



**CITY COUNCIL WORKSHOP MEETING – \*VIRTUAL MEETING\*  
MONDAY, JULY 13, 2020, 7:00 P.M.**

**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](http://www.newcarrolltonmd.gov). If you have any questions please contact the City Clerk at (301) 459-6100.**

**Items for discussion**

- 1. Call to Order/Pledge of Allegiance**
- 2. Report of the Mayor and Administration**
- 3. Council Questions/Council Announcements**
- 4. FY 2021 Fines and Penalties**
- 5. Board of Elections Re-Appointment – Mr. Charles Davis**
- 6. Discussion of Busts of Charles Carroll located at Bicentennial Park and at the City Municipal Center**
- 7. Community and Police Partnership Plan**
- 8. Charter Amendment – Collective Bargaining**
- 9. Council Rules of Procedures**
- 10. 4- Cities Coalition Virtual Meeting (Wednesday, July 22, 2020 – Hosted by the Town of Berwyn Heights) Agenda Items**
- 11. Discussion on Council On-Boarding Session**
- 12. 2020 Community Events**
- 13. Meeting Minutes**
  - a.) Council Workshop Meeting Minutes (June 3, 2020)
  - b.) Council Workshop Meeting Minutes (June 15, 2020)
  - b.) Council Legislative Meeting Minutes (June 20, 2020)
- 14. Review of the Bills**  
**Batch # 1 (June 10, 2020); Batch # 2 (June 12, 2020); and Batch # 3 (June 26, 2020)**
- 15. Public Comment – (Residents’ Concerns, Audience Participation and Phone Calls)**  
**When addressing the Council please state your name and address for the record.**
- 16. Request for Future Agenda Items**
- 17. Adjournment to Closed Session**  
**Motion:** I move that the Council adjourn into a Closed Session, in accordance with the General Provisions Article of the Annotated Code of Maryland, §3-305 (b) (1) to discuss the appointments, over whom this public body has jurisdiction. – **John**

**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 910 7967 7725**. 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/91079677725> Meeting ID: 910 7967 7725. **If you have comments for the Council please email them to City Clerk Doug Barber at [dbarber@newcarrolltonmd.gov](mailto:dbarber@newcarrolltonmd.gov) by 3:00 p.m. the day of the meeting.**



## **MEMORANDUM**

To: Mayor and City Council  
From: Timothy George, City Administrative Officer  
Cc: Department Heads  
Re: June 2020 City Administrative Officer's Report  
Date: July 13, 2020

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### **Administration**

- Ordered and begun to receive CARES Act "COVID-19 Kit" provisions for residents
- Working with local grocery stores to secure CARES Act grocery gift cards
- All City staff are back in the office and City buildings are again open to the public
- Continue to meet weekly with department heads and senior staff on Coronavirus issue
- PAMC Economic Development Marketing Strategy contract was awarded to PES. Kick-off meeting with Park and Planning.
- Backdoor has been ordered, NZI has been contacted for ramp

**Census 2020 Update.** As you know, we are in the midst of the 2020 Census. Every residence in the City received an invitation to respond to the Census. You can respond online, by phone or by mail. Maryland's goal is to achieve an 85% response rate. As of July 6, 2020, 60.4% of City of New Carrollton households have completed the Census, as compared to 63.6% of Prince George's County households and 65.9% of the households in the State of Maryland. The National response rate is 61.9%. The City's 2010 Census response rate was 73% and its 2000 Census response rate was 74%. It would be great if we could at least return to a 74% response rate, if not achieve the State's goal of 85%.

The 2020 Census is important because, it:

- Determines representation in Congress and impacts local legislative districts;
- Is the basis for funding critical programs and services in New Carrollton (school lunches, fire departments, clinics, roads); and
- Assists local decision-making for economic development, school construction, transportation projects, public health, public safety and emergency planning.

The City has been encouraging residents to respond to the Census in the following ways:

- Using grant funds, the City developed a Census postcard, which was mailed to all residences in the City.
- Using grant funds, the City created two Census banners and six signs that were erected in the City.
- Census information has been included in City newsletters and it will continue to be included in the next City newsletter (Sept/Oct).
- Census messages have appeared on the City's government television channel and social media outlets. Social media is updated regularly.
- Census materials in a variety of languages are available at the entrance to the Municipal Center.

The City has approximately \$2,000 in grant funds remaining. The City will attempt a further push for New Carrollton Households to respond to the Census over the next few weeks. In August, Census Bureau workers will begin an in person door to door effort to complete the 2020 Census count. Please encourage residents to complete the Census if they have not already done so.

### **Code Enforcement**

The activity for the Code Enforcement Department for June 2020:

#### **Inspections**

- Single Family Rental Inspections – 0 Inspections
- Multi-Family Rental Inspections – 0 Inspections

Note: Due to the COVID 19 inspections have been suspended until further notice.

#### **Building Permits**

- 4 Building Permits Issued

#### **Business License**

- None Issued

#### **Code Violations**

- Code Compliance Complaints – 9 Complaints (8 have been closed; 1 is still pending)
- Dead Vegetation/Leaves – 1 Complaint (All have been closed)
- Storage Container – 0 Permits Issued
- Overgrowth/Tall Weeds and Grass – 100 Violations (97 have been closed; 3 are still pending)
- Sanitation Violations – 1 Violation (All have been closed)
- Refuse in the Public Right-of-Way – 35 Violations (All have been closed)
- Unauthorized Motor Vehicles (Dead Tags) – 28 (24 have been closed; 4 are still pending)
- Vehicle Repairs – 3 Violations (All have been closed)
- Vehicles on Lawn – 3 Violations (All have been closed)
- Outside Storage – 4 Violations (3 has been closed; 1 is still pending)
- Cattle/Livestock – 2 Violations (1 has been closed; 1 is still pending)

## **City Clerk**

### **Newsletter**

- Ms. Benitez submitted for publication the July/August 2020 Issue of the newsletter.

### **Elections:**

- Mr. Barber along with the Board of Elections finalized the 2020 Election results and will be submitting them to Prince George's County Board of Elections. The Board of Elections has met and will provide an official 2020 Election Wrap-Up Report to the City Council in August 2020

## **Social Media Report**

Highlighting the social media activity over the past periods on our Facebook and Twitter accounts:

### **Facebook:**

In the last 7 days there have been

- 77 page views
- 5 page likes
- 535 people reached through posts
- 93 Post Engagements.

The top post was information about meal distribution at the municipal center. It reached 492 people and had 15 reactions.

### **Twitter:**

Twitter earned 4,379 impressions over the last 28 days. The top tweet was an agenda posting for the June 27 Council Meeting receiving

- 332 impressions
- 20 engagements.

Followed by a tweet informing the residents about a New Carrollton job opening that received

- 303 impressions
- 4 engagements.

Twitter also gained 10 followers.

Mayor and City Council  
July 13, 2020

## **Human Resources**

### **Recruiting**

We have resumed recruiting functions and begun interviewing candidates for the Grounds Maintenance Supervisor, Grounds Maintenance Crew Chief, and Sanitation Crew Chief vacancies, and we are currently reviewing resumes for the Grounds Maintenance Worker and Sanitation Worker resumes.

## **Finance and Accounting**

Attached is the Monthly Budget Report: FY 2020 June 2020.

CITY OF NEW CARROLLTON, MARYLAND  
FOR MONTH AND YTD ENDING JUNE 30, 2020

	ACTUAL JUN 19	ACTUAL JUL 18-JUN 19	ACTUAL FY 19	Percent of full yr pd thru YTD		ACTUAL JUN 20	ACTUAL JUL 19 - JUN 20	AMENDED BUDGET FY 20	Percent of budget pd thru YTD		Actual FY 20-19 fav/(unfav)
<b>STATEMENT OF REVENUES AND EXPENDITURES</b>											
<b>REVENUES</b>											
Tax revenues	739,140	7,692,347	7,692,347	100%		262,663	7,696,952	7,858,290	98%		4,605
County revenues	69,787	152,351	152,351	100%		13,794	81,608	163,468	50%		(70,743)
Other revenues	429,000	3,512,306	3,512,306	100%		219,964	3,185,001	4,155,486	77%		(327,305)
<b>TOTAL REVENUES</b>	<b>1,237,927</b>	<b>11,357,004</b>	<b>11,357,004</b>	<b>100%</b>		<b>496,421</b>	<b>10,963,561</b>	<b>12,177,244</b>	<b>90%</b>		<b>(393,443)</b>
Reserves and appropriations						-	-	150,000			
<b>TOTAL REVENUES AND RESERVES</b>	<b>1,237,927</b>	<b>11,357,004</b>	<b>11,357,004</b>	<b>100%</b>		<b>496,421</b>	<b>10,963,561</b>	<b>12,327,244</b>	<b>89%</b>		<b>(393,443)</b>
<b>EXPENDITURES</b>											
Personnel - General Government	111,801	1,472,523	1,472,523	100%		93,381	1,486,308	1,708,720	87%		(13,785)
Personnel - Public Safety	188,337	2,611,267	2,611,267	100%		161,405	2,782,663	2,903,964	96%		(171,396)
Personnel - Public Works	156,701	2,247,022	2,247,022	100%		114,594	2,179,122	2,481,650	88%		67,900
<b>TOTAL PERSONNEL</b>	<b>456,839</b>	<b>6,330,812</b>	<b>6,330,812</b>	<b>100%</b>		<b>369,380</b>	<b>6,448,093</b>	<b>7,094,334</b>	<b>91%</b>		<b>(117,281)</b>
Operations - General Government	68,268	609,638	609,638	100%		77,234	697,466	850,255	82%		(87,828)
Operations - Public Safety	117,344	801,155	801,155	100%		62,566	872,980	798,442	109%		(71,825)
Operations - Public Works	160,236	1,039,242	1,039,242	100%		114,130	1,068,937	1,336,675	80%		(29,695)
<b>TOTAL OPERATIONS</b>	<b>345,848</b>	<b>2,450,035</b>	<b>2,450,035</b>	<b>100%</b>		<b>253,930</b>	<b>2,639,383</b>	<b>2,985,372</b>	<b>88%</b>		<b>(189,348)</b>
Capital - General Government	31,148	205,323	205,323	100%		106,851	122,932	473,707	26%		82,391
Capital - Public Safety	69,095	69,095	69,095	100%		-	105,802	222,381	48%		(36,707)
Capital - Public Works	278,270	573,131	573,131	100%		-	136,064	931,138	15%		437,067
<b>TOTAL CAPITAL</b>	<b>378,513</b>	<b>847,549</b>	<b>847,549</b>	<b>100%</b>		<b>106,851</b>	<b>364,798</b>	<b>1,627,226</b>	<b>22%</b>		<b>482,751</b>
Weinbach scholarship	-	3,500	3,500	100%		-	5,000	5,000	100%		(1,500)
<b>TOTAL EXPENDITURES</b>	<b>1,181,200</b>	<b>9,631,896</b>	<b>9,631,896</b>	<b>100%</b>		<b>730,161</b>	<b>9,457,274</b>	<b>11,711,932</b>	<b>81%</b>		<b>174,622</b>
Reserves and appropriations						-	-	130,000			
<b>TOTAL EXPENDITURES AND RESERVES</b>	<b>1,181,200</b>	<b>9,631,896</b>	<b>9,631,896</b>	<b>100%</b>		<b>730,161</b>	<b>9,457,274</b>	<b>11,841,932</b>	<b>80%</b>		<b>174,622</b>
<b>REVENUE OVER EXPENSES BEFORE FINANCING</b>	<b>56,727</b>	<b>1,725,108</b>	<b>1,725,108</b>			<b>(233,740)</b>	<b>1,506,287</b>	<b>485,312</b>			<b>(218,821)</b>
Net financing costs	9,315	325,540	325,540	100%		-	328,780	485,312	68%		(3,240)
<b>REVENUE OVER EXPENSES AFTER FINANCING</b>	<b>47,412</b>	<b>1,399,568</b>	<b>1,399,568</b>			<b>(233,740)</b>	<b>1,177,507</b>	<b>-</b>			<b>(222,061)</b>

**BENEFITS ANALYSIS**

	ACTUAL JUL 18-JUN 19 YTD	PCT OF WAGES	FULL YEAR ACTUAL FY 19	PCT OF WAGES	ACTUAL JUL 19 - JUN 20	PCT. OF WAGES
Detail of Personnel Costs:						
Wages	4,476,819		4,476,819		4,653,114	
FICA	330,797	7.39%	330,797	7.39%	343,925	7.39%
Health & Life Insurance	998,565	22.31%	998,565	22.31%	846,478	18.19%
Employee Assistance Program	5,785	0.13%	5,785	0.13%	6,657	0.14%
Workmans' Comp & Unemployment	188,367	4.21%	188,367	4.21%	254,767	5.48%
Retirement & Pension	336,024	7.51%	336,024	7.51%	344,532	7.40%
<b>TOTAL BENEFITS</b>	<b>1,859,538</b>	<b>41.54%</b>	<b>1,859,538</b>	<b>41.54%</b>	<b>1,796,359</b>	<b>38.61%</b>
<b>TOTAL PAYROLL AND BENEFITS</b>	<b>6,336,357</b>		<b>6,336,357</b>		<b>6,449,473</b>	

**CASH AND INVESTMENTS SUMMARY**

	JUN 19	JUN 20
Cash Balance:		
TD Bank General	53,315	44,055
TD Bank Payroll	53,033	64,322
Suntrust Speed Camera	679,053	575,165
Petty Cash	500	500
TD Bank Money Market	234,898	238,031
TD General Investments	1,154,424	1,263,013
PNC MD Pool General	7,209,838	7,985,145
PNC MD Pool Cable TV	730,335	772,125
PNC MD Pool Weinbach Scholarship	41,441	41,614
<b>TOTAL CASH</b>	<b>10,156,838</b>	<b>10,983,969</b>
Fidelity CD's	3,184,388	3,301,824
<b>TOTAL CASH &amp; INVESTMENT</b>	<b>13,341,225</b>	<b>14,285,793</b>





# CITY OF NEW CARROLLTON

DEPARTMENT OF PUBLIC WORKS

6318 WESTBROOK DRIVE • NEW CARROLLTON, MARYLAND 20784

(O) 301.577.1008 (F) 301.577.6953

**To:** Mayor and Council  
**Subject:** Public Works Report  
**Date:** July 8, 2020

As of June 1, 2020, the City moved to Phase 2 of the City's Coronavirus action plan. All Public Works operations have resumed.

