



CITY COUNCIL WORK SESSION AGENDA

This meeting will be held in-person and virtual.

**25 Crescent Road
Greenbelt, MD 20770**

OR

**Virtual Participation
Zoom Webinar Attendees:**

Please submit your request in writing via email to questions@greenbeltmd.gov

**[https://us02web.zoom.us/j/85205128810?](https://us02web.zoom.us/j/85205128810?pwd=ekxTR2VaMUZLUmFndTFYTk13SXM1UT09)
[pwd=ekxTR2VaMUZLUmFndTFYTk13SXM1UT09](https://us02web.zoom.us/j/85205128810?pwd=ekxTR2VaMUZLUmFndTFYTk13SXM1UT09)**

Dial-in: 301 715 8592

Webinar ID: 852 0512 8810

Passcode: 026520

Wednesday, December 6, 2023

7:30 PM

Work Session Packet

Work Session - Standing Rules for Council & Discussion on Appointment for Vacancy of Council Seat

Suggested Action:

Agenda

- Introductions
- Council Discussion
- Questions and Answers
- Other Items

[StandingRules2022.pdf](#)

[BOE3338CouncilMemoVacancy.pdf](#)

Meetings and Stakeholders List

[meetings.pdf](#)

[Stakeholder Schedule.pdf](#)

City Council Work Session Agenda Item Report

Meeting Date: December 6, 2023

Submitted by: Shaniya Lashley-Mullen

Submitting Department: Administration

Item Type: Work Session Item

Agenda Section: Work Session Packet

Subject:

Work Session - Standing Rules for Council & Discussion on Appointment for Vacancy of Council Seat

Suggested Action:

Agenda

- Introductions
- Council Discussion
- Questions and Answers
- Other Items

Attachments:

[StandingRules2022.pdf](#)

[BOE3338CouncilMemoVacancy.pdf](#)



STANDING RULES FOR THE CITY COUNCIL

EFFECTIVE: September 28, 2022

25 CRESCENT ROAD
GREENBELT, MD 20770-1886

STANDING RULES FOR THE COUNCIL OF THE CITY OF GREENBELT, MARYLAND

January 10, 2022

I. Council Meetings

1. Regular Council Meetings

- a. In accordance with the City Charter, which prescribes that the City Council shall meet not less frequently than once each month, the following schedule is hereby established for Council to meet in regular session: Regular meetings shall be held on the second and fourth Mondays, except for the months of July, August, and December when Council shall meet on the second Monday only. When any regularly scheduled meeting falls on a declared city or religious holiday the meeting shall be held on the following Tuesday at the same hour unless otherwise provided by motion of the City Council. By agreement of a majority, the Council may dispense with or reschedule any regular meeting provided that at least one meeting of Council shall be held in each calendar month. Such action shall be taken by motion at a regular meeting preceding the one to be changed where time permits.
- b. Regular meetings of the Council shall be held at 7:30 p.m. in the Council Room of the Municipal Building unless Council, by motion, designates another time or another public place within the corporate limits of the City of Greenbelt.

2. First Meeting Following Council Election

- a. At 7:30 p.m. on the first Monday following a regular Council election or run-off election, the Council shall meet at the usual place for holding its meetings, and the newly elected members shall, upon taking the oath of office, assume the duties of office. If an emergency meeting needs to be held between the election and the first meeting, the newly elected members shall take the oath of office at this meeting, and assume the duties of the office.
- b. At the organizational meeting following a Council election, the newly elected members shall, before entering upon the duties of their office, take or subscribe to the oath or affirmation prescribed by City Charter. Such oaths or affirmations shall be made before the retiring Mayor or Mayor Pro Tem, except for the Mayor who, upon being elected, shall take the same oath before the Clerk of the Circuit Court for Prince George's County or before one of the Clerk's sworn deputies

- c. At the organizational meeting following a regular Council election, a majority of the members of Council shall choose one of its members as Mayor and shall also choose one of its members as Mayor Pro Tem. If a vacancy occurs in the office of Mayor, or in case of the Mayor's absence or disability, the Mayor Pro Tem shall act as Mayor for the unexpired term or during the continuance of the absence or disability of the Mayor.

3. Committee-of-the-Whole Meetings (Work Sessions)

Committee-of-the-whole meetings (work sessions) of the City Council may be held for the purpose of receiving and discussing information on such matters as deemed desirable and to request staff to obtain such other information as Council may request, provided that no formal actions shall be taken at such meetings and provided further that such meetings shall be open to the public. Work sessions are scheduled at convenient times based upon availability of Councilmembers. Informational items to be discussed at a work session shall be identified at the beginning of the meeting. Councilmembers may report such informational items at the end of the meeting. These informational items shall be recorded in the minutes under Other Business.

4. Closed Sessions

The Council shall have the right to meet in closed sessions, which shall be closed to the public, to consider items of a sensitive nature. Such meetings shall be held in accordance with the applicable provisions of the General Provisions Article, Section 3-305 of the *Annotated Code of Public General Laws of Maryland*. Closed sessions shall be called by the City Clerk upon the written request of the Mayor, the City Manager, or four members of Council.

5. Special Meetings

Special meetings shall be called by the City Clerk upon the written request of the Mayor, the City Manager, or four members of Council. The City Clerk shall prepare a notice of the special meeting, stating the time and place of the meeting and the subjects to be considered at the special meeting. No subjects other than stated in the notice shall be considered at the special meeting, except by unanimous consent of all members of Council. Notices of special meetings shall be served upon each member of Council and the City Manager, or left at their usual places of residence, at least two hours before the time of the meeting. It shall also be the duty of the City Clerk, immediately upon receipt of a written request for a special meeting, to make diligent effort to notify each member of Council and the City Manager, by email, text, telephone or otherwise, of such special meeting.

