



CITY COUNCIL WORK SESSION AGENDA

Work Session - Discussion of Pool Deck Repairs and Aquatic Services for 2025 Season & Review of Council Standing Rules

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/89798829018?pwd=xzCcta4bhtlXan2aH5i6LtG1QtWxNh.1>**

Dial-in: 301 715 8592

Webinar ID: 897 9882 9018

Passcode:820244

Wednesday, January 22, 2025

7:30 PM

I. Work Session Packet

1. Discussion of Pool Deck Repairs and Aquatic Services for 2025 Season

Suggested Action:

Agenda:

- Introductions
- Discussion:
 - Project Scope
 - Project Timeline
 - Impact on Greenbelt Aquatic & Fitness Center (GAFC) Programming, Memberships
 - Outdoor Pool Schedule

- Communication Plan to GAFC users
- Questions and Answers
- Other Items

2. Review of Council Standing Rules

Suggested Action:

Agenda

- Introductions
- Discussion:
 - Council Standing Rules
- Questions and Answers
- Other Items

*Materials include an Example of a Code of Conduct for discussion.

[StandingRules2024.pdf](#)

[ord_124_code_of_conduct_as_adopted_1-8-2003.pdf](#)

City Council Work Session Agenda Item Report

Meeting Date: January 22, 2025

Submitted by: Shaniya Lashley-Mullen

Submitting Department: Public Works

Item Type: Work Session Item

Agenda Section: Work Session Packet

Subject:

Discussion of Pool Deck Repairs and Aquatic Services for 2025 Season

Suggested Action:

Agenda:

- Introductions
- Discussion:
 - Project Scope
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Attachments:

City Council Work Session Agenda Item Report

Meeting Date: January 22, 2025

Submitted by: Shaniya Lashley-Mullen

Submitting Department: Administration

Item Type: Work Session Item

Agenda Section: Work Session Packet

Subject:

Review of Council Standing Rules

Suggested Action:

Agenda

- Introductions
- Discussion:
 - Council Standing Rules
- Questions and Answers
- Other Items

*Materials include an Example of a Code of Conduct for discussion.

Attachments:

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STANDING RULES FOR THE CITY COUNCIL

EFFECTIVE: January 8, 2024

25 CRESCENT ROAD
GREENBELT, MD 20770-1886

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

January 8, 2024

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, etc.), the councilmember may do so with the approval of a 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, or if not able to do so, otherwise indicate their wish to speak in an alternate fashion. After being recognized by the presiding officer, the speaker shall identify themselves and their place of residence. Speakers 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 five 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

Petitions and Requests

Consent Agenda – Council and Staff Recommendations

Approval of Agenda and Additions

II. Communications

Presentations

Public Hearings

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 five (5) 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.



Town of Berwyn Heights

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ORDINANCE 124 - CONDUCT GUIDELINES FOR ELECTED OFFICIALS OF THE TOWN OF BERWYN HEIGHTS, MD

"Conduct is three-fourths of our life and its largest concern." -- Matthew Arnold

This Code of Conduct is designed to describe the manner in which Councilmembers should treat one another, Town staff, constituents, and others they come into contact with in representing the Town of Berwyn Heights. It reflects the work of the Council to define more clearly the behavior, manners, and courtesies that are suitable for various occasions.

The constant and consistent theme through all of the conduct guidelines is "respect." Councilmembers experience huge workloads and tremendous stress in making decisions that could impact thousands of lives. Despite these pressures, elected officials are called upon to exhibit appropriate behavior at all times. Demonstrating respect for each individual through words and actions is the touchstone that can help guide Councilmembers to do the right thing in even the most difficult situations.

Overview of Roles & Responsibilities

Other resources that are helpful in defining the roles and responsibilities of elected officials can be found in the Berwyn Heights Town Charter and Council Rules.

