



**Council Legislative Meeting Agenda
VIRTUAL MEETING
City of New Carrollton**

WEDNESDAY, AUGUST 19, 2020, 7:00 P.M.

Council Action

- 1. **Call-to- Order**
- 2. **2020 Weinbach Scholarship Winners - Presentation**
- 3. **STATEMENT FOR THE RECORD – CLOSED MEETING OF MONDAY, AUGUST 17, 2020:**

In accordance with the General Provisions Article, Section 3-306 (c)(2) of the *Annotated Code of Maryland*, I move that the minutes of tonight’s meeting reflect that Council met in a virtual closed session on Monday August 17, 2020, at 9:36 p.m., pursuant to General Provisions Art., Section 3-307(b)(1) to discuss the appointments of officials/employees, over whom this public body has jurisdiction (City Attorney and City Administrative Officer).

Motion – John/Robbins
Vote to Close Meeting:

| | Yes | No | Abstain | Absent |
|-------------|-----|----|---------|--------|
| Mr. John | X | | | |
| Ms. Robbins | X | | | |
| Ms. Hooks | | | | X |
| Ms. Mills | X | | | |
| Mr. Lashley | X | | | |

The following staff members were in attendance: Assistant City Administrative Officer Karen Ruff (9:36 p.m. until 10:05 p.m.), Human Resource Administrator Alayna Rowlett, and City Clerk Douglass Barber. Phelecia Nembhard, Mayor and Gabriel J. Christian (9:36 p.m. until 9:52 p.m.) was also in attendance. The Council took no action during this session. The Closed Meeting adjourned at 10:22 p.m.

- 4. **Public Hearing – Charter Amendment Resolution 20-04 Collective Bargaining**
- 5. **Meeting Minutes**
 - a.) Council Workshop Meeting Minutes (June 3, 2020)
 - b.) Council Workshop Meeting Minutes (June 15, 2020)
 - c.) Council Legislative Meeting Minutes (June 17, 2020)
 - d.) Council Workshop Meeting Minutes (July 13, 2020)
 - e.) Council Legislative Meeting Minutes (July 15, 2020)
 - f.) Council Closed Meeting Minutes (July 13, 2020)
- 6. **Council Questions/Council Announcements**

7. **Additions to the Agenda by the Council** _____

8. **OLD BUSINESS**

9. **Charter Amendment Resolution 20-04 Collective Bargaining (Second Reading)** _____

Motion: I move that the Council adopt Charter Amendment Resolution 20-04, a Charter Resolution of the City Council of New Carrollton Amending the Charter of the City of New Carrollton, § C-3 "Government of the City," Subsection D "Council: Powers and Duties" to authorize the City Council to recognize and engage in Collective Bargaining for Non-Managerial Sworn Police Officers of the City of New Carrollton Police Department (Second Reading). – **Robbins**

NEW BUSINESS

10. **FY 2020 Council Meeting Schedule** _____

Motion: I move that the Council approve the FY 2021 Council Meeting Schedule, as presented on August 19, 2020. – **Robbins**

12. **Appointment of City Attorney** _____

Motion: I move that the City Council accept Mayor Nembhard’s appointment to have Gabriel J. Christian & Associates, LLC serve as the City of New Carrollton’s Attorney with Gabriel J. Christian specifically serving as the City Attorney. – **Mills**

13. **Appointment of City Administrative Officer Position** _____

Motion: I move that the Council approve Mayor Nembhard’s appointment of Ms. Karen Ruff, as City Administrative Officer for the City of New Carrollton. – **Robbins**

14. **Adjournment** _____

This Agenda is subject to change. If this agenda is modified it will be reposted to the City of New Carrollton’s website: www.newcarrolltonmd.gov. If you have any questions please contact the City Clerk at (301) 459-6100.

PLEASE NOTE: This meeting of the City of New Carrollton Council will be a virtual meeting. Anyone interested in listening to the meeting will be able to by calling the following number: **301-715-8592 with code 936 2277 9720**. You do not need a participant code. If you want to join the meeting via the Computer click on the link to join the Zoom Meeting:

Join Zoom Meeting <https://zoom.us/j/93622779720> Meeting ID: 936 2277 9720

If you have comments for the Council please email them to City Clerk Doug Barber at dbarber@newcarrolltonmd.gov by 3:00 p.m. the day of the meeting.



