

VILLAGE OF FRIENDSHIP HEIGHTS

VILLAGE COUNCIL

MELANIE ROSE WHITE, *Mayor*
MICHAEL MEZEY, *Chairman*
BRUCE R. PIRNIE, *Vice Chairman*
ALFRED MULLER, M.D., *Secretary*
PAULA DURBIN, *Treasurer*
MICHAEL J. DORSEY, *Parliamentarian*
CAROLINA ZUMARAN-JONES, *Historian*
JULIAN P. MANSFIELD, *Village Manager*

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BY-LAWS OF THE FRIENDSHIP HEIGHTS VILLAGE COUNCIL ELECTED GOVERNING BODY FOR THE SPECIAL TAX DISTRICT OF THE VILLAGES OF FRIENDSHIP HEIGHTS AND THE HILLS, MONTGOMERY COUNTY, MARYLAND

ARTICLE I Functions and Powers

The functions and powers of the Council are generally set forth in Chapter 66 of the Montgomery County Code.

ARTICLE II Elections

Section 1. General Provisions

Election of the Friendship Heights Village Council shall be conducted under the guidance of the appropriate provisions of Article 33 of the Maryland Code, Section 66-4 of the Montgomery County Code, and these By-Laws.

Section 2. Notice of Election

Notice of the election specifying time, requirements, and the procedures for nomination and voting shall be posted on the Hubert H. Humphrey Friendship Park Bulletin Board at least sixty days prior to the election.

Section 3. Nomination

Nomination shall be by petition, signed by at least ten registered and qualified voters of the Village, and shall be filed at the office of the Council at least five weeks prior to the election. Such petition shall include the signature of the candidate indicating willingness to run. Candidates shall be registered and qualified voters and reside in the Village at the time of the nomination and the election. Any candidate may withdraw his/her petition up to twenty-four hours before the start of the election.
(Revised 6/12/89)

6/9/87; 12/14/87 - revised p. 4; 6/12/89 - revised p. 1 & 2; 8/26/93 - revised p. 4;
6/13/94 - revised pgs. 3, 4, 5, 6, & 7; 11/14/94 - revised p. 2; 11/13/00 - revised pgs. 3,
4, 7; 3/12/01-revised pgs. 2 & 3. - revised p. 6, 9/17/18; revised p. 5, 10/12/21

Section 4. Qualifications for Voting

Any person residing in the Village on the date of the election whose name appears on a list of registered and qualified voters as of two weeks prior to the election, furnished by the Board of Election Supervisors of Montgomery County, shall be eligible to vote.

Section 5. Place of Voting

The polling place or places shall be conveniently located.

Section 6. Election Officials

Appointment by the Council of the judges and clerks shall be made prior to the election. Assistants may be made available and appointed in a similar fashion. No candidate for Council membership or member of his/her immediate family shall serve as an election official.

Section 7. Poll Watchers

Poll Watchers appointed by candidates shall be permitted to observe the voting and counting, but shall not interfere in any way with the voting or counting.

Section 8. Counting of Ballots

Counting shall be conducted by judges and clerks.

Section 9. Certifying and Reporting of Ballots

The incumbent Mayor shall notify the Montgomery County Council of the election returns, certified by the election judges. Such letter shall be sent by registered mail the day following the election. A copy of this letter shall be retained in the permanent files of the Village. (Revised 11/14/94)

Section 10. Absentee Ballots

Any qualified voter shall be entitled to vote as an absentee voter. An application shall be filed in the Council office prior to any election. Upon receipt of the application, the Council shall have mailed or delivered to the voter entitled thereto an absentee ballot. (Revised 3/12/01)

No candidate for Council membership shall serve as a duly authorized agent for the purpose of submitting a completed absentee ballot application. A qualified voter shall return an absentee ballot by mail, by delivery in person, or by requesting that an election judge or clerk be dispatched to obtain the absentee ballot on the day of the election. The ballot shall be returned to the Council office or other previously designated location. An absentee ballot received after the time for closing of the polls shall not be counted.

