

Committee on Council Processes Meeting Agenda

City of Bloomington Common Council

Monday, September 28, 2026, 5:30-7:00 pm

McCloskey Conference Room, #135, City Hall, 401 North Morton Street, Bloomington, Indiana

The meeting may also be accessed remotely¹.

Chair: Isabel Piedmont-Smith

Topics to be Discussed:

- 1. Agenda review and approval**
- 2. Possible expansion of Bloomington Public Transportation Board (CM Stosberg)**
- 3. Developing a process for removal of board/commission members**
Enclosed: Code of Conduct
- 4. Improved training on Robert's Rules of Order for boards & commissions**
Enclosed: Training slides from June session, Robert's Rules Cheat Sheet
 - A. Add to training for board and commission members and staff liaisons?
 - B. How to enforce training attendance?
- 5. Ongoing Title 2 review**
Enclosed: Title 2 redline, Draft Rules of Procedure document
 - A. Review of Title 2 redline (starting with 2.04.225)
 - B. Next steps
- 6. Public comment**
- 7. Adjournment**

Pursuant to applicable law and policy, the following details are provided regarding the officers serving on this committee. Committee Members:

- Isabel Piedmont-Smith (Chair), Appointed by Council President, Term 01/07/2026-01/06/2027
- Courtney Daily, Appointed by Council President, Term 01/07/2026-01/06/2027
- Hopi Stosberg, Appointed by Council President, Term 01/07/2026-01/06/2027
- Sydney Zulich, Appointed by Council President, Term 01/07/2026-01/06/2027

Committee on Council Processes meetings can be watched on the following websites:

- [Community Access Television Services \(CATS\)](https://catstv.net/index.php)²
- [City's YouTube Channel](https://youtube.com/@citybloomington)³

[Materials for meetings](https://bloomington.in.gov/council/processes)⁴ are available on the committee website.

Posted Date: September 25, 2026

¹ <https://bloomington.zoom.us/j/83051260811?pwd=rHFVW9cbX18x4NMxM4TtC33aRBxVGb.1>

² <https://catstv.net/index.php>

³ <https://youtube.com/@citybloomington>

⁴ <https://bloomington.in.gov/council/processes>

CODE OF CONDUCT FOR CITY OF BLOOMINGTON

BOARDS AND COMMISSIONS

Resident-led Boards and Commissions are a vital part of municipal government. They provide opportunities for resident representation and bring the skills of subject matter experts to bear on the workings of the city. By serving on a board or commission, a Bloomington resident can provide valuable insights to the Mayor and City Council on a variety of important issues.

Code of Conduct:

Members appointed to City Boards and Commissions shall comply with all applicable federal laws, state laws, city ordinances and resolutions, and city policies in the performance of their public duties.

Members shall be patient, respectful, polite, and courteous to each other, as well as to members of the public and City staff and shall act ethically in all matters before the body.

Members shall not engage in behavior or speech that is detrimental to City operations or the public interest.

Members shall respect the rule of the chair and City staff, follow the procedures set forth in code, bylaws, or rules and regulations, and in Robert's Rules of Order.

When speaking, members shall be mindful of the public's time and of fellow members' time, and shall remain on topic and without unnecessary repetition to facilitate the work of the board or commission.

Representing the Commission:

Authority is granted to a board or commission as a body, not to individual members. No individual member of the board or commission may speak on behalf of the body, or on behalf of the city, unless specifically authorized to do so. Individual members should not include their commission membership on their personal email signature block.

Conflict of Interest:

No member shall participate in the discussion or the vote on an issue in which a person stands to personally or financially gain. This includes business interests as well as interests of family members and dependents. Members must disclose the conflict, submit required paperwork to the state or the city, and recuse themselves from deliberation and voting on the matter.

Political Involvement:

Any member may participate in political or campaign activities as an individual, but shall refrain from representing themselves as a member of a board or commission, or a representative of the city, while engaging in political activities.

Confidentiality:

Members shall maintain confidentiality and shall not share or discuss any confidential information received as a member of a board or commission.

Attendance:

Members shall attend regularly scheduled meetings of the board or commission and, unless otherwise excused, shall be removed from the board or commission after failure to attend three consecutive regularly scheduled meetings or four regularly scheduled meetings in any twelve-month period.

Residency:

In the event a member of a board, commission or council no longer resides in the city, unless otherwise provided by applicable law or code, the member shall resign immediately and notify City staff and the City Clerk's office.

Member Pledge and signature is on the following page.

