

**SOLID WASTE SPECIAL SERVICE DISTRICT COUNCIL
INDIANAPOLIS, MARION COUNTY, INDIANA
SPECIAL MEETING
Monday, February 5, 1979**

A Special Meeting of the Solid Waste Special Service District Council of Indianapolis, Marion County, Indiana, convened in the Council Chambers of the City-County Building at 7:00 p.m., Monday, February 5, 1979. President Brinkman in the Chair.

ROLL CALL

The Chair instructed the Clerk to take the roll. Seventeen members being present, she announced a quorum.

PRESENT: Mrs. Brinkman, Mr. Campbell, Mr. Cantwell, Mr. Durnil, Mr. Hawkins, Mr. Howard, Mrs. Journey, Mr. Kimbell, Mr. Lyons, Mr. McGrath, Mr. Page, Miss Parker, Mr. Pearce, Mrs. Stewart, Mr. Tintera, Mr. Vollmer and Mr. West.

ABSENT: Mr. Boyd, Mr. Patterson, and Mr. Tinder.

CORRECTION OF JOURNAL

The Chair called for additions or corrections to the Journal of January 8, 1979. Mr. Lyons stated that he had been recorded as being absent when in fact he had attended the meeting. The correction was duly noted. There being no other additions or corrections, the minutes were approved.

OFFICIAL COMMUNICATIONS

The Chair called for the reading of Official Communications. The Clerk read the following:

**TO THE MEMBERS OF THE SOLID WASTE SPECIAL SERVICE DISTRICT COUNCIL
OF INDIANAPOLIS—MARION COUNTY, INDIANA:**

Ladies and Gentlemen:

You are hereby notified that there will be a **SPECIAL MEETING** of the Solid Waste Special Service District Council held in the City-County Building, in the Council Chambers, on Monday, February 5, 1979, at 6:50 p.m., the purpose of such **MEETING** being to conduct any and all business that may properly come before a special meeting of the Council.

Respectfully,

s/Joyce Brinkman, President
Solid Waste Special Service
District Council

SPECIAL ORDERS – FINAL ADOPTION

S.W.S.S.D. GENERAL ORDINANCE NO. 1, 1979. Mrs. Coughenour reported that General Counsel, Robert Elrod, suggested the codification of the rules under which the Solid Waste Special Service District had been operating. After a brief discussion, Mrs. Coughenour moved, seconded by Mr. McGrath, the adoption of this proposed ordinance. The motion carried on the following roll call vote; viz:

12 AYES: Mrs. Brinkman, Mr. Campbell, Mr. Durnil, Mr. Hawkins, Mrs. Journey, Mr. Kimbell, Mr. Lyons, Mr. McGrath, Mr. Page, Mr. Pearce, Mrs. Stewart, and Mr. Vollmer.

NO NOES.

5 NOT VOTING: Mr. Cantwell, Mr. Howard, Miss Parker, Mr. Tintera, and Mr. West.

S.W.S.S.D. GENERAL ORDINANCE NO. 1, 1979, reads as follows:

SOLID WASTE SPECIAL SERVICE DISTRICT COUNCIL
GENERAL ORDINANCE NO. 1, 1979

A GENERAL ORDINANCE providing regulations for the Solid Waste Special Service District Council [Adds Appendix F to the Code of Indianapolis and Marion County].

BE IT ORDAINED BY THE SOLID WASTE SPECIAL SERVICE
DISTRICT COUNCIL OF THE CITY OF INDIANAPOLIS, INDIANA:

- Part I. Rules of the Council
- Rule 1. Officers and Employees, Sections 1–16
 - Rule 2. Meetings and Rules of Procedure, Sections 1–12
 - Rule 3. Committees, Sections 1–4
 - Rule 4. Petitions, Memorials, Special Resolutions and Council Resolutions, Sections 1–3
 - Rule 5. Ordinances and General Resolutions, Sections 1–4
 - Rule 6. Stages of Consideration of Proposals, Sections 1–6
 - Rule 7. Proceedings and Motions, Sections 1–5

PART I. RULES OF THE COUNCIL

Sec. 1. [Rules adopted.]

The following rules for the conduct of the business of the solid waste special service district council are hereby adopted:

RULE 1. OFFICERS AND EMPLOYEES

Sec. 1. Council Officers.

At the first regular meeting in each calendar year, the council shall elect by roll call from its membership, the following officers of the council:

- President;
- Vice-president.

The officers so elected shall hold such office until the first meeting of the next calendar year. A majority vote of all members of the council shall be required for the elections of officers of the council. All officers shall hold their office until a successor is chosen or they are removed.