- The City concrete contractor NZI has been replacing sidewalk that are potential trip hazards in the Frenchman's Creek area, which include Fountainebleau Drive, Karen Elaine Drive, Arehart Drive and Veterans Park
- E&R Contractors are Improving WMATA bus stop locations along Lamont Dr. Work includes replacement of sidewalks, as well as new curb and gutter and handicapped ramps located near the bus stops. All work is funded by Prince George's County
- Grounds Maintenance has completed planting of all summer flowers
- The Community Gardens opened June 29th, the two water tanks at the Annapolis Road Community Gardens as well as the two tanks at the Carrollton Community Gardens were filled and ready for opening day. Grounds Maintenance has completed planting of all summer flowers
- Lawns were growing full force through June, mowing was done daily to keep up. Starting the week of June 22nd, with flower planting completed and other backlogged pruning projects under control, we began returning to "full service" mowing, where we also trim and edge when we mow
- The Sanitation department disposed of 400.07 tons of refuse and responded to over 630 bulky item calls for the month of June
- The Street Maintenance Department responded to 12 pothole concerns, repaired 9 sub pump complaints and cleared several heavily clogged street gutters due to yard waste and tree debris

Joe Nagro  
Interim Public Works Director



**New Carrollton City Police Department  
6016 Princess Garden Parkway  
New Carrollton, Maryland 20784  
Phone 301-459-0142 • Fax 301-459-0169**

Col. David G. Rice  
Chief of Police

**Mayor and Council,**

**As you are aware there is a call for police reform, I have been silent on this topic because change like this takes time and in our citizens best interests must be at the forefront. I did not want to give you a knee jerk reaction and get it wrong, and then have to change things that would look good at first but ultimately place our citizens in fear or danger that affects their quality of life.**

**Here are some of the things we as a police department have changed and are working on to get our residents more involved:**

**One of the things we have looked at is our Use of Force Policy, specifically the DUTY TO INTERCEDE, General Order we as an agency already had this in the General Orders, we have reviewed and enhanced the order to be more detailed, informative and we are requiring more training and incident reviews by supervisors and command staff.**

**The Police Department has reviewed our Use of Force Policy, though it will stay the same; the training on this particular order will be taught every month instead of the mandated once a year by the Maryland Police and Corrections Training Commission.**



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**Critical training will begin as soon as we can schedule it.**

**Use of Force for all police personnel.**

**Use of Force training for residents who are interested in how and what we teach our officers so they can have a better understanding of what and why we do things.**

**Civility training for both officers and residents who want to participate.**

**A Professional standards class, also open to the public.**

**Implicit Bias training again open to all residents.**

**Our goal is to be as transparent as possible without jeopardizing any ongoing investigations.**

**The one implementation that I am excited about is a startup team called the Community Action Team (CAT) the police department will work hand-in-hand with all city departments and community stakeholders to address quality of life issues throughout the City. The Police department will be designating an employee to join the newly named Community Action Team for the purposes of addressing Domestic Violence, Children exposed to family violence, Mental Health issues, homelessness, neighbor disputes, suicide crisis, and other social issues involved in supporting our community.**



Col. David G. Rice  
Chief of Police

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**Attached is a copy of our General Orders 300.2.1 DUTY TO INTERCEDE.**

**Also a copy of our Mission statement and our Vision. I want to thank all of you for being patient and letting your Police Department take the time to get it right.**

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## Use of Force

### 300.1 PURPOSE AND SCOPE

This policy provides guidelines on the reasonable use of force. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, every member of this department is expected to use these guidelines to make such decisions in a professional, impartial and reasonable manner.

#### 300.1.1 DEFINITIONS

Definitions related to this policy include:

**Deadly force** - Force reasonably anticipated and intended to create a substantial likelihood of causing death or very serious injury.

**Force** - The application of physical techniques or tactics, chemical agents or weapons to another person. It is not a use of force when a person allows him/herself to be searched, escorted, handcuffed or restrained.

### 300.2 POLICY

The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Officers are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties.

Officers must have an understanding of, and true appreciation for, their authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of law enforcement duties.

The New Carrollton Police Department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting officers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation and a careful balancing of all interests.

#### 300.2.1 DUTY TO INTERCEDE/REPORT

Any officer present and observing another officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force. An officer who observes another employee use force that exceeds the degree of force permitted by law should promptly report these observations to a supervisor.

If the Officer is forced to intercede during the use of force, the Officer will report those actions to an NCPD Commander before the end of the shift in which the use of force occurred.

### 300.3 USE OF FORCE

Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose.

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The reasonableness of force will be judged from the perspective of a reasonable officer on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that officers are often forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain and rapidly evolving.

Given that no policy can realistically predict every possible situation an officer might encounter, officers are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident.

It is also recognized that circumstances may arise in which officers reasonably believe that it would be impractical or ineffective to use any of the tools, weapons or methods provided by this department. Officers may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose.

While the ultimate objective of every law enforcement encounter is to avoid or minimize injury, nothing in this policy requires an officer to retreat or be exposed to possible physical injury before applying reasonable force.

#### 300.3.1 FACTORS USED TO DETERMINE REASONABLENESS OF FORCE

When determining whether to apply force and evaluating whether an officer has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit. These factors include, but are not limited to:

- (a) Immediacy and severity of the threat to officers or others.
- (b) The conduct of the individual being confronted, as reasonably perceived by the officer at the time.
- (c) Officer/subject factors (i.e., age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of officers available vs. subjects).
- (d) The effects of drugs or alcohol.
- (e) Individual's mental state or capacity.
- (f) Proximity of weapons or dangerous improvised devices.
- (g) The degree to which the individual has been effectively restrained and his/her ability to resist despite being restrained.
- (h) The availability of other options and their possible effectiveness.
- (i) Seriousness of the suspected offense or reason for contact with the individual.
- (j) Training and experience of the officer.
- (k) Potential for injury to officers, suspects and others.
- (l) Whether the individual appears to be resisting, attempting to evade arrest by flight or is attacking the officer.

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- (m) The risk and reasonably foreseeable consequences of escape.
- (n) The apparent need for immediate control of the individual or a prompt resolution of the situation.
- (o) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others.
- (p) Prior contacts with the individual or awareness of any propensity for violence.
- (q) Any other exigent circumstances.

#### 300.3.2 PAIN COMPLIANCE TECHNIQUES

Pain compliance techniques may be effective in controlling a physically or actively resisting individual. Officers may only apply those pain compliance techniques for which they have successfully completed department-approved training. Officers utilizing any pain compliance technique should consider:

- (a) The degree to which the application of the technique may be controlled given the level of resistance.
- (b) Whether the individual can comply with the direction or orders of the officer.
- (c) Whether the individual has been given sufficient opportunity to comply.
- (d) Training and experience of the officer.

The application of any pain compliance technique shall be discontinued once the officer determines that compliance has been achieved.

#### 300.3.3 CAROTID/CHOKE HOLD CONTROL HOLD

This type of control technique should NEVER be performed by any member of the New Carrollton Police Department, except in those cases in which the use of deadly force is necessary to protect a citizen or an Officer from imminent death.

- (a) **Chokeholds - a physical maneuver that restricts an individual's ability to breathe for the purposes of incapacitation.**
- (b) **Carotid Restraint- Blood chokes (or carotid restraints/sleeper holds) are a form of strangulation that compresses one or both carotid arteries and/or the jugular veins without compressing the airway, hence causing cerebral ischemia and a temporary hypoxic condition in the brain.**
- (c) **Officers are not authorized to use either a chokeholds or carotid restraints as they are considered to be an extreme use of deadly force.**

- (a) 1.

# New Carrollton Police Department

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### *Use of Force*

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#### **300.3.4 USE OF FORCE TO SEIZE EVIDENCE**

In general, officers may use reasonable force to lawfully seize evidence and to prevent the destruction of evidence. However, officers are discouraged from using force solely to prevent a person from swallowing evidence or contraband. In the instance when force is used, officers should not intentionally use any technique that restricts blood flow to the head, restricts the airway or which creates a reasonable likelihood that blood flow to the head or the airway would be restricted. Officers are encouraged to use techniques and methods taught by the New Carrollton Police Department for this specific purpose.

#### **300.4 DEADLY FORCE APPLICATIONS**

Use of deadly force is justified in the following circumstances:

- (a) An officer may use deadly force to protect him/herself or others from what he/she reasonably believes would be an imminent threat of death or serious bodily injury.
- (b) An officer may use deadly force to stop a fleeing subject when the officer has probable cause to believe that the individual has committed, or intends to commit, a felony involving the infliction or threatened infliction of serious bodily injury or death, and the officer reasonably believes that there is an imminent risk of serious bodily injury or death to any other person if the individual is not immediately apprehended. Under such circumstances, a verbal warning should precede the use of deadly force, where feasible.

Imminent does not mean immediate or instantaneous. An imminent danger may exist even if the suspect is not at that very moment pointing a weapon at someone. For example, an imminent danger may exist if an officer reasonably believes any of the following:

1. The individual has a weapon or is attempting to access one and it is reasonable to believe the individual intends to use it against the officer or another.
2. The individual is capable of causing serious bodily injury or death without a weapon and it is reasonable to believe the individual intends to do so.

#### **300.4.1 SHOOTING AT OR FROM MOVING VEHICLES**

Shots fired at or from a moving vehicle are rarely effective. Officers should move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants. An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others.

Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle.



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#### **300.5 REPORTING THE USE OF FORCE**

Any use of force by a member of this department shall be documented promptly, completely and accurately in an appropriate report, depending on the nature of the incident. The officer should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances. To collect data for purposes of training, resource allocation, analysis and related purposes, the Department may require the completion of additional report forms, as specified in department policy, procedure or law.

##### **300.5.1 REPORTING DEADLINE**

Any use of force by a member of this department shall be documented as required in the Report Preparation Policy (Md. Code PS § 3-514). *Which states "Each law enforcement agency shall require a law enforcement officer who was involved in a use of force incident in the line of duty to file an incident report regarding the use of force by the end of the officer's shift unless the officer is disabled."*

##### **300.5.2 NOTIFICATIONS TO SUPERVISORS**

Supervisory notification shall be made as soon as practicable following the application of force in any of the following circumstances:

- (a) The application caused a visible injury.
- (b) The application would lead a reasonable officer to conclude that the individual may have experienced more than momentary discomfort.
- (c) The individual subjected to the force complained of injury or continuing pain.
- (d) The individual indicates intent to pursue litigation.
- (e) Any application of the conducted energy device or control device.
- (f) Any application of a restraint device other than handcuffs, shackles or belly chains.
- (g) The individual subjected to the force was rendered unconscious.
- (h) An individual was struck or kicked.
- (i) An individual alleges any of the above has occurred.

#### **300.6 MEDICAL CONSIDERATIONS**

Prior to booking or release, medical assistance shall be obtained for any person who exhibits signs of physical distress, who has sustained visible injury, expresses a complaint of injury or continuing pain, or who was rendered unconscious. Any individual exhibiting signs of physical distress after an encounter should be continuously monitored until he/she can be medically assessed.

Based upon the officer's initial assessment of the nature and extent of the individual's injuries, medical assistance may consist of examination by an emergency medical services provider or medical personnel at a hospital or jail. If any such individual refuses medical attention, such a refusal shall be fully documented in related reports and, whenever practicable, should be

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witnessed by another officer and/or medical personnel. If a recording is made of the contact or an interview with the individual, any refusal should be included in the recording, if possible.

The on-scene supervisor or, if the on-scene supervisor is not available, the primary handling officer shall ensure that any person providing medical care or receiving custody of a person following any use of force is informed that the person was subjected to force. This notification shall include a description of the force used and any other circumstances the officer reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

Individuals who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics and imperviousness to pain (sometimes called "excited delirium"), or who require a protracted physical encounter with multiple officers to be brought under control, may be at an increased risk of sudden death. Calls involving these persons should be considered medical emergencies. Officers who reasonably suspect a medical emergency should request medical assistance as soon as practicable and have medical personnel stage away (see the Medical Aid Response Policy).

#### **300.7 SUPERVISOR RESPONSIBILITIES**

When a supervisor is able to respond to an incident in which there has been a reported application of force, the supervisor is expected to:

- (a) Obtain the basic facts from the involved officers. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.
- (b) Ensure that any injured parties are examined and treated.
- (c) When possible, separately obtain a recorded interview with the individual upon whom force was applied. If this interview is conducted without the individual having voluntarily waived his/her *Miranda* rights, the following shall apply:
  1. The content of the interview should not be summarized or included in any related criminal charges.
  2. The fact that a recorded interview was conducted should be documented in a property or other report.
  3. The recording of the interview should be distinctly marked for retention until all potential for civil litigation has expired.
- (d) Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas.
  1. These photographs should be retained until all potential for civil litigation has expired.

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- (e) Identify any witnesses not already included in related reports.
- (f) Review and approve all related reports.
- (g) Determine if there is any indication that the individual may pursue civil litigation.
  - 1. If there is an indication of potential civil litigation, the supervisor should complete and route a notification of a potential claim through the appropriate channels.
- (h) Evaluate the circumstances surrounding the incident and initiate an administrative investigation if there is a question of policy noncompliance or if for any reason further investigation may be appropriate.