Member Pledge:

I, [appointee name:]_____ have been appointed to the [name
of board:]_____ by [appointing body:] _____ for
the term beginning [start date:] _____ and ending [end date:] _____.

I pledge to follow this Code of Conduct during the tenure of my public service as an appointed member of a City of Bloomington Board or Commission.

Signature:

Date:

Board and Commission Member Annual Training

June 2026



1

Welcome and thank you for saying yes to public service!

Purpose of This Training

- This training is here to help you feel prepared, supported, and clear about your role
- We will cover responsibilities that protect you, your board, the City, and public trust
- Topics include ethics, conflicts of interest, public meetings, public records, next steps, and helpful resources

2

What's Our Why?

- We've never done this before!
- Consistency in knowledge for members
- Improve support for members

3

Role of the Deputy Clerk of Communications and Outreach

- Lifeline to anything related to boards and commission
- Collaborates with OOTM and the Council on appointments
- Manages monthly vacancy announcements with OOTM
- Coordinate candidate interviews and meetings
- Updates information in OnBoard
- Trains staff liaisons on OnBoard processes
- Recruits and trains members of commissions



Types of Boards & Commissions

- 50+ volunteer boards and commissions
- 14 statutory (created by state law)
- The remainder are local boards and commissions, created by ordinance, that serve as advisory or recommending bodies to the city



Code of Conduct (All Boards)

- Comply with laws and city policies
- Act ethically and respectfully
- Follow procedures and chair rulings
- Remain on topic and mindful of time
- Maintain professionalism, civility and decorum in interactions with fellow appointees, public participants, and city staff



Residency & Attendance

Members must reside in the City (unless otherwise permitted)

- Those who no longer meet the residency requirements will need to step down from their role

Attendance is mandatory

- Excessive absences may result in removal for cause (3 in a row or 4 in a 12 month period)
- Members may submit written explanations of extenuating circumstances
- Attendance is tracked by staff liaison/clerk's office

7

Conflict of Interest (Indiana Law)

- Board and commission members are public servants under Indiana law
- Members and immediate family members may not knowingly have a financial interest in contracts connected to board action
- If a potential conflict comes up, disclose it early and ask for guidance
- Violations may carry serious legal consequences under Indiana law

8

Conflict of Interest Disclosure Requirements

- Submit City Questionnaire – required for all appointees; legal will review to determine if a conflict exists
- Complete State Uniform Conflict Form (if applicable); form must be approved by a board and filed with the state before vote

Remember: Conflicts belong to the individual!

It is your responsibility to identify and address
your own conflicts

9

Ethical Conflict / Appearance of Bias

Appearance of impropriety matters

- Family financial interests
- Employment relationships
- Personal or business gain

Disclose and recuse if conflicted



10

Political Participation

Commissioners are welcome to be civically involved as individuals of our community!

- Members should not represent board while campaigning
- Board/Commission titles should not be used in campaign materials or endorsements



11

Official Board/Commission Statements

- The board/commission creates and votes on an official position
- Authority rests with the board as a whole
- Do not include board title in personal signature block



12

Communications

Disclaimer language keeps commissioners' expertise front and center by identifying the commission's perspective.

This allows commissioners to receive credit for the time and knowledge they bring to their recommendations to make sure the statement is heard in the spirit intended.

It also helps the public understand that a commission's statement reflects the commission's perspective, not necessarily the position of City staff or the City as a whole.

- Protects commission's autonomy and integrity of public process
- City is not unintentionally represented in ways it has not formally authorized or adopted



13

Disclaimer Language

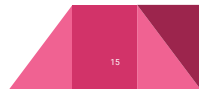
The following language should be added to all formal communications or resolutions the board or commission adopts and votes to formally send to any internal or external entity, group, or person.

The views expressed here are solely those of the [INSERT BOARD/COMMISSION NAME], as approved in their public meetings, and do not necessarily reflect the views, policies, or positions of the City of Bloomington. Only the Office of the Mayor has the authority to issue policy statements on behalf of the Executive Branch of the City of Bloomington.



14

Indiana Open Door Law



15

Open Door Laws

Indiana Code § 5-14-1.5

- Purpose is to make sure decision making is open to the public
- Board members should avoid working through decisions outside of public meetings
- Open Door Laws govern meetings where public business is discussed or voted upon

16

What is a "Meeting"?

- "[A] gathering of a majority of the governing body of a public agency for the purpose of taking official action upon public business"
 - Official actions include: receiving information, deliberating, making recommendations, establishing policy, making decisions, or taking final action
- What is not a meeting
 - Social or chance gatherings, inspection of projects, administrations of oaths of office, orientation of members on their role and responsibilities as public officials

17

Quorum

- "Quorum" for any board is a majority of the seats on that board.