MAYOR

- Acts as the official head of the Town for all ceremonial purposes
- Chairs Council meetings and sets agenda, based on recommendations from Councilmembers
- Calls for special meetings
- Recommends committees as appropriate for Council approval
- Recognized as spokesperson for the Town
- Signs documents on behalf of the Town
- Makes on proclamations, Special Orders of the Day, etc.
- Strives to lead the Council into an effective, cohesive working team

MAYOR PRO-TEM

- Performs the duties of the Mayor if the Mayor is unable to perform his/her duties
- Chairs Council meetings at the request of the Mayor
- Represents the Town at ceremonial functions in the absence of the Mayor

ALL COUNCILMEMBERS

All members of the Town Council, including those serving as Mayor and Mayor Pro-Tem, have equal votes. No Councilmember has more power than any other Councilmember, and all should be treated with equal respect. All Councilmembers should strive to:

- Fully participate in Town Council meetings and other public forums while demonstrating respect, kindness, consideration, and courtesy to others
- Prepare in advance of Council meetings and be familiar with issues on the agenda
- Represent the Town at ceremonial functions at the request of the Mayor
- Place activities and events on the Council's weekly activities calendar that invite official participation of all Councilmembers
- Be respectful of other people's time. Stay focused and act efficiently during public meetings
- Serve as a model of leadership and civility to the community
- Inspire public confidence in Berwyn Heights government
- Provide contact information with the Council in case an emergency or urgent situation arises while the Councilmember is out of town
- Demonstrate honesty and integrity in every action and statement
- Participate in scheduled activities to increase team effectiveness and review Council procedures, such as this Code of Conduct.

Policies & Protocol Related to Conduct

Ceremonial Events

The Mayor will serve as the designated Town representative at ceremonial events. If the Mayor is unavailable, then the Mayor will recommend which Councilmember should be asked to serve as a substitute. Invitations received at Town Hall are presumed to be for official Town representation. Invitations addressed to Councilmembers at their homes are presumed to be for unofficial, personal consideration.

Correspondence Signatures

Councilmembers do not need to acknowledge the receipt of correspondence, or copies of correspondence, during Council meetings. Town staff will prepare official letters in response to public inquiries and concerns. These letters will carry the signature of the Mayor unless the Mayor requests that another Councilmember or a member of the Town staff sign them. If correspondence is addressed only to one Councilmember, that Councilmember should check with the Mayor on the best way to respond to the sender.

Endorsement of Candidates

Councilmembers have the right to support candidates for all any office. It is inappropriate to endorse a candidate by using an official Town title.

Public Hearings

Councilmembers will not express opinions during the public hearing portion of the meeting except to ask pertinent questions of the speaker or staff. "I think" and "I feel" comments by Councilmembers are not appropriate until after the close of the public hearing. Councilmembers should refrain from debating with the public during a public hearing and shall always show respect for different points of view.

Town Meetings

Main motions may be followed by amendments, followed by substitute motions. Any Councilmember can call for a point of order. Only Councilmembers who voted on the prevailing side may make motions to reconsider. Councilmembers, who desire to make the first motion in a Town meeting on issues that they feel strongly about, will discuss their intention with the Chair in advance (no later than the close of normal business) of the worksession or meeting.

Council Conduct with One Another

Councils are composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, all have chosen to serve in public office in order to preserve and protect the present and the future of the community. In all cases, this common goal should be acknowledged even as Council may "agree to disagree" on contentious issues.

IN PUBLIC MEETINGS

Use formal titles

The Council should refer to one another formally during public meetings as Mayor or Councilmember followed by the individual's last name.

Practice civility and decorum in discussions and debate

Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. This does not allow, however, Councilmembers to make belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments. No shouting or physical actions that could be construed as threatening will be tolerated.

