

TOWN OF FAIRMOUNT HEIGHTS, MARYLAND

Charter Amendment Resolution No. 2005-1

Resolution No.: _____
Introduced By: _____
Date of Introduction: 11/08/05

A Resolution to amend the Charter of the Town of Fairmount Heights to allow the Council to close meetings to the public pursuant to the provisions of the Maryland Open Meetings Act

WHEREAS, pursuant to Article XI-E of the Constitution of the State of Maryland and Article 23A of the Annotated Code of Maryland, the Town Council has the authority to amend the Charter of the Town of Fairmount Heights, in accordance with the procedures set forth in this Resolution: and

WHEREAS, Section 1-7 of the Town of Fairmount Heights Charter provides in part that A {a} 11 meetings of the Council shall be open to the public ...@; and

WHEREAS, this section of the Town of Fairmount Heights Charter prevents the Council from going into executive or closed session for any reason: and

WHEREAS, the Town Council desires to amend the Town of Fairmount Heights Charter to permit closed meetings to discuss certain specified issued, as permitted by the Maryland Open Meetings Act.

SECTION 1. NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF FAIRMOUNT HEIGHTS, that the Charter of the Town of Fairmount Heights is amended as follows:

Section 1-7. Meetings.

The newly elected Council shall meet (at 7:30 p.m.) on the second Monday following its election for the purpose of organization, 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. Special meetings shall also be called by the Clerk of the Council upon the request of the Mayor or a majority of the members of the Council. All meetings of the Council shall be open to the public, EXCEPT THAT MEETINGS MAY BE CLOSED IN ACCORDANCE WITH THE MARYLAND OPEN MEETINGS ACT, SUBTITLE 5 OF TITLE 10 OF THE STATE GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, AS AMENDED FROM TIME TO TIME. (and the) THE rules of the Council shall provide that residents of the town shall have a reasonable

Opportunity to be heard at any OPEN REGULAR COUNCIL meeting in regard to any municipal question.

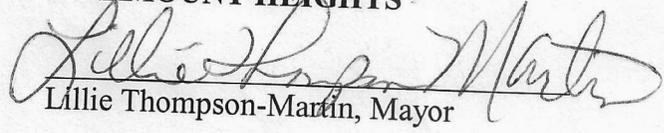
SECTION 2. BE IT FURTHER RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF FAIRMOUNT HEIGHTS, that the date of adoption of this Charter Amendment Resolution is November 8, 2005, and the amendment of the Charter of the Town of Fairmount Heights enacted by this Resolution shall become effective on December 28, 2005 (50 days after its passage), unless a proper petition for referendum shall be filed within 40 days following its passage in accordance with Annotated Code of Maryland, Article 23A, Section 13. A complete and exact copy of this Charter Amendment Resolution shall be continuously posted at the Town Hall until December 28, 2005 (a period of at least 40 days following its adoption), and a fair summary of the proposed Charter amendment shall be published in a newspaper of general circulation in the Town of Fairmount Heights not less than four times at weekly intervals within 40 days after its passage.

SECTION 3. AND BE IT FURTHER RESOLVED BY THE COUNCIL OF THE TOWN OF FAIRMOUNT HEIGHTS, that the Town Administrator is specifically directed to carry out the provisions of Section 2 of this Resolution and, as evidence of this compliance, the Town Administrator shall maintain appropriate certificates of the publication of the newspaper in which the fair summary of the Charter Amendment Resolution shall have been published. If a favorable referendum is held on the proposed amendment, the Town Council shall proclaim the proposed Charter Amendment hereby enacted to have been approved by the voters and the Charter Amendment shall become effective on the date provided by law.

SECTION 4. AND BE IT FURTHER RESOLVED BY THE COUNCIL OF THE TOWN OF FAIRMOUNT HEIGHTS, that as soon as the Charter Amendment enacted by this Resolution shall become effective, either as provided in this Resolution or following a referendum, the City Manager, in accordance with Annotated Code of Maryland, Article 23A, Section 9A, shall send to the Department of Legislative Services of Maryland the following information concerning the Charter Amendment Resolution: (1) the complete text of this Charter Amendment Resolution; (2) the date of referendum election, if any; (3) the number of votes cast for or against the Charter Amendment enacted by this Resolution by the Town Council or in a referendum, and (4) the effective date of the Charter Amendment.

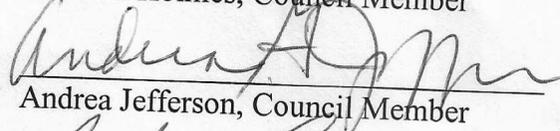
THIS CHARTER AMENDMENT RESOLUTION IS ADOPTED BY THE COUNCIL OF THE TOWN OF FAIRMOUNT HEIGHTS THIS 8 DAY OF November, 2005.

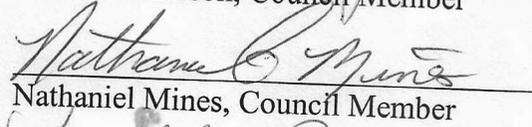
**COUNCIL OF THE TOWN OF
FAIRMOUNT HEIGHTS**

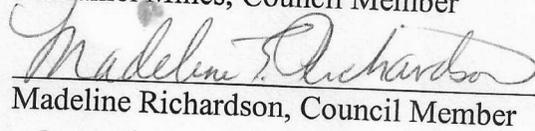

Lillie Thompson-Martin, Mayor

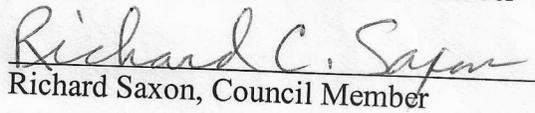
W. Arlene Hagans, Vice Mayor

Kenneth Holmes, Council Member

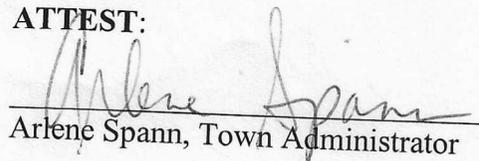

Andrea Jefferson, Council Member


Nathaniel Mines, Council Member


Madeline Richardson, Council Member


Richard Saxon, Council Member

ATTEST:


Arlene Spann, Town Administrator

Explanatory Note:

**NEW LANGUAGE BEING ADDED TO THE CHARTER IS SHOWN IN ALL
CAPITAL LETTERS.**