An officer of the council may be removed upon a majority vote of all the members of the council, provided no vote shall be had upon removal until the motion to do so has been made a special order of business by vote at a meeting at least one week prior thereto. The vacancy thus created shall be filled by election in the manner of election of the officer removed.

Sec. 2. The clerk.

The clerk of the City-County Council of Indianapolis and of Marion County shall be, ex officio, clerk of this council.

Sec. 3. Staff officers.

The assistant clerk, general counsel and research director of the city-county council shall be, ex officio, staff officers of this council

Sec. 4. Presiding officer.

The president shall be the presiding officer of the council. In the absence of the president, the vice-president shall preside. In the absence of both the president and vice-president, the councilman designated by the president, before surrendering the gavel, shall preside or the council by majority vote may choose another member to preside.

Sec. 5. Powers of the presiding officer.

The presiding officer shall have all the powers of the president with respect to the conduct of the business before the meeting while presiding, but only the president, or the vice-president, shall have the authority to sign ordinances or resolutions adopted by the council or to exercise other powers conferred on the president by statute or ordinance.

Sec. 6. Convening the council; quorum.

The president shall take the chair at the hour designated for convening the council for any regular, special or statutory meeting. He shall call the council to order and instruct the clerk to call the roll. If the roll call establishes that a quorum is present, he shall proceed in the manner and order prescribed by these rules. A majority of the members elected, qualified and serving as members of the council shall constitute a quorum.

Sec. 7. Absence of a quorum.

If the roll call does not establish that a quorum is present, the president shall recess the council for two (2) successive fifteen minute periods, having the roll called at the end of each such recess until a quorum is present. If a quorum is not present at the end of the second such recess, the council shall not meet until the next regular or special meeting duly convened.

Sec. 8. Order and decorum.

The president shall preserve order and decorum, and in the case of disturbance or disorderly conduct in the chamber or in the adjacent lobbies, may cause the same to be cleared. The president may require an officer of the police force to be present to assist in preserving order.

Sec. 9. Duties of the clerk.

In addition to any other duties imposed by state law or ordinances of this council or the consolidated city and county, the clerk shall perform the following duties with respect to the proceedings of the council:

- (a) The clerk shall act as secretary of the council and keep and preserve an accurate journal of all proceedings of the council.

- (b) The clerk shall cause all notices of regular and special meeting of the council and its committees to be served in accordance with the state statutes, city-county ordinances, the ordinances and resolutions of the solid waste special services district, these rules and the directions of the president. The clerk shall cause the publication of all notices of public hearings as required by law or these rules. The clerk shall also deliver all subpoenas issued by authority of the council.
- (c) The clerk shall be the legal custodian of all records of the council and of all ordinances and resolutions of the solid waste special services district.
- (d) The clerk shall maintain complete and orderly files containing all papers and documents of every kind and character pertaining to the business of the council and hold them available for the use and reference of the council and its members.
- (e) The clerk shall call the roll when directed by the presiding officer in alphabetical order except that the president shall be called last.

Sec. 10. Journal.

The journal of the city-county council shall contain a complete and accurate record of the official proceedings of the solid waste special services district council and shall be prepared and kept in the following manner:

- (a) The clerk shall enter in the journal at least the following information: The complete text of all correspondence from the mayor; the number and title of all proposed ordinances and resolutions when introduced; a brief statement of the contents of any petition or other paper presented for consideration; the complete text of each ordinance, resolution or other proposal when before the council for adoption and each amendment proposed thereto; every vote, including the yeas and nays; and such other matters as are necessary to keep an accurate record of the proceedings of the council.
- (b) At each meeting of the council, if at least seven (7) days after the prior meeting, the clerk shall distribute to the members of the council the journal of the proceedings of the preceding meeting. The president shall call for corrections of the journal in the regular order of business. Unless that order of business is postponed or a motion carried to read the journal, the corrections, if any, shall be noted and the journal shall stand approved without motion.

Sec. 11. Calendar and agenda.

The clerk shall maintain a calendar of pending matters and an agenda for each meeting:

- (a) A current calendar shall be available to councilmen within three (3) days after each meeting indicating the status of each matter pending before the council.
- (b) The clerk shall prepare an agenda prior to each meeting showing all matters eligible for consideration under each order of business.

Sec. 12. Assistant clerk; duties.

The assistant clerk shall, in the absence of the clerk, be authorized to perform all of the duties prescribed by these rules for the clerk, including signing any documents which may require the signature of the clerk.

Sec. 13. General counsel.

The general counsel shall be responsible to the corporation counsel for the performance of those duties which by statute the legal division is to perform for the council.

Sec. 14. General counsel as parliamentarian.