Honor the role of the Chair in maintaining order

It is the responsibility of the Chair to keep the comments of Councilmembers on track during public meetings. Councilmembers should honor efforts by the Chair to focus discussion on current agenda items. If there is disagreement about the agenda or the Chair's actions, those objections should be voiced politely and with reason, following procedures outlined in Roberts Rules of Order for parliamentary procedure.

Avoid personal comments that could offend other Councilmembers

If a Councilmember is personally offended by the remarks of another Councilmember, the offended Councilmember should make notes of the actual words used and call for a "point of personal privilege"

that challenges the other Councilmember to justify or apologize for the language used. The Chair will maintain control of this discussion.

Strive to demonstrate effective problem-solving approaches

Councilmembers have a public stage to show how individuals with disparate points of view can find common ground and seek a compromise that benefits the community as a whole.

IN PRIVATE ENCOUNTERS

Policy Making

No binding policy decisions shall be made outside of a public meeting. The use of official Town e-mail is reviewable in a public information request or through a subpoena in a lawsuit. Therefore, a file should be maintained just like any other correspondence. The sender should avoid sending to multiple recipients to eliminate the perception of an electronic meeting. The use of private e-mail does not come under the same scrutiny. However, Councilmembers should exercise discretion in discussing Town business. None of these issues arise with regards to telephone calls or personal conversations.

Be aware of the insecurity of written notes, voicemail messages, and e-mail

Technology allows words written or said without much forethought to be distributed wide and far. Written notes, voicemail messages and e-mail should be treated as potentially "public" communication. Councilmembers should be mindful of all recipients. Even though private communication cannot be prohibited from distribution, the use of a disclaimer, verbal or written, can act to protect the sender and should be respected. The litmus test should be: *Would you feel comfortable if this voicemail/fax/e-mail message appeared in the newspaper verbatim?* How would that reflect on the Town?

Even private conversations can have a public presence

Elected officials are always on display – people around them that they may not know, will monitor their actions, mannerisms, and language. Lunch table conversations will be eavesdropped upon, parking lot debates will be watched, and casual comments between individuals before and after public meetings noted.

Guiding principles for Councilmember collaboration on legislation

Collaboration between two Councilmembers to develop proposed legislation, policy or ideas is acceptable. Bear in mind, three members constitutes a quorum. The legislation should be relevant to the department in which one of the Councilmembers is the Department Head. Otherwise, Department Head consent should be ascertained. It must be understood that no binding decisions can be made and that the proposal shall come before the whole Council for consideration in full, open discussion at a public meeting. Councilmember's records on the subject could be subject to a public information request and may possibly be discoverable in litigation.

Council Conduct with Town Staff

Governance of a Town relies on the cooperative efforts of elected officials, who set policy, and Town staff, who implement and administer the Council's policies. Therefore, every effort should be made to

be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

Treat all staff as professionals

Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Poor behavior towards staff is not acceptable.

Limit contact to specific Town staff

Questions of Town staff and/or requests for additional background information should be directed to the proper Department Head, the Town Administrator or the Mayor. Each should be copied on appropriate questions, comments, or requests. Requests for follow-up or directions to staff should be made only through the appropriate chain of command. When in doubt about what staff contact is appropriate, Councilmembers should ask the Mayor or the Town Administrator for direction. Materials supplied to a Councilmember in response to a request will be made available to all members of the Council so that all have equal access to information.

Do not disrupt Town staff from their jobs

Councilmembers should not disrupt Town staff while they are in meetings, on the phone, or engrossed in performing their job functions in order to have their individual needs met.

Never publicly criticize an individual employee

Council should never express concerns about the performance of a Town employee in public, to the employee directly, or to the employee's manager. Comments about staff performance should only be made to the Department Head through private correspondence or conversation.

Do not get involved in administrative functions

Councilmembers must not attempt to influence Town staff on the making of appointments, awarding of contracts, selecting of consultants, processing of development applications, or granting of Town licenses and permits.