In the event that a supervisor is unable to respond to the scene of an incident involving the reported application of force, the supervisor is still expected to complete as many of the above items as circumstances permit.

#### 300.7.1 TRAINING COMMANDER RESPONSIBILITY

**The Commander of Training for use of force and firearms will conduct a review of all use of force incidents to ensure compliance with this policy. The Commander will generate a report detailing the use of force incidents to determine the appropriateness of the force employed and make recommendations as to what training may be required and/or other corrective action that should be taken.**

#### 300.8 TRAINING

Officers will receive periodic training on this policy and demonstrate their knowledge and understanding.

#### 300.9 USE OF FORCE ANALYSIS

At least annually, the Patrol Operations Commander, or his designee should prepare an analysis report on use of force incidents. The report should be submitted to the Chief of Police. The report should not contain the names of officers, suspects or case numbers, and should include:

- (a) The identification of any trends in the use of force by members.
- (b) Training needs recommendations.
- (c) Equipment needs recommendations.
- (d) Policy revision recommendations.

## Use of Force Review Boards

### 301.1 PURPOSE AND SCOPE

This policy establishes a process for the New Carrollton Police Department to review the use of force by its members.

This review process shall be in addition to any other review or investigation that may be conducted by any outside or multi-agency entity having jurisdiction over the investigation or the evaluation of the use of force.

### 301.2 POLICY

The New Carrollton Police Department will objectively evaluate the use of force by its members to ensure that their authority is used appropriately and consistent with training and policy.

### 301.3 ADMINISTRATIVE ASSIGNMENT

Generally, whenever a member's actions or use of force in an official capacity, or while using department equipment, results in death or very serious injury to another, that member will be placed in a temporary administrative assignment by the Chief of Police. The Chief of Police may exercise discretion and choose not to place a member in an administrative assignment.

### 301.4 REVIEW BOARD

The Use of Force Review Board will be convened when the use of force by a member results in very serious injury or death to another.

The Use of Force Review Board will also investigate and review the circumstances surrounding every discharge of a firearm, whether the member was on- or off-duty, excluding training or recreational use.

The Chief of Police may request the Use of Force Review Board to investigate the circumstances surrounding any use of force incident.

The Administration Operations Commander will convene the Use of Force Review Board as necessary. It will be the responsibility of the Operations Commander or supervisor of the involved member to notify the Administration Operations Commander of any incidents requiring board review. The involved member's Operations Commander or supervisor will also ensure that all relevant reports, documents and materials are available for consideration and review by the board.

#### 301.4.1 COMPOSITION OF THE BOARD

The Administration Operations Commander should staff the Use of Force Review Board with five individuals from the following, as appropriate:

- Representatives of each unit
- Command staff representative from the involved member's chain of command
- Support Services Commander

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## Policy Manual

### *Use of Force Review Boards*

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- Non-administrative supervisor
- A peer officer/department member
- A law enforcement officer from an outside law enforcement agency, as appropriate
- Department instructor for the type of weapon, device or technique used

The senior ranking command staff representative who is not in the same unit as the involved member will serve as chairperson.

#### 301.4.2 RESPONSIBILITIES OF THE BOARD

The Use of Force Review Board is empowered to conduct an administrative review and inquiry into the circumstances of an incident.

The board members may request further investigation, request reports be submitted for the board's review, call persons to present information.

The board does not have the authority to recommend discipline.

The board should delay its review until after completion of any criminal investigation, review by any prosecutorial body, filing of criminal charges, the decision not to file criminal charges or any other action. The board should be provided all relevant available material from these proceedings for its consideration.

The review shall be based upon those facts which were reasonably believed or known by the officer at the time of the incident, applying any legal requirements, department policies, procedures and approved training to those facts. Facts later discovered but unknown to the involved member at the time shall neither justify nor call into question a member's decision regarding the use of force.

The board shall make one of the following recommended findings:

- (a) The member's actions were within department policy and procedure.
- (b) The member's actions were in violation of department policy and procedure.

The board may also recommend additional investigations or reviews, such as disciplinary investigations, training reviews to consider whether training should be developed or revised, and policy reviews, as may be appropriate. The board chairperson will submit the written recommendation to the Chief of Police.

The Chief of Police shall review the recommendation, make a final determination as to whether the member's actions were within policy and procedure, and will determine whether any additional actions, investigations or reviews are appropriate. Those findings will be forwarded to the involved member's Operations Commander for review and appropriate action. If the Chief of Police concludes that discipline should be considered, a disciplinary process will be initiated.

At the conclusion of any additional reviews, copies of all relevant reports and information will be filed with the Chief of Police.

## **MISSION STATEMENT**

**“The Mission of the City of New Carrollton Police Department is to safeguard life and property, preserve the peace, prevent and detect crime, enforce the law, and protect the rights of all citizens. We are committed to working in partnership with the community to identify and resolve issues that impact public safety.**

**We are committed to conducting ourselves in a manner that brings honor to the Department, the City, and ourselves.**

**We are committed to respecting the individual rights, human dignity and the value of all members of the community and the Department.**

**We are committed to nurturing the public trust by holding ourselves accountable to the highest standards of professional conduct and ethics.**

**We are committed to providing the highest quality of law enforcement to the community with the goal of enhancing the quality of life within New Carrollton.**

**We are committed to achieving a level of performance that exceeds all expectations.”**



# CITY OF NEW CARROLLTON

6016 PRINCESS GARDEN PARKWAY • NEW CARROLLTON, MARYLAND 20784-2898  
Phone (301) 459-6100 Fax (301) 459-8172

## MEMORANDUM

**TO:** The City Council of New Carrollton  
**FROM:** Karen P. Ruff, Assistant City Administrative Officer  
**VIA:** Tim George, City Administrative Officer  
**DATE:** July 10, 2020  
**RE:** FY21 Fines and Penalties

There are sections in the City Code that refer to a City Schedule of Fines and Penalties and there are other sections that contain the amount of the fine and/or penalty to be assessed for the violation of that section. Upon reviewing this issue, staff determined that it would be best for the City Code to be consistent and for all fines and penalties to be located in one place for ease of reference. This approach is consistent with the City creating a City Schedule of Fees that contains all of the fees charged by the City.<sup>1</sup> Before the City Council can adopt a schedule of fines and penalties that contains all City fines and penalties, it must amend the City Code so that all fine and penalty provisions refer to the schedule. Accordingly, attached are proposed changes to the City Code, that, if acceptable to the City Council, will be turned into an ordinance for the Council's consideration at its August meetings. In addition to the attached changes, the Council would amend Chapter 57 "Fees" so that it refers to fees, fines and penalties. Then, at the time of the annual budget, the Council would review all fees, fines and penalties. Once the ordinance is adopted, the Council would introduce a resolution adopting the fines and penalties for the violation of all provisions of the City Code.

In the attached document, the following legend should be applied:

**CAPITALS:** Boldfaced underlined capital letters denote language to be added to the City Code.

\* \* \*: Asterisks denote language that is currently in the City Code that remains unchanged, which is not reproduced in the document.

[ ]: Boldfaced brackets denote language that is proposed to be deleted from the City Code.

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<sup>1</sup> City Code, § 57-1 requires that fees authorized in the City Code be established by the City Council in a Schedule of Fees adopted by resolution at the time of the annual budget ordinance.

# PROPOSED CHANGES TO THE CITY CODE – FINES & PENALTIES

## Chapter 1 General Provisions

### Article I: Adoption of Code

#### § 1-9 Altering or tampering with Code; penalties for violation.

It shall be unlawful for anyone to improperly change or amend, by additions or deletions, any part or portion of the Code or to alter or tamper with such Code in any manner whatsoever which will cause the law of the City of New Carrollton to be misrepresented thereby. Any violation of this section shall be punishable as a misdemeanor, the penalty for which shall be [a fine not to exceed \$1,000 or imprisonment for a term not to exceed six months, or both such fine and imprisonment]**AS SET FORTH IN THE CITY SCHEDULE OF FINES AND PENALTIES.**

### Article IV: Penalties

#### § 1-20 Definitions.

As used in this [Article]**CODE**, the following terms shall have the meanings indicated:

#### MISDEMEANOR

A. A criminal offense, not amounting to a felony, arising **EITHER** from a violation of a law of the state, which violation is defined as a "misdemeanor", **OR FROM A VIOLATION OF A CITY ORDINANCE OR RESOLUTION THAT IS SPECIFICALLY IDENTIFIED AS BEING PUNISHABLE AS A MISDEMEANOR**]; or].

B. [Unless otherwise specified, a]**A** violation of any provision of the **CITY** code shall be treated as a "municipal infraction" unless specifically declared to be a misdemeanor.

#### MUNICIPAL INFRACTION

Any violation of this Code, which violation has been specifically declared to be a "municipal infraction," including a violation of any zoning or land use ordinance or



regulation authorized to be adopted or enacted by the city and littering within the city as prohibited under [§ 468 of Article 27 of] **§ 10-110 OF THE CRIMINAL LAW ARTICLE OF** the Annotated Code of Maryland. For purposes of this Code, a "municipal infraction" is a civil offense as provided for in [Article 23A, § 3(b)] **§ 6-102 OF THE LOCAL GOVERNMENT ARTICLE** of the Annotated Code of Maryland. The word "infraction" used in this Code means "municipal infraction."

§ 1-21 General penalties.

A. Infraction. Any person found guilty of violating a provision of this Code, which violation is an infraction as declared herein, shall be subject to a minimum fine of fifty dollars (\$50.00), and a maximum fine of one thousand dollars (\$1,000.) [or] as provided for in [Article 23A, § 3(a),] **§ 6-102 OF THE LOCAL GOVERNMENT ARTICLE** of the Annotated Code of Maryland, as amended. The fine shall be paid by the offender to the city within twenty (20) calendar days of receipt of a citation. Each day a violation continues shall, unless otherwise provided, constitute a separate offense. The minimum fine shall be increased in increments of fifty dollars (\$50.00) for any subsequent violation of the same Code sections to a maximum fine of one thousand dollars (\$1,000.) per occurrence.

B. Misdemeanor. Unless otherwise provided herein, any person found guilty of violating any provision of this Code, which violation is a misdemeanor as defined herein, shall be subject to a fine **AS SET FORTH IN THE CITY SCHEDULE OF FINES AND PENALTIES** not to exceed one thousand dollars (\$1,000.) or imprisonment not to exceed six (6) months, or both such fine and imprisonment. Each day such violation continues shall constitute a separate offense. Imprisonment in default of fine and costs shall be regulated by the provisions of [§ 4 of Article 38] **§§ 7-504 AND 7-505 OF THE COURTS ARTICLE** of the Annotated Code of Maryland.

§ 1-22 Declaration as infraction; fine.

The Mayor and City Council shall by official act declare the violation of which ordinance or ordinances shall be a municipal infraction. Unless specifically set by such ordinance or ordinances, the fine shall be as provided for in [§1-21A herein] **THE CITY SCHEDULE OF FINES AND PENALTIES.**

§ 1-23 Citations.

Any police officer or code enforcement officials authorized by the Mayor to enforce this Code may deliver a citation to any person in accordance with the provisions of [Article 23A, § 3(b)(3), et seq.] **§6-103 OF THE LOCAL GOVERNMENT ARTICLE** of the Annotated Code of [the State of] Maryland, as amended from time to time.

§ 1-24 Payment of fine.

A. All fines are payable by the recipient of the citation to the city within twenty (20) days of the receipt of the citation. The amount of any fine shall be determined [according to] **IN ACCORDANCE WITH THE PARAMETERS ESTABLISHED IN CITY CODE, § 1-21A herein AND AS SET FORTH IN THE CITY SCHEDULE OF FINES AND PENALTIES** . Upon the failure to pay any fine shown in the citation, the city shall proceed in accordance with the provisions of [Article 23A, § 3(b)(5) et seq.] **THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND, DIVISION II, TITLE 6, as amended. IF THE DEFENDANT DOES NOT PAY THE FINE BY THE DATE OF PAYMENT SET FORTH ON THE CITATION AND DOES NOT SEND THE CITY THE WRITTEN NOTICE TO STAND TRIAL, THE DEFENDANT SHALL BE LIABLE FOR THE FINE, THE CITY MAY DOUBLE THE FINE TO AN AMOUNT NOT EXCEEDING \$1,000 AND THE CITY MAY REQUEST ADJUDICATION OF THE CASE THROUGH THE DISTRICT COURT, INCLUDING THE FILING OF A DEMAND FOR JUDGMENT ON AFFIDAVIT, AND THE DISTRICT COURT SHALL SCHEDULE THE CASE FOR TRIAL AND SUMMON THE DEFENDANT TO APPEAR.** In [addition to the provisions of Article 23A, § 3] **ACCORDANCE WITH §6-110 OF THE LOCAL GOVERNMENT ARTICLE OF THE ANNOTATED CODE OF MARYLAND,** if a fine is not paid when due and trial has not been requested or trial has taken place and judgment has not been paid within thirty (30) days of such judgment, the city may include the amount of the fine or any judgment (including costs awarded) on the real or personal property tax bill of the person cited for the violation, and such fine/judgment shall be paid just as any real property or personal property tax levied by the city and shall be a lien against such personal or real property.

\* \* \*

§ 1-26 Election to stand trial.

A person receiving the citation for an infraction may elect to stand trial for the offense by notifying the city, in writing, of the person's intention of standing trial. The notice shall be given at least five (5) days prior to the date of payment as set forth in the citation. Upon receipt of the notice of the intention to stand trial, the city shall forward to the District Court for Prince George's County a copy of the notice from the person who received the citation indicating the intention to stand trial. All fines, penalties or forfeiture collected by the District Court for violations of infractions shall be remitted to the general fund of the city. All appeals shall be in accordance with the provisions of [Article 23A, § 3(b)(4)(i) et seq.] **§12-401 OF THE COURTS AND JUDICIAL PROCEEDINGS ARTICLE** of the Annotated Code of Maryland, as amended.