6. Attendance at Meetings

Members shall attend all regular and special meetings, and work sessions of the Council. If a Councilmember cannot attend a regular or special meeting of the Council because of illness or other unavoidable circumstance, the Council shall be so advised. The Council shall have the power to compel the attendance of any absent member by a majority vote of the members present at any meeting.

In the event that a councilmember is unable to physically attend the meeting and desires to participate in the meeting (including voting) by electronic means (telephone, skype, etc.), the councilmember may do so with the approval of a super-majority of the Councilmembers physically present providing:

- a. The councilmember has all the materials for the meeting in his/her possession;
- b. The councilmember can be clearly heard and understood by all those present at the meeting; and
- c. The councilmember can clearly hear and understand all those present at the meeting.
- d. If the meeting is a closed session, participation must be done in a private and confidential manner.

7. Notice of Meetings of the Council

Written notice of all public meetings of the City Council shall be posted on the bulletin board at the Municipal Building, listed on the city's cable television access channels, listed on the city Website, and shared to the City's Social Media showing the date, time, place, and topic(s) of such meetings. Notice of regular meetings of the Council, public hearings and, insofar as possible, work sessions and special meetings shall be published in the *Greenbelt News Review* the week preceding the Council meeting and shall include a preliminary agenda or, in the case of work sessions, the topic(s) to be considered.

8. Meetings of Council Open to the Public

All meetings of the Council, with the exception of closed sessions authorized by applicable state law, shall be open to the public. Residents of the city and others shall have a reasonable opportunity to be heard on any matter being considered at the meeting. This should be read at the beginning of each meeting and added to the top of each agenda. Persons desiring to speak on a matter being considered by the Council shall raise their hands, physically or virtually, in front of Council and, after being recognized by the presiding officer, shall identify themselves and their place of residence, shall confine themselves to the question under debate, avoid personalities, and refrain from impugning the motives of any Councilmember's argument or vote or the statements of any other resident or person. Residents of Greenbelt shall have precedence over others in being

recognized. No person shall speak more than once upon any one subject until every other person choosing to speak thereon shall have spoken, and no person shall speak for a longer than three minutes at any one time without the consent of Council.

II. Presiding Officer

1. Presiding Officer

The Mayor or, in the Mayor's absence, the Mayor Pro Tem shall preside at all meetings of the Council. At the hour appointed for the Council to meet, the Mayor or, in the Mayor's absence, the Mayor Pro Tem shall take the chair and immediately call the members to order. At all regular meetings of Council, the roll shall be called by the City Clerk. The City Clerk shall enter in the minutes of all meetings the names of the members present.

2. Temporary Chair

In case of the absence of the Mayor and Mayor Pro Tem at a meeting of Council, the City Clerk shall call the Council to order. If a quorum is found to be present, the Council shall proceed to elect, by majority vote of those present, a Chair of the meeting who shall preside until the arrival of the Mayor or Mayor Pro Tem. The temporary Chair shall not preside beyond the adjournment of the meeting for which he or she was elected.

III. Quorum

A majority of the members elected to the Council shall constitute a quorum to conduct business. However, any number of members present may convene to compel the attendance of absent members.

IV. City Manager and Members of Staff

The City Manager 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.

V. Minutes

1. Minutes of Meetings

The proceedings of the Council shall be briefly and accurately stated in the minutes. Titles of all ordinances and resolutions with their designated numbers shall be entered in the minutes and shall be preserved in a book for that purpose. The City Clerk shall keep minutes of all meetings, including special meetings, work sessions and closed sessions, and not less than three days before a regular meeting shall furnish each member of Council and the City Manager with copies of minutes of preceding meetings. Minutes of

regular meetings should be presented for Council's approval within 30 days, unless there are mitigating circumstances reported to Council.

Under the General Provisions Article 3-306(B)(2)(i) of State Law which states that minutes of meetings are not required if live and archived video is available, the video of Council meetings will serve as meeting minutes until the written minutes of the meetings are approved by Council.

2. Minutes Open to Public Review

Minutes of regular meetings, special meetings, public hearings, public meetings, and work sessions shall be available for review in the City Clerk's office during regular office hours. However, minutes shall not be available until approved by the Council in regular meeting. Approved minutes are also posted on the City website. Minutes of closed sessions of the Council held in accordance with applicable state law shall not be open to public inspection.

3. List of Action Items

Following each work session, a list of action items shall be prepared and provided to Council. A thank-you letter should be sent out after all stakeholder meetings listing the three top action items that was discussed.

VI. Duties and Privileges of Members

1. Seating Arrangement

Members shall occupy the respective seats at the Council table assigned by the Mayor at the organizational (Charter) meeting. Any two or more members may exchange seats by joining in a written notice to the Mayor to that effect.

2. Right to Floor

- a. Before speaking on any matter, a member shall seek the floor by addressing the presiding officer and, once recognized by the chair, shall confine comments to the question under debate, avoid personalities, and refrain from impugning the motives of any other member's argument or vote. No member of Council shall interrupt another without that member's consent. To obtain such consent, the member shall first address the presiding officer.
- b. Members of Council shall not raise personnel matters pertaining to alleged improper performance or conduct of any city employee(s) or Council appointee(s) at a public Council meeting. Any concerns about the conduct or performance of any city employee(s) or Council appointee(s) shall be brought to the attention of the City Manager, or a closed session of Council may be requested to discuss the personnel matter.

