

MAYOR AND TOWN COUNCIL
TOWN OF FOREST HEIGHTS

CHARTER AMENDMENT RESOLUTION NUMBER FH001-07
PROPOSING TO AMEND THE FOREST HEIGHTS TOWN CHARTER
SECTION 33-6 MEETINGS

INTRODUCED BY: Councilperson Jacqueline Goodall

ENACTED: September 4, 2007

WHEREAS, the Maryland Open Meetings Act permits local jurisdictions to close portions of meetings to the public in order that limited government business may be conducted away from the public, and,

WHEREAS, Maryland courts have found that Charter provisions similar to Section 33-6 of the town charter prohibits municipalities with such provisions from holding executive sessions, and

WHEREAS, the Forest Heights Town Council needs to be able to deal with personnel issues, legal issues, contract negotiations; and other sensitive matters in an executive session from which the public is excluded, and

WHEREAS, Section 33-90 of the Charter of the Town of Forest Heights and Maryland Code Article 23A, 12 and 13 governing municipalities empower and regulate the Town Council in enacting charter amendments and the Mayor in posting and publication of proposed charter amendments;

NOW THEREFORE BE IT RESOLVED that the Town Council of Forest Heights proposes to amend the Charter of the Town of Forest Heights Section 33-6, Meetings. The amendment of the Charter of the Town of Forest Heights shall add the following;

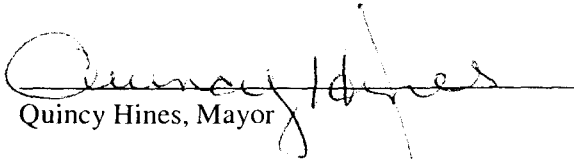
- (a) **Procedure for Closing a Meeting. Before the Town Council meets in closed session, at least four members of the Council must vote in favor of closing the meeting. The vote must be conducted and recorded in accordance with the State Open Meeting Act Laws, and a written statement of the reason for closing the meeting must be made in accordance with the State law. The Council shall limit discussion in closed session to the topic stated as the reason for closing the meeting.**

BE IT FURTHER RESOLVED that the Mayor shall give notice of this resolution for a proposed Charter Amendment by posting an exact copy thereof at the town hall for a period of at least 40 days following its adoption and shall cause a fair summary of this proposed Charter Amendment to be published in a newspaper of general circulation in the Town of Forest Heights not less than four times, at weekly intervals within a period of at least forty days starting not later than three days immediately following the date of the adoption of this resolution containing the proposed charter amendment.

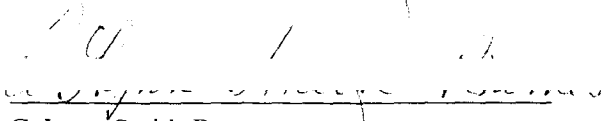
BE IT FURTHER RESOLVED that failure to comply with this resolution shall be deemed a misdemeanor and subject to 30 days in prison and a fine not to exceed \$1,000.00, in accordance with Section 33-22 of Town Charter; and

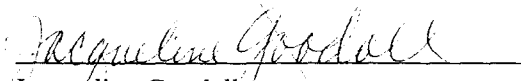
BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its passage and the Charter Amendment hereby proposed shall take effect October 4, 2007.

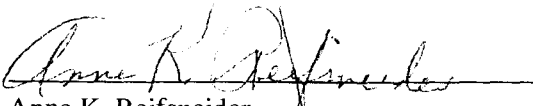
PASSED THIS _____ DAY OF SEPTEMBER, 2007

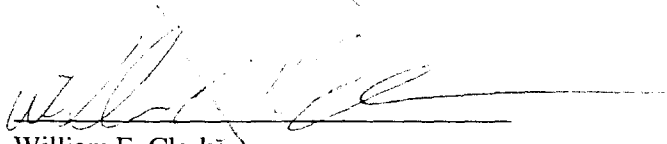

Quincy Hines, Mayor


Andrea McCutcheon, Council President

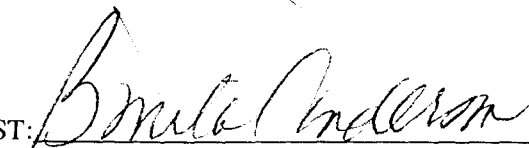

C. Lynn Smith-Barnes
Councilperson, Ward I


Jacqueline Goodall
Councilperson, Ward I


Anne K. Reifsneider
Councilperson, Ward II


William E. Clarke
Councilperson, Ward III


Taunya L. Hines
Councilperson, Ward III

ATTEST: 
BONITA ANDERSON
Town Clerk

**TOWN OF FOREST HEIGHTS
TOWN COUNCIL
VOTE TALLY**

DATE: September 19, 2007

MEETING/SESSION: Town Meeting

**SUBJECT: CHARTER AMENDMENT RESOLUTION NUMBER
FH001-07 PROPOSING TO AMEND THE FOREST HEIGHTS
TOWN CHARTER SECTION 33-6 MEETINGS**

MOTION BY: Councilwoman Goodall

SECONDED BY: Councilwoman McCutcheon

COUNCILMEMBER NAME	YES	NO	ABSTAIN
COUNCILMAN, Clarke	✓		
COUNCILWOMAN, Hines	✓		
COUNCILWOMAN, Goodall	✓		
COUNCILWOMAN, McCutcheon	✓		
COUNCILWOMAN, Smith-Barnes	✓		
COUNCILWOMAN, Reifsneider	✓		
MAYOR, Hines	✓		

NOTES: _____

Bonita Anderson
BONITA ANDERSON, TOWN CLERK