

FILED

JAN 11 2018

CITY CLERK

SPECIAL ORDINANCE NO. 65, 2017
AS AMENDED

AN ORDINANCE AMENDING THE RULES AND REGULATIONS OF THE COMMON COUNCIL OF TERRE HAUTE, INDIANA.

WHEREAS, the Common Council for the City of Terre Haute, Indiana seeks from time to time to update its rules and regulations;

WHEREAS, the Common Council continuously seeks to conduct its official business in a manner that is transparent and inviting to public participation;

WHEREAS, the Common Council seeks to amend its rules and regulations to implement the following revisions and additions to facilitate a higher efficiency of its meetings for the benefit of the public at large.

NOW, THEREFORE, BE IT ORDAINED by the Common Council of the City of Terre Haute as follows:

Section 1. The Common Council Rules and Regulations are hereby amended with the addition of the underlined text and deletion of the stricken text as follows:

SECTION I. The Body of the Council

A. The members of the Common Council shall hold their reorganization meeting according to State Statute. At this meeting the members of the Council shall elect, by a majority of the Council, from its members a President and a Vice President to serve for one year. ~~At this meeting the Council shall set the date and time of its regular meetings and its non-voting meetings (also known as the "Sunshine Session").~~ At the last regular meeting of each year, the members of the Common Council shall set the date and time of its regular meetings for the following year. Regular meetings shall be held twice a month. All regular meetings shall be held in the Courtroom located in City Hall.

~~H. A meeting (also known as the "Sunshine Session") will be conducted at least one (1) week preceding the Council's regular business meeting, to discuss, but not vote on, any ordinances or resolutions to be acted upon at its next regular meeting. No other matters may be brought up or discussed at this meeting except for ordinances or resolutions to be considered at the next regular meeting as specified on the Sunshine Meeting's agenda. (Res. 2, 2012, 2-9-12; Spec. Ord. 4, 2016, 2-11-16)~~

SECTION III. Ordinances

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D. Except for ordinances to be introduced at a special call meeting and zoning related ordinances, all proposed ordinances that are intended for introduction at a regular meeting, shall be filed with the Clerk by ~~3:00~~ 12:00 p.m. the third Friday immediately ~~following the sunshine~~ preceding the next regular meeting. If said Friday is not a regular business day, proposed ordinances shall be due the proceeding regular business day. All ordinances prepared by individuals or attorneys other than city administration shall be signed by at least one (1) member of the Common Council prior to filing with the City Clerk's Office. All ordinances for zoning related matters shall be filed with the Clerk by 12:00 p.m. on the first Wednesday of the month preceding the month in which action is to be taken on the matter.

E. Except for resolutions to be introduced at a special call meeting, all resolutions shall be filed with the Clerk's Office before ~~3:00~~ 12:00 p.m. on the ~~third Friday prior to the Sunshine~~ immediately preceding the next regular Meeting date preceding the regular meeting at which the resolution will be acted on. If said Friday is not a regular business day, proposed resolutions shall be due the proceeding regular business day. All resolutions prepared by individuals or attorneys other than city administration shall be signed by at least one (1) member of the Common Council prior to filing with the City Clerk's Office.

F. The first reading of a proposed ordinance of any class shall be by title only. The ordinance shall be referred to the proper committee by the President unless the Common Council shall vote to take up consideration of the ordinance ~~in Committee of the Whole Council~~ during the said meeting.

G. When a matter is referred to a committee and when the member introducing the same is not a member of that committee, he or she may be considered as a member of that committee during its deliberation thereon, but shall not have the right to vote. He or she shall be notified by the chairperson of the times and places of the meetings of the committee.

After an ordinance or a resolution is referred to committee by the President it shall be at the discretion of the chairperson of said committee whether or not the committee will meet and the time such meeting shall take place.

If committees meet, all reports from committees shall be made in writing, giving both the title and number of the ordinance or the resolution and the opinion of the committee if any, and shall be signed by a majority of the members present if a recommendation is made. If a recommendation is to be made, the report shall also include the number of ayes and nays relevant to the recommendation.

H. The second reading of a proposed ordinance shall be by digest only by the Clerk unless otherwise voted by a majority of elected members of the council. ~~After the second reading, all ordinances shall be open for discussion by the council members.~~ Any councilperson may request information or clarification from any person in the audience. Any person in the audience may be allowed to discuss the subject at the discretion of the presiding officer. After such discussion, all ordinances may be passed by the Council. It shall be in a motion for passage, in which case the proper form of such motion shall be as follows: "I move that ____ Ordinance/Resolution No. __ be passed".

I. All ordinances shall be open to amendment after the second reading ~~but not before~~ unless a motion and a second have been made to allow the ordinance to be acted on at the same meeting. Any amendment to an ordinance may be referred, postponed, or otherwise disposed of without delay or prejudice to the ordinance itself.

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Q. A roll call division of the assembly may be requested by any member of the Council and does not require a second or a vote. Any roll call vote shall be made in ~~alphabetical order~~ by the City Councilperson's last name with the presiding officer voting last. Roll call votes that take place during odd numbered months (January, March, May, July, September, and November) shall be made in alphabetical order by the City Councilperson's last name. Roll call votes that take place during even numbered months (February, April, June, August, October, and December) shall be made in reverse alphabetical order by the City Councilperson's last name. ~~This division of the assembly may be requested by any member of the Council and does not require a second or a vote.~~

A ballot vote division of the assembly may be requested by any member of the Council and does not require a second or a vote. Any vote by ballot shall be made on the paper ballot provided by the City Clerk. Each ballot shall indicate the City Councilperson's first and last name, ordinance or resolution number and year with a space provided to indicate a vote "In Favor," "Opposed," or "Abstain." Each member of the Council shall vote if a vote by ballot is required and shall indicate any reasons for abstention prior to the distribution of the ballots. After a reasonable period has elapsed from the distribution of ballots, the City Clerk or Deputy Clerk shall collect all ballots and read each Councilperson's name, along with his or her vote, aloud onto the record. This division of the assembly may be requested by any member of the Council and must receive majority vote of the members present in order to proceed with the ballot vote.

SECTION IV. Motions

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C. The presiding officer shall decide whether any question is carried by affirmative or negative votes, but if he or she is in doubt or if a division of the assembly is called for by one member, the City Clerk or deputy shall call the roll or distribute ballots for voting.

Section 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 3. If any section, clause, provision, or portion of this ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby

Section 4. This ordinance shall be in full force and effect from and after its passage by the Common Council of Terre Haute, Indiana and approval of the Mayor and publication as required by law.

Introduced by: O. Earl Elliott O. Earl Elliott, Councilman

Passed in open Council this 11th day of January, 2018.

Purvis DeBaux Purvis DeBaux, President
IV

ATTEST: Charles P. Hanley Charles P. Hanley, City Clerk

Presented by me to the Mayor this 12th day of January, 2018.

Charles P. Hanley Charles P. Hanley, City Clerk

Approved by me, the Mayor, this 12th day of JANUARY, 2018.

Duke A. Bennett Duke A. Bennett, Mayor

ATTEST: Charles P. Hanley Charles P. Hanley, City Clerk