Passed 5-3 Sturbaum Sandberg Mayer Specker left mtg

ORDINANCE 12-10

TO AMEND TITLE 2 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED "ADMINISTRATION AND PERSONNEL" – Re: Amending Chapter 2.04 Entitled "Common Council" to Establish and Clarify Scheduling Policies for Council Committees

WHEREAS, issues taken up by a committee of the whole are heard at unpredictable times, and can be many hours after the scheduled start of the meeting, making it difficult for administration staff, petitioners and the public to attend; and

WHEREAS, standing committees do not preclude any Council member from attending meetings of the committee (BMC 2.04.210); and

WHEREAS, the Council's workload is increasing, its meetings are running long, and members are invoking "the 10:30 rule" (BMC 2.04.420(b)) with increasing frequency;

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION 1. The first sentence in paragraph 2.04.250(a) of Bloomington Municipal Code shall be amended to strike reference to the scheduling of a meeting and shall read as follows:

(a) With the exceptions noted in this section, the council may resolve itself into a committee of the whole to consider ordinances, resolutions, or other matters with the freedom of committee procedures.

SECTION 2. The last sentence of paragraph 2.04.250(a) of the Bloomington Municipal Code shall deleted and will become paragraph (b) of a new Section 2.04.255 as provided for in Section 3 below.

SECTION 3. A new Section 2.04.255 entitled "Committees--Scheduling" shall be added to the municipal code and included in the table of contents of Chapter 2.04 and shall read as follows:

2.04.255 Committees--Scheduling

(a) Meetings of standing committees or the committee of the whole convened to consider legislation referred by the Council shall meet on the second or fourth Wednesdays of the month. Motions for referral to a standing committee shall be entertained before a motion for referral to the committee of the whole and shall include the approximate time at which the committee will convene.

(1) If more than one standing committee has had legislation referred to it during the same period of time, the committees shall not be scheduled at the same time, so that any Council members may attend any meeting.

(2) Such standing committee meetings shall not begin before five thirty p.m. or after nine forty-five p.m.

(3) Such meetings of the committee of the whole shall convene at seven thirty p.m. local time.

(b) A council committee shall not meet on legal holidays as enumerated in Indiana Code 1-1-9-1 during the month of August, on the Wednesday evening immediately before Thanksgiving Day, or on or between the fourth Wednesday in December and New Year's Eve.

SECTION 4. If any section, sentence, or provision of this ordinance or the application thereof to any person or circumstance shall be declared invalid, such invalidity shall not affect any of the other parts of this ordinance which can be given effect without the invalid part, and to this end the provisions of this ordinance are declared to be severable.

SETION 5. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City and approval of the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 02 day of MAY, 2012.

TIMOTHY MAYER, President
Bloomington Common Council

ATTEST:

REGINA MOORE, Clerk
City of Bloomington

SUSAN P WANZER
Deputy Clerk

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 03 day of MAY, 2012.

REGINA MOORE, Clerk
City of Bloomington

SUSAN P WANZER
Deputy Clerk

SIGNED and APPROVED by me upon this 7th day of MAY, 2012.

MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

This ordinance changes city code to clarify and harmonize scheduling policies for council committees, whether they be standing, special or of the whole. It unifies committee scheduling policies, scattered throughout Article III of Chapter 2.04 of municipal code, under a single new section 2.04.255.

Two changes address meetings "convened to consider legislation referred" to standing committees and committees of the whole. (Special committees, even if legislation has been referred to them, are excepted.) It specifically contemplates the fourth sentence of BMC 2.04.210, which provides that "all council members may attend the meetings of any standing committee," by requiring that meetings of standing committees not overlap. It also takes into account BMC 2.04.420, which discourages the introduction of legislation for Council action after 10:30 pm, by guaranteeing that standing committees can be scheduled to start no later than 9:45 pm. In deference to the role of standing committees, motions for referral to a standing committee shall be entertained before a motion for referral to the committee of the whole and shall include the approximate time at which the committee will convene.

Another change moves language prohibiting the scheduling of committee meetings on holidays to its own heading, and clarifies it to apply to all types of committees. Since committees could possibly meet on days other than Wednesday, it clarifies the definition of the end-of-the-year recess to disallow any official meeting between the fourth Wednesday of December and the end of the year.

The last change simply removes a line specifying when committees of the whole are to meet, since it is made redundant by the previous parts of this ordinance.

Signed copies to:
controller
legal
BMC
Clerk (2)
CA/CA