- c. As a practice City Council sets policy and budget priorities within the scope of its local jurisdictional authority and on matters directly related to its local sphere of influence. As a body, City Council shall not generally take positions on foreign, national, or regional issues that do not directly affect the conduct of the City's business.

3. Right of Appeal

Any member may appeal to the Council for a ruling on a decision of the presiding officer. The member making the appeal may briefly state the reason for the appeal, and the presiding officer may explain the ruling. However, there shall be no debate on the appeal. The presiding officer shall put the question: "Shall the decision of the Chair be sustained?" If a majority of the members present vote "yes," the ruling of the Chair is sustained; otherwise, it is overruled.

4. Limitation of Debate

No member shall be allowed to speak more than once upon any one subject until every other member choosing to speak thereon shall have spoken, and no member shall speak for a longer time than five minutes without consent of Council.

5. Voting

- a. When a question is put, every member present or attending remotely by electronic means shall vote either in the affirmative, the negative or abstain. 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 to vote would or could be considered improper pursuant to the City and State Ethics Laws.
 - 2. When to 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 the office such member holds.
 - 3. When for any other reason a member is not comfortable voting and has given the Chair a reason for requesting to abstain so long as excused by the Chair or Council by vote as provided for herein below.

Application to be excused from voting shall be made to the Chair before the votes are called for. After the member has briefly stated the reason for the request to be excused, the decision thereon shall be made by a super-majority of councilmembers present without debate.

Except as provided in the City Charter or these rules, all voting shall be by voice vote or by such other method as a majority of the Council shall decide for any particular vote.

- b. The “yeas” and “nays” (i.e., a vote by roll call) shall be taken upon the passage of all ordinances and resolutions and upon demand of any member made before the negative vote has been called for. Each Councilmember’s name shall be called in alphabetical order, except that the presiding officer shall be called to vote last. It shall not be in order for members to explain or comment upon their votes during roll call. A record of the “yeas” and “nays” and not voting on any roll call vote shall be entered upon the minutes of the proceedings of the Council.

6. Personal Privilege

The right of a member to address the Council on a question of personal privilege shall be limited to cases in which his or her integrity, character, or motives are assailed, questioned, or impugned.

7. Dissents and Protests

Any member shall have the right to express dissent from or protest against any ordinance, resolution, or act of Council and have the reason therefor entered upon 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 or resolution or action objected to.

8. Disorderly Conduct or Violation of Rules

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 members present. The Council may, by a vote of not fewer than six members, expel a member from a meeting for disorderly conduct or the violation of Council rules.

9. Demonstration or Disorder Among Bystanders

If any confusion, demonstration or disorder arises in the Council chamber, the presiding officer may, upon his or her initiative or upon the request of any member, enforce order. If the offending person or persons be a spectator, such person or persons may be ejected from the chamber. If any member of Council shall object to the ruling of the presiding officer, such member shall have the right to appeal to the Council.

VII. Council Procedure

1. Order of Business

The business of all regular meetings of Council shall be transacted in the following order, with items under “Other Business” to be listed in the order of greatest public interest. For the printed agenda, such determination shall be made by the City Manager, provided that, as an organizational matter, the order of business may be modified at the meeting by the presiding officer, with the consent of Council or by a motion of Council.

2. Agenda

I. Organization

Call to Order

Roll Call

Meditation and Pledge of Allegiance to the Flag

Consent Agenda – Council and Staff Recommendations

Approval of Agenda and Additions

II. Communications

Presentations

Public Hearings

Petitions and Requests

Minutes of Council Meetings

Administrative Reports

Committee Reports

III. Legislation

Ordinances – Second Reading

Resolutions – Second Reading

Ordinances – First Reading

Resolutions – First Reading

IV. Other Business

Council Activities *

Council Reports *

Meetings *

* Council Reports and Council Activities will be done at the regular meeting only if time allows. Council Reports and Council Activities may also be done at any work session.

No member shall speak for more than five minutes without the consent of a simple majority of Council.

- * The discussion of scheduling Meetings will be held at the Work Session preceding the next Regular Meeting.

VIII. Agenda

1. The Printed Agenda

- a. The City Manager 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 City Manager a proposal in writing of the item for Council to enact or take other action on, and all relevant background and supporting documents to be shared with City Council and members of the public in time for inclusion with the printed agenda. The City Manager shall notify Council of this addition.
- b. At least two days before each regular meeting, the City Manager shall provide each member of Council at his or her home 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. Members of Council who do not wish to have such material delivered to their homes may so inform the City Manager and make other arrangements.
- c. Copies of the agenda and agenda comments shall be posted on the City 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 and agenda comments shall be available to the public at the Council meeting or earlier upon request, as available. If requested by candidates, printed copies of the agenda packet—less any material of a confidential nature but including the agenda, agenda comments, minutes of previous meetings, and background and briefing materials—shall be provided to certified candidates

2. Approval of Agenda; Consent Agenda

- a. As an item of business under Section I, Organization, the Council shall review the agenda and the consent agenda. Any member of Council or the City Manager may request the addition of an item to the agenda, or may request the removal of an item from the consent agenda so that it may be considered as a separate item of business. A request for the addition of an item to the agenda, or the removal of an item from the consent agenda, shall be a matter of consideration and shall be voted upon at the time the Council considers approval of the agenda or consent agenda, and Council action shall be reflected in the minutes of the meeting.
- b. Any member of Council who will be absent from a meeting may request that an agenda item or consent agenda item be postponed. Such a request for deferral,

giving the reasons for the request, shall be submitted in writing, email or by telephone to the City Clerk, City Manager and Council. A request for deferral shall be a matter of consideration and shall be voted upon at the time the Council considers approval of the agenda or consent agenda, and Council action shall be reflected in the minutes of the meeting.

