

**ORDINANCE 2024-13**

**TO AMEND TITLE 2 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED  
“ADMINISTRATION AND PERSONNEL”**

**Re: Amending BMC 2.04.380 (Order of Business at Regular Sessions)**

WHEREAS, the Common Council generally controls the order and time allotted for each item of its agenda; and

WHEREAS, in general, unscheduled matters should not cause undue inconvenience for those who are presenting legislation and other arranged business before the Council; and

WHEREAS, the normal order of business at regular sessions, which can be amended by majority vote, provides that legislation for first readings is to occur after legislation for second readings and resolutions; and

WHEREAS, Bloomington Municipal Code 2.04.420 provides that legislation may not be introduced for council action after 10:30 p.m. without a two-thirds vote of the members, and that a motion to adjourn accompanied by a second made after 11:59 p.m. has the effect of ending the meeting, both of which could preclude legislation for first readings from being introduced when items for second readings and resolutions extend beyond 10:30 p.m. and 11:59 p.m. respectively; and

WHEREAS, the effect of the current order of business in conjunction with evoking the 10:30 p.m. or midnight rules is to create the possibility of a delay to the introduction of items for first reading, and to account for this possibility, the normal order of business at regular sessions should instead provide for first readings before second readings and resolutions; and

WHEREAS, the current order of business at regular sessions provides twenty 20 minutes for public comment on items not on the agenda at the beginning of the meeting and 25 minutes for such comment at the end of the meeting, allowing five minutes for each speaker, with an option for the presiding officer to decrease this time if many people wish to speak; and

WHEREAS, this practice regarding public comment on items that are not on the agenda means that members of the public do not have a predictable amount of time to speak, that the presiding officer routinely asks for a show of hands of those who want to speak and divides the allotted time accordingly, and that the then-allotted time per speaker does not consider members of the public who did not initially indicate their intention to speak; and

WHEREAS, on April 30, 2024, the Common Council held a Work Session to review its existing rules and practices related to offering public comment at Council meetings, wherein many members agreed that the Council should consider a standard time allotment of three minutes per speaker during each opportunity for public comment;

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

SECTION 1. Section 2.04.380 of the Bloomington Municipal Code entitled “Order of business at Regular Sessions” shall be amended by deleting the last sentence in the last paragraph and replacing it with “Speakers are allowed up to three minutes each.”, such that the full paragraph reads as follows:

\* Members of the public may speak on matters of community concern not listed on the agenda at one of the two *Reports from the Public* opportunities. Citizens may speak at one of these periods, but not both. Speakers are allowed up to three minutes each.

SECTION 2. Section 2.04.380 of the Bloomington Municipal Code entitled “Order of business at Regular Sessions” shall be amended by deleting the words “second readings and resolutions” in sub-part (6) and replacing them with the words “first readings” and by deleting the words “First readings” in sub-part (7) and replacing them with the words “Second readings and resolutions” such that first readings are to appear before second readings and resolutions in the default order of business as follows:

2.04.380 - Order of business at regular sessions.

The council shall transact its business in the following order, but it may by majority vote amend the normal order of business and time limits set forth below:

- ...
- (6) Legislation for first readings;
- (7) Second readings and resolutions;
- ...

SECTION 3. If any sections, sentence or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 4. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 05 day of June, 2024.



ISABEL PIEDMONT-SMITH, President  
Bloomington Common Council

ATTEST:



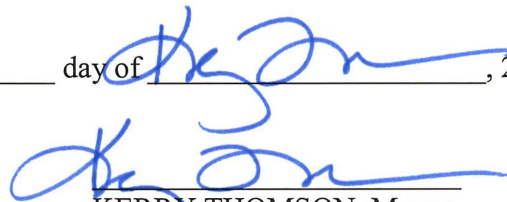
NICOLE BOLDEN, Clerk  
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 10 day of June, 2024.



NICOLE BOLDEN, Clerk  
City of Bloomington

SIGNED and APPROVED by me upon this 11 day of June, 2024.



KERRY THOMSON, Mayor  
City of Bloomington

#### SYNOPSIS

This ordinance amends BMC 2.04.380 entitled “Order of Business at Regular Sessions,” which sets forth the order of items on the Council’s Regular Session agenda. It reduces the standard speaker time limit applicable to Reports from the Public and Additional Reports from the Public from five minutes to three minutes and removes a provision allowing the presiding officer to reduce this time allotment based on the number of people wishing to speak.

*Note: At the June 5, 2024 Regular Session, the Council adopted Amendment 01, which added the third to fifth Whereas clauses and Section 2 to the ordinance.*

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