The general counsel shall attend all council meetings and advise the president as parliamentarian. With permission of the presiding officer, the general counsel may address the council with respect to any point of order or law arising during a meeting of the council.

Sec. 15. General counsel; duties.

The general counsel shall be responsible to see that all ordinances and resolutions requested by councilmen are drafted, shall review and approve all proposed ordinances and resolutions as to form and legality, advise the clerk as to all matters regarding publication and codification of ordinances, and give legal advice as requested by the council, its committees and its members.

Sec. 16. Research director.

The research director shall be responsible to the president and general counsel for conducting all research relating to council business or any member of the council.

RULE 2. MEETINGS AND RULES OF PROCEDURE

Sec. 1. Regular meetings.

Regular meetings of the council shall be held on the first Monday of each month at fifty minutes past the hour of six o'clock (6:50) p.m. prevailing local time in the council chamber. In the event that the date of a regular meeting is on a holiday, observed by state law or local ordinance for employees of the consolidated city, the regular meeting shall be held on the next succeeding day that is not such a holiday or a Saturday or Sunday, unless the council by a majority vote at the last preceding regular meeting shall cancel the meeting or postpone it to another date. The time or place of any regular meeting may be changed by majority vote at the last preceding meeting.

Sec. 2. Special meetings.

Special meetings may be held on call of the president or forty (40) percent of the members of the council, by giving written notice of the time and place of the meeting delivered to each member personally or sent by mail or telegram so that each member has at least seventy-two (72) hours' notice of the meeting.

Sec. 3. Statutory meetings.

Statutory meetings shall be held as required by law upon such notice as is provided by the law requiring such meeting; and if such law requires publication of notice, no further notice need be given to members, the clerk shall endeavor to give members the same notice as these rules prescribe for special meetings.

Sec. 4. Parliamentary authority.

All meetings of the council and its committees shall be conducted in accordance with the procedures set forth in Robert's Rules of Order, Newly Revised, except where a different procedure is required by state law, the ordinances of the solid waste special services district, or these rules. A majority of the members of the council shall decide all matters of procedure not covered by those authorities stated.

Sec. 5. Suspension of the rules.

These rules may be suspended by a two-thirds vote of the elected and qualified members of the council. If a rule is suspended, a majority of the members present shall decide the procedure to follow in lieu of the suspended rule. The power to suspend these rules shall not apply to rules which are required by statutory or constitutional law.

Sec. 6. Amendment of rules.

These rules may be amended only by adopting an amending ordinance in accordance with these rules, except the approval of the mayor shall not required with respect to an ordinance amending these rules.

Sec. 7. Admittance to the floor.

The floor of the chamber shall consist of that portion of the chamber from beyond the last seats of councilmen to the front of the room. No person shall be permitted on the floor of the chamber while the council is in order other than councilmen, the staff of the council, and accredited reporters of the news media. The mayor and other city or county officials may be admitted upon permission from the presiding officer or by a majority vote of the council. Anyone who is entitled under these rules to address the council shall be admitted to the floor during the time he is permitted to speak.

Sec. 8. Address by other than members.

No person other than a member or officer of the council shall be permitted to address the council during its meeting except as provided in this rule:

- (a) The president may recognize any distinguished guest under "Introduction and Recognition of Guests and Visitors" and permit a two-minute response to the introduction.
- (b) The president may permit any city or county officer or employee to address the council in response to a question or request for information by a councilman; such person shall be limited in his reply to two (2) minutes.
- (c) Any councilman desiring that someone be heard that is denied the floor by these rules or the president, may move to recess to a committee of the whole council to hear such person. The motion shall state the person or persons to be heard, the subject or subjects to which the discussion will be limited, and the time to be granted such speaker or speakers. Such motion shall require a second. It shall be privileged and immediately put to vote without debate. The motion shall be carried only if receiving a vote of a majority of the members of the council. If carried, the meeting shall recess and reconvene as the committee of the whole council in accordance with the motion.
- (d) If the item of business before the council is one for which a notice of public hearing has been given, the president shall inquire before stating the question whether members of the public desire to be heard on that item. If any person indicates a desire to be heard, the president shall recess the council to a committee of the whole council for such public hearing. The committee of the whole council may, by majority vote, impose reasonable limits upon the time and number of persons to be allowed to speak.

Sec. 9. Absence of councilmen.

