Withdrawn

**ORDINANCE 11-22**

**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. 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.

(b) 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.

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

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

SECTION 2. The last sentence of paragraph 2.04.250(a) of the Bloomington Municipal Code shall be moved to become paragraph (b) of the new Section 2.04.255 provided for above and shall be amended to refer to any type of committee meeting, and shall read as follows:

(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 3. 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 shall resolve itself into a committee of the whole to consider ordinances, resolutions, or other matters with the freedom of committee procedures.

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 _____ day of _____, 2011.

_____
SUSAN SANDBERG, President
Bloomington Common Council

ATTEST:

_____
REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this _____ day of _____, 2011.

_____
REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this _____ day of _____, 2011.

_____
MARK KRUZAN, Mayor
City of Bloomington

SYNOPSIS

This ordinance would change city code to clarify and harmonize scheduling policies for council committees, whether they be standing committees, special committees or the committee 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.

The first section of this ordinance specifically covers 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 guaranteeing that meetings of standing committees not overlap. It also takes into account the precedent set by 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.

The combination of serial meetings and a limited window for them dictates that standing committees will have to schedule start *and* end times. This will require committee members to keep an eye on the meeting clock. It also emphasizes that committees should refrain from extended debate, which should be a matter for the full Council. Committee meetings should instead function as opportunities to focus on the questions that the full Council would be most interested in. (The last serial committee meeting of an even-numbered Wednesday night does not have to specify an end time and can thus go late, but ought to anticipate an end time whenever possible; the spirit of 2.04.420 is to respect the difficulty that anyone would have trying to deliberate or legislate at a late hour. That spirit is also why this ordinance explicitly allows for committee meeting start times as early as 5:30 pm.)

The second section of this ordinance 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 third section of this ordinance 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.