Chapter 12 Ethics, Code Of

§12-9 Enforcement

A. Upon a finding of a violation of any provision of this chapter, the Commission may:

\* \* \*

B. If the Commission finds that a respondent has violated § 12-8 of this chapter, the Commission may:

(1) Require a respondent who is a registered lobbyist to file any additional reports or information that is reasonably related to the information that is required under § 12-8 of this chapter;

(2) Impose a fine [not exceeding five thousand dollars (\$5,000.) or] **IN THE AMOUNT SET FORTH IN THE CITY SCHEDULE OF FINES AND PENALTIES FOR** each violation; and

(3) Suspend the registration of an individual registered lobbyist if the Commission finds that the lobbyist has knowingly and willfully violated § 12-8 of this chapter or has been convicted of a criminal offense arising from lobbying activities.

C. Upon request of the Commission, the City Solicitor may file a petition for injunctive or other relief in the Circuit Court of Prince George's County, or in any other court having proper venue, for the purpose of requiring compliance with the provisions of this chapter.

(1) The court may:

\* \* \*

(c) Impose a fine [of up to five thousand dollars (\$5,000.)] **AS SET FORTH IN THE CITY SCHEDULE OF FINES AND PENALTIES** for any violation of the provisions of this chapter, with each day upon which the violation occurs constituting a separate offense.

(2) A court may not void any official action appropriating public funds, levying taxes, or providing for the issuance of bonds, notes, or other evidences of public obligations.

D. Violations of § 12-8.

(1) Any person who knowingly and willfully violates the provisions of § 12-8 of this chapter is guilty of a misdemeanor, and upon conviction, is subject to a fine [of not more than one thousand dollars (\$1,000.)] **AS SET FORTH IN THE CITY SCHEDULE OF FINES AND PENALTIES** or imprisonment for not more than one (1) year, or both.

\* \* \*

## Chapter 35 Animal Control

### § 35-3 Violations and penalties.

A. The fine for the violation of any section of this chapter, the violation of which has been declared to be a municipal infraction, shall be as [follows, unless otherwise specified:

(1) First violation: \$25.

(2) Second violation: \$100.

(3) Third violation: \$200] **AS SET FORTH IN THE CITY SCHEDULE OF FINES AND PENALTIES.**

B. Each day a violation continues shall be considered a separate violation.

§ 35-21 Interference with impounding of animals.

No person shall willfully prevent or obstruct the impounding of any animal authorized to be impounded by the provisions of this chapter by an animal control officer or police officer. Any violation of this section is a municipal infraction subject to a fine [of two hundred fifty dollars (\$250)] **AS SET FORTH IN THE CITY SCHEDULE OF FINES AND PENALTIES.**

§ 35-25 Public nuisances

\* \* \*

B. Excessive noise prohibited.

\* \* \*

[(4) Any violation of this section shall be a municipal infraction.]

C. Running at large prohibited.

\* \* \*

(2) [It shall be a municipal infraction for the owner or custodian of an animal to fail to confine or restrain the animal in accordance with the provisions of this section.

(3) ]Any animal observed to be running at large within the City may be impounded.

[(4)] **(3)** In addition to or in lieu of impounding an animal running at large, an animal control officer or authorized person may issue a citation for municipal infraction to the owner or custodian of the animal when the owner or custodian is known or subsequently identified.

[(5)]**(4)** Any animal control officer, police officer or other agent authorized or empowered to perform any duty under this chapter may pursue any animal at large or running at large and may go upon any premises for impounding the animal at large or running at large. If the animal returns to the premises of its owner, the animal

control officer or police officer may pursue the animal upon the unenclosed exterior premises of the owner. If the owner or custodian takes the animal within the enclosed portion of his or her premises, the animal control officer or police officer shall cease pursuit of the animal but notify the owner or custodian that the animal was in violation of the regulations and issue a citation for municipal infraction to the owner or custodian.

D. Confinement of animals in heat. When a female dog or cat is in estrus or in a condition commonly known as "in heat," its owner or custodian shall prevent its contact with another dog or cat or the attraction of dogs or cats to the premises in which the female dog or cat is kept. Every female cat or dog in heat shall be confined in a building or secure enclosure in such manner that the female dog or cat cannot come into contact with a male dog or cat, except for intentional breeding purposes. [Any violation of this section shall be a municipal infraction.]

E. Defecation; removal of excrement.

\* \* \*

(2) Any person having custody or control of an animal which deposits excrement upon such public or private property shall cause the excrement to be removed immediately. [Any violation of this section shall be a municipal infraction.]

\* \* \*

H. Keeping wild or exotic animals. Unless a license is first obtained from the county for the keeping or displaying of wild and exotic animals, no person shall keep or permit to be kept on his or her premises as a pet or for breeding or for display or exhibition purposes any wild or exotic, vicious or dangerous animals, any poisonous snake, poisonous reptile or other poisonous or venomous animal, or any skunk, raccoon, fox, bear, member of the cat family other than the domestic cat, or opossum. Any violation of this section shall be a misdemeanor **SUBJECT TO THE FINES AND PENALTIES SET FORTH IN THE CITY SCHEDULE OF FINES AND PENALTIES.**

I. Rabies control.

\* \* \*

(6) Any violation of this section shall be a municipal infraction subject to a fine [of two hundred fifty dollars (\$250)] **AS SET FORTH IN THE CITY SCHEDULE OF FINES AND PENALTIES.**

**J. ANY VIOLATION OF THIS SECTION SHALL BE A MUNICIPAL INFRACTION, UNLESS OTHERWISE STATED, SUBJECT TO THE FINES AND PENALTIES SET FORTH IN THE CITY SCHEDULE OF FINES AND PENALTIES.**

§ 35-26 Vicious or dangerous animals.

\* \* \*

D. Any violation of this section shall be a municipal infraction subject to a fine [of five hundred dollars (\$500) for a first violation and one thousand dollars (\$1,000) for any and each subsequent violation] **AS SET FORTH IN THE CITY SCHEDULE OF FINES AND PENALTIES.**

E. Confinement of vicious or dangerous animals.

\* \* \*

(4) Any violation of this Article by the owner or custodian of an animal shall be a municipal infraction and subject to a fine [of five hundred dollars (\$500) for a first violation and one thousand dollars (\$1,000) for any and each subsequent violation] **AS SET FORTH IN THE CITY SCHEDULE OF FINES AND PENALTIES.**

§ 35-27 Neglect and cruelty prohibited.

A. It shall be illegal for any person(s) to cause or permit any animal to suffer neglect or act(s) of cruelty. Violations of this Article shall be considered municipal infractions, subject to a fine [of five hundred dollars (\$500) for a first violation and one thousand dollars (\$1,000) for any and each subsequent violation] **AS SET FORTH IN THE CITY SCHEDULE OF FINES AND PENALTIES.**

\* \* \*

C. The animal control officer, police officer, or other agent authorized or empowered to perform any duty under this chapter may issue to the owner and custodian of any animal found to be suffering from or the victim of neglect or abuse a municipal infraction citation as set forth in this [Article] **IN CITY CODE, CHAPTER 1, ARTICLE IV AND IMPOSE A FINE OR PENALTY IN ACCORDANCE WITH THE CITY SCHEDULE OF FINES AND PENALTIES.**

Chapter 41 Building construction.

§ 41-8 Violations and penalties.

Any person who shall violate any provision of this chapter or any provision of any rule or regulation adopted by the Mayor and Council pursuant to the authority granted by this chapter shall be issued a notice containing the requirement that the violation must be fully corrected within 10 days from the date of the notice and that, in the event that he or she fails to do so within the ten-day period, a citation shall be delivered to him or her in accordance with the provisions of the City Code. Said citation shall constitute a municipal infraction, subject to the provisions of § 1-21A of this Code **AND THE CITY SCHEDULE OF FINES AND PENALTIES.**

Chapter 45 Cable Television.

§ 45-14 Performance guaranties and penalties.

A. Penalties.

(1) For violation of provisions of this chapter or a franchise agreement entered into pursuant to this chapter, penalties shall be assessable against a franchisee and shall be chargeable to the franchisee's security fund in [any amount up to the limits specified below, at the city's discretion :]**ACCORDANCE WITH THE CITY SCHEDULE OF FINES AND PENALTIES.**

[(a)For failure to submit any required plans indicating expected dates of installation of various parts of the system: four hundred dollars (\$400.) per day for each violation for each day the violation continues.



(b) For failure to commence operations in accordance with the requirements of the franchise agreement: one thousand dollars (\$1,000) per day for each violation for each day the violation continues after a thirty-day cure period, if the franchisee has not undertaken substantial corrective action to cure the violation within that thirty-day period.

(c) For failure to substantially complete construction in accordance with a franchisee's franchise agreement: one thousand dollars (\$1,000.) per day for each violation for each day the violation continues after a thirty-day cure period, if the franchisee has not undertaken substantial collective action to cure the violation within that thirty-day period.

(d) For transferring the franchise without approval: two thousand dollars (\$2,000.) per day for each violation for each day the violation continues.

(e) For failure to comply with requirements for public, educational and governmental use of the system: one thousand dollars (\$1,000.) per day for each violation for each day the violation continues after a fourteen-day cure period, if the franchisee has not undertaken substantial corrective action to cure the violation within that fourteen-day period.

(f) For failure to supply information, reports or filings lawfully required under the franchise agreement or applicable law or by the city: five hundred dollars (\$500.) per day for each violation for each day the violation continues after a thirty-day cure period, which shall begin to run on the due date of any regularly scheduled report and on the date of a deadline reasonably set by the city for any report or information request not regularly scheduled, unless the franchisee shows that it was not, in fact, aware of the requirement in question, in which case the thirty-day cure period shall begin to run upon written notice of such requirement by the city to the franchisee.

(g) For violation of customer service standards or failure to file a compliance certification or noncompliance statement as required herein: two hundred dollars (\$200.) per day or per event, as applicable.

(h) For failure to pay franchise fees or liquidated damages: one hundred dollars (\$100.) per day, in addition to any monetary payment due under a franchise agreement or this chapter, for each violation for each day the violation continues after a seven-day cure period, if the franchisee has failed to make payment within that seven-day period, provided that these penalties shall be in addition to any late fees that may apply.

(i) For failure to file, obtain or maintain any required security fund in a timely fashion: two hundred dollars (\$200.) per day.

(j) For failure to restore damaged property: two hundred dollars (\$200.) per day, in addition to the cost of the restoration and any other penalties or fees as required elsewhere herein or in a franchise agreement, for each day the violation continues after a thirty-day cure period, if the franchisee has not undertaken substantial corrective action to cure the violation within that thirty-day period.

(k) For violation of technical standards established by the FCC: one hundred dollars (\$100.) per day for each day the violation continues after a thirty-day cure period after the city gives the franchisee notice of such violation.

(l) For knowingly and intentionally signing a false report or statement: one thousand dollars (\$1,000.) per report or document.

(m) For any other violations of this chapter, a franchise agreement or other applicable law: five hundred dollars (\$500.) per day for each violation for each day the violation continues.]

(2) The franchisee shall pay any penalty assessed in accordance with this chapter within fourteen (14) days after receipt of notice from the city of such penalty.

(3) To the extent that penalties are applied to a franchisee under this Subsection A, a franchisee shall not be subject to liquidated damages payable to the city for the same violation.

(4) The city may reduce or waive any of the [above-listed] penalties for good cause shown.

(5) Pending litigation or any appeal to any regulatory body or court having jurisdiction over a franchisee shall not excuse the franchisee from the performance of its obligations under this chapter or its franchise agreement unless a stay is obtained or the franchisee is otherwise excused from performance by operation of law. Failure of the franchisee to perform such obligations because of pending litigation or petition, in the absence of a stay issued by a forum of competent jurisdiction, may result in forfeiture or revocation pursuant to the provisions of this chapter and/or its franchise agreement.

B. Termination on account of certain assignments or appointments.

\* \* \*

Chapter 50 Elections

50-5 Campaign contributions and disbursements; campaign finance reports.

\* \* \*

E. Any person who violates any of the provisions of this section shall be guilty of a municipal infraction and shall be fined by the Board of Election Supervisors in an amount [not to exceed one thousand dollars (\$1,000.)] **SET FORTH IN THE CITY SCHEDULE OF FINES AND PENALTIES** and may result in a candidate being removed from the ballot.

\* \* \*

Chapter 63 Recycling and Refuse

§ 63-8 Authority of City to remove accumulations of litter, garbage or trash.

\* \* \*

C. Failure, neglect or refusal of any owner or person responsible for the maintenance of property to comply with a written notice to properly dispose of litter, garbage or trash in accordance with the provisions of the chapter shall constitute a violation. In addition to the penalty set forth in Subsection B, any failure to comply with an immediate correction order shall be a municipal infraction for which the fine shall be as is set forth in the City's Schedule of Fines **AND PENALTIES**, as adopted from time-to-time by the City Council, in addition to the costs noted above.

§ 63-9 Penalty.

Violations of this chapter are municipal infractions, subject to the penalty and enforcement provisions of § 1-21A of the Code of the City of New Carrollton **AND THE CITY SCHEDULE OF FINES AND PENALTIES**.

Chapter 66 Health and Sanitation

§ 66-3 Prohibited acts.

\* \* \*

T. It shall be unlawful for anyone to place a portable storage container on public property.

\* \* \*

(3) Maintenance.

\* \* \*

(4) Extension.

\* \* \*

[(5) Violations. Any violations of the article Shall be a municipal infraction and subject to a fine not to exceed one thousand dollars (\$1,000). The initial fine for the first infraction shall be one hundred dollars (\$100), which shall double for each additional infraction up to the maximum above. Each day a violation exists shall be considered a separate infraction.]

§ 66-5 Violations and penalties.