After a meeting shall have been called to order, no member shall absent himself from the council chamber, without first having been excused by the presiding officer. If the presiding officer refuses to grant such excuse, the member seeking to be excused shall have the right to appeal to a vote of the council upon his request to be excused, and the affirmative vote of a majority of the members present shall be sufficient to excuse him from further attendance at that meeting of the council. The question upon excusing a member, notwithstanding the refusal of the presiding officer to do so, shall be a question of privilege, and shall be immediately put to vote by the presiding officer, taking precedence of all other questions and motions that may be before the council at that time. When any member shall be excused in accordance with the provisions of this rule, the clerk shall note in the journal that such leave was granted, showing whether leave was granted by the presiding officer or by a vote of the council.

Sec. 10. Transgression of rules; call member to order.

If any member, in speaking or otherwise, transgresses the rules of the council, the presiding officer shall, or any member may, call him to order. In which case he shall immediately surrender the floor, unless permitted on motion of another member to explain, and the council shall, if appealed to, decide the case without debate. If the decision be in favor of the member called to order, he shall be at liberty to proceed, but not otherwise; and if the case requires it, he shall be liable to such censure or such punishment as the council may deem proper or the law may provide.

Sec. 11. Words excepted to.

If a member is called to order for words spoken in debate, the member calling him to order shall indicate the words excepted to, and they shall be taken down in writing at the clerk's desk and read aloud to the council; but he shall not be held to answer, nor be subject to the censure of the council therefor, if further debate or other business shall have intervened.

Sec. 12. Time limit on speaking.

No member shall speak more than twice, nor for more than five (5) minutes on each occasion, upon any one question in debate during the same session or meeting, without leave of the council, except in explanation, unless he be the mover, proposer or introducer of the matter pending, in which case he shall be permitted to speak, in reply, but not until every other member choosing to speak shall have spoken.

RULE 3. COMMITTEES

Sec. 1. Permanent committees.

The permanent committees of the council shall be as follows:
Committee of the whole council.

Sec. 2. Committee of the whole council.

The committee of the whole council shall consist of every duly elected or appointed member of the council. The council shall, by declaration of the president or by motion duly carried, form itself as a committee of the whole council whenever by statute or under these rules the public is entitled to a hearing before the council. This committee may also function in the manner of a standing committee upon any matter referred to it by the president or upon motion of the council. The president shall be chairman of the committee of the whole council, but may designate another member to preside or act as chairman at such times and for such periods as he may designate.

Sec. 3. Special committees.

Special committees may be formed by the president or vote of the majority of the members of the council for any specific purpose proper for council consideration. Special committees shall consist of an odd number of members and have at least one minority member.

Sec. 4. Investigating committees.

Investigating committees may be formed by resolution of the council for any lawful purpose. The resolution establishing such committee shall specify the membership of such committee, the general nature of its investigation, and the powers to subpoena witnesses, if such power be granted.

RULE 4. PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

Sec. 1. Petitions.

Any petition directed to the council, whether specifically authorized by law or not, shall be filed with the clerk and called to the attention of the council by the clerk under the proper order of business. If the petition is one specifically authorized by law, the president shall refer it to a proper committee. As to all other petitions, any motion for referral or other appropriate action shall be in order, unless the motion requires action which is proper only by general resolution or ordinance. In calling the petition to the attention of the council, the clerk need not read the petition in full but shall report fairly describing its contents.

Sec. 2. Memorials and special resolutions.

Any proposal which contemplates a resolution or other action by the council in the nature of a memorial, commendation or other admonishment or proclamation, shall be designed "A Special Resolution." Such proposal shall be properly before the council for final action unless the president refers or the council refers or tables the proposal.

Sec. 3. Council resolutions.

Any proposal which contemplates action relating only to the internal procedures of the council, its finances, or its staff, or relates to appointments or confirmation of appointments made exclusively by the council, shall be designated: "A Council Resolution." Such proposal shall be properly before the council for final action at the same meeting at which it is introduced unless the president refers or the council refers or postpones it.

RULE 5. ORDINANCES AND GENERAL RESOLUTIONS

Sec. 1. Action by ordinance or general resolution.

All actions of the council, except as provided in Rule 4, shall be taken by ordinance or general resolution. Ordinances or general resolutions shall be designated in one of the following classes:

- General ordinances;
- Fiscal ordinances;
- Special ordinances;
- General resolutions.

Any proposal for action by the council by ordinance or general resolution shall be in writing, and entitled in the following form: "_____ No. __, 19 __," inserting the class of ordinance or general resolution, the number and year as assigned by the clerk, and the subject matter of the proposal.

Sec. 2. Initiation of proposal.

A proposal for an ordinance or general resolution is initiated when fifty (50) copies of the written proposal are submitted to the clerk in proper form bearing the written approval of the general counsel on at least five (5) copies. A proposal may be initiated by any councilman or other person authorized by law, but the person initiating such proposal shall sign the original proposal or such other form as required by the clerk to record the source of the proposal. When all steps required by this rule are completed, the clerk shall assign the proposal a number. If such steps are completed on full business day prior to a meeting of the council, the proposal shall be entered on the agenda of that meeting for introduction.

