



City Council

Organizational

~ Minutes ~

36 Court Street
Springfield, MA 01103
<http://www.springfieldcityhall.com>

Anthony I. Wilson
413-787-6096

Monday, January 1, 2018

10:00 AM

Springfield City Hall -- Council Chambers

I. Procession in to Chamber

II. Call to Order

10:00 AM Meeting called to order on January 1, 2018 at Springfield City Hall -- Council Chambers, 36 Court Street, Springfield, MA.

Attendee Name	Title	Status	Arrived
Marcus J Williams	Ward 5 Councilor	Present	
E. Henry Twiggs	Ward 4 Councilor	Absent	
Kenneth E. Shea	Ward 6 Councilor	Present	
Adam Gomez	Ward 1 Councilor	Present	
Kateri B. Walsh	At-Large Councilor	Present	
Michael A. Fenton	Ward 2 Councilor	Present	
Jesse Lederman		Present	
Melvin A. Edwards	Ward 3 Councilor	Present	
Thomas M. Ashe	At-Large Councilor	Absent	
Justin Hurst	At Large Councilor	Present	
Timothy Ryan		Present	
Timothy C. Allen	Ward 7 Councilor	Present	
Orlando Ramos	President- Ward 8 Councilor	Present	

INVOCATION BY REV. ANNETTE SIMMONS-JACKSON,

MUSICAL SELECTION, GOD BLESS AMERICA BY VANESSA FORD

PLEDGE ALLEGIANCE TO THE FLAG BY ARIANA RAMOS

III. Oath of Office for Council Members

IV. Adoption of City Council Rules for the 2018 Legislative year

1. Order (ID # 4363)

Order Accepting the Rules and Orders of the Springfield City Council for the 2018 Legislative Year

ATTACHMENTS:

- 2018 rules and orders (PDF)

RESULT: PASSED BY VOICE VOTE
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V. Election of President

Orlando Ramos nominated for office of president by Melvin Edwards. Seconded by Justin Hurst passed unanimously.

OATH OF OFFICE FOR PRESIDENT, ADMINISTERED BY CHERYL COAKLEY-RIVERA

REMARKS OF PRESIDENT

VI. Election of Vice-President

Kateri Walsh nominated for vice-president by Adam Gomez. Seconded by Justin Hurst. Unanimously approved.

VII. Drawings of Seats**VIII. Business Brought Properly Before City Council****IX. Closing Prayer****X. Adjournment**



City Council

ADOPTED

Meeting: 01/01/18 10:00 AM

Initiator: Anthony I. Wilson

Sponsors: President- Ward 8 Councilor Orlando Ramos

DOC ID: 4363 A

4.1

Order Accepting the Rules and Orders of the Springfield City Council for the 2018 Legislative Year (President- Ward 8 Councilor Ramos)

Be it ordered by the City Council of the City of Springfield, as follows:

Rule 3 of the Rules and Orders of the City Council is hereby amended by the addition of the following sentence to the first paragraph:

"All members of the City Council shall attend public speak out."

Rule 9 of the Rules and Orders of the City Council is hereby amended by the addition of "Section F" to be read as follows:

"Pursuant to Mass. Gen. Law Chapter 30A sec. 20, no person shall address a meeting of a public body without permission of the chair, and all persons shall, at the request of the chair, be silent. No person shall disrupt the proceedings of a meeting of a public body. If, after clear warning from the chair, a person continues to disrupt the proceedings, the chair may order the person to withdraw from the meeting and if the person does not withdraw, the chair may authorize a constable or other officer to remove the person from the meeting."

Rule 43 of the Rules and Orders of the City Council is hereby amended by the addition of the following language to the first paragraph:

"Each committee shall meet once a month during the legislative year. Upon his or her appointment, the Chairperson of each committee shall present to the City Clerk a schedule of proposed meeting dates for the legislative year. The president of the city council may remove any chairman from his or her post for failure to submit said schedule."

RESULT: PASSED BY VOICE VOTE

2018

RULES AND ORDERS OF THE SPRINGFIELD CITY COUNCIL

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RULES AND ORDERS OF THE CITY COUNCIL 2017

RULE 1 MEETING

Regular meetings of the Council shall be held on the first and third Mondays of each month at 7:00 o'clock p.m. unless otherwise ordered from time to time by the City Council President. An Associate City Solicitor shall be present at all Council meetings. In the event a legal holiday falls on a scheduled meeting night, the meeting shall be held on the following Tuesday at the scheduled time and if a scheduled meeting falls on the evening before a state or city primary or election, the meeting will then be held on the following Monday at the scheduled time. Only one (1) meeting shall be held during the month of July and August, namely on the third Monday of each said month. Meetings shall be held in the Council Chambers. Additional meetings may be held from time to time for the purpose of conducting public hearings and acting upon orders amending Rules of the Road only. (R. O. 1986 Sec. 2.02.020). Proclamations of a non-public policy nature shall be offered by the City Council, meeting as the Committee of the Whole, in special session scheduled at 6:30 P.M. on City Council Hearings nights unless otherwise determined by the Council President, and such proclamations shall be introduced in accordance with existing rules of the City Council. Notice of all regular meetings shall be made by first class mail or e-mail or other electronic means at least seventy-two (72) hours before the meeting if allowed by law or regulation.

