

ORDINANCE 21-34

**TO AMEND TITLE 2 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED
“ADMINISTRATION AND PERSONNEL” – Re: Amending BMC 2.04.420 (Motion to adjourn or
recess) to Place Greater Limits on the Duration of Council Meetings That They May End at a
Reasonable Hour**

WHEREAS, all meetings of the Bloomington Common Council (“Council”) must be conducted so that the general public may attend, observe, and be fully informed of its proceedings; and

WHEREAS, meetings that run late into the night discourage participation by the public, and

WHEREAS, meetings that run late into the night tend to diminish the quality of deliberations by members of the Council; and

WHEREAS, meetings that run late into the night are at best inconvenient and at worst compromise the well-being of City staff who are required to attend these meetings yet also to return to work early the next morning; and

WHEREAS, meetings that end at a reasonable hour show respect for all who attend, and no meetings that continue into the next day should be considered reasonable; and

WHEREAS, meetings used to begin at 7:30 p.m. before Ordinance 16-42 pushed them back an hour, and “the 10:30 rule” in BMC 2.04.420(b), adopted in 1979, implied that meetings should last not much longer than three hours let alone go into the next day; and

WHEREAS, since January 2015, thirteen meetings have lasted more than five and a half hours, and on March 3, 2021, a meeting lasted nine hours straight without break, ending just after 3:30 a.m. the next day, setting a most undesirable record; and

WHEREAS, while the Council has always had it in its power to continue its deliberations to a future meeting through motions, rather than continue late into the night, and to put time limits on all participants to reduce the duration of meetings, it has rarely done so; and

WHEREAS, the Council should make the health and well-being of all who attend its meetings a higher priority than its legislative convenience;

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

SECTION 1. Section 2.04.420 entitled “Motion to adjourn or recess” shall be amended by inserting paragraph (c) to read as follows:

2.04.420 – Motion to adjourn or recess.

(c) When a motion to adjourn, or a motion to rise and report in Committee of the Whole, is made and seconded after five and a half hours from the meeting’s call to order or after 11:59 p.m. local time, whichever occurs first, it shall not require a vote, shall take precedence over a motion to recess, and shall have the effect of ending the meeting, regardless of what items on that meeting’s agenda have not yet been voted on or taken up.

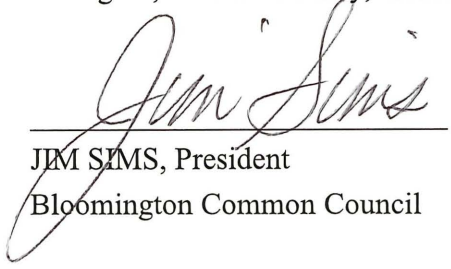
(1) A motion to recess to another day, which requires a second and a majority vote, shall not be in order unless the meeting’s time of resumption is at least twenty-four hours after its initial call to order.

(2) Paragraph (c) shall not be subject to suspension under section 2.04.090.


SECTION 2. If any section, sentence, or provision of this ordinance, or application thereof to any person or circumstance shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions or application of this ordinance which can be given effect without the invalid provision or application, and to this end the provision of this ordinance are declared to be severable.

SECTION 3. This ordinance shall be in effect after its passage by the Common Council and approval of the Mayor, and any required publication or other promulgation in accordance with the law.


PASSED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 6th
day of October, 2021.


JIM SIMS, President
Bloomington Common Council

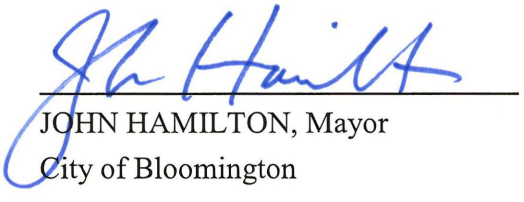
ATTEST:


NICOLE BOLDEN, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 8th
day of October, 2021.


NICOLE BOLDEN, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 8th day of October, 2021.


JOHN HAMILTON, Mayor
City of Bloomington

SYNOPSIS

This ordinance is authored by Councilmember Volan and amends Section 2.04.420 of the Bloomington Municipal Code (Motion to adjourn or recess) to provide that any meetings of the Common Council or its committees shall not continue after five and a half hours from the meeting's call to order or after 11:59 p.m. local time without unanimous consent of the members present.

Note: At the October 6, 2021 Regular Session, the Council adopted Amendment 02, which revised the paragraph (c) to be added to BMC 2.04.420 by providing that a motion to adjourn (or a motion to rise and report in Committee of the Whole) made and seconded after five and half hours from the meeting's call to order or after 11:59 p.m. local time, whichever occurred first, would not require a vote and would have the effect of ending the meeting.

Distributed to Clerk, Council Attorney, Legal, and Mayor.