Example: Your board has 11 seats. Currently, 9 of those seats are appointed and 2 are vacant. For this example board, "Quorum" is at least 6 of 11 members.
- No quorum, allowed to do ONLY 3 things under Robert's Rules:
 - Contact members in an attempt to gather quorum
 - Schedule the next meeting
 - Adjourn

18

Hybrid Meetings - in person requirement

- For a hybrid meeting, virtual members may count towards quorum, but no less than 50% of *sitting* (appointed) members must be in person.
Example: if you have 9 sitting members, at least 5 must be in person and 4 may be virtual. (Additional hybrid rules in another slide.)
- If someone has to leave early, the meeting can continue as long as the above rules are still met.
- If at least one member attends virtually, then all votes must be by roll call, with each member's name called individually prior to their vote.

19

Hybrid Meeting Rules- Board or Commission Members

- Members cannot participate remotely in more than two consecutive meetings and may only participate remotely in 50% of the meetings each year.
- Remote members must be able to be seen and heard.
- No member participating virtually may participate in any part of the meeting if the Board is going to vote to do any of the following:
(1) adopt a budget, (2) make a reduction in personnel, (3) initiate a referendum, (4) establish or increase a fee, (5) establish or increase a penalty, or (6) use eminent domain authority

20

Role of the Chair

- Collaborates with staff liaison on agenda items
- Maintains order and decorum
- Recognizes speakers
- Rules on procedure
- Ensures fairness
- Enforces time limits

21

Working Groups and Committees

- Subject to Open Door Laws
- Staff liaisons must attend meetings
- Alternatives that don't violate the ODL:
 - Schedule a longer meeting and have breakout groups, then reconvene
 - Ask individuals or two members (assuming not a quorum) to conduct outside research and bring their findings to the group
 - Have one board member meet with other individuals NOT on the board or commission to gather information
- Starting in 2027, standing subcommittees must be approved by both appointing bodies

22

Consequences of Violations of Open Door Laws

- Action invalidated
- Court injunction
- Attorney fees awarded
- Criminal penalties (in extreme cases)
- Damage to public trust

23

Access to Public Records (APRA)

Indiana Code § 5-14-3

- Public record = created, received, retained *in your official capacity*
- Can include emails on personal accounts, texts, and/or social media messages
- Rule of Thumb: Don't write anything you wouldn't want to see published on the front page of a newspaper!

24

Accessibility

The US Department of Labor issued a Final Rule that local governments must comply with digital accessibility standards (specifically, the Web Content Accessibility Guidelines, or WCAG) by April 26, 2027.

The City is making strides to implement these requirements now.

Any documents that your board solicits, requests, or creates must be digitally accessible. Staff liaisons have been trained on how to create accessible documents and should therefore manage all documents that are included in the packet and posted to OnBoard.



25

Paid Board Positions (ONLY)

- There are a few boards and commissions that receive compensation for service.
 - Board of Public Safety
 - Board of Public Works
 - Public Transportation Corporation Board of Directors
 - Utilities Service Board
- Once staff liaisons receive the copy of the appointment letter, they should contact Human Resources to inform them of the new board member and work with HR to ensure all documents are provided.
- If an appointee has another paid position with a government agency, contact Legal. There are laws regarding holding dual lucrative offices.



26

Sources of Authority & Procedure

- State Statutes
- Bloomington Municipal Code
- Board Bylaws or Rules of Procedure
- Robert's Rules of Order



27

Resources

- Board webpage
- Bloomington Municipal Code (Title 2)
- Clerk's Office
- Mayor's Office
- Legal Department
- Staff Liaison
- OnBoard



Next Steps

- Sign code of conduct affidavit
- Confirm correct contact information with staff liaison
- Complete city's conflict questionnaire and submit to staff liaison
- City legal will contact you if the state uniform conflict of interest form is needed



THE END

Thank you for your service!
Please give us your feedback!