Unless the City Council shall vote to go into executive session, all meetings of the City Council, and of Committee thereof shall be open to the public and members of the press with opportunity for the public to be heard.

RULE 2 NOTICE FOR SPECIAL MEETINGS

The Mayor, and in a like manner, the President of the Council may at any time call a special meeting of the Council by causing a written notice of such meeting, specifying the subject which he/she desires to have considered, to be left at the usual place of residence of each Councilor or given to him/her in hand at least seventy-two (72) hours before the time appointed for the meeting and no business other than that specified in said notice and on file in the office of the City Clerk shall be transacted at such meeting. On written petition of any seven (7) members of the Council, the President shall call a special meeting of the

Council to act upon any matter set forth in the petition and on file in the office of the City Clerk. Notice of the special meeting shall be made by first class mail or e-mail or other electronic means at least seventy-two (72) hours before the meeting, if allowed by law or regulations. Certification of the proper notification of all such special meetings shall be made to the City Clerk in a manner determined by him in accordance with the rules of the City Council and law. (R. O. 1986 Sec. 2.02.030)

RULE 3 PUBLIC SPEAK-OUTS

A Public Speak-Out time shall be scheduled at 6:30 pm prior to all regularly scheduled meetings of the City Council. Public Speak-Out shall be cancelled in the event a Special Meeting is called by the Mayor or City Council President. Interested speakers shall give their name, address and the subject upon which they wish to speak before the start of the City Council meeting on a form provided by the City Council staff. Only matters relating to the affairs of the City of Springfield shall be addressed. No subject shall be addressed upon which a public hearing has been set in accordance with law or by vote of the council nor shall the council be addressed upon any subject which has had a public hearing in accordance with law or by vote of the council and is awaiting final disposition. There shall be a three (3) minute time limit for each individual speaker per meeting. All members of the City Council shall attend public speak out.

RULE 4 QUORUMS

A quorum of the City Council shall consist of a majority of all of the members of the City Council, a quorum; (seven (7) councilors) shall proceed to business. In the absence of the President, the Vice President shall call the Council to order and serve as President for the meeting, and in the absence of both, a temporary President pro-tempore shall serve who is senior in length of service, or if more than one have so served, then the member both in age and length of service shall serve during the absence of both the President and the Vice President. If, at the time any meeting is called to order, a quorum is not present and if, after a recess of not more than thirty (30) minutes, a quorum is still not present, the President shall declare the meeting adjourned.

RULE 5 ORDERS OF BUSINESS

At every Council meeting, unless otherwise determined by the majority of the members present, the order of business shall be as follows:

1. Roll Call of Members
2. Moment of Silence
3. Pledge of Allegiance
4. Communications from His Honor, the Mayor
5. Reports of Committees
6. Rules of the Road
7. Grants
8. Financial Orders
9. Public hearings
10. Zoning Ordinances.
11. Presentation of petitions, grievances, memorials
12. Reports, Orders and Ordinances
13. Unfinished business of previous meetings

RULE 6 RECEIVING, REFERRAL AND SCHEDULING BUSINESS

The City Clerk shall refer to the appropriate Department, Board, Commission or City Council Committee all petitions such as zone changes, street light petitions, annuities, street, drain, sewer petitions, or other similar matters or communications. All matters shall be referred within ten (10) working days of their receipt by the City Clerk or in accordance with law. The City Clerk shall compile a list of all matters and the dates referred and shall make said list available for review by any interested party. The City Clerk shall also receive reports and set dates for public hearings on Special Permits, Gasoline, Zone Changes, Pole and Wire petitions or on any other matters requiring a legal hearing. These matters shall be set for hearings on the next scheduled hearing date, provided that proper referrals have been made, sufficient time for advertising and public notice is available and the agenda for such hearing date is not in the opinion of the City Clerk or the President too lengthy. Matters should thereof be set for hearings in the order that they are received by the City Clerk. Any matter which is not routine may be referred to the Council at the discretion of the City Clerk.

RULE 7 INFORMAL PUBLIC HEARINGS

On informal public hearings before the City Council, the proponents will be given twenty (20) minutes for a presentation of their case to the City Council. Questions by members of the City Council shall be made only after each proponent has spoken, unless leave is granted by the President. The opponents to the petition shall be given twenty (20) minutes for a presentation of their opposition. Questions by members of the City Council shall be made only after each opponent has spoken, unless leave is granted by the President. After the proponents and opponents have completed their arguments, each side will be allowed five (5) minutes in rebuttal time in the same order as above. Notwithstanding the foregoing limitations on time, any person may have the right to be recorded for or against the subject to be heard. After the close of all hearings no further evidence, oral or written, may be presented to the City Council on the issue before the Council.