It shall be unlawful for any person or persons, firm or corporation to violate any of these sections, which are hereby declared by the City Council to be municipal infractions, subject to the provisions of § 1-21A of this Code **AND A FINE AS SET FORTH IN THE CITY SCHEDULE OF FINES AND PENALTIES.** Each day a violation continues after initial notice shall constitute a separate or repeat offense.

Chapter 67 Noise Control

§ 67-6 Violations and penalties.

It shall be unlawful for any person or persons, firm or corporation to violate any of these sections which are hereby declared by the City Council to be municipal infractions, subject to the [provisions of § 1-21A of this Code] **FINES SET FORTH**

**IN THE CITY SCHEDULE OF FINES AND PENALTIES.** Any violation which occurs or continues after initial notice or citation shall constitute a separate or repeat offense.

Chapter 71 Housing and Property Maintenance

§ 71-12 Violations and penalties.

It shall be unlawful for any person or persons, firm or corporation to violate any of these sections, which are hereby declared by the City Council to be municipal infractions, subject to the provisions of § 1-21A of this Code **AND THE FINES SET FORTH IN THE CITY SCHEDULE OF FINES AND PENALTIES.** Each day a violation continues after initial notice shall constitute a separate or repeat offense.

Chapter 72 Signs and Advertising Devices

§ 72-5 Violations and penalties.

Violations of this chapter are hereby declared to be municipal infractions, subject to the provisions of § 1-21A of this Code **AND THE FINES SET FORTH IN THE CITY SCHEDULE OF FINES AND PENALTIES.**

Chapter 75 Licenses and Permits

§ 75-6 Special rules and regulations.

A. Mobile vendors. It shall be unlawful for any mobile vendor to conduct business in the City unless he or she complies with the rules and regulations set forth below.

\* \* \*

(8) The special event host and special event operator shall obtain written consent from a property owner, whether public or private, to use such property for parking associated with the special event. Persons associated with or attending the special event shall park only on such property. If persons associated with or attending the special event are found to be parking in areas where consent from the property owner

was not obtained, the special event host and special event operator may lose their special event license, be subject to a fine [not to exceed fifty dollars (\$50.) **AS SET FORTH IN THE CITY SCHEDULE OF FINES AND PENALTIES,** per vehicle, or be required to cease the special event immediately on receiving notice from the Code Enforcement Officer or his or her designee when such Code Enforcement Officer or his or her designee finds violations of this subsection.

\* \* \*

§ 75-13 Penalties and enforcement.

A. A person may not violate this chapter or the terms, conditions or restrictions of a license issued under this chapter. Each day that a person continues to violate this chapter or the terms, conditions or restrictions of a license issued under this chapter is a separate offense.

B. A person who violates this chapter or the terms, conditions or restrictions of any license issued under this chapter is guilty of a municipal infraction and subject to a fine [in the amount of one hundred fifty dollars (\$150) for the violation except that the amount of the fine for each day that a violation continues is three hundred dollars (\$300)] **IN THE AMOUNT SET FORTH IN THE CITY SCHEDULE OF FINES AND PENALTIES.**

§ 75-14 Temporary license.

Any person, firm, partnership, association or corporation issued a temporary business use and occupancy permit, or license from Prince George's County shall apply for a temporary license to do business in the City of New Carrollton.

\* \* \*

D. Penalties. The fine for a violation of this section of this chapter shall be [equivalent of the cost of the temporary license as set forth in the adopted City fee schedule required for a business that is operating without a license]**AS SET FORTH IN THE CITY SCHEDULE OF FINES AND PENALTIES.** Each day that a business continues operation without acquiring the required license shall constitute a separate offense.

## Chapter 77 Loitering

### § 77-3 Violations and penalties.

Violation of any provision of this chapter shall be deemed a municipal infraction and shall be punishable as provided in § 1-21A of this Code **WITH A FINE AS SET FORTH IN THE CITY SCHEDULE OF FINES AND PENALTIES.**

## Chapter 84 Parks

### § 84-5 Violations and penalties.

Violation of any provision of this chapter shall be deemed a municipal infraction and shall be punishable as provided in § 1-21A of this Code **WITH A FINE AS SET FORTH IN THE CITY SCHEDULE OF FINES AND PENALTIES.**

## Chapter 85 Trees

### § 85-12 Violations and penalties.

A. Persons or firms found to be in violation of this chapter shall be subject to a municipal infraction as established by the City.

B. The penalty for violation of this chapter shall be [one thousand dollars (\$1,000) per violation] **AS SET FORTH IN THE CITY SCHEDULE OF FINES AND PENALTIES.** In a case where multiple trees are impacted by violation of this chapter, each tree impacted shall be considered a separate violation of this chapter.

## Chapter 89 Rental Property

### § 89-15 Violations and penalties.

It shall be unlawful for any person or persons, firm or corporation to violate any of these sections, which are hereby declared by the City Council to be municipal infractions, subject to the provisions of § 1-21A of this Code **AND THE FINES AND PENALTIES SET FORTH IN THE CITY SCHEDULE OF FINES AND PENALTIES.** Each day a violation continues after payment of the first fine shall constitute a separate or repeat offense. Payment of the fines without correction of violation(s) does not constitute abatement of violation.

Chapter 100 Streets and Sidewalks

§ 100-5 Authority to close public streets.

\* \*

(4) Any vehicle which is parked in such a manner that it blocks normal travel lanes shall be issued a citation for such violation and be subject to being towed and impounded by the City Police Department. Any person issued a citation for a violation of this Subsection C(4) shall be subject to a fine [of two hundred fifty dollars (\$250)] **AS SET FORTH IN THE CITY SCHEDULE OF FINES AND PENALTIES.**

§ 100-13 Violations and penalties.

Violation of any provision of this chapter with the exception of § 100-12A, shall be deemed a municipal infraction and shall be punishable as provided in § 1-21A of this Code **AND THE CITY SCHEDULE OF FINES AND PENALTIES.**

Chapter 110 Vehicles and Traffic

§ 110-48 Violations and penalties.

Any violation of any provision of this chapter shall be deemed a municipal infraction and shall be punishable as provided in Chapter 1, General Provisions, Article IV, Penalties **AND SHALL BE SUBJECT TO THE FINES AND PENALTIES SET FORTH IN THE CITY SCHEDULE OF FINES AND PENALTIES.**

§ 110-76 Parking for longer than 72 hours prohibited.

A. No person shall park or allow to stand any vehicle on any of the City streets or public space in the City for a continuous period in excess of seventy-two (72) hours without being moved a distance of least one full vehicle length. If the vehicle is a motor vehicle, it must be moved under its own power.

B. Any vehicle found parked upon any City street or public space in the City is a violation of this section and may be impounded by the City Police Chief or his



designee, after notice to the driver or owner of the vehicle. Such notice shall state that the vehicle is parked in violation of this section of the City Code and shall state the penalty therefor, **WHICH SHALL BE AS SET FORTH IN THE CITY SCHEDULE OF FINES AND PENALTIES**. The notice shall be attached to the vehicle and shall direct the owner or operator of the vehicle to remove the vehicle within forty-eight (48) hours.

§ 110-85 Fines levied.

A. Any violation of Chapter 110 of the New Carrollton City Code shall be subject to a fine which shall be [a determined amount, from time to time, by resolution from the New Carrollton City Council] **AS SET FORTH IN THE CITY SCHEDULE OF FINES AND PENALTIES**.

B. All fines levied as a result of Chapter 110 are required to have payment made out to the City of New Carrollton.

Chapter 115 Vehicle Repair

§ 115-5 Violations and penalties.

It shall be unlawful for any person or persons, firm or corporation to violate any of the above sections, which are hereby declared by the City Council to be municipal infractions, subject to the provisions of § 1-21A of this Code **AND THE FINES AND PENALTIES ESTABLISHED IN THE CITY SCHEDULE OF FINES AND PENALTIES**. Each day a violation continues after initial notice shall constitute a separate or repeat offense.

Chapter 118 Vehicles, Storage of

§ 118-4 Violations and penalties.

It shall be unlawful for any person or persons, firm or corporation to violate any of these sections, which are hereby declared by the City Council to be municipal infractions, subject to the provisions of § 1-21A of this Code **AND THE CITY SCHEDULE OF FINES AND PENALTIES**. Each day a violation continues after initial notice shall constitute a separate offense.



# CITY OF NEW CARROLLTON

6016 PRINCESS GARDEN PARKWAY • NEW CARROLLTON, MARYLAND 20784-2898  
Phone (301) 459-6100 Fax (301) 459-8172

## MEMORANDUM

**TO:** The City Council of New Carrollton  
**FROM:** Tim George, City Administrative Officer  
**DATE:** July 10, 2020  
**RE:** Charter Amendment – Collective Bargaining

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As the City of New Carrollton moves forward with the proposed Charter Amendment regarding Collective Bargaining the next step is to review the amendment language ahead of the Legislative Meeting. Below is the proposed Charter Amendment Language that was prepared by our CBA attorney and sent to you earlier this week.

Here is the paragraph for the Charter amendment. Our City Attorney concurs with Mr. Silvestri that this paragraph should go in the Charter, C-3.

“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.”

# DRAFT

## Rules of Procedure for the City Council of New Carrollton

### I. Authority

These rules are adopted pursuant to the authority provided in §C-8 of the Charter of the City of New Carrollton.

### II. Council Meetings

#### A. Open Meetings

1. All meetings of the Mayor and City Council shall be open to the public, except when such meetings are held in closed session pursuant to the provisions of the Maryland Open Meetings Act (Md. General Provisions Code Ann., Title 3 Open Meetings Act) or the Mayor and/or City Council are performing a function to which the Maryland Open Meetings Act does not apply. Notice of all meetings shall be provided as set forth herein and as required by the Maryland Open Meetings Act.

2. The City Council shall meet the first and third Wednesday of each month in City Hall (a.k.a the New Carrollton Municipal Center) located at 6016 Princess Garden Parkway, New Carrollton, Maryland or some place of convenience in the City. In accordance with §C-8 of the City of New Carrollton Charter, the meeting on the third Wednesday of the month shall be referred to as the regular meeting of the Council. The Council shall meet at such other times and locations as may be required to conduct the business of the City. The City Council may meet by teleconference under very limited situations as set forth hereinafter. City Council meetings shall start at 7:00 p.m., unless otherwise noted.

3. Special meetings of the Mayor and City Council shall be called by the City Clerk upon request of the Mayor or a majority of the members of the Council. A statement that a special meeting will be held, together with the date, time and location, as well as the purpose of the meeting, shall be posted conspicuously at the City Municipal Center as soon as is practicable upon scheduling of the meeting. Failure to post such notice shall not invalidate any action taken at such meeting.

#### B. Quorum

Three Councilmembers present at any meeting shall constitute a quorum for the transaction of business. A member of the City Council may attend a meeting of the Council, and be considered present for voting, through electronic communication, as more fully explained in Section V.F. below.

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### C. Public Comments

Public comments are permitted at the end of each regular meeting of the City Council. Advance sign-up is not required unless noted on the agenda. At their turn, speakers who wish to address the Council should come to the podium and state their name and address for the record. Comments are limited to three minutes each. If a speaker believes that their public comments need to extend more than three minutes and that the additional information cannot be provided in written form, the person may request that the Council Chair give them permission for an additional one or two minutes. To ensure that everyone who wants to comment has the time to do so, members of the public are expected to only speak once during public comments. Speakers may not cede their time to another person. If the Council determines that it would be in the best interest of Council to hear from a speaker a second time, the Council has the authority to request that the speaker return to the podium to provide additional information requested by the Council.

If a person is not present at a regular meeting of the City Council, yet would like to participate in Public Comments, the person may call in to a phone number provided by the City and may speak via telephone during the call-in time at the end of the meeting. When recognized, the person shall state their name and address before speaking to the issue regarding which they called. The time limits established in the prior paragraph for those speaking to the Council in person shall apply to call in persons as well.

### D. Chair

The Chair of the City Council, or in their absence, the Vice Chair, shall preside at all meetings of the City Council. Hereinafter, the person presiding at a meeting, whether it be the Chair or Vice Chair, shall be referred to as the presiding officer. At the appointed hour of the meeting, the presiding officer shall take their seat and immediately call the members of the City Council to order. A silent roll call shall be performed by the City Clerk, who shall enter in the minutes of the meeting the names of the members present. The presiding officer shall preserve order and decorum at all meetings of the Council. The presiding officer shall state every question before the Council, announce the decision of the Council on all subjects and decide all questions of order.

## III. Duties and Privileges of Members

### A. Right of floor

Before speaking on any matter, a member shall seek the floor by addressing the presiding officer. When recognized by the presiding officer, a member shall confine themselves to the question under debate, avoid personalities, and refrain from impugning the motives of any other member's argument or vote. No Councilmember shall interrupt another Councilmember in debate without their consent, or unless it is to call the person to order, and to obtain such consent, they shall first address the presiding officer. If a member, while speaking, is called to order, the member shall

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cease speaking until the question of order is determined, and, if in order, the member shall be permitted to proceed. Councilmembers shall not raise personal matters pertaining to alleged improper performance or conduct of any city employee or Councilmember etc., at a public Council meeting. No Councilmember shall speak more than once upon any one subject until every other member choosing to speak thereon shall have spoken, and no member shall speak longer than five minutes without the consent of the Chair.

### **B. Right of appeal**

Any Councilmember may appeal to the Council a ruling on a decision of the presiding officer. The member making the appeal may briefly state their reason for appeal, and the presiding officer may briefly explain their ruling, but there shall be no debate on the appeal. The presiding officer shall then put the question: "Shall the decision of the Chair be sustained?" If a majority of the members present vote "YES," the ruling of the Chair is sustained; otherwise, it is overruled.

### **C. Voting**

Every member present, when a question is put, shall vote "Yea," "Nay," or "Abstain." Unless a member of Council states that they are not voting, their silence shall be recorded as an affirmative vote.

