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05/07/2007

CITY COUNCIL OF THE CITY OF SEAT PLEASANT, MARYLAND

Resolution: R-07-01
Introduced By: Councilmember Higgs, Morris, Simms
Date Introduced: March 12, 2007
Date Adopted: March 12, 2007
Date Effective: May 1, 2007

A RESOLUTION concerning

CHARTER AMENDMENT – CITY CLERK

FOR THE PURPOSE OF providing that, except in certain circumstances, the City Clerk of the City of Seat Pleasant works for and is directed by and under the supervision of the City Council and is accountable to the City Council; removing from the City's Chief Administrative Officer the authority and responsibility for directing and supervising the work and activities of the City Clerk; and generally relating to the City Clerk of the City of Seat Pleasant.

BY Repealing and reenacting, with amendments,
Article VII, Chief Administrative Officer
Section C-701(c)(1)
Charter of the City of Seat Pleasant

BY Repealing and reenacting, with amendments,
Article IX, Administration
Section C-902
Charter of the City of Seat Pleasant

SECTION I. BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SEAT PLEASANT, that the Charter of the City of Seat Pleasant shall read as follows:

Article VII – Chief Administrative Officer

Section C-701. Appointment, Compensation, Duties and Removal.

* * *

(c) The Chief Administrative Officer shall represent the City in all matters of day-to-day administration. In this connection, he or she shall exercise all administrative powers and authority delegated by this Charter or the City Council. He or she shall:

(1) Direct and supervise all employees of the City, EXCEPT THE CITY CLERK WHO SHALL BE SUPERVISED BY THE CITY COUNCIL;

* * *

Article IX – Administration

Section C-902. City Clerk.

There shall be a City Clerk appointed pursuant to Section C-403C of this Charter. ((He/she)) THE CITY CLERK shall attend every meeting of the Council and keep such other records and perform such other duties as may be required by this Charter or the Council. THE CITY CLERK SHALL BE SUPERVISED BY AND BE UNDER THE DIRECTION AND CONTROL OF THE CITY COUNCIL, AND IS ACCOUNTABLE TO THE CITY COUNCIL. EXCEPT AS OTHERWISE DIRECTED BY THE CITY COUNCIL, OR EXCEPT AS REQUIRED TO FULFILL A DUTY OR RESPONSIBILITY EXPRESSLY IMPOSED UPON THE CITY CLERK BY THIS CHARTER, THE CITY CLERK SHALL WORK EXCLUSIVELY FOR THE CITY COUNCIL.

SECTION II. AND BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF SEAT PLEASANT that the amendment of the Charter of the City of Seat Pleasant hereby enacted shall become effective on the fiftieth day following its adoption unless a proper petition for referendum hereon shall be filed as permitted by law, provided a complete and exact copy of this Resolution shall be continuously posted on the bulletin board in the City Hall for a period of at least forty (40) days after the adoption of this Resolution, and provided further that a copy of the title of this Resolution shall be published in a newspaper of general circulation in the City of Seat Pleasant, at weekly intervals in each of four successive weeks, the last date of such publication being not later than forty (40) days after the adoption of this Resolution.

SECTION III. AND BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF SEAT PLEASANT that the City Administrator is hereby specifically commanded to carry out the provisions of Section II hereof, and, as evidence of such compliance, the City Administrator shall cause to be maintained appropriate certificates of publication from the newspaper or newspapers in which the title of the Resolution shall have been published. If a favorable referendum is held on the Charter change the Mayor shall proclaim the Charter change hereby enacted to have been approved by the voters and the charter amendment shall become effective on the date provided by law.

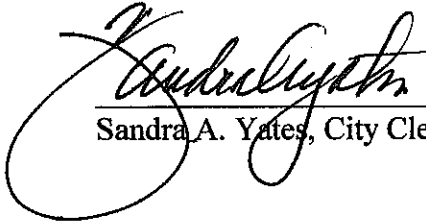
SECTION IV. AND BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CITY OF SEAT PLEASANT that as soon as the Charter Amendment hereby enacted shall become effective, either as provided herein or following a referendum, the City Administrator

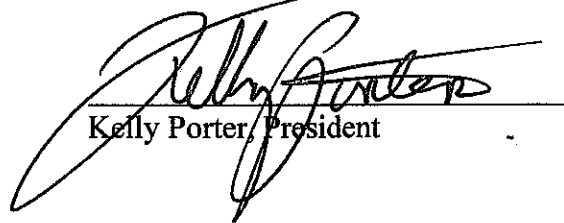
shall send by mail, to the Department of Legislative Services of Maryland, a clear certified copy of this Resolution showing the number of Councilmembers voting for and against it and a report on the votes cast for or against the amendment hereby enacted at any referendum thereon and the date of such referendum.

ADOPTED this 12th Day of March, 2007.

ATTEST:

**COUNCIL OF THE CITY OF
SEAT PLEASANT**


Sandra A. Yates, City Clerk


Kelly Porter, President

EXPLANATION:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

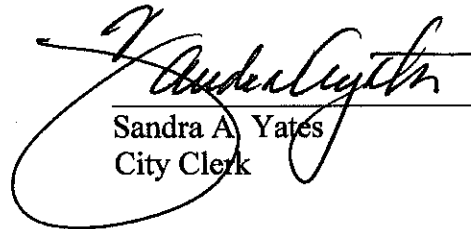
((Double Parenthesis)) indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike Out~~ indicates matter stricken from the bill by amendment or deleted from the law.

* * * * *

The above Charter Amendment was enacted by the foregoing Resolution which was passed at a regular meeting of the Council of The City of Seat Pleasant on March 12, 2007, 3 members of the City Council voting in the affirmative, 2 members of the City Council voting in the negative, 1 members of the City Council abstaining and 1 member of the City Council absent, and the said Resolution becomes effective in accordance with law on the 1st day of May, 2007 (50 days from the date of adoption).


Sandra A. Yates
City Clerk

Sandra A. Yates, May 3, 2007
NOTARY PUBLIC
Prince George's County, Maryland
My Commission Expires 6/19/07