Check with Town staff on correspondence before taking action

Before sending correspondence, Councilmembers should check with Town staff to see if an official Town response has already been sent or is in progress. The Town Administrator should see that previous official correspondence is kept in a binder that is always accessible to all Councilmembers.

Do not attend meetings with Town staff unless requested by staff.

Even if the Councilmember does not say anything, the Councilmember's presence implies support, shows partiality, intimidates staff, and hampers staff's ability to do their job objectively.

Limit requests for staff support

Routine secretarial support will be provided to all Councilmembers by the Administration Department. Requests for additional staff support – even in high priority or emergency situations – should be made to the Town Administrator, who is responsible for allocating Town resources in order to maintain a professional, well-run Town government.

Do not solicit political support from staff

Councilmembers should not solicit any type of political support (financial contributions, display of posters or lawn signs, name on support list, etc.) from Town staff. Town staff may, as private citizens

with constitutional rights, support political candidates but all such activities must be done away from the workplace.

Council Conduct with the Public

IN PUBLIC MEETINGS

Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice or disrespect should be evident on the part of individual Councilmembers toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.

Be fair and equitable in allocating public meeting time to individual speakers

The Chair will determine and announce limits on speakers at the start of the public meeting process. The Mayor will advise speakers to state their name and address for the record and to address their comments to the Council. Generally, each speaker will be allocated two to three minutes with applicants and appellants or their designated representatives allowed more time. If many speakers are anticipated, the Chair may shorten the time limit and/or ask speakers to limit themselves to new information and points of view not already covered by previous speakers. No speaker will be turned away unless he or she exhibits inappropriate behavior.

Give the appearance of active listening

It is disconcerting to speakers to have Councilmembers not look at them when they are speaking. It is fine to look down at documents or to make notes, but reading for a long period of time gazing around the room gives the appearance of disinterest. Be aware of facial expressions, especially those that could be interpreted as "smirking," disbelief, anger or boredom.

Ask for clarification, but avoid debate and argument with the public

Only the Chair – not individual Councilmembers – can interrupt a speaker during a presentation. However, a Councilmember can ask the Chair for a point of order or point of information if the speaker is off the topic or exhibiting behavior or language the Councilmember finds disturbing, or would like further information from the speaker.

If speakers become flustered or defensive by Council questions, it is the responsibility of the Chair to calm and focus the speaker and to maintain the order and decorum of the meeting. Questions by Councilmembers to members of the public testifying should seek to clarify or expand information. It is never appropriate to belligerently challenge or belittle the speaker. Councilmembers' personal opinions or inclinations about upcoming votes should not be revealed until after the public hearing is closed.

No personal attacks of any kind, under any circumstance

Councilmembers should be aware that their body language and tone of voice, as well as the words they use, could appear to be intimidating or aggressive.

IN UNOFFICIAL SETTINGS

Make no promises on behalf of the Council

Councilmembers will frequently be asked to explain a Council action or to give their opinion about an issue as they meet and talk with constituents in the community. It is appropriate to give a brief overview of Town policy and to refer to Town staff for further information. It is inappropriate to overtly or implicitly promise Council action, or to promise Town staff will do something specific (fix a pothole, remove a library book, plant new flowers in the median, etc.).

Make no personal comments about other Councilmembers

It is acceptable to publicly disagree about an issue, but it is unacceptable to make derogatory comments about other Councilmembers, their opinions and actions.

Remember that Berwyn Heights is a small town

The community is constantly observing Councilmembers every day that they serve in office. Their behaviors and comments serve as models for proper deportment in the Town of Berwyn Heights. Honesty and respect for the dignity of each individual should be reflected in every word and action taken by Councilmembers, 24 hours a day, seven days a week. It is a serious and continuous responsibility.

Council Conduct with Other Public Agencies

Be clear about representing the Town or personal interests

If a Councilmember appears before another governmental agency or organization to give a statement on an issue, the Councilmember must clearly state if his or her statement reflects personal opinion or is the official stance of the Town.

