

ORDINANCE 79-60

To Amend Sections 7.04.030, "Animal Control Commission"; 2.72.040, "Environmental Quality and Conservation Commission"; 20.09.04.02, "Historic District and Buildings Study Committee"; 16.08.060, "Board of Housing Quality Appeals"; 2.90.050, "Human Resources Commission"; 2.60.030, "Human Rights Commission"; 2.81.020, "Commission on the Status of Women"; 2.77.010, "Telecommunications Council"; and to Repeal and Re-Enact Chapter 15.08, "Traffic Commission", of the Bloomington Municipal Code.

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

SECTION I. Section 7.04.030 of the Bloomington Municipal Code, entitled "Animal Control Commission--Terms", shall be amended to read as follows:

7.04.030 Terms--Removal of Members. (a) Appointments shall be made as provided in Section 7.04.020 on or before the fifteenth day of July of each appropriate year. If a member dies or leaves the commission for any other reason, a successor shall be appointed by the appropriate official or body to serve for the unexpired term for which the member had been appointed. Initial appointments will be made as follows: one of the common council appointees shall hold a one-year term and two shall hold a two-year term. Two of the appointees of the mayor shall hold a two-year term and one shall hold a one-year term. The member selected from the Monroe County Humane Association and from the People's Animal Lovers Society shall hold a one-year term. Thereafter, all appointments shall be made for two years.

(b) Commission members may be removed for cause. "Cause" shall include, but not be limited to, failure to attend three consecutive regularly scheduled meetings of the commission in any twelve-month period. Provided that any commission member may submit in writing to the mayor if the mayor appointed him, or the common council if the council appointed him, any extenuating circumstances. Such written submission must be made before the formal decision to remove is reached. Acceptance of extenuating factors by the appointing official or body puts the commission member on notice that further excessive absenteeism will result in removal.

SECTION II. Section 2.72.040 of the Bloomington Municipal Code, entitled "Environmental Quality and Conservation Commission--Membership--Terms", shall be amended to read as follows:

2.72.040 Membership--Terms--Removal of members. (a) The commission shall consist of twelve persons serving without compensation, with six members being appointed by the common council and six by the mayor. Preference for appointments shall be given to persons with expertise in one or more areas of physical sciences, biological sciences, engineering, business, sanitation, public health, conservation, and recreation.

(b) All appointments shall be for a term of two years. If a member dies or leaves the commission for any other reason, a successor shall be appointed by the appropriate official or body to serve for the unexpired term for which the member had been appointed.

(c) Commission members may be removed for cause. "Cause" shall include, but not be limited to, failure to attend three consecutive regularly scheduled meetings of the commission in any twelve-month period. Provided that any commission member may submit in writing to the mayor if the mayor appointed him, or the common council if the council appointed him, any extenuating circumstances. Such written submission must be made before the formal decision to remove is reached. Acceptance of extenuating factors by the appointing body or official puts the commission member on notice that further excessive absenteeism will result in removal.

16.08.060 Terms of members--Removal of members. (a) Upon the establishment of the board, the members shall be initially appointed for terms as follows: one member for one year, two members for two years and two members for three years. Thereafter, as each term expires each new member shall be appointed for a two-year term. All terms shall expire on January 31 of the respective year, but an appointee shall continue in office until his successor is appointed. If a member dies or leaves the board for any other reason, a successor shall be appointed by the appropriate official or body to serve for the unexpired term for which the member had been appointed.

(b) Board members may be removed for cause. "Cause" shall include, but not be limited to, failure to attend three consecutive regularly scheduled meetings of the board in any twelve-month period. Provided that any board member may submit in writing to the mayor if the mayor appointed him, or the common council if the council appointed him, any extenuating circumstances. Such written submission must be made before the formal decision to remove is reached. Acceptance of extenuating factors by the appointing body or official puts the board member on notice that further excessive absenteeism will result in removal.

SECTION V. Subsection 2.90.050(d) of the Bloomington Municipal Code, entitled "Human Resources Commission", shall be amended to read as follows:

(d) The commission shall consist of nine members, five members to be appointed by the mayor and four members to be appointed by the common council within

SECTION III. Section 20.09.04.02 of the Bloomington Municipal Code, entitled "Historic District and Buildings Study Committee--Terms and procedures", shall be amended to read as follows:

20.09.04.02 Terms--Procedures--Removal of members. (a) All appointments shall be for a term of two years and all members shall serve without compensation. If a member dies or leaves the commission for any other reason, a successor shall be appointed by the appropriate official or body to serve for the unexpired term for which the member had been appointed.

(b) The study committee shall annually elect a chairman and vice-chairman from its own number. The study committee may adopt rules and regulations in the absence of and not inconsistent with those provided by the plan commission and the provisions of this chapter. The study committee may, subject to appropriation, employ clerical assistance or consultants and may accept money gifts and expend the same in a manner not inconsistent with the provisions of this chapter.