- c. The consent agenda shall be used for the group disposition of routine and minor items of business, such as approval of minutes, acceptance of board/committee reports, and such other items as designated by the City Manager. Consent agenda items will be specially identified as such. For each item of the consent agenda, Council will receive a written staff recommendation.
- d. Ordinances and resolutions, matters requiring a roll call vote or the consent of six members of Council, and items added to the agenda at the meeting shall not be placed on the consent agenda.
- e. Unless an item set forth in the consent agenda is requested to be considered separately by any member of Council or is postponed (see above), the Council, by a single motion, shall adopt the recommendations of the City Manager as set forth in writing for each item included in the consent agenda. The approved recommendations for each consent agenda item, however, shall be set forth separately in the minutes of the meeting.

3. Minutes

Reading of the minutes of the preceding meeting shall not be required unless so requested by a member of Council or unless written copies have not been provided each member of Council.

4. Petitions and Requests

Petitions and requests are defined to include any communication addressed to the City, City Manager, Council (as a body) or all individual members of Council, making any specific or general request requiring Council action. Written communications shall be first received by the Council, after which the Council shall receive petitions and requests from residents of the City present physically or virtually at the meeting. Such petitions and requests shall be heard by the Council as communications and shall not be subject to consideration or deliberations at that time. Each petitioner shall be allowed five minutes in which to state the nature of the petition and may submit such additional written information as the petitioner deems appropriate. The petitioner may be granted additional time with the consent of the Council. Where more than one person is present on behalf of the same petition, one person shall be designated principal spokesperson, and other persons shall be recognized only for the purpose of clarifying the request being made. Upon a petition or request being presented, the Council shall take one of the following actions:

- Refer to city staff for handling and disposition. The petitioner and Council shall be apprised of the disposition made within 90 days if possible.
- Refer to city staff or to an advisory board or committee for investigation, evaluation, and report to the Council at a future meeting.
- Add to the agenda of a subsequent meeting.
- By motion duly adopted, place the matter on the agenda of the current meeting.

A listing of Petitions and their status shall be posted on the City website.

5. Communications Not Requiring Council Action

If a written communication addressed to the Council does not require Council action, the City Clerk shall send copies to the members of Council, together with copies of any replies made to the communication, and the matter shall not be placed on the agenda unless a member of the Council or the City Manager requests that it be considered.

6. Anonymous Communications

Anonymous communications shall not be considered by the Council.

IX. Ordinances and Resolutions

1. Introduction

Ordinances and resolutions shall be introduced in the Council only in printed or in written form. All ordinances—except ordinances making appropriations and ordinances codifying or rearranging existing ordinances or enacting a code of ordinances—shall be confined to one subject, and the subject or subjects of all ordinances shall be clearly expressed in the title. An ordinance or resolution may be introduced for first reading by the reading of its title by any member of Council and a second is not required.

- a. Resolutions are used to set forth legal decisions and official positions of the City Council, to approve contracts, to set policy and to implement programs.
- b. Ordinances are used to update the City Code and Charter and to adopt measures as required by State law.

2. Distribution of Copies

Copies of all ordinances and resolutions shall be prepared for distribution to all members of Council, the City Manager, and the City Clerk at the meeting at which the ordinance or resolution is introduced. Whenever any member of the Council is absent from such meeting, the City Clerk shall arrange to have copies delivered.

3. First Reading

The first reading of an ordinance or resolution shall be for information. If there is no objection, the proposed ordinance or resolution shall go on the calendar for the next meeting of Council. There will generally be no public debate or testimony on the first reading of an ordinance or resolution. Council may ask questions or for clarification as to intent.

4. Review and Referral

- a. All proposed ordinances and resolutions shall be reviewed by the City Manager and/or City Solicitor before being presented for second reading and adoption. The City Manager shall provide a brief digest of the provisions thereof, and, where it is proposed to amend an existing ordinance or resolution, such digest shall indicate the changes sought to be made.
- b. If the Council so desires, any pending ordinance or resolution may be referred to any standing or special committee for study and recommendation or to the City Manager for study, recommendations, redrafting, etc.

5. Amendments

When a proposed ordinance or resolution is substantively amended upon either its first or second reading, the amended ordinance or resolution shall be considered to have had its first reading only and must be read on a second day, unless the requirement for reading it on two separate days shall be dispensed with by a vote of not fewer than six members of Council, as prescribed by the City Charter (see 8 b.).

6. Appropriation Ordinances

Ordinances making appropriations shall be confined to the subject of appropriations. Each proposed ordinance providing for an appropriation shall show fully the purpose of the appropriation and the source from which the funds are to be derived. The City Manager shall submit a written recommendation on each appropriation ordinance showing what effect the ordinance would have on the annual budget.

7. Ordinance to Issue Bonds

Ordinances to issue bonds shall meet all the requirements of the City Charter and applicable statutes.

8. Adoption

- a. After an ordinance or resolution has received a first reading, it shall be placed on the agenda for second reading at the next meeting of Council. When a proposed ordinance or resolution comes up for second reading, it may be deferred for further study, deferred to a future meeting of Council, amended, or adopted. No ordinance or resolution shall be adopted until it has been read on two separate days, unless the requirement for reading it on two separate days shall be dispensed with by a vote of not fewer than six members of Council. The final reading of each ordinance and resolution shall be in full unless a written or printed copy thereof shall have been furnished to each member of Council prior to such reading. The "yeas" and "nays" shall be taken upon the adoption of all ordinances and resolutions and entered in the minutes of the proceedings of the Council.

b. Dispensing of Reading on Separate Days

A roll call of the "yeas" and "nays" shall be taken on a motion to dispense with the requirement of reading an ordinance or resolution on two separate days (Charter ref. Sec. 9). When a motion to suspend the rules to dispense with the requirement for reading of an ordinance or resolution on two separate days fails to receive an affirmative vote of six members, the ordinance or resolution shall go over to the next regular meeting of the Council.

c. Vote on Ordinances Revising Appropriations and Resolutions to Transfer Funds

As required by Maryland law, ordinances revising appropriations and resolutions transferring funds shall require a vote of not fewer than six members of Council.