RULE 7A FORMAL PUBLIC HEARINGS

Formal public hearings may be requested for matters of public interest or of legislative requirement. Formal public hearings shall not be held during regular business meetings of the City Council except in an emergency. The City Council shall refer such requests to a committee of the City Council. If the City Council deems it advisable, it may direct that the hearing be televised.

The time devoted to formal public hearings shall not be more than two (2) hours at any one sitting. Any hearing not completed within the specified time may be continued to another meeting. Any individual appearing before the City Council at a public hearing and claiming to represent another as agent or otherwise in the matter of being heard shall file with the City Council a written authorization signed by the individual, organization or corporation whose interests such individual represents.

There shall be a five (5) minute time limit for each speaker to express her or his views on the matter being heard by the City Council. Speakers will be required to address themselves solely to the issue, which is before the City Council for discussion and shall not engage in personal or rude remarks.

In all hearings before the City Council, the case of the petitioner shall be submitted first, except in matters affecting acceptance of highways or taking by right of eminent domain.

In any hearing where findings are required to be made by statute or ordinance, the petitioner shall submit proposed findings with the staff of the Planning Department and Law Department for review at least one (1) week prior to the hearing.

RULE 8 ELECTIONS OF PRESIDENT AND VICE PRESIDENT

Annually at its first meeting, the City Council shall elect a President from its own members who shall preside at all meetings of the City Council and perform such other duties as are prescribed in Chapter 43 of the General Laws and any acts in amendment thereof or supplementary thereto. The City Council shall in like manner elect a Vice President. (G. L. C. 43, Sec. 50)

RULE 9 DUTIES OF PRESIDING OFFICER

The duties of the presiding officer are as follows:

A. CHAIRING MEETINGS

The presiding officer of the Council shall take the chair at the hour to which the Council has adjourned and call the members to order and shall forthwith cause the roll to be called and the names of the absentees recorded. In the absence of the President, the Vice President of the City Council assume the powers of the President and, in the absence of both, a temporary President pro-tempore shall serve who is senior in length of service, or if more than one have so served, then the member both in age and length of service shall serve during the absence of both the President and the Vice President.

B. CHAMBER DECORUM AND CHALLENGING PRESIDING OFFICER

The President shall preserve order and decorum, may speak to points of order in preference to other members, and shall decide all such questions subject to an appeal to the Council, by any motion regularly seconded, and no other business shall be in order until the question on the appeal shall have been decided. The vote shall be by roll call and shall

be decided in the affirmative unless two thirds of the Council votes are to the contrary.

C. PRESIDENT'S RIGHT TO DEBATE

The President must step down from the chair to speak on matters that the Council is voting on. The President may call the Vice President to the chair, and in the absence of Vice President may call a temporary President pro-tempore who shall be the senior in length of service, or if more than one have so served, then the member both in age and length of service to the chair for a period of time not extending beyond an adjournment and, when out of the chair, the President may participate in any debate and shall not resume the chair while the same question is pending. He/she states facts and gives his/her opinions on questions of order and may question persons participating in public hearings without permission of the chair.

D. VOTE DOUBTFUL

The President shall decide all votes, but if any Councilor doubts the vote, the President, without further debate, shall call for a vote of the Council, which shall be taken by a roll call. The President shall then announce the result, but no decision shall be declared unless a quorum of the Council shall have voted.

E. CALLING RECESS

The President may, at any time, during debate or otherwise, declare a recess for not more than ten (10) minutes and such action shall not be subject to appeal nor shall any motions apply thereto.

F. REMOVAL OF PERSONS FOR DISRUPTION OF PROCEEDINGS

Pursuant to Mass. Gen. Law Chapter 30A sec. 20, no person shall address a meeting of a public body without permission of the chair, and all persons shall, at the request of the chair, be silent. No person shall disrupt the proceedings of a meeting of a public body. If, after clear warning from the chair, a person continues to disrupt the proceedings, the chair may order the person to withdraw from the meeting and if the person does not withdraw, the chair may authorize a constable or other officer to remove the person from the meeting.

RULE 10 RIGHTS AND DUTIES OF MEMBERS

Each member has the following rights and duties to preserve order and decorum:

A. MEMBERS' RIGHT TO SPEAK

Every member, when about to speak, shall rise and respectively address the chair, confining himself/herself to the question under debate, avoid personalities and sit down when he/she is finished. No member shall speak out of his/her place without leave of the President, nor shall any member be interrupted by another while speaking except by a call to order for an explanation.

B. SPEAKING ON ONE ISSUE

No member shall speak more than twice on the same question or more than once until others choosing to speak shall have spoken, or more than five (5) minutes at each time, without obtaining leave of the President.

C. RESPECT FOR OTHER COUNCILORS. APPOINTED AND ELECTED OFFICIALS, THE PUBLIC

Any individual or member who may be mentioned in debate or addressed by a Councilor, shall be so mentioned or addressed by his/her title and/or name and in an intelligible and respectful manner.

D. INTERRUPTING SPEAKER

While the presiding officer or any other member is speaking, no one shall stand up or pass unnecessarily before the person speaking.

E. PRIORITY OF SPEAKERS

When two or more members rise and address the chair at the same time, the presiding officer shall name the member who is entitled to the floor.

