TOWN COUNCIL OF INDIAN HEAD

RESOLUTION NO:	**11-01-15**
INTRODUCED BY:	**Mayor and Council**
DATE INTRODUCED:	**November 2, 2015**
DATE AMENDED:	**January 4, 2016**
AMENDMENT ADOPTED:	**January 4, 2016**
RESOLUTION ADOPTED:	**January 4, 2016**
DATE EFFECTIVE:	**February 23, 2016**

A RESOLUTION concerning

CHARTER AMENDMENT – REMOTE PARTICIPATION AT TOWN COUNCIL MEETINGS

FOR the purpose of amending the Charter of the Town of Indian Head to authorize the remote participation of the Mayor or Councilmembers at Town Council meetings under certain circumstances and conditions; providing for a quorum at Council meetings when a person participates from a remote location; and matters generally related to attendance and participation in Town Council meetings.

BY repealing and reenacting, with amendments
Charter of the Town of Indian Head
ARTICLE II, The Council
Sections C2-4 and C2-9

SECTION 1. BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF INDIAN HEAD, That Sections C2-4 and C2-9 of the Charter of the Town of Indian Head is repealed and reenacted, with amendments, to read as follows

ARTICLE II – The Council

§ C2-4. Meetings.

The newly elected Council shall meet on the first Monday following its election for the purpose of organization and the selection of a Mayor and Vice Mayor, after which the Council shall meet regularly at such times as may be prescribed by its rules, but not less frequently than once each month. All open meetings shall be held in a public place within the town, save those times when extraordinary citizen attendance requires a larger meeting facility, which, with the consent of the majority of the Council, may be located outside the town. Any such change in location shall require reasonable advance public notice. Special meetings shall be called at the request of the Mayor or a majority of the Council members. All meetings of the Council shall be open to the public, and the rules of the Council shall provide that residents of the town shall have a reasonable opportunity to be heard at any meeting in regard to any municipal question. Nothing contained herein shall be construed to prevent any such body from holding an executive session from which the public is excluded, but no ordinance, resolution, rule or regulation shall be finally adopted at such an executive session. THE COUNCIL MAY PROVIDE BY RESOLUTION FOR THE MAYOR OR COUNCILMEMBERS TO PARTICIPATE, AND HAVE FULL RIGHTS OF PARTICIPATION, IN A COUNCIL MEETING FROM A REMOTE LOCATION BY ELECTRONIC MEANS, PROVIDED THAT THE MEETING IS CONVENED IN ACCORDANCE WITH THIS SECTION, AND THE REMOTE PARTICIPANT CAN HEAR PERSONS PARTICIPATING IN THE MEETING AT THE MEETING PLACE AND

PERSONS AT THE MEETING PLACE CAN HEAR THE REMOTE PARTICIPANT.

§ C2-8. Quorum.

A majority of the members of the Council shall constitute a quorum for the transaction of business, but no resolution or ordinance shall be approved nor any other action taken unless approved by a majority of the Council. A PERSON WHO PARTICIPATES IN A COUNCIL MEETING BY ELECTRONIC MEANS FROM A REMOTE LOCATION IN ACCORD WITH SUCH RULES AND PROCEDURES AS THE COUNCIL MAY PRESCRIBE BY RESOLUTION MAY NOT BE COUNTED TOWARDS A QUORUM AT THE MEETING.

SECTION 2: AND BE IT FURTHER RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF INDIAN HEAD that if any provision of this Resolution, or the application thereof to any person or circumstance is held invalid for any reason, such invalidity shall not affect the other provisions or any other application of this Resolution which can be given effect without the invalid provisions or application, and to this end, all the provisions of this Resolution are hereby declared to be severable.

SECTION 3: AND BE IT FURTHER RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF INDIAN HEAD that the date of adoption of this Resolution is January 4, 2016, and the amendment to the Charter of the Town of Indian Head, hereby enacted shall become effective on February 23, 2016 (50 days following enactment of this Resolution), unless a proper petition for referendum hereon shall be filed as permitted by law, provided a complete and exact copy of this Resolution shall be continuously posted on the bulletin board in the Town Hall until 50 days following enactment of this Resolution, and provided further that a copy of the title of this Resolution shall be published in "The Maryland Independent", a newspaper of general circulation in the Town of Indian Head, or in any other newspaper of such general circulation, once in each of the weeks beginning January 13, 2016, January 20, 2016, January 27, 2016, and February 3, 2016.

SECTION 4: AND BE IT FURTHER RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF INDIAN HEAD that the Town Clerk is hereby specifically commanded to carry out the provisions of Section 3 of this Resolution, and, as evidence of such compliance, the Clerk shall cause to be maintained appropriate certificates of publication of the newspaper or newspapers in which the title of the Resolution shall have been published and if a favorable referendum is held on the Charter change, the Mayor shall declare the Charter hereby enacted to be effective on the date provided by law.

SECTION 5: AND BE IT FURTHER RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF INDIAN HEAD that as soon as the Charter Amendment hereby enacted shall become effective, either as provided herein or following a referendum, the Clerk of Council shall send to the Department of Legislative Services of Maryland a copy of this Resolution showing the number of members of the Council voting for and against it and a report on the votes cast for or against the Charter hereby enacted at any referendum thereon and the date of such referendum.

The above Amendment to the Charter of the Town of Indian Head was enacted by the foregoing Resolution which was passed at a Town meeting of the Indian Head Town Council on January 4, 2016, with 2 members of the Town Council voting in the affirmative, 1 members of the Town Council voting in the negative, 0 membas of the Town Council abstaining and 0 members of the Town Council absent and the Resolution becomes effective in accordance with law on the 23rd day of February, 2016.

ADOPTED this 4th day of January, 2016.

ATTEST:

TOWN COUNCIL OF INDIAN HEAD

BY: _____
Brandon Paulin, Mayor

BY: _____
Ron Sitoula, Councilman

BY: _____
Curtis Smith, Councilman

_____
Town Clerk

Key:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
((Double Parenthesis)) indicate matter deleted from existing law.
Underlining indicates amendments to bill.
~~Strike Out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

AMENDMENT TO CHARTER AMENDMENT RESOLUTION NO. 11-01-15

Amendment No. 1

On page 2 of the proposed Charter Amendment Resolution, in the sixth line of Section C2-8, immediately following "RESOLUTION MAY" insert "NOT".