If the Councilmember is representing the Town, the Councilmember must support and advocate the official Town position on an issue, not a personal viewpoint

If the Councilmember is representing another organization whose position is different from the Town, the Councilmember should withdraw from voting on the issue if it significantly impacts or is detrimental to the Town's interest. Councilmembers should be clear about which organizations they represent and inform the Mayor and Council of their involvement.

Correspondence also should be equally clear about representation

Town letterhead is not to be used for correspondence of Councilmembers representing a personal point of view, or a dissenting point of view from an official Council position.

Council Conduct with Boards, Clubs, Committees and Commissions and Organizations

The Town has established several Boards, Committees, and Commissions as a means of gathering more community input. Members who serve on these bodies become more involved in government and serve

as advisors to the Town Council. They are a valuable resource to the Town's leadership and should be treated with appreciation and respect.

If attending a Board, Committee or Commission meeting, be careful to only express personal opinions

Councilmembers may attend any Board, Committee or Commission meeting, which are always open to any member of the public. However, they should be sensitive to the way their participation – especially if it is on behalf of an individual, business or developer – could be viewed as unfairly affecting the process. Any public comments by a Councilmember at a Board, Committee or Commission meeting should be clearly made as individual opinion and not a representation of the feelings of the entire Town Council.

Limit contact with Board, Committee and Commission members to questions of clarification

It is inappropriate for a Councilmember to contact a Board, Committee or Commission member to lobby on behalf of an individual, business, or developer. It is acceptable for Councilmembers to contact Board, Committee or Commission members in order to clarify a position taken by the Board, Committee or Commission.

Remember that Boards, Committees and Commissions serve the community, not individual Councilmembers

The Town Council appoints individuals to serve on Boards, Committees and Commissions, etc. and it is the responsibility of Boards, Committees and Commissions to follow policy established by the Council. But Board, Committee and Commission members do not report to individual Councilmembers, nor should Councilmembers feel they have the power or right to threaten Board, Committee and Commission members with removal if they disagree about an issue. Appointment and re-appointment to a Board, Committee or Commission should be based on such criteria as expertise, ability to work with staff and the public, and commitment to fulfilling official duties. A Board, Committee or Commission appointment should not be used as a political "reward."

Be respectful of diverse opinions

A primary role of Boards, Committees and Commissions is to represent many points of view in the community and to provide the Council with advice based on a full spectrum of concerns and perspectives. Councilmembers may have a closer working relationship with some individuals serving on Boards, Committees and Commissions, but must be fair and respectful of all citizens serving on Boards, Committees and Commissions.

Keep political support away from public forums

Board, Committee and Commission members may offer political support to a Councilmember, but not in a public forum while conducting official duties. Conversely, Councilmembers may support Board, Committee and Commission members who are running for office, but not in an official forum in their capacity as a Councilmember.

Inappropriate behavior can lead to removal

Inappropriate behavior by a Board member, appointed by the Mayor and Council, should be addressed by the Chair and/or the members of the body. If a member's conduct continues to be unbecoming, the Chair shall notify the Mayor, and the Mayor should counsel the offending member. If inappropriate behavior continues, the Mayor should bring the situation to the attention of the Council and the individual is subject to removal from the Board, Committee or Commission.

Council Conduct with the Media

Councilmembers are frequently contacted by the media for background and quotes.

The best advice for dealing with the media is to never go "off the record"

Most members of the media represent the highest levels of journalistic integrity and ethics, and can be trusted to keep their word. Words that are not said cannot be quoted.

The Mayor is the official spokesperson for the representative on Town position

The Mayor is the designated representative of the Council to present and speak on the official Town position. If the media contacts an individual Councilmember, the Councilmember should be clear about whether their comments represent the official Town position or a personal viewpoint.

Choose words carefully and cautiously

Comments taken out of context can cause problems. Be especially cautious about humor, sardonic asides, sarcasm, or word play. It is never appropriate to use personal slurs or swear words when talking with the media.