F. RESPONSIBILITY TO VOTE

Every member who shall be in the Council when a question shall be put, shall give his/her vote, unless a member wishes to be recorded as abstaining, or shall vote present if prohibited from participating in a vote by law due to a prior absence. Any councilor who is not within the rail in the City Council Chambers during a vote shall be marked absent from said vote. Any Councilor who is not within the rail in the City Council Chambers during at least 50% of a debate shall be marked absent from the pursuant vote.

RULE 11 SEATING OF COUNCILORS

The seats of the City Council shall be numbered and determined by lot annually and no member shall change his/her seat except by permission of the President.

RULE 12 FILING DEADLINES

No new Order or Ordinance shall be proposed nor shall any new business be transacted at a regular meeting of the City Council unless a written copy of such proposed Order, Ordinance, or new business is filed in proper form and in order in the office of the City Clerk not later than twelve o'clock noon of the Wednesday preceding such regular meeting of the City Council.

RULE 12A BOND ORDERS

No bond order authorizing the City Treasurer to borrow for any amount or purpose shall be filed with the City Clerk unless accompanied by exhibit(s) detailing said expenditure or unless the same information is apparent on the face of the order.

RULE 13 COUNCIL AGENDA AND BULLETIN

The City Clerk shall compile a bulletin of all proposed Orders and Ordinances and other new business and an agenda of the then unfinished business before the City Council and shall cause a copy of the same to be delivered to each member of the City Council no later than the Thursday preceding such regular meeting of the City Council.

In compiling said bulletin or agenda of all proposed Orders, Ordinances, Resolves and any other business, the City Clerk shall include the name of the members proposing the same. Orders, Resolves and Ordinances shall be sponsored only by the Mayor or by a member of the City Council.

RULE 14 PRESENTING BUSINESS

All Communications, Reports, Petitions, Memorials, Grievances, Orders, Ordinances and Proclamations addressed to the Council shall be filed with the City Clerk and presented by the President or by a member in his/her place who may explain the subject thereof if appearing on the Council agenda. Upon the approval of the sponsor, corrections or changes which do not compromise the spirit or intent of resolves and orders may be filed with the City Clerk at any time prior to the presentation of the matter to the Mayor for approval and signature.

RULE 15 FORM OF REPORTS

All reports and other papers submitted to the City Council shall be submitted in written form or file by e-mail, fax. Pdf or other electronic means, properly endorsed, and the clerk shall make copies of any papers to be reported by Committees at the request of the respective chairperson thereof.

RULE 16 DEFINITIONS: ORDERS AND RESOLVES

In all votes of the City Council which express anything by way of command, the form of expressing shall be "Ordered", and whenever the City Council expresses opinions, principles, facts or purposes, the form of expression shall be "Resolved".

RULE 16A SPECIAL ACTS - HOME RULE LEGISLATION

Any special home rule legislation order shall, upon its filing with the City Clerk, be referred to the appropriate Board, Commission or Department for an opinion and recommendation to be filed with the Clerk within ten (10) calendar days. Upon receipt of such opinion, recommendation or report the special home rule legislation shall be placed on the next regular agenda of the City Council.

RULE 17 REFERRAL TO COMMITTEES

When a matter properly before the Council relates to a subject which may properly be examined and reported upon by an existing committee of the City Council, such matter shall, upon motion and a majority vote of the City Council be referred to such Committee. When a motion is made to refer a matter and different committee is proposed, the motion shall be put in the following order:

1. To a standing committee of the Council.
2. To a special committee of the Council.

RULE18 RECALL OF COMMITTEE REFERRALS

If, within fifteen (15) days, a matter referred to a Committee, other than a committee of all the members is not reported upon, it may be recalled by a majority vote of all the members of that Committee.

If, after fifteen (15) days, a matter referred to a Committee is not reported upon, it may be recalled by a standing vote of five (5) members of the Council.

If, after thirty (30) days, a matter referred to a Committee is not reported upon, any member may recall such matter from the Committee.

If, after one hundred twenty (120) days, a matter referred to committee is not reported upon or action on the matter shall be deemed dead and a new request must be refiled to appear before the Council.

A matter referred to committee may not be refiled unless it has been recalled and acted upon unfavorably or otherwise considered to have died in committee in accordance with this rule.

RULE 19 MATTERS REQUIRING TWO READINGS FOR PASSAGE

All Orders and Resolutions imposing penalties or authorizing the expenditure, transfer or payment of money, whether the same shall have been appropriated or not and all Orders or Resolutions authorizing loans shall have two (2) separate readings before they shall be finally passed by the Council, but they shall not have more than one (1) reading on the same day, except Orders to authorize the printing of any documents relating to City business.

