potential litigation; (9) Collective bargaining negotiations or to consider matters related to the negotiations; (10) Public security, including the deployment of fire and police services and staff, and 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; (15) discuss cyber security; and (16) 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 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. **RULES FOR ELECTRONIC MEETINGS**

- 4.1 **Meetings Held Electronically:** Meetings of the Mayor and Council may be conducted by internet (a) when the Mayor has obtained written consent from a majority of the Council Members; (b) when so directed by the Council ; or (c) in the case of special meetings, when so directed by those calling the special meeting. Electronic meetings of the Mayor and Council shall be subject to all rules adopted by the Council, not otherwise in conflict with this Section 3.
- 4.2 **Login Information:** The City Clerk shall send by e-mail to every member of the Council, at least 48 hours before each meeting, the time of the meeting, the URL, and codes necessary to connect to the Internet meeting service, and, as an alternative and backup to the audio connection included within the Internet service, the phone number and access code(s) the Council Member needs to

participate aurally by telephone. The City Clerk shall also post notice of the meeting through email and on the City of Hagerstown website.

- 4.3 **Login Time:** The City Clerk shall schedule Internet meeting service availability to begin at least 15 minutes before the start of each meeting.
- 4.4 **Signing In and Out:** Council Members shall identify themselves as required to sign in to the Internet meeting service, and shall maintain Internet and audio access throughout the meeting whenever present, but shall sign out upon any departure before adjournment.
- 4.5 **Quorum Calls:** The presence of a quorum shall be established by audible roll call at the beginning of the meeting. Thereafter, the continued presence of a quorum shall be determined by the online list of participating Council Members, unless any member demands a quorum count by audible roll call. Such a demand may be made following any vote for which the announced totals add to less than a quorum.
- 4.6 **Technical Requirements and Malfunctions:** Each Council Member is responsible for his or her audio and Internet connections; no action shall be invalidated on the grounds that the loss of, or poor quality of, a Council Member's individual connection prevented participation in the meeting.
- 4.7 **Obtaining the Floor:** To seek recognition by the chair, a Council Member shall address the chair and state his or her own name.
- 4.8 **Voting Methods:** All votes shall be taken by roll call. Unless the Council orders a fully recorded roll-call vote, only the number of votes on each side and the number of Council Members present but not voting shall be entered in the minutes. Business may also be conducted by unanimous consent.

5. **CHAIRMAN AND DUTIES**

- 5.1 **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.
- 5.2 **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.
- 5.3 **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.

- 5.4 **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?"
- 5.5 **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.
- 5.6 **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.

6. **ORDER OF BUSINESS AND AGENDA**

- 6.1 **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:
- a. Call to Order
 - b. Invocation
 - c. Pledge to the Flag
 - d. Announcements
 - e. Appointments
 - f. Guests
 - g. Proclamations
 - h. Agenda Item Citizen Comments
 - i. Public Hearings
 - j. Consent Agenda
 - k. Unfinished Business
 - l. New Business
 - m. General Citizen Comments
 - n. City Administrator's Comments
 - o. Mayor and Council Comments/Reports
 - p. Adjournment
- 6.2 **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.
- 6.3 **Agenda:** The agenda of each meeting shall be prepared by the City Clerk after review and decision of agenda topics is completed by the City Administrator and the City Clerk, with input from the Department Heads. The Mayor, or three or

more members of the Council, may request specific topics to be added to a future agenda. The agenda and meeting packet shall be electronically delivered to members of the Council at least forty-eight (48) hours preceding the meeting to which it pertains. The agenda and meeting packet for public review shall be available in the City Clerk's office on the Friday afternoon preceding each meeting of the Mayor and City Council.

The agenda and meeting packet is also available on the City of Hagerstown website at www.hagerstownmd.org/government/agenda.

7. **CITIZENS' RIGHTS**

- 7.1 **Addressing the Mayor and Council – Time Limit:** Any person desiring to address the Mayor and Council may do so when recognized by the Chairman (during Agenda Item Citizen Comments or General Citizen Comments).

Agenda Item Citizen Comments shall be limited to topics listed for consideration on that meeting's agenda, and comments shall be limited to three minutes.

Citizens are welcome to provide comments in person or by sending an email to councilcomments@hagerstownmd.org by no later than 5:00 p.m. on the day of the monthly Regular Session.

General Citizen Comments shall be topics germane to City business and shall be limited to three minutes.

- 7.2 **Manner of Addressing the Mayor and Council:** Each person addressing the Mayor and Council shall utilize the microphone, give his or her name and address of residence for the record and, unless further time is granted by the Council, shall limit their address according to the time limits set forth in Paragraph 6.1. 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 may choose two representatives to make comments to the Mayor and City Council, acting as spokespersons. The spokespersons shall limit their comments according to Paragraph 6.1. 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 Council Members, except through the presiding officer. The Council will then determine the disposition, if any, of the issue (to be placed on the agenda, work session, other agenda, take under advisement or refer to the City Administrator).

- 7.3 **Proper Meeting Decorum:** According to Robert's Rules of Order, proper meeting decorum includes: speaking only when recognized by the chair,

confining debate to the topic at hand, avoiding personal attacks, listening respectfully to other members, and generally maintaining a respectful and orderly atmosphere during discussions. Essentially, only one person should speak at a time, and members should focus on the issue being debated without personal comments or interruptions.

- 7.4 **Personal and Slanderous Remarks:** Any person making personal, impertinent or slanderous remarks, or who shall become boisterous while addressing the Mayor and Council or who shall disrupt a meeting, may be directed to leave the meeting and may be forthwith, by the presiding officer, barred from further audience before the Mayor and Council during that meeting.
- 7.5 **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.
- 7.6 **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 Council Members.
- 7.7 **Signs, Hats, and Banners:** Members of the audience shall not wear or display signs, placards, banners, hats, costumes, or similar items at any time in Council Chambers that obstruct the view of other audience members. In no event shall signs, placards, banners, props, or similar items be larger than 8 ½ by 11 inches, be illuminated, or be attached to any pole, stick, or other device.

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

- 8.1 **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 nays and entered upon the record.
- 8.2 **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 reviewed into the record at a prior Council meeting.