CITY OF NEW CARROLLTON
NOTICE OF PUBLIC HEARING

**PROPOSED CHARTER AMENDMENT RESOLUTION 20-04 AMENDING CITY
CHARTER SECTION C-3 "GOVERNMENT OF THE CITY," SUBSECTION D
"COUNCIL POWERS AND DUTIES" REGARDING COLLECTIVE BARGAINING**

The City Council will conduct a public hearing on proposed Charter Amendment Resolution 20-04 on **Wednesday, August 19, 2020 at 7:00 p.m.** at the Municipal Center, 6016 Princess Garden Parkway, New Carrollton, Maryland, 20784 (Council Chambers Room # 220). Please note that due to COVID-19 this proposed public hearing may be held virtually by the City Council. Please check the City's website on or about August 14, 2020 for information as to whether the public hearing will be conducted in person or virtually and, if virtually, how to participate.

Charter Amendment Resolution 20-04 is a:

CHARTER AMENDMENT RESOLUTION OF THE CITY COUNCIL OF NEW CARROLLTON AMENDING THE CHARTER OF THE CITY OF NEW CARROLLTON, § C-3 "GOVERNMENT OF THE CITY," SUBSECTION D "COUNCIL: POWERS AND DUTIES" TO AUTHORIZE THE CITY COUNCIL TO RECOGNIZE AND ENGAGE IN COLLECTIVE BARGAINING FOR NON-MANAGERIAL SWORN POLICE OFFICERS OF THE CITY OF NEW CARROLLTON POLICE DEPARTMENT

Copies of proposed Charter Amendment Resolution 20-04 are available for inspection upon request of the City Clerk. To contact the City Clerk please call (301)459-6100 or send an email to dbarger@cityofnewcarrolltonmd.gov.

The public is encouraged to attend the public hearing and provide comments.

The City Council of New Carrollton



Charter Amendment Resolution 20-04
Collective Bargaining

Effective: October 8, 2020

CHARTER AMENDMENT RESOLUTION 20-04

CHARTER AMENDMENT RESOLUTION OF THE CITY COUNCIL OF NEW CARROLLTON AMENDING THE CHARTER OF THE CITY OF NEW CARROLLTON, § C-3 "GOVERNMENT OF THE CITY," SUBSECTION D "COUNCIL: POWERS AND DUTIES" TO AUTHORIZE THE CITY COUNCIL TO RECOGNIZE AND ENGAGE IN COLLECTIVE BARGAINING FOR NON-MANAGERIAL SWORN POLICE OFFICERS OF THE CITY OF NEW CARROLLTON POLICE DEPARTMENT

WHEREAS, in August, 2019, the City of New Carrollton Lodge #137 Fraternal Order of Police requested to meet and confer with the City on the wages and working conditions of the members of its organization, that it to collectively bargain with the City of New Carrollton; and

WHEREAS, the City of New Carrollton Charter does not authorize the City to collectively bargain; and

WHEREAS, the City of New Carrollton has the authority under Maryland law, including Md. Local Government Code Ann. § 5-201 et seq., to enact an ordinance permitting voluntary collective bargaining between the City and an employee organization that the employer has recognized as an exclusive representative of its employees; and

WHEREAS, the City Council of New Carrollton deems it to be necessary and appropriate for the City Council to have the authority to engage in collective bargaining with non-managerial sworn police officers of the City of New Carrollton Police Department.

Section 1: **NOW, THEREFORE, BE IT RESOLVED** by the City Council of New Carrollton, that the Charter of the City of New Carrollton, §C-3 "Government of the City," subsection D "Council: powers and duties" shall be and is hereby amended to read as follows:

§ C-3 Government of the City.

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D. Council: powers and duties. The Council shall be the legislative body of the City and shall exercise such powers and perform such duties as are or may be conferred upon it by the General

Assembly, by this Charter, and by all ordinances, resolutions and policies of the City consistent with the provisions of this Charter and not contrary to the Constitution and laws of the State of Maryland or the power of the Mayor. **THE COUNCIL SHALL HAVE THE POWER TO RECOGNIZE AND ENGAGE IN COLLECTIVE BARGAINING WITH ONE OR MORE DESIGNATED BARGAINING REPRESENTATIVES OF NON-MANAGERIAL, SWORN POLICE OFFICERS OF THE CITY OF NEW CARROLLTON, MARYLAND, POLICE DEPARTMENT; TO ENTER INTO A BINDING COLLECTIVE BARGAINING AGREEMENT WITH SAID REPRESENTATIVES; AND TO ENACT BY ORDINANCE OR AMENDMENT A SYSTEM OF RULES AND REGULATIONS TO GOVERN THIS PROCESS. THE CITY COUNCIL SHALL APPROVE ALL COLLECTIVE BARGAINING AGREEMENTS ENTERED INTO BY THE CITY WITH A COLLECTIVE BARGAINING REPRESENTATIVE PRIOR TO THEIR BECOMING EFFECTIVE. IN THE EVENT THE PARTIES NEGOTIATING A COLLECTIVE BARGAINING AGREEMENT ARE UNABLE TO REACH AGREEMENT ON ONE OR MORE TERMS OF A COLLECTIVE BARGAINING AGREEMENT, THE CITY COUNCIL SHALL HAVE THE AUTHORITY TO SET THOSE TERMS AND CONDITIONS OF EMPLOYMENT THAT REMAIN IN DISPUTE UPON A MAJORITY VOTE.**