Sanctions

Although the Council should seldom have occasion to discipline its Members, the Council has the right to make and enforce its own rules and to require that Councilmembers, Town staff, and the public refrain from conduct injurious to the accomplishment of Council business.

Town Councilmembers who intentionally and repeatedly do not follow proper conduct may be reprimanded or formally censured by the Council. Serious infractions of the Code of Conduct could lead to other sanctions as deemed appropriate by the Council.

Councilmembers' Behavior and Conduct in Public Meetings

All those present at Council meetings have an obligation to obey the legitimate orders of Roberts Rules of Order, the Charter, and Council Rules, as well as the authority of the presiding officer of the meeting. It is the responsibility of the meeting Chair to initiate action if a Councilmember's behavior may warrant sanction. If the Chair takes no action, the alleged violation(s) can be brought up with the full Council at a public meeting, including a Town meeting.

When a Councilmember breaches this code of conduct during a public meeting, the following progressive actions are appropriate (note: the nature of the offense may warrant any level of sanction):

1) Request for Order

If the breach is slight, the Chair of the meeting shall rap the gavel and ask the offending member to follow the rules of order and good conduct. If the Mayor is the individual whose actions are being challenged, then the matter should be referred to the Mayor Pro-Tem.

2) Call to Order

If the offense is more serious, such as when a Councilmember:

- repeatedly interrupts or disrupts the meeting, whether verbally or otherwise
- questions the motives of or attacks with accusatory comments other Councilmembers
- persists in speaking out of turn or on an irrelevant matter during discussion on an agenda item
- makes comments to or converses with another Councilmember while not having the floor
- uses disrespectful, coarse, or profane language, tone or gestures unbecoming to a Councilmember, Town employee, or any other meeting participant;

then in any such instance, the meeting Chair will normally first warn the offender that such conduct is in breach of order; but with or without such warning, the meeting Chair, or any other Councilmember, may call the Councilmember to order by stating at any time, “Point of Order” and explaining how the offender’s behavior breaches the rules. If the Chair finds the point well-taken, the Chair shall declare the offender to be out of order and request that the offender cease such unacceptable behavior immediately with a reminder of further consequences if the offending Councilmember’s behavior continues.

If the Chair declares out of order a Councilmember who has the floor at the time of the offense, the meeting Chair, after clearly stating the breach of conduct, may rule that the offending member has forfeited the floor at that time.

4) Recording the Offense in the Minutes

If the disruptive conduct continues, despite the ruling of the Chair that such behavior is out of order and this is to be discontinued, the fact and the specific offensive conduct should be recorded in the official minutes by order of the Chair. If the member discontinues the offending behavior, the Chair may drop the matter.

5) Censure

If the disruption continues, any member may move to censure the offending member for disrupting a lawful meeting of the Council. Such censure motion shall be adopted upon the affirmative vote of a majority of the remaining Councilmembers, excluding the offending member.

The censure may be put forth to encompass only the discussion at hand, or, if the offending behavior is more serious, the Councilmember may be censured for the remainder of that meeting or all subsequent future meetings. The offending Councilmember shall remain silent throughout the remainder of the discussion or meeting, and shall not disrupt the meeting verbally or with other physical distractions, such as gestures or facial expressions.

6) Expulsion

If the member continues such offending behavior, the Chair or any Councilmember may move that the offending member be expelled from the meeting for disorderly conduct. Such expulsion motion shall be adopted upon the affirmative vote of a majority of those remaining Councilmembers, excluding the offending member. If the offending member refuses to leave after a motion for expulsion has passed, police employed by the Town can carry out the expulsion order at the direction of the Mayor.

7) Recess to another Time

When disruptive conduct by a Councilmember continues, the Chair may at his/her discretion at any stage call for a motion to immediately recess the meeting to reconvene at a fixed time and place, which shall be publicly posted.