(c) Committee members may be removed for cause. "Cause" shall include, but not be limited to, failure to attend three consecutive regularly scheduled meetings of the committee in any twelve-month period. Provided that any committee member may submit in writing to the mayor if the mayor appointed him, or the common council if the council appointed him, any extenuating circumstances. Such written submission must be made before the formal decision to remove is reached. Acceptance of extenuating factors by the appointing body or official puts the committee member on notice that further excessive absenteeism will result in removal.

SECTION IV. Section 16.08.060 of the Bloomington Municipal Code, entitled "Board of Housing Quality Appeals--Terms of members--Termination by mayor", shall be amended to read as follows:

or the common council if the council appointed him, any extenuating circumstances. Such written submission must be made before the formal decision to remove is reached. Acceptance of extenuating factors by the appointing body or official puts the commission member on notice that further excessive absenteeism will result in removal.

(d) In order that the concerns of the total community be adequately represented on the commission, commission membership shall include both women and men.

(e) The members of the commission shall serve without compensation but they may be reimbursed for all expenses necessarily incurred in the performance of their duties.

SECTION VIII. Section 2.77.010 of the Bloomington Municipal Code, entitled "Telecommunications Council--Appointment--Duties", shall be amended to add subsection (d) to read as follows:

(d) Council members may be removed for cause. "Cause" shall include, but not be limited to, failure to attend three consecutive regularly scheduled meetings of the council in any twelve-month period. Provided that any council member may submit in writing to the mayor if the mayor appointed him, or the common council if the council appointed him, any extenuating circumstances. Such written submission must be made before the formal decision to remove is reached. Acceptance of extenuating factors by the appointing body or official puts the council member on notice that further excessive absenteeism will result in removal.

SECTION IX. Chapter 15.08 of the Bloomington Municipal Code, entitled "Traffic Commission", shall be repealed and re-enacted to read as follows:

#### Chapter 15.08

#### TRAFFIC COMMISSION

#### Sections:

- 15.08.010 Established.
- 15.08.020 Membership--Removal of members.
- 15.08.030 Meetings.
- 15.08.040 Rules of procedure.
- 15.08.050 Duties.

15.08.010 Established. There is established a Traffic Commission consisting of eleven members who shall serve without compensation.

15.08.020 Membership - Removal of members. (a) The commission shall be made up of the following ex-officio members: a designee of the city engineer, a designee of the city street superintendent, and a designee of the chief of police. In addition, there shall be eight members, six of whom shall be district representatives and two of whom shall be representatives of the city at-large, all of whom shall be appointed to a term of two years. The six districts shall correspond with the current councilmanic districts and each district representative shall be a resident of the district from which he is appointed. All members of the commission shall be voting members.

(b) The six district members shall be appointed by the common council and the two at-large members shall be appointed by the mayor. If a member dies or leaves the commission for any reason, a successor shall be appointed by the appropriate body or official to serve for the unexpired term for which the member was appointed.

(c) Commission members may be removed for cause. "Cause" shall include, but not be limited to, failure to attend three consecutive regularly scheduled meetings of the commission in any twelve-month period. Provided that any commission member may submit in writing to the mayor if the mayor appointed him, or the common council if the council appointed him, any extenuating circumstances. Such written submission must be made before the formal decision to remove is reached. Acceptance of extenuating factors by the appointing body or official puts the commission member on notice that further excessive absenteeism will result in removal.

15.08.030 Meetings. Commission meetings will be held on a monthly basis at a regular time as designated by the commission's rules of procedure. Special meetings may be called by the chairperson upon giving two days notice thereof.

15.08.040 Rules of procedure. The commission shall establish its own rules of procedure which may be amended from time to time by a majority of the membership.

15.08.050 Duties. It shall be the duty of the commission, and to this end it shall have the authority within the limits of the funds at its disposal, to coordinate traffic activities, to carry on educational activities in traffic matters, to supervise the preparation and publication of traffic reports, to receive complaints having to do with traffic matters, and to recommend to the common council and to appropriate city officials ways and means for improving traffic conditions and the administration and enforcement of traffic regulations.

SECTION X. This ordinance shall be in full force and effect from and after its passage by the Common Council and approval by the Mayor.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 6th day of December, 1979.

Tomilea Allison  
Tomilea Allison, President  
Bloomington Common Council

ATTEST:

Nora M. Connors  
Nora M. Connors, City Clerk

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 7th day of December, 1979, at the hour of 2:30 p.m.

Nora M. Connors  
Nora M. Connors, City Clerk

SIGNED and APPROVED by me upon this 12<sup>th</sup> day of December, 1979.

Francis X. McCloskey  
Francis X. McCloskey, Mayor  
City of Bloomington

SYNOPSIS

This ordinance would adopt standardized provisions for nine boards and commissions on filling vacancies when members leave, removal of members for cause, and two-year terms. Other revisions include removal of quadrant and district requirements for appointment to the Human Resources Commission, revision of the districts for the Traffic Commission to coincide with Councilmanic districts, lowering the membership of the Environmental and Traffic Commissions and allowing some of the appointments to be made by the Council, and various minor changes to bring different provisions in line with current practice.