Sec. 3. Drafting of proposals and approval as to form.

The general counsel, upon request of any councilman, the director of the department of public safety, the city controller, or other persons authorized by law to initiate an ordinance or resolution, shall review any suggested ordinance or resolution and cause some to be placed in proper form for initiation and shall draft appropriate proposals for any councilman or city official. Such requests shall be made sufficiently in advance as to give adequate time for compliance with the request. The general counsel shall, within five (5) working days after receiving the request, advise when the requested action will be completed. In general, the general counsel shall have five (5) working days in which to draft fiscal ordinances or code amendments. If the general counsel has previously reviewed the proposal, he shall have at least three (3) working days in which to place the proposal in final form and approve it for initiation. If the general counsel refuses to approve a proposal for legal reasons, he shall so advise in writing stating briefly those reasons.

Sec. 4. Fiscal ordinances.

No proposal for a fiscal ordinance shall be initiated unless approved by the proper fiscal officer of the city or county or unless that officer has been notified by clerk of its receipt at least seven (7) days before introduction.

RULE 6. STAGES OF CONSIDERATION OF PROPOSALS

Sec. 1. Introduction of proposals.

Proposals shall be introduced and presented to the council only in the following manner: Under the proper item of business, the clerk shall read the proposal, stating only the number, reciting the title and stating the name of the person initiating the proposal. After each proposal is introduced, the president shall state the committee to which the proposal is referred, or if the proposal has been previously referred to committee, the committee to which the referral was made. If, by law, a public hearing before the entire council is required, the president shall state the date of such public hearing.

Sec. 2. Committee reports.

Whenever a committee acts to return a proposal to the council, the chairman shall so inform the clerk stating in writing whether the committee recommends adoption or denial or reports without recommendation. The clerk shall then place the proposal upon the agenda of the council under the order of business "Special Orders - Final Adoption of Proposals" in the order of receipt of notification of committee action, which may be at the same meeting at which the committee acts.

Sec. 16. Research director.

The research director shall be responsible to the president and general counsel for conducting all research relating to council business or any member of the council.

RULE 2. MEETINGS AND RULES OF PROCEDURE

Sec. 1. Regular meetings.

Regular meetings of the council shall be held on the first Monday of each month at fifty minutes past the hour of six o'clock (6:50) p.m. prevailing local time in the council chamber. In the event that the date of a regular meeting is on a holiday, observed by state law or local ordinance for employees of the consolidated city, the regular meeting shall be held on the next succeeding day that is not such a holiday or a Saturday or Sunday, unless the council by a majority vote at the last preceding regular meeting shall cancel the meeting or postpone it to another date. The time or place of any regular meeting may be changed by majority vote at the last preceding meeting.

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Sec. 3. Statutory meetings.

Statutory meetings shall be held as required by law upon such notice as is provided by the law requiring such meeting; and if such law requires publication of notice, no further notice need be given to members, the clerk shall endeavor to give members the same notice as these rules prescribe for special meetings.

Sec. 4. Parliamentary authority.

All meetings of the council and its committees shall be conducted in accordance with the procedures set forth in Robert's Rules of Order, Newly Revised, except where a different procedure is required by state law, the ordinances of the solid waste special services district, or these rules. A majority of the members of the council shall decide all matters of procedure not covered by those authorities stated.

Sec. 5. Suspension of the rules.

These rules may be suspended by a two-thirds vote of the elected and qualified members of the council. If a rule is suspended, a majority of the members present shall decide the procedure to follow in lieu of the suspended rule. The power to suspend these rules shall not apply to rules which are required by statutory or constitutional law.

Sec. 6. Amendment of rules.

These rules may be amended only by adopting an amending ordinance in accordance with these rules, except the approval of the mayor shall not be required with respect to an ordinance amending these rules.

Sec. 7. Admittance to the floor.

The floor of the chamber shall consist of that portion of the chamber from beyond the last seats of councilmen to the front of the room. No person shall be permitted on the floor of the chamber while the council is in order other than councilmen, the staff of the council, and accredited reporters of the news media. The mayor and other city or county officials may be admitted upon permission from the presiding officer or by a majority vote of the council. Anyone who is entitled under these rules to address the council shall be admitted to the floor during the time he is permitted to speak.