RULE 20 FINANCIAL MATTER REQUIRING REFERRAL

All Orders, Resolutions, and Ordinances authorizing the expenditure or payment of money or instituting programs that may require the expenditure of funds, or accepting permissive legislation passed by the General Court which shall involve the expenditure or payment of money shall be first referred to the City Comptroller for his cost analysis and opinion, if such is not apparent on the face of the Order, etc. In all cases the City Comptroller shall make a report back to the Council before said order is finally passed. Once Rule 20 is invoked debate is ended. No explanation is necessary to invoke Rule 20; however, if the exact extent of the value of the expenditure or payment is clear on the face of the proposal then this rule is inapplicable and the President shall not halt debate upon its invocation.

RULE 21 ORDERS OF LAND TAKING

An Order for a taking of land by the City of Springfield shall not appear on the City Council agenda unless there is prior written approval relative to such Order's form and content received by the City Clerk and signed by the City Solicitor, Deputy or Associate City Solicitor.

RULE 22 ENACTMENTS OF ORDINANCES-PROCEDURES

A. PRELIMINARY STEPS

All Ordinances presented to the City Council shall be referred to the City Solicitor before being introduced for approval as to form, and copies of all such Ordinances shall be furnished members of the Council at or before the meeting in which they are introduced.

All Ordinances shall be read the first time and referred to the Committee on Ordinances who shall determine that the Ordinance is properly drawn (first step). If an Ordinance is referred to a Committee for further study or in some other manner held over for future consideration, then the first step shall not be considered taken unless otherwise voted by the Council.

After the Committee on Ordinances determines that the Ordinance is correctly drawn, the same shall be read again and passed to be enrolled. The Ordinance shall be enrolled by the Clerk and referred to the Committee on

Enrollment who shall determine that it is correctly enrolled (second step). If the Ordinance is found to be correctly enrolled, the question shall be on passing the same to be ordained (third step) and it shall be signed by the President and then presented to the Mayor by the Clerk for his/her approval.

It shall be the duty of the Committee on Enrollment and Ordinances to sign as a procedural matter all ordinances when referred by an affirmative vote of the City Council and presented by the Clerk. (See Rule 39) The president shall appoint alternate councilors to sign, only in the absence of any of the committee members.

Any Ordinances, excepting Zoning Ordinances, before being passed to be ordained, may be referred to the Law Department for a ruling as to its legality upon the motion of any member of the Council.

No Ordinance shall be amended or repealed except by an Ordinance adopted in accordance with this section.

B. FINAL PASSAGE

No Ordinance shall be passed finally on the date on which it is introduced except in cases of special emergency involving the health or safety of the people or their property. (G.L. C. 43, Sec. 20)

C. PASSAGE IN ONE SESSION

Any Ordinance, Order, or Resolution may be passed through all of its stages of legislation at one session, providing that no member of the Council objects thereto. But if any member of the Council objects, the measure shall be postponed for that meeting. (G. L. C. 43, Sec. 22)

D. EFFECTIVE DATE

Ordinances shall take effect twenty (20) days from and after the final passage unless otherwise provided, or if emergency preamble is applied. Zoning Ordinances shall take effect upon adoption. (G. L. C. 40A, Sec. 5)

E. PASSAGE IN AN EMERGENCY

No Ordinance shall be regarded as an emergency measure unless it is defined in a preamble thereto separately voted upon and receiving the affirmative vote of two thirds of the members of the City Council. (G. L. C. 43, Sec. 20)

RULE 23 ZONE CHANGE - SPECIAL PERMIT LIMITATION

- A. No proposed zoning ordinance or bylaw which has been unfavorably acted upon by a City Council shall be considered by the City Council within two (2) years after the date of such unfavorable action unless the adoption of such proposed ordinance or bylaw is recommended in the final report of the Planning Board. (G.L. C. 40A Sec. 5)
- B. A petition to the City Council for a Special Permit for a use permitted within a zoning district, which has been unfavorably and finally acted upon by the City Council, shall not be favorably acted upon by the City Council within two years of the date of final unfavorable action unless the City Council by two-thirds vote makes findings and records in its record of proceedings specific material changes in the condition upon which the previous unfavorable action was based and unless all but one of the members of the Planning Board consents thereto and after notice is given to parties in interest of the time and place of the proceedings when the question of such consent by the Planning Board and City Council will be considered. (G.L.C. 40A, Sec. 16)

RULE 24 ZONE CHANGE TIME LIMITATION

If the Council fails to vote to adopt a proposed Zoning Ordinance within ninety (90) days after the hearing, no action shall be taken thereon until a subsequent hearing is held as provided by law. (G.L. C. 40A, Sec. 9)

RULE 25 SPECIAL PERMITS

The City Council shall act within ninety (90) days following the public hearing. Failure to take final action upon an application for Special Permit within said ninety (90) days shall be deemed a grant of the permit applied therefor. Special Permits shall require a two-thirds vote of the City Council. (G.L. C. 40A, Sec. 9). The City Clerk shall be empowered to extend the required time limits for a public hearing and City Council action in accordance with G.L. C. 40A, Sec. 9. The City Clerk shall be empowered to provide for the withdrawal of petitions without prejudice subsequent to the publication of the notice of hearing (G.L. C. 40A, Sec. 16). If the City Council fails to act definitively on a Special Permit after sixty (60) days have passed since the close of the public hearing, the City Clerk automatically shall cause the Special Permit petition to appear on the agenda for the next scheduled meeting of the full City Council.