9. Enacting Clauses

The enacting clause of all ordinances shall be "Be It Ordained by the Council of the City of Greenbelt, Maryland." The enacting clause of all resolutions shall be "Be It Resolved by the Council of the City of Greenbelt, Maryland."

10. Effective Date

All ordinances and resolutions passed by the Council shall take effect at the time indicated therein, but not less than ten days after the date of their adoption, except ordinances and resolutions of an urgent nature, which may by direction of Council become effective on date of adoption.

11. Authentication and Publication

Upon its adoption, each ordinance or resolution shall be authenticated by the signature of the Mayor and the City Clerk and shall be recorded upon a book kept for that purpose. Each ordinance and resolution shall be published as soon as possible after its adoption by posting it in a public place or places for ten days or, when required, by publishing it once within ten days in a newspaper of general circulation in the city, or both.

X. Rules of Order

1. Precedence of Motions

When a question is before the Council, motions shall have the following precedence and no motion of lesser precedence may be addressed until the motion of higher precedence is voted upon. The order from highest to lowest precedence is: a) to adjourn which is not debatable; b) to fix the hour of adjournment; c) to lay the question or issue on the table indefinitely or to a time certain; d) to call for the previous question; e) to refer; f) to amend. All motions noted herein shall be addressed to the Mayor (or Chairperson of the meeting if the Mayor is absent) and shall be voted upon by the Council after discussion by the Council and interested members of the public. Comments by the public regarding the above motions (except a motion to adjourn) shall be limited to three (3) minutes.

2. Motions to Be Stated by Chair

When a motion is made and seconded, it shall be stated by the Chair before debate. Any member may demand that it be put in writing.

3. Withdrawal of Motion

A motion may not be withdrawn by the mover without the consent of the member seconding it.

4. Motions Made Out of Order

The Chair may, at any time, with the approval of at least six members of Council permit a member to introduce an ordinance, resolution, or motion out of the regular order.

5. Motion to Adjourn - When Not in Order - Not Debatable

A motion to adjourn shall be in order at any time, except as follows: a) when repeated without intervening business or discussion; b) when made as an interruption of a member

while speaking; c) when the previous question has been ordered; and d) while a vote is being taken. A motion to adjourn is not debatable.

6. Motion to Lay on the Table

A motion to lay on the table shall preclude all amendments or debate on the subject under consideration. If the motion shall prevail, the consideration of the subject may be resumed at any time by a majority vote under other business, at the same or at a subsequent meeting. A motion to table is not debatable.

7. Call the Question

Any member of Council may at any time Call the Question on a motion previously made which has had any number of proposed amendments thereto so long as such motion receives a second. Once a second to this motion is received all debate shall cease regarding any proposed amendments and the Council shall vote on the Call the Question motion without debate. If approved by a majority of a quorum of the Council, then Council shall immediately and without debate or public comment vote on only the motion previously made with the last amendment. All other amendments shall be considered as failed. If such vote passes by a majority, the Council shall move to the next item on its agenda. If the main motion fails, the secondary motion and all subsequent amendments will again be before the Council for debate and possible action. Any motions still pending at this time will be deemed lost.

8. Division of Question

If a question contains two or more divisible propositions, the presiding officer, upon request of a member, may divide the same.

9. Amend - Strike Out, etc.

On an amendment to "strike out and insert," the words to be struck out and those to be inserted shall be read, and finally the sentence or paragraph, as it would stand if so amended, shall be read.

10. Amend an Amendment

A motion to amend an amendment shall be in order, but one to amend an amendment to an amendment shall not be introduced. An amendment modifying the intention of a motion shall be in order, but an amendment relating to a different matter shall not be in order.

11. Motion to Postpone

All motions to postpone to a certain time, excepting a motion to postpone indefinitely, may only be amended as to time. If a motion to postpone indefinitely is carried, the

principal question shall be declared lost.

12. Reconsideration

After the decision on any question, any member who voted with the prevailing side may move a reconsideration of any action at the same or the next meeting. A motion to reconsider shall require the approval of at least four members of Council. After a motion for reconsideration has once been acted on, no other motion for reconsideration thereof shall be made without unanimous consent of all members of Council.

13. Suspension of Rules

Any provisions of these rules not governed by the Charter, state law, or ordinance may be temporarily suspended at any meeting of the Council by a vote of not fewer than six members of Council. The vote on any question to suspend the rules shall be by "yeas" and "nays" and shall be entered in the minutes.

A motion to suspend the rule requiring two readings on separate days shall be debatable and, upon such motion, the main question shall be open for debate.

14. Procedure in Absence of Rule

In the absence of a rule to govern a point of procedure, reference shall be had to the approved practice in parliamentary bodies.

15. Special Order

To make any subject a special order of business shall require the consent of the majority of members of Council present.

16. Tie Vote

In case of a tie in the vote on any proposal, the proposal shall be considered lost.