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- (c) Any councilman desiring that someone be heard that is denied the floor by these rules or the president, may move to recess to a committee of the whole council to hear such person. The motion shall state the person or persons to be heard, the subject or subjects to which the discussion will be limited, and the time to be granted such speaker or speakers. Such motion shall require a second. It shall be privileged and immediately put to vote without debate. The motion shall be carried only if receiving a vote of a majority of the members of the council. If carried, the meeting shall recess and reconvene as the committee of the whole council in accordance with the motion.
- (d) If the item of business before the council is one for which a notice of public hearing has been given, the president shall inquire before stating the question whether members of the public desire to be heard on that item. If any person indicates a desire to be heard, the president shall recess the council to a committee of the whole council for such public hearing. The committee of the whole council may, by majority vote, impose reasonable limits upon the time and number of persons to be allowed to speak.

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Sec. 10. Transgression of rules; call member to order.

If any member, in speaking or otherwise, transgresses the rules of the council, the presiding officer shall, or any member may, call him to order. In which case he shall immediately surrender the floor, unless permitted on motion of another member to explain, and the council shall, if appealed to, decide the case without debate. If the decision be in favor of the member called to order, he shall be at liberty to proceed, but not otherwise; and if the case requires it, he shall be liable to such censure or such punishment as the council may deem proper or the law may provide.

Sec. 11. Words excepted to.

If a member is called to order for words spoken in debate, the member calling him to order shall indicate the words excepted to, and they shall be taken down in writing at the clerk's desk and read aloud to the council; but he shall not be held to answer, nor be subject to the censure of the council therefor, if further debate or other business shall have intervened.

Sec. 12. Time limit on speaking.

No member shall speak more than twice, nor for more than five (5) minutes on each occasion, upon any one question in debate during the same session or meeting, without leave of the council, except in explanation, unless he be the mover, proposer or introducer of the matter pending, in which case he shall be permitted to speak, in reply, but not until every other member choosing to speak shall have spoken.

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Sec. 1. Permanent committees.

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Sec. 2. Committee of the whole council.

The committee of the whole council shall consist of every duly elected or appointed member of the council. The council shall, by declaration of the president or by motion duly carried, form itself as a committee of the whole council whenever by statute or under these rules the public is entitled to a hearing before the council. This committee may also function in the manner of a standing committee upon any matter referred to it by the president or upon motion of the council. The president shall be chairman of the committee of the whole council, but may designate another member to preside or act as chairman at such times and for such periods as he may designate.

Sec. 3. Special committees.

Special committees may be formed by the president or vote of the majority of the members of the council for any specific purpose proper for council consideration. Special committees shall consist of an odd number of members and have at least one minority member.

Sec. 4. Investigating committees.

Investigating committees may be formed by resolution of the council for any lawful purpose. The resolution establishing such committee shall specify the membership of such committee, the general nature of its investigation, and the powers to subpoena witnesses, if such power be granted.

RULE 4. PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS AND COUNCIL RESOLUTIONS

Sec. 1. Petitions.

Any petition directed to the council, whether specifically authorized by law or not, shall be filed with the clerk and called to the attention of the council by the clerk under the proper order of business. If the petition is one specifically authorized by law, the president shall refer it to a proper committee. As to all other petitions, any motion for referral or other appropriate action shall be in order, unless the motion requires action which is proper only by general resolution or ordinance. In calling the petition to the attention of the council, the clerk need not read the petition in full but shall report fairly describing its contents.

Sec. 2. Memorials and special resolutions.

Any proposal which contemplates a resolution or other action by the council in the nature of a memorial, commendation or other admonishment or proclamation, shall be designed "A Special Resolution." Such proposal shall be properly before the council for final action unless the president refers or the council refers or tables the proposal.

Sec. 3. Council resolutions.

Any proposal which contemplates action relating only to the internal procedures of the council, its finances, or its staff, or relates to appointments or confirmation of appointments made exclusively by the council, shall be designated: "A Council Resolution." Such proposal shall be properly before the council for final action at the same meeting at which it is introduced unless the president refers or the council refers or postpones it.

RULE 5. ORDINANCES AND GENERAL RESOLUTIONS

Sec. 1. Action by ordinance or general resolution.

All actions of the council, except as provided in Rule 4, shall be taken by ordinance or general resolution. Ordinances or general resolutions shall be designated in one of the following classes:

- General ordinances;
- Fiscal ordinances;
- Special ordinances;
- General resolutions.

Any proposal for action by the council by ordinance or general resolution shall be in writing, and entitled in the following form: "_____ No. ____, 19 __," inserting the class of ordinance or general resolution, the number and year as assigned by the clerk, and the subject matter of the proposal.

Sec. 2. Initiation of proposal.