### **D. Disorderly conduct or violation of rules by Councilmembers**

If a Councilmember indulges in any language or conduct unbecoming to their office, the person shall be called to order by the presiding officer and in such case; the offending member shall lose the floor and not proceed without the approval of the majority of the members present. The Council may, by vote of not less than four members expel the member from a meeting for disorderly conduct or a violation of Council rules.

### **E. Behavior of attendees at Council meetings**

Attendees of Council meetings and those speaking during audience participation and phone calls will conduct themselves in a professional manner at all times during meetings of the City Council. If any confusion or disorder arises, the presiding officer may, upon their own initiative or upon the request of any Councilmember enforce order. If the offending person or persons are a spectator, he/she or they may be ejected from the meeting. If any member of the Council objects to the ruling of the presiding officer, he/she shall have the right to appeal to the council as provided herein.

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## IV. Council Procedure

### A. Order of Business

The business of all Regular meetings of the Council shall be transacted in the following order; provided, however, that the Chair or presiding official may take any item of business out of order unless objected to by a majority of the Councilmembers.

1. Call to Order
2. Pledge of Allegiance
3. Workshop Discussion Items
4. Approval of the Minutes (Or Consent Agenda – for things such as minutes, proclamations, letters from Council, with each item listed thereunder)
5. Council Questions and Council Announcements
6. Additions to the Agenda by the Council
7. Old Business
8. New Business
9. Public Comment
10. Adjournment

Provided that the City Clerk has previously furnished each Councilmember with a copy of the minutes of a prior meeting, the minutes may be approved without reading them.

### B. Agenda

1. The City Administrative Officer and the Council Chair shall prepare the Agenda for each meeting of the City Council. Pursuant to the Maryland Open Meetings Act, § 3-302.1. Before meeting in open session, the City Council is required to make available to the public an agenda that contains known items of business or topics to be discussed during that portion of any meeting that is open and indicating whether the Council expects to close any portion of the meeting. If the agenda has been determined at the time notice of an open meeting is provided, the Council shall make the agenda available at that time. If an agenda has not been determined at the time the Council gives notice of a meeting, the Council shall make the agenda available as soon as practicable after the agenda has been determined, but no later than 24 hours before the meeting. The City Council shall make the agenda available as is required by the Maryland Open Meetings Act, § 3-302.1(d). Accordingly, at least three business days prior to each meeting, the Chair or presiding official shall approve the agenda and ensure that each member of the Council and the Mayor receive a copy of the agenda for the forthcoming meeting. Nothing in the Maryland Open Meetings Act prohibits the City Council from altering an agenda after the agenda has been made available to the public. Accordingly, if it becomes necessary to add an item to an agenda after the City Administrative Officer and the Council Chair have set the agenda, an item may be added with the concurrence of the City Administrative Officer and the Chair or at the written request of two Councilmembers, one of which may be the Chair. At each regular meeting of Council, the Chair

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shall request agenda items from the Council for the next month's meeting, or a future meeting if additional time is required to properly prepare the item for Council's consideration.

2. If the City Council is unable to comply with the provisions of subsection 1 above because the meeting was scheduled in response to an emergency, a natural disaster, or any other unanticipated situation, the City Council shall make available an agenda of the meeting as soon as possible, but no later than within a reasonable time after the meeting occurs.

3. Modifications to the agenda may be made as follows:

- a. At the request of two or more members of the Council, an item shall be placed on the agenda for consideration at a meeting.
- b. Upon commencement of a Council meeting, upon a motion duly made and seconded, and upon the affirmative vote of at least a majority of the members of the Council, an item may be removed from a meeting agenda.

C. Introduction and passage of ordinances and resolutions

1. Ordinances and resolutions shall be introduced by the Council only in written form.

2. All ordinances except ordinances making appropriations and ordinances codifying or rearranging existing ordinances or enacting a code **or (of?)** ordinances, shall be confined to one subject, and the subject or subjects of all ordinances shall be clearly expressed in their title. Ordinances making appropriations shall be confined to the subject of appropriations.

3. Each ordinance may be introduced on its first reading by a member of the Council and seconded by another Councilmember. Each ordinance may be enacted on its second reading. No ordinance, other than an emergency ordinance, shall be passed until it has been read or summarized on two separate days. Any reading of an ordinance shall be by title only, unless a majority of the Council requires a full reading.

4. Except as otherwise required by State law, the affirmative vote of a majority of Councilmembers present at a meeting shall be required for adoption of an ordinance or resolution. State law requires that actions involving the spending of funds for other than the budgeted purpose require an affirmative vote of two-thirds of the entire Council. The "Yeas," "Nays" and abstentions shall be taken upon the passage of all ordinances and resolutions and be entered in the minutes of the proceedings.

5. Proposed legislation shall contain a brief statement setting forth its budgetary impact.

6. Copies of all ordinances and resolutions shall be prepared for distribution to all members of the Council, Mayor, City Administrative Officer and the City Clerk at the meetings

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where the ordinance or resolutions are introduced. Whenever any member of the Council is absent from such meetings, the City Clerk shall arrange to have copies delivered to him/her.

7. If the Council so desires, any pending ordinance or resolution may be referred to the Mayor, any member of the Council, a standing or special committee, the City Solicitor, or the City Administrative Officer for study, recommendations, redrafting etc.

8. The Council may hold scheduled public hearings on regular meeting nights or at another time in order to accept public comments on an ordinance or other issue. Public hearings are generally scheduled at the beginning of a regular meeting. Speakers may be asked to sign up to speak at a public hearing. Comments will be limited to three minutes each.

Requests to show visual or audiovisual materials during a public hearing must be submitted to the City Clerk at least 24 hours in advance of a meeting. If the request is approved, the digital file or link to the file must be emailed to the City Clerk no later than noon the day of the meeting. Flash drives (thumb drives) are not permitted for use at the meeting. This process shall apply to any requests to show visual or audiovisual materials at a Council meeting.

### **D. Emergency ordinances**

An emergency ordinance may be declared by a four-fifths vote of the City Council as provided for in §C-10 “General powers of Council” of the City of New Carrollton Charter. An emergency ordinance shall become effective on the date specified in the ordinance, but no ordinance shall become effective until approved by the Mayor or passed over his or her veto by the Council.

### **E. Precedence of Motions**

When a question is before the Council, no motion shall be entertained except; (a) to fix the hour of adjournment; (b) to adjourn; (c) to postpone to a certain time; (d) **for the previous question**; (e) to refer; (f) to amend or (g) to postpone indefinitely. These motions shall have precedence in the order indicated. Any such motion, except a motion to amend, to postpone to a certain time, to refer, and to postpone indefinitely shall be put to a vote without debate.

### **F. Motions out of the regular order**

The presiding officer at any time shall permit a member to introduce an agenda item out of the regular order.



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### G. Motion to adjourn--when not in order--not debatable

A motion to adjourn shall be in order at any time, except as follows: (a) when repeated without intervening business or discussion; (b) when made as an interruption of a member while speaking; (c) when the previous question has been ordered; and (d) while a vote is being taken. A motion to adjourn is not debatable.

### H. Motion to table (postpone)

A motion to table (postpone) shall preclude all amendments or debate on the subject under consideration. If the motion shall prevail, the consideration of the subject may be resumed at any time by a majority vote under new business at a subsequent meeting.

### I. Previous question

When the previous question is moved and seconded by another member, it shall be put as follows: "Shall the main question now be put?" There shall be no further amendment or debate; however, pending amendment shall be put in his or her order before the main question. If the question, "Shall the main question now be put" and approved by a majority of the members present, the main question shall then be voted upon. If the question were decided in the negative, then the main question remains before the Council.

### J. Division of question

If a question contains two or more divisible propositions, the presiding officer upon request of a member, may divide the same.

### K. Motion to Amend

A motion to amend a main motion, seeks to amend, alter or change, in some way, a main motion that is presently pending before the Mayor and Council. When the Council is ready to vote on a motion that has been subject to an amendment, the Council shall first vote on the amendment and, if the amendment passes, then the Council will proceed to vote on the motion as amended. If the event that the amendment does not carry, then the Council will consider and vote on the main motion.

### L. Reconsideration

After the decision on any question, any member who voted with the majority may move to reconsider any action at the same or the next succeeding meeting. A motion to reconsider shall require the approval of at least three (3) members of the Council. A meeting closed pursuant to the Maryland Open Meetings Act shall not be considered in determining the "next succeeding meeting" for purposes of this section. After a motion for reconsideration has once been acted

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upon, no other motion for reconsideration thereof shall be made without unanimous consent of all members of the Council.

### M. Procedure in absence of rule

In the absence of a rule to govern a point of procedure, the practice approved of in Robert's Rules of Order Newly Revised (1990 Edition), as amended, shall prevail.

## V. Miscellaneous

### A. Suspension of rules

Any provision of these rules not governed by the City Charter, State Law, or City Ordinance may be suspended for a particular purpose, such as to allow debate on a motion that is non-debatable or to permit some other type of action that is not otherwise permitted by these Rules of Procedure, at any meeting of the Council by a vote of not less than four (4) members of the Council. If vacancies on the Council occur that result in only three (3) or four (4) members sitting as the Council, then three votes shall be required to suspend the rules.

### B. Report of Mayor and City Council

The report is to be used to present any items or fact of interest by the City Council, report current or future events, and to permit the Mayor and Administrative Staff to report on conditions in and on the City or Departments. Answers may be given to the constituent questions from previous meetings or correspondence, accept and read committee reports, make presentations and give awards. Neither committee appointment announcements nor decision on any issue is to be made during the report. The Council shall require a report from the Mayor and City Departments by Friday before the Council meeting. The Council may want to add to the Mayor and/or Department's agenda(s) before the meeting on Monday for discussion of items not included.

### C. Use of handheld electronic devices

The Mayor and Councilmembers shall give their full time and attention to the business before them; therefore, no use of an electronic device by the Mayor or a Councilmember is permitted during any Council meeting. All electronic devices must be turned off or put in silent mode by everyone upon entering the City Council Chamber or any council hearing location, and not be used during the meeting. Any person, whether it be a member of City staff, the Mayor, a Councilmember or someone attending the meeting, who violates this rule shall be asked to leave the chamber by the presiding officer. Some devices may interfere with the council audio system.

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### **D. Video Recording**

Council meetings will ordinarily be recorded by the City. These recordings may become part of the permanent record of Council proceedings. Meetings will be simultaneously cablecast on the City of New Carrollton cable channel and archived online. Copies are available upon request from the City, if costs are paid by the requestor.

### **E. ADA Notice**

The City of New Carrollton is committed to ensuring that individuals with disabilities are able to fully participate in public meetings. Anyone with a disability who wishes to receive auxiliary services or accommodations at a Council meeting should contact the City Clerk at [city@newcarrolltonmd.gov](mailto:city@newcarrolltonmd.gov) at least 48 hours in advance.

### **F. Special Rules for Electronic Participation by Members of the City Council**

Electronic participation by Councilmembers is for the benefit of the City and not an individual councilmember. Accordingly, electronic participation shall be the exception, not the rule, and shall be limited to twice a year per councilmember. Electronic participation should be limited to times when an agenda item is time sensitive and a quorum of the Council cannot be obtained without a Councilmember participating electronically, an agenda item is highly important and the Councilmember cannot be physically present, and when it is important that all councilmembers participate in a decision and a councilmember cannot be physically present. In the event that one of these aforementioned situations presents itself, and a councilmember has already participated in a Council meeting electronically twice that year, the presiding officer may authorize the Councilmember to attend electronically one additional time. A member of the City Council may attend a meeting of the Council through electronic communication as set forth below.

1. Prior to the Meeting: The Councilmember shall give notice to the Council Chair and City Clerk of his/her desire to attend a meeting from a remote location, provide good cause for the request and indicate from where the member will participate. Notice should be provided one week in advance when practicable. Upon receipt of notice, the City Clerk will confirm that the City TV staff is able to manage the request. Once confirmation has been received, the City Clerk will note the remote participation on the City Council agenda. Emergency requests due to illness, unexpected travel for work, or similar unforeseen circumstances will be accommodated when possible.

2. During the Meeting: The Council Chair will announce the member's remote participation at the beginning of the meeting. During roll call, the Councilmember shall respond that he or she is present. If the Councilmember attending electronically leaves the meeting, the person shall announce the departure unless the meeting has been paused for a break or has been adjourned. After a break, the Council Chair will confirm that the Councilmember is still present at the meeting. The Councilmember attending electronically shall ask for recognition from the

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Council Chair if he or she desires to speak. When a Councilmember is attending electronically, all votes taken during the meeting shall be by roll call. The vote of the remote participant must be audible.

3. Limitations: Remote participation is only available when the Councilmember participating electronically has been provided a copy of all materials before the Council during the meeting and has reviewed the materials. Remote participation will be limited by the technology available. No more than one member may participate remotely in a meeting unless a second member is needed in order to achieve a quorum. Requests shall be accommodated in the order that they are received. If the remote connection fails or the participating member cannot hear the proceedings or be heard by all those present, the Councilmember shall depart the meeting until the connection can be properly restored. In this event, the Council Chair will announce the departure and, when applicable, the Councilmember's subsequent rejoining at the meeting. Electronic participation is always contingent upon the ability of staff to make arrangements for the voice of the remote participant to be heard by all persons at the meeting and for the remote participant to hear all Councilmembers in attendance.

Notwithstanding the limitations mentioned above, in the event of an emergency such as an act of God, natural disaster or health emergency, that prohibits the Council from being able to gather together for a meeting, the entire Council may participate in Council meetings electronically, provided, however, that every member is provided the materials that are the subject of discussion at the meeting, public notice of the meeting is provided and the public is given an opportunity to participate electronically. An executive order of the president of the United States or the governor of the State of Maryland shall also qualify as an emergency under this provision.