17. Special Committees

a. From time to time, the Council may set up Special Committees to act on special occasions or to perform other duties. Special committees may be created only by adoption of a resolution, which resolution shall clearly outline the function, authority, and responsibility of the committee, the number of persons to be on the committee, method of selection or appointment of members of the committee, reports to be required of committee, expiration date of committee, and any other pertinent information necessary for the proper functioning of the committee. Such Special Committees may also be called Task Forces.

b. Powers

No committee of any kind shall have the power of employing any person for, or on behalf of, the city or incurring any expense without prior authorization of the City Manager. The committee may request the City Manager to furnish information and assistance which may be granted, provided it is pertinent to the matter before the committee and is not in violation of provisions of the Charter or policies established by the Council.

c. Report of Committees

Committees shall submit reports from time to time as requested by the Council or the City Manager. All reports shall be in writing, and sufficient copies shall be made available for each member of Council, the City Manager, and the City Clerk.

XI. Miscellaneous

1. To Amend Rules

These rules may be amended or new rules adopted in the same manner as any other resolution is passed, except that the requirement for reading may not be waived except by unanimous consent, with a recorded vote of all members.

2. Request for Meetings by Other Parties

The Mayor and members of Council often encounter requests for meetings related to City business either with the Mayor, a member of Council, or more than one member of Council from outside parties (developers, stakeholders, elected officials, etc.). Such requests should be made known to the entire Council prior to any meeting taking place. Notification of such a request can be at a scheduled work session or meeting of the City Council or, in the case of an emergency, by direct communication from the Mayor or member of Council who was requested to meet. Unless agreed upon by a majority of Council, all members of Council may attend any such requested meeting. Further, any such meeting including four or more members of Council shall be publicized and open to the public unless a Closed Session has been properly requested.

Nothing herein shall apply to contacts made by outside parties with members of Council at a political or social function. It is understood that contacts of this type need not be reported to the entire City Council at the next regularly scheduled meeting or work session unless a request is made by such party that requires Council action.

3. Council Recognitions

Council may issue Proclamations or Letters in recognition of certain events or causes with local implications, etc. It will be the decision of the Mayor whether to issue a Proclamation or a Letter.

Generally, proclamations are official (formal) declarations by City Council and letters are official recognitions by City Council.

4. Virtual Council Meetings

Members of Council are required to be visible for the majority of the meeting, barring technical constraints or physical illness.

MEMORANDUM

DATE: December 4, 2023
TO: City Council, City of Greenbelt
FROM: Board of Elections
RE: Council Vacancy: Charter Section 32

In anticipation of the Council's work session later this week, the Board of Elections submits to Council these options for filling the current vacancy in membership, in accordance with the City Charter.

Board members will attend the work session on Wednesday, December 6th, and be prepared to answer questions from the Council.

INTERESTS OF FRANKLIN PARK

The Board would respectfully suggest to Council that in choosing and carrying out one of the options described below, it take into account the special interests of Franklin Park voters. They, it is clear, have lost their spokesperson. While not required by the Charter, it might be advisable, for instance, to hold a public meeting or hearing at the Springhill Lake Recreation Center or another nearby location, to allow Franklin Park residents and voters to voice their interests and concerns.

SUMMARY AND CONCLUSION

The Board of Elections would respectfully advise Council that the City Charter and Code impose just one requirement, before a vacancy in membership is filled. That is in the Charter, Section 32. The meaning and applicability of the section are subject to Council's sound judgment. Moreover, in choosing a person to fill a vacancy, Council we believe has few legal or practical constraints. With or without public hearing, and with or without a referral to Greenbelt voters, Council we believe may fill a vacancy by electing any City resident who is a registered voter over age eighteen.

CHARTER REQUIREMENTS

Section 32 of the City Charter states as follows:

Vacancies on council. *If a seat in the council becomes vacant, the remaining members of council by a majority vote shall, as soon as possible, elect a person to fill the unexpired term.* If three (3) or more council seats are vacant at the same time, the board of elections shall call at the earliest date a special election to fill said vacancies for the unexpired terms.

(Italics added.) The italicized sentence applies in the present case, as there is just one vacant seat. By Section 32's plain language, Council must exercise the authority, "by a majority vote," to fill the unexpired term of the absent member "as soon as possible." The Board believes that Section 32 requires Council to determine how and precisely when it must take action, what is "possible," within reason, for valid and appropriate action, and the process to be followed to meet Charter requirements.

There are no Charter or Code provisions to help interpret Section 32. It is therefore obvious, we think, that whatever process Council chooses will be constrained only by its sound judgment. Council's process should not be subject to challenge unless it is plainly unreasonable or outside the requirements of Section 32.

In September, Council chose, without public hearing other than debate at the time of appointment, to fill an unanticipated vacancy by temporary appointment of a former member. At that time it was known that the vacancy would last only a few weeks. In present circumstances, Council's chosen candidate will serve for nearly two years. That is almost a full term. These circumstances, we believe, limit the applicability in this case of Council's September action.

OPTIONS

A. COUNCIL ACTION WITHOUT VOTER REFERRAL

Even though Council's September action does not, as we see it, constrain its present choices, Council members may still legally act as it did last fall, without a formal public hearing, and without participation by Greenbelt voters. For example, Council could choose one of the four candidates who were on the November ballot but not among those who were elected. The eighth through eleventh candidates on the ballot all fulfilled legal requirements, being City voters of sufficient age who had filed petitions signed by fifty eligible voters, and each candidate received nontrivial voter support. If Council decides to elect one of those candidates, "by a majority vote" of current Council members, its action would we believe be legal and valid.

Beyond the persons on the November ballot, Council could in the same way name and elect another City voter whom a majority of Council deems the best candidate to hold the vacant seat until November 2025. We believe Charter does not require a public hearing or other process, for that action to be valid.