A proposal for an ordinance or general resolution is initiated when fifty (50) copies of the written proposal are submitted to the clerk in proper form bearing the written approval of the general counsel on at least five (5) copies. A proposal may be initiated by any councilman or other person authorized by law, but the person initiating such proposal shall sign the original proposal or such other form as required by the clerk to record the source of the proposal. When all steps required by this rule are completed, the clerk shall assign the proposal a number. If such steps are completed on full business day prior to a meeting of the council, the proposal shall be entered on the agenda of that meeting for introduction.

Sec. 3. Drafting of proposals and approval as to form.

The general counsel, upon request of any councilman, the director of the department of public safety, the city controller, or other persons authorized by law to initiate an ordinance or resolution, shall review any suggested ordinance or resolution and cause some to be placed in proper form for initiation and shall draft appropriate proposals for any councilman or city official. Such requests shall be made sufficiently in advance as to give adequate time for compliance with the request. The general counsel shall, within five (5) working days after receiving the request, advise when the requested action will be completed. In general, the general counsel shall have five (5) working days in which to draft fiscal ordinances or code amendments. If the general counsel has previously reviewed the proposal, he shall have at least three (3) working days in which to place the proposal in final form and approve it for initiation. If the general counsel refuses to approve a proposal for legal reasons, he shall so advise in writing stating briefly those reasons.

Sec. 4. Fiscal ordinances.

No proposal for a fiscal ordinance shall be initiated unless approved by the proper fiscal officer of the city or county or unless that officer has been notified by clerk of its receipt at least seven (7) days before introduction.

RULE 6. STAGES OF CONSIDERATION OF PROPOSALS

Sec. 1. Introduction of proposals.

Proposals shall be introduced and presented to the council only in the following manner: Under the proper item of business, the clerk shall read the proposal, stating only the number, reciting the title and stating the name of the person initiating the proposal. After each proposal is introduced, the president shall state the committee to which the proposal is referred, or if the proposal has been previously referred to committee, the committee to which the referral was made. If, by law, a public hearing before the entire council is required, the president shall state the date of such public hearing.

Sec. 2. Committee reports.

Whenever a committee acts to return a proposal to the council, the chairman shall so inform the clerk stating in writing whether the committee recommends adoption or denial or reports without recommendation. The clerk shall then place the proposal upon the agenda of the council under the order of business "Special Orders — Final Adoption of Proposals" in the order of receipt of notification of committee action, which may be at the same meeting at which the committee acts.

Sec. 3. Public hearings.

Whenever a proposal is such that by law a hearing must be held before the entire council, the clerk shall advertise the hearing on the date set by the president and place the proposal on the agenda for that meeting under the order of business "Special Orders — Public Hearings" in the order of introduction.

Sec. 4. Consideration for final adoption.

No proposal for an ordinance or general resolution shall be considered for final adoption except when placed upon the agenda as a special order. Under the order of business "Modification of Special Orders," it shall be in order to move to advance any proposal, then introduced to "Special Order—Final Adoption of Proposals." If the motion be to advance a proposal first introduced at the same meeting, such motion shall be carried only if twelve (12) members vote in the affirmative and the proposal has been distributed in advance of the meeting.

- (a) No proposal for an ordinance shall be adopted at the same meeting or on the same day of introduction, unless:
 - (1) The ordinance is adopted by unanimous consent of the council members present and at least two-thirds of all members are present and voting; or
 - (2) The ordinance was initiated by a director, board or commission and does not provide for an appropriation or tax levy or the incurring of general obligation indebtedness; or
 - (3) The ordinance is for the reappropriation or transfer of funds previously appropriated by the annual budget ordinances.
- (b) Upon reaching the order of business "Special Orders — Public Hearings," the president shall inquire as to each proposal if members of the public desire to be heard on that proposal. If any appear wishing to be heard, the council shall recess to a committee of the whole council as provided in these rules. If none desire to be heard or upon reconvening the council, the president shall state that the question before the council is: "Shall Ordinance or Resolution No. ____ be adopted?"
- (c) Upon reach the order of business "Special Orders—Unfinished Business" and the order of business "Special Orders—Final Adoption of Proposals," the president shall state with respect to each proposal in the order listed in the agenda that the question is: "Shall Ordinance or Resolution No. ____ be adopted?"
- (d) If after the president has stated the question on final adoption and the council has postponed the final vote or if on final vote the proposal fails to obtain the necessary vote for adoption or defeat, the proposal shall be placed on the agenda of the next meeting under the order of business: "Special Orders—Unfinished Business," unless it be referred back to committee or tabled or postponed to a time certain or indefinitely.
- (e) The presiding officer may state the question of final adoption jointly on more than one ordinance or resolution but if any councilman objects, the roll call on adoption shall be taken separately on each proposal.
- (f) When the president has stated the question on final adoption, he shall first recognize the chairman of the committee to which the ordinance and [or] resolution was referred and then the councilman introducing the proposal, if there be one. After those have spoken or declined to speak, any councilman may be recognized for debate or any other matter properly in order. If the committee has recommended that the proposal be amended, the chairman shall move the amendment and the amendment shall be disposed of before further debate occurs except as to the amendment.