### G. Closed (executive) Sessions:

The Maryland Open Meetings Act permits the City Council to discuss certain topics confidentially in closed session. Preserving the confidentiality of closed session discussions promotes effective dialogue among Councilmembers. If a person is concerned that what is discussed in an executive session may be disclosed afterwards, the person may not freely participate in the discussion. Furthermore, information can be presented out of context. The City Council, therefore, imposes a duty on every Councilmember, the mayor and staff attending a closed meeting to maintain their confidence on any city business and/or information pertaining to the City of which the person has knowledge as a result of attending a closed meeting. In the event of any closed session, no member of the City Council, mayor, employee of the City, or any other person present during a closed session of the City Council, shall disclose to any person the content or substance of any discussion or action which took place during the closed session, unless a majority of the City Council shall authorize such disclosure in accordance with Md. General Provisions Code Annotated, §3-306(c)(4)(iii). An employee or appointee found to have violated this section shall be subject to disciplinary action, including leave without pay. A member of any City board or committee found to have violated this section shall be removed from office immediately. A City Councilmember or mayor found to have violated this section shall be subject

**DRAFT**

Rules of Procedure for the New Carrollton City Council

April 2020

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to public censure by the City Council and any further action authorized under City Code, Chapter 12, §12-5.

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**CITY OF NEW CARROLLTON**  
**WORKSHOP/LEGISLATIVE MEETING**

**MORE THAN \$10,000 CHECKS:**

1. SF MOBILE VISION, INC (Body cameras - Police)	10,219.80
2. NZI CONSTRUCTION CORP. ( Municipal Bldg upgrade)	77,280.79
3. PRINCE GEORGE'S COUNTY INET operating & cable tv operation)	21,853.00
4. PRINCE GEORGE'S COUNTY ( Landfill fees - 12/19)	19,033.40
5. CHESAPEAKE EMPLOYERS INSURANCE COMPANY ( Annual premium -7/20 - 7/21)	307,654.00
6. ELECTEC ELECTION SERVICES ( Election services)	34,206.25
7. LOCAL GOVT. INSURANCE TRUST (Monthly health insurance)	82,638.69
8. PRINCE GEORGE'S COUNTY ( Landfill fees - 02/20)	13,661.93
9. PRINCE GEORGE'S COUNTY ( Landfill fees - 4/20)	16,027.94
10. PRINCE GEORGE'S COUNTY ( Landfill fees - 5/20)	16,216.15
	<u>598,791.95</u>

**PAYMENT DESCRIPTION:**

1st BATCH TOTAL (06/10/20)-2 pages) (Total amount of all of the bills for this batch)	28,588.33
2nd BATCH TOTAL (06/12/20) - 2 pages) (Total amount of all of the bills for this batch)	134,645.17
3rd BATCH TOTAL (06/26/20) - 4 pages) (Total amount of all of the bills for this batch)	529,786.36
SUNTRUST BANK ( Electronic transfer -May 2020)	3,859.42
	<u>696,879.28</u>

**CITY OF NEW CARROLLTON**  
**TD-GENERAL**  
**A/P Detail Check Register for Check Date 6/10/2020**

Check	Vendor	Description or Invoice Numbers	Check Amount	Invoice Distribution Accounts	Distribution Amount
EFT		EFT Transmittal	4,594.23	01-0000-10100-00000-00000 TD BANK GENERAL ACCOUNT	-4594.23
EFT	ADVANCED COLLISION CENTER LLC	VEHICLE MAINTENANCE - CAR 139	0.00	01-3010-52130-00000-00000 VEHICLE OPERATION & MAINTENANCE	3896.08
0039649	AMERICAN PUBLIC SAFETY	FIELD SUPPLIES - POLICE	27.95	01-3040-52530-00000-00000 FIELD SUPPLIES	27.95
0039650	AUTOZONE STORES LLC	Invoices 1833579142, 1833583291, 1833583962, 1833583994, 1833585079, 1833585109	333.81	01-3010-52130-00000-00000 VEHICLE OPERATION & MAINTENANCE	192.03
				01-3510-52130-00000-00000 VEHICLE OPERATIONS & MAINTENANCE	141.78
0039651	BLUETARP FINANCIAL & NORTHERN TOOL	VEHICLE MAINTENANCE - SHOP	103.50	01-3510-52130-00000-00000 VEHICLE OPERATIONS & MAINTENANCE	103.50
0039652	CENTRAL TRUCK CENTER INC.	VEHICLE MAINTENANCE - FLUID	182.80	01-3510-52130-00000-00000 VEHICLE OPERATIONS & MAINTENANCE	182.80
EFT	CINTAS CORPORATION LOC 41	JANITORIAL SUPPLIES	0.00	01-3510-52550-00000-00000 JANITORIAL SUPPLIES	81.33
0039653	DARCARS FORD	Invoices 85814FOW, 85820FOW	229.19	01-3010-52130-00000-00000 VEHICLE OPERATION & MAINTENANCE	229.19
0039654	DARCARS CHR JEEP DODGE OF NC	VEHICLE MAINTENANCE - 13 AVENGER	37.16	01-2510-52130-00000-00000 VEHICLE OPERATIONS & MAINTENANCE	37.16
EFT	DC MATERIALS INC	PARKS MAINTENANCE	0.00	01-3810-54250-00000-00000 PARKS, FIELDS & TREE MAINTENANCE	141.45
0039655	HOME PARAMOUNT	PEST CONTROL SERVICES - 6318 WESTBROOK DR	78.00	01-3510-52100-00000-00000 BUILDING MAINT. & REPAIR	78.00
EFT	P & H AUTO - ELECTRIC INC.	VEHICLE MAINTENANCE - BATTERY	0.00	01-3010-52130-00000-00000 VEHICLE OPERATION & MAINTENANCE	109.99
EFT	ROK BROTHER'S INC	VEHICLE MAINTENANCE - FORD REAR WIPER	0.00	01-3010-52130-00000-00000 VEHICLE OPERATION & MAINTENANCE	24.10
0039656	SF MOBILE-VISION, INC	Invoices 0340620-IN, 0348171-IN	10,219.80	01-3010-58120-00000-00000 BODY CAMERA	10219.80
0039657	T-MOBILE	CELL PHONE CHARGES - POLICE	1,024.54	01-3010-54020-00000-00000 CELL PHONES	1024.54
0039658	WB WASTE SOLUTIONS, LLC	REFUSE COLLECTION - 06/20@ Frenchmans Creek Condo 7617 Fontaine Bleau Drive	8,360.45	01-3710-50500-00000-00000 REFUSE COLLECTION CONTRACT	8360.45
0039659	WM E BABIKOW SONS INC	LANDSCAPING MATERIAL	3,396.90	01-3810-54250-00000-00000 PARKS, FIELDS & TREE MAINTENANCE	3396.90

CITY OF NEW CARROLLTON

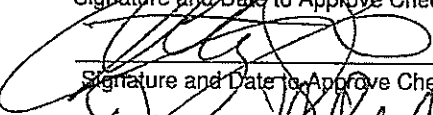
TD GENERAL

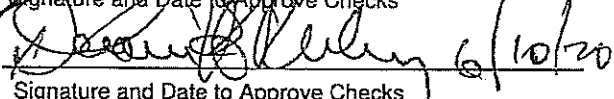
A/P Detail Check Register for Check Date 6/10/2020

<u>Check</u>	<u>Vendor</u>	<u>Description or Invoice Numbers</u>	<u>Check Amount</u>	<u>Invoice Distribution Accounts</u>	<u>Distribution Amount</u>
EFT	XEROX FINANCIAL SERVICES	LEASE PAYMENT - POLICE - 05/01-05/31	0.00	01-3010-50760-00000-00000 OFFICE EQUIPMENT CONTRACTS	341.28 <del>341.28</del>

Total for Check Run: 28,588.33

  
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Signature and Date to Approve Checks

  
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Signature and Date to Approve Checks

  
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Signature and Date to Approve Checks

6/10/20

6/10/20



**CITY OF NEW CARROLLTON**  
**TD GENERAL**  
**A/P Detail Check Register for Check Date 6/12/2020**

Check	Vendor	Description or Invoice Numbers	Check Amount	Invoice Distribution Accounts	Distribution Amount
EFT		EFT Transmittal	3,494.24	01-0000-10100-00000-00000 TD BANK GENERAL ACCOUNT	-3494.24
EFT	AFLAC	3RD PARTY INSURANCE	0.00	01-0000-21120-00000-00000 AFLAC WITHHOLDING	2866.96
0039629	BGE	6016 PRINCESS GARDEN PKWY	996.26	01-1510-54050-00000-00000 UTILITY-ELECTRICITY	996.26
0039630	CITY OF COLLEGE PARK	COMPOST FEES	75.00	01-3710-51115-00000-00000 COMPOST FEES	75.00
0039631	EAGLE PREMIER INSPECTIONS, INC	REFUND OF PERSONAL PROPERTY TAXES FOR FY 2020 DUE TO REASSESSMENT	133.96	01-1000-30200-00000-00000 PERSONAL PROPERTY BUSINESS	133.96
0039632	HARRIS, LOZETTA J.	REFUND DUE TO OVERPAYMENT ON CONDO FEE	50.00	01-1000-35910-00000-00000 RENTAL PROPERTY INSPECTIONS	50.00
EFT	LOCAL GOVT. INSURANCE TRUST	LIABILITY CLAIM - PUBLIC WORKS	0.00	01-3510-50700-00000-00000 GENERAL LIABILITY INSURANCE	200.00
0039633	MARYLAND ENVIRONMENTAL SERVICE	SINGLE STEAM RECYCLING	2,708.37	01-3710-50550-00000-00000 RECYCLING CONTRACT	2708.37
0039634	NZI CONSTRUCTION CORP.	Invoices 18-06-09, 18-06-10	77,280.79	01-1110-57011-00000-00000 MUNICIPAL BUILDING UPGRADE	77280.79
0039635	ORKIN INC AC 689632	8511 LEGATION RD	62.40	01-1510-54150-00000-00000 UPKEEP OF HANKO BUILDING	62.40
0039636	PEPCO	Invoices 2005 - 3094697, 2005 - 3100328, 2005 - 3186681, 2005 - 4485415, 2005 - 4506954, 2005 - 4507739, 2005 - 4508497, 2005 - 4530251, 2005 - 4532794, 2005 - 4533917, 2005 - 5882255, 2005 - 6583670, 2005 - 6617858, 2005 - 9399934	1,187.07	01-1510-54150-00000-00000 UPKEEP OF HANKO BUILDING 01-3510-54050-00000-00000 UTILITY - ELECTRICITY 01-3610-51210-00000-00000 STREET LIGHTING	259.83 697.39 229.85
0039637	PRINCE GEORGE'S COUNTY	I NET OPERATING & CABLE TV OPERATION	21,853.00	01-1510-50430-00000-00000 CABLE TELEVISION OPERATION 01-1510-50440-00000-00000 I-NET OPERATING COST	6577.00 15276.00
0039638	PRINCE GEORGE'S COUNTY	LANDFILL FEES - 12/19	19,033.40	01-3710-51100-00000-00000 LANDFILL FEES-COUNTY	19033.40
0039639	SANIJOHN	MONTHLY EQUIPMENT RENTAL	609.00	01-3810-52180-00000-00000 EQUIPMENT RENTAL & PORT A POTTY	609.00
0039640	SHRED-IT USA	MONTHLY SERVICE CHARGES	142.62	01-1510-52520-00000-00000 OFFICE SUPPLIES & PRINTING	142.62

CITY OF NEW CARROLLTON

TD GENERAL

A/P Detail Check Register for Check Date 6/12/2020

Check	Vendor	Description or Invoice Numbers	Check Amount	Invoice Distribution Accounts	Distribution Amount
0039641	T-MOBILE	Invoices 2005 - 020832, 2005 - 020832, 2005 - 867168	667.36	01-1110-54020-00000-00000 CELL PHONES 01-1510-54020-00000-00000 CELLPHONES 01-2510-54020-00000-00000 CELL PHONES 01-3510-54020-00000-00000 CELL PHONES	75.01 62.38 351.50 178.47
0039642	THE CARLSEN GROUP INC.	MONTHLY SERVICE CHARGES	312.00	01-1510-52520-00000-00000 OFFICE SUPPLIES & PRINTING 01-2010-52520-00000-00000 OFFICE SUPPLIES & PRINTING 01-2510-52520-00000-00000 OFFICE SUPPLIES & PRINTING	104.00 104.00 104.00
0039643	THE PRINCE GEORGE'S POST, INC	ELECTION NOTICES	180.00	01-1510-54430-00000-00000 ELECTION	180.00
0039644	THE WASHINGTON POST	SUBSCRIPTION RENEWAL - 3/20-3/21	9.98	01-1510-53510-00000-00000 DUES & SUBSCRIPTIONS	9.98
0039645	VERIZON A/C # 755-300-184-0001-65	6016 PRINCESS GARDEN PKWY	119.99	01-1510-54010-00000-00000 TELEPHONES	119.99
0039646	VERIZON WIRELESS	Invoices 9855048397, 9855048397	178.93	01-3010-54020-00000-00000 CELL PHONES 01-3510-54020-00000-00000 CELL PHONES	40.37 138.56
0039647	WASHINGTON GAS	6318 A WESTBROOK DR.	425.00	01-3510-54060-00000-00000 UTILITY - NATURAL GAS	425.00
0039648	WM E BABIKOW SONS INC	LANDSCAPING MATERIAL	5,125.80	01-3810-54250-00000-00000 PARKS, FIELDS & TREE MAINTENANCE	5125.80
EFT	XEROX FINANCIAL SERVICES	LEASE PAYMENT - ADMIN -05/16 - 06/15	0.00	01-1510-50760-00000-00000 OFFICE EQUIPMENT CONTRACTS	427.28
<b>Total for Check Run:</b>			<b>134,645.17</b>		

