

MAYOR AND COUNCIL RULES OF PROCEDURE

SECTION 1 – AUTHORITY AND ADMINISTRATION

A. Authority

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

B. Administration

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

C. Suspension

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

D. Amendment

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

has been given of the proposed alteration or amendment.

SECTION 2 – CONDUCT OF MEETINGS

A. Frequency and Type

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

B. Presiding Officer

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

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

C. Attendance and Quorum

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

D. Translation and Interpretation

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

SECTION 3 – MEETING AGENDAS

A. Standing Agenda Items:

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

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

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

SECTION 4: RULES OF ORDER DURING MEETINGS

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

has the option to speak first during discussion.

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

E. Voting

a. Voting – Requirements.

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

b. Voting – Abstention.

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

c. Voting – Tie votes.

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

d. Voting – Disqualification – Member responsibilities.

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

e. Voting – Disqualification – Procedures.

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

f. Voting – Majority vote – Motions.

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

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

fifteen minutes each.

G. Resident Input

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

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

SECTION 5 – REPRESENTATIONS

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

decisions and policies of The Town Council.

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

SECTION 6 – TOWN STAFF RESOURCES INCLUDING THE TOWN ATTORNEY

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