Sec. 5. Amendments.

No amendment to a proposal shall be in order unless in writing and copies presented to the president and clerk. Any amendment may be referred, delayed or otherwise disposed of without delay or prejudice of the proposal itself. The adoption of any amendment not having the prior approval of the general counsel as to form shall have the effect of tabling the proposal until the next meeting.

Sec. 6. Reconsideration after veto.

If the mayor vetoes any ordinance or general resolution of the council, upon receipt of the communication from the mayor so informing the council at the next succeeding regular meetings of the council, any member may move to have the ordinance or general resolution made a special order of unfinished business. Upon coming to that order of business, the president shall state the question: "Shall the ordinance or resolution be effective notwithstanding the veto?" If the question receives the statutory majority of two-thirds of the members of the council, the ordinance shall be in effect. If the veto is of one or more items of appropriation, the motion to make a special order of business shall specify which items shall be considered for adoption notwithstanding the veto; and upon consideration of those items, any member may require that the question be separately put on any one or more of the vetoed items.

RULE 7. PROCEEDINGS AND MOTIONS

Sec. 1. Roll call votes.

All votes upon the final adoption of proposals for ordinances or general resolutions, motions to reconsider, or motions to suspend the rules shall be by roll call vote. If electronic or mechanical voting systems are installed for use of the council, the recording of the vote by such methods shall be the same as a vote by calling the roll and may be used for the roll call at the opening of a meeting and to determine a quorum. All ordinances or resolutions shall be adopted solely upon the affirmative vote of a majority of all members of the council. All members present shall vote on all roll call votes except where permitted to abstain by vote of a majority present after stating the reasons therefor.

Sec. 2. Order of business.

The order of business at each regular meeting and at each special meeting, unless otherwise stated in the call, shall be as follows:

- (a) Roll call;
- (b) Call for corrections of the journal;
- (c) Official communications from the mayor and other city and county officials;
- (d) Presentations of petitions, memorials, special resolutions and council resolutions;
- (e) Introduction and recognition of guests and visitors;
- (f) Introduction of ordinances and general resolutions;
- (g) Committee of [the] whole council;
- (h) Modifications of special orders;
- (i) Special Orders—Public hearings;
- (j) Special Orders—Unfinished business;
- (k) Special Orders—Final adoption of ordinances or general resolutions;
- (l) Unfinished business;
- (m) New business;
- (n) Announcements and adjournment.

Sec. 3. Motions during debate.

When a question is under debate, including while special orders are under consideration, no motion shall be considered except one of the following, which motions shall take precedence in the order stated:

- (a) To adjourn;
- (b) For the previous question;
- (c) To postpone to a time certain;
- (d) To recommit to a committee;
- (e) To amend;
- (f) To postpone indefinitely.

When a question is under consideration, a motion to amend and a motion to amend that amendment shall be in order, but no further motion to amend shall be in order until the disposition of that motion.

Sec. 4. Previous question.

The form of the previous question shall be: "Shall the debate now close?" The motion for the previous question shall require a majority of those voting and shall be decided without debate. All incidental questions of order, arising after a motion is made for a previous question and pending such motion, shall be decided, whether on appeal or otherwise, without debate. When the previous question has been ordered on a proposition under debate, the proponent of the question shall have two (2) minutes to close the debate, immediately following which the previous question shall be decided.

Sec. 5. Motion to adjourn or recess.

A motion to adjourn or recess shall be in order except:

- (a) When a member is speaking;
- (b) While the same item of business is pending during which such a previous motion was defeated;
- (c) During a roll call.

A motion to recess shall precede over a motion to adjourn.

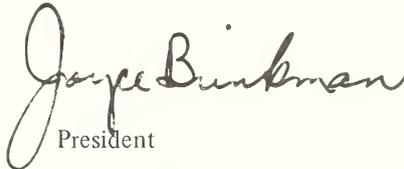
ANNOUNCEMENTS AND ADJOURNMENT

There being no further business, upon motion duly made and seconded, the meeting adjourned at 7:05 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the Solid Waste Special Service District Council of Indianapolis-Marion County, held at its Special Meeting on the 5th day of February, 1979.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

ATTEST:


President


Clerk of the Solid Waste Special
Service District Council

(SEAL)