RULE 26 GASOLINE STORAGE PERMITS

A petition to the City Council for the right to keep, store, use and sell petroleum and its products shall not be acted upon by the Council if it appears that a petition for the same specific property has already been acted upon unfavorably by said Council until two (2) years have expired from the date of the final action of the Council on the prior petition.

RULE 27 MAKING A MOTION

Any Councilor, except the presiding officer, may make or second a motion on any matter under consideration by the City Council. To be considered, the motion must be seconded by a Councilor other than the maker or presiding officer. Every valid motion shall be disposed of by vote of the Council, unless withdrawn by the mover before an amendment or decision.

RULE 28 ORDER OF MOTIONS

Motions shall be considered in the order in which they are made unless a subsequent motion is concerned with some motion previous in nature, except that in naming sums and fixing sums, the largest sum and the longest time shall be put first.

RULE 29 DIVISION OF MOTIONS

Any member of the Council may call for the division of a motion or question when the sense of the motion or question will admit it.

RULE 30 MOTION TO RECESS LIMITATION

At a regular meeting, when a motion to recess has been approved by the Council, duration of said recess shall not extend beyond one (1) hour in length unless the Council by unanimous vote establishes a specific time greater than

one (1) hour. Only one recess per topic shall be called for the purpose of information.

RULE 31 MOVE THE QUESTION

The previous question shall be in the form of "move the question". It only shall be admitted when demanded by two-thirds of the members if a quorum be present, and until it is decided, shall preclude all amendments and debate of the main question, and after the adoption of the previous question, the sense of the Council shall forthwith be taken upon amendments, report by a committee, upon all pending amendments in their order and then upon the main question.

RULE 32 IRRELEVANT AMENDMENT

No motion or proposition of a subject different from that under consideration shall be admitted under color of amendment.

RULE 33 RECONSIDERATION

A vote having been taken, it shall be in order for any member to move an immediate reconsideration thereof or to serve notice of reconsideration at the next regular meeting of the Council. Items upon which reconsideration has been moved will appear on the agenda of the next regular meeting under "Unfinished Business" and will be acted upon by the Council at that time if the original maker of that motion has not called for it or unless it has been withdrawn in writing to the City Clerk. When a motion to reconsider has been decided, that disposition shall not be reconsidered, and no question shall be twice reconsidered unless it has been amended after the consideration. A move to reconsider shall not be in order after a final vote on a Zone Change or Special Permit.

RULE 34 PROHIBITIONS AGAINST RECONSIDERATION

Reconsideration shall not be had upon the following motions:

To adjourn

To move the question

To lay on the table (A motion to "Lay on the table" can only be reconsidered when the vote is in the affirmative.)

To lay on the table until the next regular meeting To take from the table

To close debate at a specified time

RULE 35 VOTE REQUIRED FOR PASSAGE

The affirmative vote of the majority (seven (7) Councilors) of all the members (thirteen (13) Councilors) of the Council shall be necessary to adopt any motion, resolution, or ordinance, (G.L. C. 43, Sec. 18). Two-thirds vote for zoning amendments and special permits, (G. L. C. 40A, Secs. 5 and 9). Two-thirds vote for certain appropriations and transfers orders, (G. L. C. 44, Secs. 7, 8, 33, 33A, 338, and 68 (except for any amount appropriated for the use of any department to another appropriation for the same department- majority vote (G. L. C. 44 Sec. 338); G.L. C. 40, Sec. 58 (stabilization fund) two-thirds vote required. G. L. C. 150E, Section 7 (Collective Bargaining Agreements majority vote). G. L. C. 40, Sec. 14 Appropriation of money by loan or otherwise for the purpose of purchase or taking of land for municipal purpose by two-thirds vote of City Council.

RULE 36 ROLL CALL VOTE

A roll call vote shall be taken on any question or motion upon the request of any member of the Council present and once said vote has commenced, it shall not otherwise be interrupted.

RULE 37 SUSPENSION OF RULES

No rule or standing order of the Council shall be suspended unless all of the members present consent thereto, nor shall any rule or order be repealed, amended, or added unless by two-thirds roll call vote of the whole Council concurring therein.

RULE 38 SUPPLEMENTARY RULES

On all matters of Parliamentary procedure not provided for in these rules, by-law or ordinance, Roberts's Rules and Orders and Manual of Parliamentary Law and Procedures shall govern.

RULE 39 STANDING COMMITTEES

Standing Committees shall be appointed by the President each year as follows:

- | | | |
|----|--|-----------|
| 1. | General Government | 3 members |
| 2. | Health and Human Services | 3 members |
| 3. | Finance | 3 members |
| 4. | Maintenance and Development | 3 members |
| 5. | Planning and Economic Development | 3 members |
| 6. | Public Safety | 3 members |
| 7. | Inter-Governmental/State & Federal Relations | 3 members |

The President shall be an "ex-officio" member of all standing committees. The Vice President shall serve on two (2) standing committees. Members of the Council may attend meetings of any of its committees but shall not vote thereat.

