

Ordinance No 2003-OR- 11

RULES OF CONDUCT OF THE CHARLESTOWN CITY COUNCIL

WHEREAS, Charlestown is a Civil City of the 3rd class organized under IC 36-4-1-1; and,

WHEREAS, the Common Council for Charlestown desires to establish rules of conduct for their City Council meetings; and,

WHEREAS, the City Council shall has the right to specify the Rules of Conduct of its own meetings;

THEREFORE, be it Ordained by the Common Council of the City of Charlestown, Indiana as follows:

1. Rules of Order: The City Council specifies these rules as its Rules of Conduct of its own meetings. If these rules do not address a given situation, Roberts Rules of Order shall be the rule of default.
2. Agenda: The City Council shall adopt an agenda format that they may modify from time to time. It adopts, at this time, the agenda format attached as “**Exhibit A**”.
3. Chair of Meeting: The Mayor of the City shall preside at and conduct all City Council meetings, pursuant to IC 34-4-6-8. In the absence of the Mayor, the President of the City Council shall preside.
4. Special Meetings and Workshops: A Special Meeting of the City Council shall be any meeting that is not held at regularly scheduled times on the first and third Mondays of the month.
5. Calling Special Meetings: The Mayor, the President pro tempore of the City Council; or any three elected City Council members shall have the authority to call a Special Meeting pursuant to IC 5-14-1.5 *et seq.* Written notice of such a meeting shall be served on the Clerk/Treasurer and published in accordance with law. Each member of the City Council, the Mayor, and the Clerk/Treasurer shall be personally notified of a special meeting, at least 48 hours in advance of such a meeting, by telephone, if possible, or by leaving a written notice at the home address of the official, if telephone contact is not practical.
6. Workshop Meetings: A Workshop meeting is a meeting that is not a regular meeting, and that is held solely for the purpose of education, budgeting or legal advice from the City Council’s attorney. No official action, as defined by IC 5-14-1.5-2(d), may take place at such a Workshop.

7. Executive Sessions: Any meeting where litigation, personnel matters, or education in regard to legal issues is allowed as an Executive Session must be held in accordance with IC 5-14-1.5-6.1.
8. Investigative Meetings: If at a regular or special meeting, actions pursuant to IC 34-4-6-21 (legislative investigative hearings) are authorized, the City Council shall schedule said Investigative Hearings with notice from the Clerk/Treasurer. The President of the City Council shall moderate the Hearings with assistance from individuals designated to offer technical assistance or legal advice.
9. Sponsoring Ordinances and Resolutions: The Mayor or members of the city council may sponsor legislation to be considered by the City Council. Each Agenda where action is expected to be taken upon such legislation shall indicate who sponsors the legislation.
10. Numbering & Distribution of Legislation: The Clerk-Treasurer shall assign a number to each the Ordinance or Resolution when it is filed at the office of the Clerk Treasurer and shall provide copies of all new Ordinances and Resolutions, as well as an agenda of upcoming business, to all members of the City Council, the City Council Attorney, the City Attorney, and the Mayor, at least seven (7) days prior to the meeting where the first official action is to take place.
11. Introduction of Ordinances: All proposed Ordinances or Resolutions that authorize the appropriation or expenditure of city funds shall be filed with the Clerk-Treasurer at least ten (10) days prior to the first reading or public introduction of the matter for official action by the City Council. The proposed legislation shall be added as an item on the next agenda, or at a subsequent meeting, if requested by the sponsor of the legislation.
12. Procedure for Adoption Of Legislation: At the meeting where the first introduction of the legislation shall take place the introduction shall be in the following format:
 - a. Readings Required: An Ordinance Shall require three readings before passage, except as otherwise provided by these rules. A Resolution may be passed on one reading.
 - b. First Reading: If three of the five city council persons vote in favor of the matter, it may proceed to future agendas for a second and third reading. (If the number of council members increases to seven, then four must vote in favor on the first reading.)
 - c. Second and third readings: The action on second and third readings may be combined for final action if said action occurs at least thirty (30) days after the passage of the first reading.

Otherwise, a Second and Third reading must occur at separate meetings.

- d. Suspension of the Rules and Passage on the First Reading: For a matter to pass at the first meeting where it is introduced, a motion must be passed by unanimous vote of the city Council to suspend these Rules and adopt the Ordinance on all three readings. The motion to pass the ordinance must then pass by a 2/3 majority vote.
13. Public Hearings: At any meeting where a public hearing is required to be held. The following procedures shall be followed:
- a. Written comments shall be accepted and preserved as part of the official records, provided the name and address of the submitter are included and verified.
 - b. An announcement shall be made by the presiding official to the effect that only persons who sign up to speak will be recognized and allowed to give comment.
 - c. The Clerk-Treasurer shall provide a sign-in sheet for any person desiring to comment to sign up to speak. This list shall require the person commenting to indicate his/her name and address, and shall be completed prior to allowing the person to be recognized and comment on the issue at hand.
 - d. Assistance to sign up shall be given to anyone that cannot write. This list shall be preserved as part of the public record.
 - e. Each person wishing to comment shall be allowed up to 2 minutes to make comment. The Clerk Treasurer shall serve as timekeeper.
14. Appointments: Sixty days prior to the expiration the term of any appointment of any position made by the Council, the Clerk-Treasurer shall list that appointment on the agenda for discussion. At the following meeting the appointment shall be listed on the agenda for action.
15. Amendments to Rules: These rules may be amended from time to time by a majority of the Council voting in a Regular or Special meeting. Any amendment to the Rules must be in writing and introduced thirty (30) days in advance of the meeting where official action will be required.
16. Interpretation of Rules: If any rule conflicts with existing Indiana State Statutes, the state statute controls. However, the two shall be read in harmony and reconciled, if possible.

18. Separation Clause: The invalidity of any adopted single rule shall not invalidate any other individual rule.
19. Effective Date: the above rules of conduct are hereby adopted, and that they shall take effect upon passage.

ALL OF WHICH IS ORDAINED BY THE COMMON COUNCIL OF THE CITY OF CHARLESTOWN ON THIS 3rd DAY OF March 2003.

	Voted In Favor	Voted Against	Abstained
<u>Bruce Bottorff</u> Bruce Bottorff, President	✓	_____	_____
<u>Ward Tackett</u> Ward Tackett	✓	_____	_____
<u>Terry Pierce</u> Terry Pierce	✓	_____	_____
<u>Ed Bolly</u> Ed Bolly	✓	_____	_____
<u>Michael Anthony Jackson</u> Michael Anthony Jackson	✓	_____	_____

SEEN AND APPROVED THIS 3rd DAY OF March 2003, BY:

G. Robert Hall
Mayor G. Robert Hall

ATTEST:

3-3-03
Date

Donna Coomer
Donna Coomer, Clerk Treasurer