(Revised 6/12/89)

Section 11. Disclosure

All candidates for the Friendship Heights Village Council must indicate agreement with the following requirements: Each candidate for election to the Council must submit two written financial reports to the Village Office--a preliminary report on the Monday preceding election day and a final report by 5 p.m. on the Friday after election day. Each report must include the following items: 1) a list of all contributors and the

amount(s) of their contributions made to the candidate; 2) an itemized list of expenditures made by the candidate on his (her) own behalf; 3) a list of all contributors and the amount(s) of their contributions made to another party on behalf of the candidate; and 4) an itemized list of expenditures made by another party on behalf of the candidate. The data from these reports shall be compiled and posted on the Village bulletin board as soon after receipt as possible. Failure to comply shall disqualify the candidate from assuming office. (Revised 3/12/01)

Article III Officers

Section 1. Election of Officers

On or before the fifteenth day of June following the election of the Council, the candidate winning the highest number of votes shall convene the Council for the purpose of electing officers. The Council shall elect from among its members a Mayor, a Chairman, a Vice-Chairman, a Secretary, a Treasurer, a Parliamentarian, and an Historian. The officers shall be elected by the affirmative vote of at least four members. All officers serve at the pleasure of the Council. No officer shall hold more than one office at a time. Officer vacancies shall be filled by the same procedure utilized at the beginning of the term of office of the Council. (Revised 6/13/94) (Revised 11/13/00)

Section 2. Mayor

The Mayor shall generally act as the Chief Executive Officer of the Council, preparing the agenda for all meetings, coordinating the supervision of employees and contractual personnel including legal counsel, signing contracts and other documents on behalf of the Village Council, and representing the Village in negotiations or public functions, unless otherwise clarified by the Village Council. (Newly added 6/13/94)

Section 3. Chairman

The Chairman, or in his/her absence a Council designee, shall preside at all meetings of the Council, countersign checks properly issued by the Treasurer, and perform such other functions of the office of Mayor as are delegated by the Mayor, or when acting as Mayor in the Mayor's absence. (Revised 6/13/94—prev. Sec. 2) (Revised 11/13/00)

Section 4. Vice-Chairman

The Vice-Chairman shall preside at all meetings in the absence of the Chairman and perform such other functions of the office of the Chairman as are delegated by the Chairman or when acting as Chairman. (Revised 6/13/94—prev. Sec. 3)

Section 5. Secretary

The Secretary shall have responsibility for keeping the minutes of all meetings of the Council. (Revised 6/13/94—prev. Sec. 4)

Section 6. Treasurer

The Treasurer, or in his/her absence a Council designee, shall have responsibility for implementing all fiscal actions authorized by the Council, including preparation of an annual budget. Disbursements of funds shall only be by check signed by the Treasurer and countersigned by the Chairman or their designees as approved by the Council. (Revised 6/13/94—prev. Sec. 5) (Revised 11/13/00)

Section 7. Parliamentarian

Shall be responsible for giving an opinion on questions concerning the By-Laws and Robert's Rules of Order as they relate to the conduct of Village Council meetings. (Newly added 8/26/93) (Revised 6/13/94—prev. Sec. 6)

Section 8. Historian

The Historian shall be responsible for coordinating storage and display of archival records, including written, audiovisual, and photographic. (Newly added 6/13/94)

Section 9. Directors

Directors shall perform such duties as set forth by motion of the Council. (Revised 6/13/94—prev. Sec. 7)

Section 10. Vacancies

Recommendations for filling vacancies shall be made to the County Council by majority vote of all incumbent Village Council members. (Rev. 6/13/94—prev. Sec. 8)

ARTICLE IV
Meetings

Section 1. Regular Meetings

The regular meetings of the Council shall be held on the second Monday of each month unless otherwise decided by the Council with adequate advance notice of any change. All regular meetings shall be open to the public, except that part of a regular meeting may be held in executive session by a majority vote of the Council. An agenda shall be provided to each Council member as well as posted on the Hubert H. Humphrey Friendship Park Bulletin Board at least two days in advance of any regular meeting. Before posting, any Council member may submit an item for the agenda. (Revised 12/14/87)

Section 2. Special Meetings

Special meetings may be called by the Mayor, or Chairman in the Mayor's absence, and must be called upon the written request of a majority of the Council. The purpose of the meeting shall be stated in the call or request. At least three days notice shall be given except in cases of emergency. All or part of a special meeting may be held in executive session provided that it is agreed to by a majority of the Council and consistent with the restrictions of State and County law. (Revised 6/13/94)

Section 3. Work Sessions

The Council shall hold work sessions for the purpose of discussing, planning, researching, and reviewing Village business. Such work sessions shall be open to the public. Notice of any work session shall be posted on the Hubert. H. Humphrey Friendship Park Bulletin Board at least two days in advance of such session. Agenda items should be limited. Any item not on the agenda shall be placed on the agenda upon the affirmative vote of four members of the Council.