There shall also be a Committee on Ordinance and a Committee on Enrollment, whose sole responsibility shall be proper enactment of all Ordinances. The members of the General Government Committee shall serve on these committees. The following areas shall be the responsibility of the aforementioned Committees:

1. GENERAL GOVERNMENT COMMITTEE

- | | |
|--------------|----------------------|
| City Clerk | Ordinance Revision |
| City Council | Elections Commission |

Personnel Policy Board	Committee on Enrollment
Committee on Ordinances	License Commission
Retirement Board	Mayor's Office
South End Community Center	Election Commission
Law Department	Internal Audit

2. HEALTH AND HUMAN SERVICES COMMITTEE

All matters pertaining to the health affairs of the city, elderly, veterans, youth and the disabled.

Elder Affairs	Council on Aging
Human Services	Animal Control
Libraries	Bee Commissioner
Human Relations Commission	Veterans Affairs
Commission on Disability	Health Department
Veteran's Services	Youth Services Commission
Women Commission	

3. FINANCE COMMITTEE

All matters relating to the financial affairs of the city shall be referred to the Finance Committee. It shall also be the responsibility of the Finance Committee, consistent with and to comply with Chapter 40 Section 56 of the Massachusetts General Laws, to forward a recommendation to the City Council of the percentages of local tax levy property. Finance Committee meetings with the public will begin in October with an overview, orientation and education process presentation by the Board of Assessors Office. The Finance Committee will discuss the budget process and how it impacts the real estate tax rate. Once the City receives certification of property values and new growth there will be a seven (7) day window before the Finance Committee can hold a public tax classification meeting. At least two public hearings will be held, prior to the tax classification meeting, including one in the neighborhood. A financial analyst or and economist (neither of which will be employed by the City)

will participate in said Finance Committee public hearings meetings. Information flow to Councilors will be shared with any citizens upon their request. Further, the Finance Committee shall establish a Sub-Committee comprised of, but not limited to, the Chairman of the Finance Committee, a representative of the Springfield Chamber of Commerce, a representative of the recognized neighborhood councils, a financial analyst and/or economist (neither of which will be employed by the City) and the Chairperson of the Board of Assessors (or such designated assessor) for the purpose of assisting in the formulation of said recommendation to the City Council.

CAFO	Department Human Resources
Finance Department	City Collector/Treasurer
Audit Committee	Division of Capital Asset Construction
Office of Procurement	Pension
City Comptroller	Board of Assessors
Information Technology	CitiStat/311
Labor Relations	Payroll
Tax Title Property	Budget Director
Deferred Compensation	Health Insurance

4. MAINTENANCE AND DEVELOPMENT COMMITTEE

Park Department	Board of Public Works
Public Utilities	Transportation
Park Commission	Capital Planning Committee
Public Works Department	Outdoor Advertising
Facilities Management	Fence Viewer

5. PLANNING AND ECONOMIC DEVELOPMENT COMMITTEE

The Committee shall meet with various departments and commissions to review economic opportunities to create jobs and to plan for economic growth of the city. In addition, the committee shall review existing special permits for compliance with all conditions, review complaints, and hold necessary hearings with the petitioners and make recommendations to the City Council relative to revocation.

Art Commission	Board of Appeals
Building Commission	Building Standards Committee
Community Development	Conservation Commission
Industrial Development	Financing
Spfld Redevelopment Auth.	Lumber Measurer Weights & Measures
Zoning and Special Permits	Mass Career Development Institute

6. PUBLIC SAFETY COMMITTEE

City Physician	Emergency Preparedness
Constables	Police Commissioner
Police Department	Building Department
Inspectional Services	Gypsy Moth Superintendent
Economic Development	Employment-Manpower
Historical Commission	Housing Appeal Board
Wire Inspector	Riverfront Commission
Housing Commission	Special Permit Review
Planning Board	Planning Department
Hampden County Employment & Training Consortium	
Fire Commissioner	Fire Department

Health Department	Petroleum Storage Petitions
Centralized Dispatch	Fence Viewer
Office of Housing	Forest Warden

7. INTER-GOVERNMENTAL STATE & FEDERAL RELATIONS COMMITTEE

The committee shall report on enacted state and federal legislation and its impact on the city; appraise pending state and federal legislation and make recommendations for approval/disapproval to the Mayor and the Council; track Home Rule legislation; review state and federal revenue sources to determine appropriations to the city; establish a greater presence with the Massachusetts Municipal Association, General Court and other state organizations and Federal delegation to enhance city lobbying efforts at the state and federal levels.

The committee shall act as a conduit for information and an active sponsor of programs in addressing issues within city government between and amongst employees and citizens. The committee will suggest appropriate legal and social guidelines for a mediation process and will help to define problems and direction in assisting individuals and organizations so that all citizens of the city will be part of the understanding process, the committee will work in conjunction with Boards and Commissions of the Mayor.