This option is the least democratic, in the sense that it allows no voter or public participation, but it allows the most prompt and least costly action by Council.

B. ACTION AFTER HEARING, WITHOUT VOTER REFERRAL

While Council has authority under Charter to act without a public hearing, the Charter does not prohibit holding one, or perhaps more than one. Public hearings would of course involve notice to the public, after a resolution setting the hearing's time and location. Since many residents do not receive the News Review, including residents in the Franklin Park area, the Board believes notice should be given, by mail or otherwise, so that all Greenbelt residents receive it. The Council

resolution setting time and date for a hearing might also provide for nomination applications to fill the vacancy. In that way Council would have designated “subjects” for the hearing, as opposed to a general public inquiry about the vacancy.

This option again offers Council the opportunity to act promptly, without significant costs. It is also possible to hold a public hearing or hearings while allowing residents who cannot attend the chance to make comments by text or email. Again, however, this course excludes full participation by Greenbelt voters.

C. ACTION AFTER REFERRAL TO VOTERS

As part of their chosen process under Section 32, Council members may wish to include a referral to Greenbelt voters. The Board does not recommend that. We believe, however, that such a process would be valid and appropriate, as long as it is understood that the section requires Council to take the final action. If Council decides to have voter participation, then the resolution establishing the process would have to include times and dates for several deadlines, as well as provisions for notice to the public about a pending election.

This election would not, in so many words, be technically a “special election” within the meaning of Section 32, but Council in its resolution could state that the candidate who receives the most votes in the election would be selected, unless intervening circumstances require otherwise.

The second sentence of Charter Section 32 specifically provides for a “special election,” to be run by the Board of Elections, in the case of three simultaneous Council vacancies. An election to fill a single vacancy, however, would not be a “special” one, within the meaning of the section. It would instead be a designated referral to the voters, by Council direction to the Board of Elections.

This option, involving a referral election for all voters, is clearly the most democratic. It does, however, involve considerable added cost and delay, and it does not remove from Council the obligation to make the final determination, under Section 32.

To begin the discussion of this option, we assume that Council's resolution setting up the voter referral process would be passed no later than Wednesday, December 20th. If that is so, if it is possible for Council to vote by that date, then we would respectfully suggest the following deadline dates, or perhaps others close to them:

- December 29, 2023: Final day to mail out notice to all registered voters (listed as "active" by the County Board of Election Supervisors) of the pendency of an election and the need for interested persons to submit petitions to be on the ballot.
- January 19, 2024: Final day for persons who wish to be candidates to file their petitions for election with the Clerk. These petitions, the Board believes, should be supported by the signatures of a designated number of eligible voters, perhaps thirty or forty.
- February 5, 2024: Date to begin mailing ballots to active, registered Greenbelt voters. We believe that mailing ballots – including an inner envelope for the ballot and an outer envelope for each voter to sign an affidavit attesting that the voter will use only one ballot in the election – to all voters, as opposed to (a) having an in-person election on a designated day in February, or (b) mailing applications and then mailing ballots only to those who request one, and finally holding an in-person election for those who choose not to vote by mail, will save a significant amount of time and expense. Also, holding an in-person vote would delay the tallying process and require retaining election judges and clerks in the five voter precincts. The vendor we used for the November election could have all ballots in the mail by February 5th, and voters would then receive them no later than February 12th. Sending each voter a

ballot – with notice that ballots must be either (1) mailed in, to be received by a designated date; (2) placed in a drop box, at the Municipal Building or in Greenbelt East or West, by that date; or (3) hand-delivered by that date to the Clerk’s office – will involve a smaller budget and allow easier counting of the ballots. The only in-person voting would be by those voters with disabilities who require an accessible voting machine, which could be located in the Clerk's office.

- March 1, 2024: Final day for receiving ballots in the Clerk’s office, by mail or drop box or delivery to the Clerk.
- March 15, 2024: Date by which the Board of Elections advises Council of the results of the election. We should add that a referral to Greenbelt voters will involve some costs, but less – by 30 percent or more, we estimate – than were incurred in the November election.

Again, with or without a public hearing or a referral to Greenbelt voters, Council under the Charter will retain the right, authority, and obligation to make the final selection to fill the vacancy.

D. POTENTIAL INTERIM APPOINTMENT.

If it chooses to approve a referral to the voters, Council may wish to make an interim appointment to fill the vacant seat before the election. As with the September appointment, it may be best, in the interest of fairness, for the Council to choose someone who does not intend to campaign for a permanent seat. The person chosen for the interim appointment would assume office with the understanding that the final choice at a later date would end the effectiveness of the interim appointment.

Making an interim appointment, if Council members choose a referral to the voters, will allow the Council to proceed with a full membership complement until it receives the results of the referral election.

ADDITIONAL CODE CONSIDERATIONS

As part of the voter referral or election process, if Council chooses that option, the Board believes it would be advisable to follow City and Election Code guidance as to financial disclosure and reporting.

Section 2-111 of the City Code requires all candidates for elective office to file with the Board of Ethics a statement of “financial disclosure.” We believe that requirement will apply to all persons who place their names on a referral ballot, and those who are chosen by Council to fill a vacancy on an interim or permanent basis.

In addition, the Election Code, Chapter 8 of the City Code, requires that Council candidates file campaign financial reports with the Clerk’s office. We think that each candidate, if a referral to voters is made, should file a financial report after the election and before being sworn in as a Council member.