Section 4. Public Hearings

From time to time the Council may hold public hearings on the recommendation of a majority of the Council for the purpose of receiving comments and recommendations on proposed major actions of the Council. Such public hearings should be held, whenever possible, in a facility suitable for holding a large audience. Notice of any public hearing shall be posted on the Hubert H. Humphrey Friendship Park Bulletin Board at least seven days in advance of such hearing.

Section 5. Quorum

A majority of the existing Council shall constitute a quorum. No quorum shall be necessary to conduct a public hearing or work session, but no binding vote shall be taken if a quorum is not present.

Section 6. Executive Session

If a majority of the Council so determines, and State and County law permits, the Council may, for good cause, conduct all or part of a meeting in executive session. Good cause shall include discussion of legal, personnel, or disciplinary matters, or any matter which requires confidentiality. No meeting shall be conducted entirely in executive session unless determined in advance and identified as such in the notice posted on the Hubert H. Humphrey Friendship Park Bulletin Board.

Section 7. Smoking

There shall be no smoking at any public meeting.

ARTICLE V Committees

Section 1. Establishment

From time to time such Council committees as are deemed necessary to carry on the work of the Council may be established by formal action taken at any duly constituted meeting of the Council.

Section 2. Function

The name, purpose, and duration of the committee shall be set forth in the motion to establish said committee.

Section 3. Leadership

The Mayor, with the advice and consent of the Council, shall appoint Council members to committees. Each committee shall consist of three members. (Amendment approved 10/12/21)

Section 4. Membership

The Mayor, with the advice and consent of the Council, shall select the chair of each committee. (Amendment approved 10/12/21)

Section 5. Advisory Citizens Committees

From time to time advisory citizens committees may be established by formal action taken at any duly constituted meeting of the Council. A member of the Council shall serve as liaison to each such committee.

ARTICLE VI
Administration

Section 1. Personnel

The Village Council shall hire, via a public solicitation, a Village Manager to conduct the business of the Village. The Village Manager shall have the authority

- (a) to identify additional positions necessary to the efficient operation of Village;
- (b) to propose those positions to the Council for approval and funding;
- (c) to recruit candidates via a public solicitation and select the individuals to those positions, pending Council approval, unless waived;
- (d) to supervise and evaluate employee performance; and
- (e) to terminate employees as she/he determines appropriate; pending Council approval, unless waived. (Amendment Approved 9/17/18)

The Village Council, in consultation with the Village Manager, shall develop personnel policies and set salaries and benefits.

Section 2. Village Offices and Bulletin Board

The Village shall maintain an office at a location within the Village and convenient to Village residents. The address and telephone number of such office shall be permanently posted on the Hubert H. Humphrey Friendship Park Bulletin Board and shall be on Village stationery. Official announcements shall be posted in a timely manner on the northwest corner of the intersection of The Hills Plaza and South Park Avenue.

Section 3. Use of Village Stationery

Use of Village stationery shall be for Village business only and shall be limited to Council members and persons specifically authorized by the Council. Village stationery shall not be used to initiate policy unless authorized by a majority of the Council. (Revised 11/13/00)

Section 4. Newsletter

From time to time, but not less than every three months, the Council shall publish a newsletter containing a status report of important Village business. Distribution of such newsletter shall be to the residents of the Village as well as to non-resident taxpayers to the extent feasible.

Section 5. Budget

An annual budget guideline shall be developed by the Council.

ARTICLE VII
General Provisions

Section 1. Official Records

Any person shall have the right to inspect any document, including minutes in the official files of the Village, upon written request to the Council. Such inspection shall take place in the presence of a Council designee at a time of mutual convenience. A certified copy of any document in the official records of the Village may be furnished to any person at the earliest convenience of the Council and upon payment of actual cost of reproduction. This section shall not apply to personnel records or to documents or materials obtained or prepared in anticipation of litigation or other confidential matters in which the Council has an interest or to which the Council is a party.

Section 2. Fiscal Year

The fiscal year of this Special Tax District shall commence on July 1 of each year and end on June 30 of the following year.

ARTICLE VIII
Parliamentary Authority

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the Friendship Heights Village Council in all cases to which they are applicable and in which they are not inconsistent with these By-laws, any special rules which the Council may adopt, or applicable laws and ordinances of higher levels of government.

ARTICLE IX
Amendment of By-Laws

These By-Laws can be amended at any regular meeting of the Council by the vote of at least five members, provided that the amendment has been submitted in writing at the previous regular meeting.