*[Signature]*  
Signature and Date to Approve Checks

*[Signature]* 6/10/20  
Signature and Date to Approve Checks

*[Signature]* 6/10/20  
Signature and Date to Approve Checks

## CITY OF NEW CARROLLTON

## TD GENERAL

## A/P Detail Check Register for Check Date 6/26/2020

Check	Vendor	Description or Invoice Numbers	Check Amount	Invoice Distribution Accounts	Distribution Amount
EFT		EFT Transmittal	96,582.47	01-0000-10100-00000-00000 TD BANK GENERAL ACCOUNT	-96582.47
EFT	ACCUFUND INC	COMPUTER & IT SUPPORT	0.00	01-0000-15300-00000-00000 PREPAID ITEMS	1572.00 ✓
0039660	AGGREGATE INDUSTRIES MANAGEMENT INC	STREET & STORM DRAINAGE SUPPLIES	140.00	01-3610-53000-00000-00000 STREET & STORM DRAIN MAINT. MATERIALS	140.00 ✓
EFT	ALEXANDER CLEAVER PA	ATTORNEY CHARGES - 05/20	0.00	01-1510-50300-00000-00000 CITY ATTORNEY EXPENSE	1137.50 ✓
0039661	AUTOZONE STORES LLC	Invoices 1833587136, 1833590583, 1833591514, 1833591522, 1833598550, 1833600518, 1833601457, 1833601462, 1833601463	259.85	01-3010-52130-00000-00000 VEHICLE OPERATION & MAINTENANCE 01-3510-52130-00000-00000 VEHICLE OPERATIONS & MAINTENANCE	95.58 ✓ 164.27 ✓
0039662	BLUETARP FINANCIAL & NORTHERN TOOL	SMALL OPERATING EQUIP. & PARTS ( Pump for pressure washer )	194.68	01-3610-52150-00000-00000 SMALL OPERATING EQUIPMENT & PARTS	194.68 ✓
0039663	CENTRAL TRUCK CENTER INC.	Invoices 962305, 962402, 963449, 963628	221.84	01-3510-52130-00000-00000 VEHICLE OPERATIONS & MAINTENANCE	221.84 ✓
0039664	CHESAPEAKE EMPLOYERS INSURANCE COMPANY	ANNUAL PREMIUM - 7/20 - 7/21	307,654.00	01-0000-15300-00000-00000 PREPAID ITEMS	307654.00 ✓
0039665	CHESAPEAKE TELEPHONE SYSTEM, INC	TELEPHONE SYSTEM - 6318 WESTBROOK DR.	100.00	01-3510-54010-00000-00000 TELEPHONES	100.00 ✓
EFT	CINTAS CORPORATION LOC 41	Invoices 041597905, 041597906, 041597907, 041607599, 1901373337, 4049656623, 4050837508, 4051980409, 4053301050	0.00	01-1510-52550-00000-00000 JANITORIAL SUPPLIES 01-3510-53570-00000-00000 UNIFORMS	1139.38 ✓ 289.16
0039666	COLONIAL LIFE	3RD PARTY INSURANCE	3,436.00	01-0000-21121-00000-00000 COLONIAL WITHHOLDING	3436.00 ✓
0039667	COMCAST CABLE COMMUNICATIONS MANAGEMENT, LLC	Invoices 2005 - 0303439, 2005 - 2061445, 2006 - 0450608	754.20	01-1510-50430-00000-00000 CABLE TELEVISION OPERATION 01-1510-54150-00000-00000 UPKEEP OF HANKO BUILDING 01-3010-52105-00000-00000 TRAILER MAINT. & SUPPLIES	15.34 ✓ 445.27 ✓ 293.59 ✓
0039668	COUNCIL, BARADEL, KOSMERI & NOLAN,P.A	SPECIAL COUNCIL EXPENSES	90.00	01-1510-50301-00000-00000 SPECIAL COUNSEL EXPENSES	90.00 ✓
0039669	DARCARS FORD	VEHICLE MAINTENANCE #139	82.50	01-3010-52130-00000-00000 VEHICLE OPERATION & MAINTENANCE	82.50 ✓

**CITY OF NEW CARROLLTON**  
**TD GENERAL**  
**A/P Detail Check Register for Check Date 6/26/2020**

<u>Check</u>	<u>Vendor</u>	<u>Description or Invoice Numbers</u>	<u>Check Amount</u>	<u>Invoice Distribution Accounts</u>	<u>Distribution Amount</u>
0039670	DARCARS CHR JEEP DODGE OF NC	Invoices 13030DJW, 13117DJW, PQ43700DJW	5,162.00	01-3010-52130-00000-00000 VEHICLE OPERATION & MAINTENANCE	5162.00
0039671	ELECTEC ELECTION SERVICES, INC	ELECTION	34,206.25	01-1510-54430-00000-00000 ELECTION	34206.25
0039672	EXPRESS SERVICES INC	Invoices 24010801, 24057507	3,262.56	01-3710-50330-00000-00000 TEMPORARY LABOR SUPPORT 01-3810-50330-00000-00000 TEMPORARY LABOR SUPPORT	1708.96 1553.60
0039673	GRAINGER	Invoices 9566623048, 9566623055	31.00	01-3510-52100-00000-00000 BUILDING MAINT. & REPAIR	31.00
EFT	JACKSON LEWIS P.C	SPECIAL COUNSEL EXPENSES - 05/20	0.00	01-1510-50301-00000-00000 SPECIAL COUNSEL EXPENSES	4104.50
0039674	JOHNSON TRUCK CENTER	Invoices X501067151:01, X501067997:01	209.02	01-3510-52130-00000-00000 VEHICLE OPERATIONS & MAINTENANCE	209.02
0039675	JUST TIRES	Invoices 232304, 232346	711.43	01-3010-52130-00000-00000 VEHICLE OPERATION & MAINTENANCE	711.43
0039676	LANDOVER PRINTING CENTER	Invoices 26194, 26195	487.93	01-1510-52520-00000-00000 OFFICE SUPPLIES & PRINTING 01-1510-54430-00000-00000 ELECTION	238.40 249.53
EFT	LOCAL GOVT. INSURANCE TRUST	MONTHLY HEALTH INSURANCE	0.00	01-0000-15300-00000-00000 PREPAID ITEMS	82638.69
0039677	LOWE'S BUSINESS ACCOUNT	Invoices 01378, 01386, 01810, 02651, 18021, 2005 - 9027718, 20668, 43942	418.87	01-1510-54550-00000-00000 MISCELLANEOUS 01-2010-54400-00000-00000 CREDIT CARD SERVICE FEES 01-3510-54550-00000-00000 MISCELLANEOUS 01-3610-53000-00000-00000 STREET & STORM DRAIN MAINT. MATERIALS	35.09 25.00 21.84 336.94
0039678	MARTY MOWS	Invoices 115426, 116156	1,910.00	01-3810-51130-00000-00000 PARKS CONTRACTUAL	1910.00
0039679	MARYLAND ENVIRONMENTAL SERVICE	COMPOST FEES	1,168.50	01-3710-51115-00000-00000 COMPOST FEES	1168.50
EFT	NAC MECHANICAL SERVICES, LLC	BUILDING MAINTENANCE	0.00	01-1510-52100-00000-00000 BUILDING MAINT. & REPAIR	995.00
0039680	NEW YORK LIFE	3RD PARTY INSURANCE	996.83	01-0000-21125-00000-00000 NEW YORK LIFE INSURANCE PAYABLE	996.83
0039681	NOW TECHNOLOGIES INC	COMPUTER & IT SUPPORT	4,245.25	01-1510-50200-00000-00000 COMPUTER & IT SUPPORT	4245.25
0039682	ON DUTY SUPPLY INC	UNIFORMS - CHIEF	1,723.08	01-3010-53570-00000-00000 UNIFORMS	1723.08

**CITY OF NEW CARROLLTON**  
**TD GENERAL**  
**A/P Detail Check Register for Check Date 6/26/2020**

Check	Vendor	Description or Invoice Numbers	Check Amount	Invoice Distribution Accounts	Distribution Amount
0039683	P.G. TIRE INC	Invoices 255526, 255632	1,186.80	01-3510-52130-00000-00000 VEHICLE OPERATIONS & MAINTENANCE	1186.80
EFT	PASSPORT LABS, INC	VEHICLE CONTROL FINES	0.00	01-3010-54495-00000-00000 VEHICLE CONTROL FINE SERVICE FEES	428.50
0039684	PEPCO	Invoices 2005 - 3553195, 2005 - 7652672, 2005 - 8153779	6,750.68	01-3610-51210-00000-00000 STREET LIGHTING	6750.68
0039685	PRINCE GEORGE'S COUNTY	ELECTION COST - CITY OF NEW CARROLLTON	5,339.52	01-1510-54430-00000-00000 ELECTION	5339.52
0039686	PRINCE GEORGE'S COUNTY	LANDFILL FEES - 02/20	13,661.93	01-3710-51100-00000-00000 LANDFILL FEES-COUNTY	13661.93
0039687	PRINCE GEORGE'S COUNTY	LANDFILL FEES - 04/20	16,027.94	01-3710-51100-00000-00000 LANDFILL FEES-COUNTY	16027.94
0039688	PRINCE GEORGE'S COUNTY	LANDFILL FEES - 05/20	16,216.15	01-3710-51100-00000-00000 LANDFILL FEES-COUNTY	16216.15
0039689	READYREFRESH	PANTRY SUPPLIES - ADMIN	10.99	01-1510-52510-00000-00000 PANTRY SUPPLIES	10.99
EFT	RITCHIE LAND RECLAMATION LLC	Invoices 0000063777, 0000063813	0.00	01-3610-51110-00000-00000 LANDFILL FEES	827.70
0039690	STAPLES ADVANTAGE	OFFICE SUPPLIES	122.41	01-2010-52520-00000-00000 OFFICE SUPPLIES & PRINTING	122.41
EFT	THE LINCOLN NATIONAL LIFE INSURANCE COMPANY	LIFE & AD&D PREMIUM	0.00	01-0000-20102-00000-00000 LIFE INSURANCE PAYABLE	3450.04
0039691	THE LUCIAN COMPANY	GREEN TEAM APPAREL	425.35	01-1510-54450-00000-00000 NEW CARROLLTON GREEN TEAM	425.35
0039692	UNITED RENTALS NORTH AMERICA INC.	EQUIPMENT RENTAL( Electric Snake)	117.50	01-3610-52180-00000-00000 EQUIPMENT RENTAL	117.50
0039693	UNITED STATES INSURANCE SERVICES	TANK LIABILITY PREMIUM & FEES - 20/21	1,972.00	01-0000-15300-00000-00000 PREPAID ITEMS	1972.00
0039694	VERIZON	HANKO BLDG EOC CABLE TV	293.56	01-1510-54150-00000-00000 UPKEEP OF HANKO BUILDING	293.56
0039695	VERIZON A/C # 755-300-184-0001-65	6016 PRINCESS GARDEN PKWY	119.99	01-1510-54010-00000-00000 TELEPHONES	119.99
0039696	VERIZON CONNECT NWF INC	Invoices OSV000002126475, OSV000002131203, OSV000002131881	904.75	01-1510-54021-00000-00000 GPS TRACKING 01-2510-54021-00000-00000 GPS TRACKING 01-3010-54021-00000-00000 GPS TRACKING 01-3510-54021-00000-00000 GPS TRACKING	16.45 82.25 411.25 394.80

**CITY OF NEW CARROLLTON**  
**TD GENERAL**  
**A/P Detail Check Register for Check Date 6/26/2020**

<u>Check</u>	<u>Vendor</u>	<u>Description or Invoice Numbers</u>	<u>Check Amount</u>	<u>Invoice Distribution Accounts</u>	<u>Distribution Amount</u>
0039697	WASHINGTON GAS	Invoices 2005 - 055354, 2005 - 613886	<i>X</i> 344.79	01-1510-54150-00000-00000 UPKEEP OF HANKO BUILDING 01-3510-54060-00000-00000 UTILITY - NATURAL GAS	82.16 262.63
0039698	WASHINGTON SUBURBAN SANITARY COMMISSION	Invoices 2005 - 010000, 2005 - 430000, 2005 - 740000, 2005 - 740000	<i>X</i> 1,182.84	01-1510-54070-00000-00000 UTILITY-WATER 01-3510-54070-00000-00000 UTILITY - WATER	404.26 778.58
0039699	WINDSTREAM	TELEPHONE CHARGES - ADMIN & P.W	<i>A</i> 1,060.90	01-1510-54010-00000-00000 TELEPHONES 01-3510-54010-00000-00000 TELEPHONES	804.08 256.82
<b>Total for Check Run:</b>			<u>529,786.36</u>		

*[Signature]* 6/24/20  
 Signature and Date to Approve Checks

*[Signature]* 6/25/20  
 Signature and Date to Approve Checks

*[Signature]* 6/25/20  
 Signature and Date to Approve Checks



## **PUBLIC NOTICE OF CLOSED MEETING**

### **CITY OF NEW CARROLLTON**

The City Council of the City of New Carrollton proposes to go into a Closed Meeting, on Monday, July 13, 2020, in accordance with the General Provisions Article of the Annotated Code of Maryland §3-305 (b) (1) to discuss the appointments, over whom this public body has jurisdiction.

The Closed meeting will be held at the conclusion of the Virtual Council Workshop Meeting scheduled to begin at 7:00 p.m.

Lincoln Lashley, Chair

Attest: Douglass A. Barber, City Clerk



**CLOSED MEETING – \*Virtual Meeting\***  
**AGENDA**  
**City of New Carrollton**

**MONDAY, July 13, 2020**

**Items for discussion**

1. **Call to Order**
2. **Discussion of Mayor's Appointees**
3. **Adjournment of Closed Meeting**

**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](http://www.newcarrolltonmd.gov). If you have any questions please contact the City Clerk at (301) 459-6100.**