Councilmembers Behavior and Conduct outside of Public Meetings

If a violation of this document occurs outside of a public meeting, the alleged violation should be referred to the Mayor. If the Mayor perpetrated the alleged breach, the Mayor Pro-Tem will be contacted. The Mayor/Mayor Pro-Tem should ask the Town Administrator and Town Attorney when appropriate to investigate the allegation and report the findings to the Council. It is the Mayor/Mayor Pro-Tem's responsibility to take the next appropriate action according to the sanctions above.

Inappropriate Staff Behavior

Councilmembers should refer to the appropriate Department Head any Town staff that does not follow proper conduct in their dealings with Councilmembers, other Town staff, or the public. These employees may be disciplined in accordance with standard Town procedures for such actions. (Please refer to the section on Council Conduct with Town Staff for more details on interaction with Staff.) Where appropriate, any discipline of police officers will be conducted as mandated by the Law Enforcement Officers Bill of Rights.

Principles of Proper Conduct

Proper conduct IS ...

Keeping promises
Being dependable
Building a solid reputation
Participating and being available
Demonstrating patience
Showing empathy
Holding onto ethical principles under stress
Listening attentively
Studying thoroughly
Keeping integrity intact
Overcoming discouragement
Going above and beyond, time and time again
Modeling a professional manner

Proper conduct IS NOT...

Showing antagonism or hostility
Deliberately lying or misleading
Being sarcastic or rude
Speaking recklessly
Spreading rumors
Stirring up bad feelings, divisiveness
Acting in a self-righteous manner

It all comes down to respect

Respect for one another as individuals... respect
for the validity of different opinions... respect
for the democratic process... respect for the
community that we serve.

Checklist for Monitoring Conduct

- Will my decision/statement/action violate the trust, rights or good will of others?
- What are my interior motives and the spirit behind my actions?

- If I have to justify my conduct in public tomorrow, will I do so with pride or shame?
- How would my conduct be evaluated by people whose integrity and character I respect?
- Even if my conduct is not illegal or unethical, is it done at someone else's painful expense? Will it destroy their trust in me? Will it harm their reputation?
- Is my conduct fair? Just? Morally right?
- If I were on the receiving end of my conduct, would I approve and agree, or would I take offense?
- Does my conduct give others reason to trust or distrust me?
- Am I willing to take an ethical stand when it is called for? Am I willing to make my ethical beliefs public in a way that makes it clear what I stand for?
- Do I exhibit the same conduct in my private life as I do in my public life?
- Can I take legitimate pride in the way I conduct myself and the example I set?
- Do I listen and understand the views of others?
- Do I question and confront different points of view in a constructive manner?
- Do I work to resolve differences and come to mutual agreement?
- Do I support others and show respect for their ideas?
- Will my conduct cause public embarrassment to someone else?

Glossary of Terms

<i>attitude</i>	The manner in which one shows one's dispositions, opinions, and feelings
<i>behavior</i>	External appearance or action; manner of behaving; carriage of oneself
<i>civility</i>	Politeness, consideration, courtesy
<i>conduct</i>	The way one acts; personal behavior
<i>courtesy</i>	Politeness connected with kindness
<i>decorum</i>	Suitable; proper; good taste in behavior
<i>manners</i>	A way of acting; a style, method, or form; the way in which things are done
<i>point of order</i>	An interruption of a meeting to question whether rules or bylaws are being broken, such as the speaker has strayed from the motion currently under consideration
<i>point of personal privilege</i>	A challenge to a speaker to defend or apologize for comments that a fellow Councilmember considers offensive
<i>propriety</i>	Conforming to acceptable standards of behavior
<i>protocol</i>	The courtesies that are established as proper and correct
<i>respect</i>	The act of noticing with attention; holding in esteem; courteous regard

Adopted: 1/8/2003
Effective: 1/28/2003