The members of the Council shall receive such salary or compensation as the Council shall fix, provided that any increase in salary or compensation voted by the Council shall not go into effect until approved by the voters at the next general election. At the first meeting of each new Council, the Council shall elect from among its members a Chairperson and a Vice Chairperson. The Chairperson of the Council will act as presiding officer during meetings of the Council, and will be responsible for approving the content of City Council meeting agendas. The Vice Chairperson of the Council will act in the capacity of Chairperson during the Chairperson's temporary absence. In the absence of the Chairperson and Vice Chairperson, a Councilmember other than the Mayor Pro Tem and Alternate Treasurer will act as presiding officer during meetings of the Council.

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Section 2: NOW, THEREFORE, BE IT FURTHER RESOLVED by the City Council of New Carrollton that if any provision of this Charter Amendment Resolution or the application thereof to any person or circumstance is held invalid for any reason in a court of competent jurisdiction, the invalidity does not affect other provisions or any other application of this Charter Amendment Resolution that can be given effect without the invalid provision or application, and for the purpose the provision of this Charter Amendment Resolution are declared severable.

Section 3: BE IT FURTHER RESOLVED that this Charter Amendment Resolution is adopted this 19th day of August, 2020, and that the amendments to the Charter of the City of New Carrollton, hereby proposed by this enactment, shall be and become effective fifty (50) days after its passage by the City unless petitioned to referendum in accordance with the Local Government Article of the Annotated Code of Maryland within 40 days following its passage. A fair summary of this Resolution shall be posted in the City Hall for forty (40) days following its adoption and

published in a newspaper having general circulation in the City no fewer than four (4) times at weekly intervals within the forty (40) days following its passage by the City.

Section 4: BE IT FURTHER RESOLVED that prior to the adoption of this Charter Amendment Resolution, the City Council of New Carrollton conducted a public hearing on the proposed amendment on the 19th day of August, 2020, after at least 21 days’ advance notice of the public hearing.

Section 5: BE IT FURTHER RESOLVED that as soon as the Charter Amendment Resolution hereby enacted becomes effective, either as herein provided or following referendum, the City Administrative Officer shall send to the Department of Legislative Services, the following information concerning the Charter Amendment Resolution: (i) the complete text of this Resolution; (ii) the date of referendum election, if any, held with respect thereto; (iii) the number of votes cast for and against this Resolution by the City Council of New Carrollton or in a referendum; and (iv) the effective date of the Charter Amendment.

Section 6: BE IT FURTHER RESOLVED that the City Administrative Officer of the City of New Carrollton, Maryland be, and hereby is specifically instructed to carry out the provisions of Sections 4 and 6 as evidence of compliance herewith; and the City Administrative Officer shall cause to be affixed to the minutes of this meeting an appropriate Certificate of Publication of the newspaper in which the fair summary of the Charter Amendment shall have been published, and shall further cause to be completed and executed the Certificate of Effect.

INTRODUCED by the City Council of New Carrollton at a Regular Meeting of the City Council on the 15th day of July, 2020.

ADOPTED AND ENACTED by the City Council of New Carrollton at a Regular Meeting of the City Council on the 19th day of August, 2020.