School Committee	Department Water & Sewer Commission
State Relations	Civil Rights & Race Relations
School Building Commission	Parking Authority
Federal Relations	Spfld Housing Authority

RULE 41 COMMITTEE OF THE WHOLE

There shall be a Committee of the Whole consisting of all members of the City Council and chaired by the President. The committee shall meet at the call of the President, and upon the written petition of any seven (7) members of the council. The committee shall meet at least twice a year with the city's federal and state legislative delegations. The Committee shall meet quarterly with the Chief Financial Officer, the Budget Director, the Collector-Treasurer and the Auditor as well as the positions of Chief Administrative and Financial Officer, Comptroller and Director of Internal Audit if so approved by the General Court.

RULE 42 DUTIES OF COMMITTEES

Each standing committee of the City Council will have the following duties in regard to each of the departments within its purview:

1. The exercise of financial overview before expenditure through committee input during the several stages of budget formulation, budget approval, and financial transfers.
2. The review and evaluation of administrative procedures and policies as carried out by department policies and program.
3. The review of substantive legislation as carried out by department policies and program.
4. The mandatory review of the Mayor's annual departmental budget recommendations prior to budget approval.

RULE 43 MEETINGS OF COMMITTEES

Only the chairperson of each committee may call special meetings in order to deal with matters referred to it by the City Council. Copies of the agenda and committee reports shall be given to the Clerk for distribution to the City Council. Committees shall schedule evening meetings in the appropriate neighborhood relative to zone changes, special permits or other issues of a particular neighborhood concern which have been formally referred. Each committee shall meet once a month during the legislative year. Upon his or her

appointment, the Chairperson of each committee shall present to the City Clerk a schedule of proposed meeting dates for the legislative year. The president of the city council may remove any chairman from his or her post for failure to submit said schedule.

RULE 44 QUORUM OF COMMITTEE

A quorum of a City Council committee shall consist of two (2) members of that committee.

RULE 45 COMMITTEE CHAIRPERSON

The President shall be ex-officio chairperson of any committee of which he/she is a member, with the right to vote and on all other committees the Councilor first named shall be chairperson, and in the case of his/her resignation or inability to serve, the President shall designate a new chairperson.

RULE 46 COMMITTEE REPORTS

No committee shall act by separate consultation and no reports, except minority reports, shall be received unless they shall have been agreed to in committee actually assembled.

City Council action on all committee reports shall be to receive such and shall have no bearing on the content or recommendation of the report. A separate vote or motion shall be entertained on the item being reported on.

RULE 47 WRITTEN REPORT REQUIRED

It shall be the duty of every committee of the City Council and every board, commission, committee and department head of the city, to whom any

subject may be specially referred, to report in writing within four (4) weeks or unless otherwise specified in the City Council Rules and Orders, or unless further time is granted by the Council. A written report may be waived by a majority of the Council sitting.

RULE 48 COMMITTEE MEETING DURING COUNCIL SESSIONS

No Committee shall sit during a meeting of the Council without special leave, except the committees on Ordinance and Enrollment.

RULE 49 APPOINTMENTS - CONFIRMATION PROCEDURES

All City officers, boards and commissions over which the City Council has the power of appointment or confirmation, shall first be referred by the City Clerk to their appropriate committees for study, after which said appointments shall then be presented to the City Council within thirty (30) days of its submission for confirmation by a roll call vote. The City Clerk may refer all re-appointments directly to the City Council for confirmation by a roll call vote.

RULE 50 COUNCIL CHAMBERS - LIMITATION OF ADMITTANCE

No person shall be admitted within the rail in the City Council Chambers during any meeting of the City Council, except upon permission of the President.

RULE 51 RESPONSIBILITIES OF CITY CLERK AT MEETING

A. ATTENDANCE AND RECORD KEEPING

The City Clerk shall act as Clerk of the City Council and attend all meetings of the Council, and keep a full and accurate journal of the proceedings of the Council meetings and such record shall be open to inspection, subject to General Law. He/she shall also record the names of members present and absent and shall have the care and custody of all records, documents, maps,

plans and papers of the Council. When a yes or no vote is taken, the clerk shall call the names of all the members in seat order excepting that of the presiding officer, which shall be called last.

B. CITY CLERK RESPONSIBILITIES WITH COMMITTEES

The Clerk shall notify in writing the chairperson of each committee of the Council of the appointment of such committee.

C. OTHER RESPONSIBILITIES

The Clerk shall perform all other responsibilities set forth by statute and in these rules.

RULE 52 REQUESTS FOR OPINIONS

When seven (7) members of the City Council or a majority of a Committee of the City Council requests an opinion or response from the Law Department in writing, the Law Department shall respond to such request in writing within thirty (30) days.

When five members of the City Council or a majority of a Committee of the City Council requests an opinion or response from the Finance Department in writing, the Finance Department shall respond to such request in writing within seven (7) days.

RULE 53 SPECIAL COMMITTEES

A. OTHER SPECIAL COMMITTEES

The President may appoint other special committees for specific purposes and with time limitations as to their existence, as from time to time he/she deems necessary.

B. DISCHARGE OF SPECIAL COMMITTEES

The President shall discharge all special committees upon completion of their assignment or the filing of a final report.