City Council Work Session Agenda Item Report

Meeting Date: December 6, 2023

Submitted by: Bonita Anderson

Submitting Department: Administration

Item Type: Work Session Item

Agenda Section: Work Session Packet

Subject:

Meetings and Stakeholders List

Suggested Action:

Attachments:

[meetings.pdf](#)

[Stakeholder Schedule.pdf](#)

CITY OF GREENBELT, MARYLAND
25 Crescent Road, Greenbelt, MD 20770-1891



12/4/2023 6:41 PM

City Council Meetings & Work Sessions
December – January

Work Session – Public Safety Advisory Committee	Mon.	12/04	7:30 pm
Work Session – Stand Rules for Council and Discussion on Appointment for Vacancy of Seat	Wed.	12/06	7:30 pm
PGCMA Legislative Reception, Show Place Arena	Thurs.	12/07	6:30 pm
Regular Meeting	Mon.	12/11	7:30 pm
Work Session – Parke Crescent Apartments	Wed.	12/13	7:30 pm
Advisory Board Interview	Mon.	12/18	7:10 pm
Work Session – State Highway Administration	Mon.	12/18	7:30 pm
Work Session – Municipal Building Architect Study Update/Greenbelt Access TV	Wed.	12/20	7:30 pm
No Meeting – Christmas	Mon.	12/25	
No Meeting	Wed.	12/27	
No Meeting – New Year's Day	Mon.	01/01	
Work Session – TBD	Wed.	01/03	7:30 pm
Regular Meeting	Mon.	01/08	7:30 pm
Work Session – PGCPs Building Services and Boundaries	Wed.	01/10	7:30 pm
No Meeting – Martin Luther King Jr. Day	Mon.	01/15	
Work Session – Diversity, Equity, and Inclusion (DEI) Tribes Audit Update	Wed.	01/17	7:30 pm
Regular Meeting	Mon.	01/22	7:30 pm
Work Session – TBD	Wed.	01/24	7:30 pm
Work Session – City Manager's Update	Mon.	01/29	7:30 pm
Work Session – Buddy Attick Park Master Plan	Wed.	01/31	7:30 pm

This schedule is subject to change. For confirmation, call 301-474-8000. Regular and Special meetings and Work Sessions are open to the public. If special accommodations are required for any disabled person, please call 301-474-8000 or 301-474-3870 no later than 10 a.m. on the meeting day. Deaf individuals are advised to use Video Relay Services (VRS) at 711 or e-mail banderson@greenbeltmd.gov to reach the City Clerk. Unless otherwise noted, meetings will be held in the Council Chambers in the Municipal Building (MB) at 25 Crescent Road and virtually by Zoom. Zoom meeting information for public participation is posted on the City's website at www.greenbeltmd.gov on the meeting calendar.

Bonita Anderson, City Clerk

A NATIONAL HISTORIC LANDMARK

(301) 474-8000

fax (301) 441-8248
www.greenbeltmd.gov

MD RELAY 711

CITY OF GREENBELT, MARYLAND

25 Crescent Road, Greenbelt, MD 20770-1891



12/4/2023 6:41 PM

Ready to be scheduled:

Townhall Meeting: Virtual Meetings Accessibility
for Blind and Visually Impaired
City Contracting Policy
Walk-way fixture
Verde Apartments
Greenbelt Road Corridor
Meet and Greet School Board CEO
Board of Education – Building Services and
Boundaries (*Provided January dates*)
Prince George’s County Council (*Provided
December dates*)
WSSC (*March/April*)
Bureau of Engraving and Printing

For later scheduling:

Zoning Enforcement
Parkway Apartment Owners/GHI (*parking*)
Northway Fields Master Plan
City Manager Updates (Jan, Pre-budget; July &
Sept/Oct)
Meeting with County on Transportation Plan
Museum Plan
Bernard Penney (*Memorial Donation in honor of
Leonie Penney*)
Potential Bond Referendum/Capital Financing
Cemetery Plans
MARC Train Service/ MDOT
Arts & Entertainment District
EV Chargers Five Year Plan
Fleet Vehicles Ten Year Plan
GHI/Prince George’s County (Stormwater issues)

Annual															
Advisory Group Chairs	7/22	7/23													
Franklin Park at Greenbelt Station Mgmt.	12/21	12/22													
Greenbelt Center HOAs	3/23														
Greenbelt East HOAs and COAs/Greenbelt East Advisory Coalition	4/22	6/23													
Greenbelt Homes, Inc.	8/22	8/23													
Greenbelt Station HOA/Verde Apts.	8/22	8/23													
School Board Member	9/21	2/23	8/23												
State Highway Administration	11/20	11/22													
Biennial															
Beltsville Ag. Research Center	8/18	11/22	11/23												
Beltway Plaza	9/22														
NASA/GSFC	3/22	4/23													
Greenbelt Business Alliance	10/22														
Greenbelt Park NPS	1/22	3/23													
Greenway Shopping Center	12/20	2/23													
Religious/Spiritual Organizations	6/22														
Twice a Year															
County Council Person and At Large Members	5/23														
Meetings as Needed															
Apartments	4/21														
Comcast/Verizon	3/21														
Greenbelt Office Parks															
Greenbelt Watershed Groups	10/19														
Hotels	8/23														
PEPCO	2/22	9/23													
WSSC	2/22	6/23	10/23												
Washington Gas	8/23														
Prince George's Economic Development Corp.	11/21														
Prince George's Planning Board	10/19														
Roosevelt Center Owner	8/20														
University of Maryland	4/15														
WMATA/PGDPW&T (Semi-Annual)	5/22														
Newly Elected/Appointed Officials (Presentation of a Council Regular Meeting)															
County Executive															
School Board CEO															
State's Attorney	1/23														