Effective: October 8, 2020

Attest:

City of New Carrollton

Douglass A. Barber, MMC
City Clerk

Lincoln Lashley, Chair

Date: _____

Approved:

Phelecia E. Nembhard, Mayor

Date: _____



FY 2021 COUNCIL WORKSHOP & COUNCIL MEETINGS SCHEDULE

- Workshops are held on the first (1st) Wednesday and third (3rd) Monday of every month
- Council Meetings are held on the (3rd) Wednesday of the month

(Please Note: There are only two meetings held in the following months: July, August, and December)

July 2020

Monday, July 13th, Workshop Meeting

Wednesday, July 15th, Council Meeting

August 2020

Monday, August 17th, Workshop Meeting

Wednesday, August 19th, Council Meeting

September 2020

Wednesday, September 2nd, Workshop Meeting

Monday, September 14th, Workshop Meeting

Wednesday, September 16th, Council Meeting

October 2020

Wednesday, October 7th, Workshop Meeting

Monday, October 19th, Workshop Meeting

Wednesday October 21st, Council Meeting

Maryland Municipal League – Virtual Annual Fall Conference (October 8, 2020 and October 9, 2020)

November 2020

Wednesday, November 4th, Workshop Meeting

Monday, November 16th, Workshop Meeting

Wednesday, November 18th, Council Meeting

December 2020

Monday, December 14th, Workshop Meeting

Wednesday, December 16th, Council Meeting

January 2021

Friday, January 1st – New Year Day Holiday (City Office's Closed)

Wednesday, January 6th, Workshop Meeting

Monday, January 18th – Martin Luther King Holiday (City Office's Closed)

Tuesday, January 19th, Workshop Meeting

Wednesday, January 20th, Council Meeting

February 2021

Wednesday, February 3rd, Workshop Meeting

Monday, February 15th – President’s Day Holiday (City Office’s Closed)

Tuesday, February 16th, Workshop Meeting

Wednesday, February 17th, Council Meeting

March 2021

Wednesday, March 3rd, Workshop Meeting

Monday, March 15th, Workshop Meeting

Wednesday, March 17th, Council Meeting

April 2021

Wednesday, April 7th, Workshop Meeting

Monday, April 19th, Workshop Meeting

Wednesday, April 21st, Council Meeting

May 2021

Election Day – Monday, May 3, 2021

Wednesday, May 5th, Workshop Meeting

Monday, May 17th, Workshop Meeting

Wednesday, May 19th, Council Meeting (**Swearing-In Ceremony for Newly Elected Officials**)

June 2021

Wednesday, June 2nd, Workshop Meeting/Special Council Meeting

Monday, June 14th, Workshop Meeting

Wednesday, June 16th, Council Meeting

Maryland Municipal League Convention – Sunday, June 27 – June 30, 2021**July 2021**

Monday, July 19th, Workshop Meeting

Wednesday, July 21th, Council Meeting

Events 2020:

Spring Festival – Saturday, April 4, 2020 (10:00 am – 3:00 pm)

National Night Out – Cancelled due to COVID-19)

Community Day – Cancelled due to COVID-19)

Halloween Trick or Treat – Saturday, October 31, 2020 (6:00 pm – 9:00 pm)

Shredding Event – Saturday, November 14, 2020 (9:00 am – 12:00 Noon)

Events 2021:

Spring Festival – Saturday, _____, 2021 (10:00 am – 3:00 pm)

National Night Out – Tuesday, August 3, 2021 (5:00 pm – 8:00 pm)

Community Day – Saturday, September 25, 2021 (12:00 Noon – 6:00 pm)

Halloween Trick or Treat – Sunday, October 31, 2021 (6:00 pm – 9:00 pm)

Shredding Event – Saturday, November 13, 2021 (9:00 am – 12:00 Noon)

2020 Official City Holidays:

City Offices Will be CLOSED on the Following Holidays:

- New Year's Day – Wednesday, January 1
- Martin Luther King's Birthday – Monday, January 20
- President's Day – Monday, February 17
- Memorial Day – Monday, May 25
- Independence Day – Saturday, July 4 (Will be closed on Friday, July 3rd in observance of Independence Day)
- Labor Day – Monday, September 7
- Veteran's Day – Wednesday, November 11
- Thanksgiving Day – Thursday, November 26
- Day After Thanksgiving – Friday, November 27
- Christmas Day – Friday, December 25

2021 Official City Holidays:

City Offices Will be CLOSED on the Following Holidays:

- New Year's Day – Friday, January 1
- Martin Luther King's Birthday – Monday, January 18
- President's Day – Monday, February 15
- Memorial Day – Monday, May 31
- Independence Day – Sunday, July 4 (Will be closed on Monday, July 5th in observance of Independence Day)
- Labor Day – Monday, September 6
- Veteran's Day – Wednesday, November 11
- Thanksgiving Day – Thursday, November 25
- Day After Thanksgiving – Friday, November 26
- Christmas Day – Saturday, December 25 (Will be closed on Friday, December 24 in observance of Christmas Holiday)