Board and Commission
Member Training
Feedback Form

<https://bton.in/1WBBK>



ROBERTS RULES CHEAT SHEET

To:	You say:	Interrupt Speaker	Second Needed	Debatable	Amendable	Vote Needed
Adjourn	"I move that we adjourn"	No	Yes	No	No	Majority
Recess	"I move that we recess until..."	No	Yes	No	Yes	Majority
Complain about noise, room temp., etc.	"Point of privilege"	Yes	No	No	No	Chair Decides
Suspend further consideration of something	"I move that we table it"	No	Yes	No	No	Majority
End debate	"I move the previous question"	No	Yes	No	No	2/3
Postpone consideration of something	"I move we postpone this matter until..."	No	Yes	Yes	Yes	Majority
Amend a motion	"I move that this motion be amended by..."	No	Yes	Yes	Yes	Majority
Introduce business (a primary motion)	"I move that..."	No	Yes	Yes	Yes	Majority

The above listed motions and points are listed in established order of precedence. When any one of them is pending, you may not introduce another that is listed below, but you may introduce another that is listed above it.

To:	You say:	Interrupt Speaker	Second Needed	Debatable	Amendable	Vote Needed
Object to procedure or personal affront	"Point of order"	Yes	No	No	No	Chair decides
Request information	"Point of information"	Yes	No	No	No	None
Ask for vote by actual count to verify voice vote	"I call for a division of the house"	Must be done before new motion	No	No	No	None unless someone objects
Object to considering some undiplomatic or improper matter	"I object to consideration of this question"	Yes	No	No	No	2/3
Take up matter previously tabled	"I move we take from the table..."	Yes	Yes	No	No	Majority
Reconsider something already disposed of	"I move we now (or later) reconsider our action relative to..."	Yes	Yes	Only if original motion was debatable	No	Majority
Consider something out of its scheduled order	"I move we suspend the rules and consider..."	No	Yes	No	No	2/3
Vote on a ruling by the Chair	"I appeal the Chair's decision"	Yes	Yes	Yes	No	Majority

The motions, points and proposals listed above have no established order of preference; any of them may be introduced at any time except when meeting is considering one of the top three matters listed from the first chart (Motion to Adjourn, Recess or Point of Privilege).

PROCEDURE FOR HANDLING A MAIN MOTION

NOTE: Nothing goes to discussion without a motion being on the floor.

Obtaining and assigning the floor

A member raises hand when no one else has the floor

- The chair recognizes the member by name

How the Motion is Brought Before the Assembly

- The member makes the motion: *I move that (or "to") ...* and resumes his seat.
- Another member seconds the motion: *I second the motion* or *I second it* or *second*.
- The chair states the motion: *It is moved and seconded that ... Are you ready for the question?*

Consideration of the Motion

1. Members can debate the motion.
2. Before speaking in debate, members obtain the floor.
3. The maker of the motion has first right to the floor if he claims it properly
4. Debate must be confined to the merits of the motion.
5. Debate can be closed only by order of the assembly (2/3 vote) or by the chair if no one seeks the floor for further debate.

The chair puts the motion to a vote

1. The chair asks: *Are you ready for the question?* If no one rises to claim the floor, the chair proceeds to take the vote.
2. The chair says: *The question is on the adoption of the motion that ... As many as are in favor, say 'Aye'.* (Pause for response.) *Those opposed, say 'Nay'.* (Pause for response.) *Those abstained please say 'Aye'.*

The chair announces the result of the vote.

1. *The ayes have it, the motion carries, and ...* (indicating the effect of the vote) or
2. *The nays have it and the motion fails*

WHEN DEBATING YOUR MOTIONS

1. Listen to the other side
2. Focus on issues, not personalities
3. Avoid questioning motives
4. Be polite

HOW TO ACCOMPLISH WHAT YOU WANT TO DO IN MEETINGS

MAIN MOTION

You want to propose a new idea or action for the group.

- After recognition, make a main motion.
- Member: "Madame Chairman, I move that _____."

AMENDING A MOTION

You want to change some of the wording that is being discussed.

- After recognition, "Madame Chairman, I move that the motion be amended by adding the following words _____."
- After recognition, "Madame Chairman, I move that the motion be amended by striking out the following words _____."
- After recognition, "Madame Chairman, I move that the motion be amended by striking out the following words, _____, and adding in their place the following words _____."

REFER TO A COMMITTEE

You feel that an idea or proposal being discussed needs more study and investigation.

- After recognition, "Madame Chairman, I move that the question be referred to a committee made up of members Smith, Jones and Brown."

POSTPONE DEFINITELY

You want the membership to have more time to consider the question under discussion and you want to postpone it to a definite time or day, and have it come up for further consideration.

- After recognition, "Madame Chairman, I move to postpone the question until _____."

PREVIOUS QUESTION

You think discussion has gone on for too long and you want to stop discussion and vote.

- After recognition, "Madam President, I move the previous question."

LIMIT DEBATE

You think discussion is getting long, but you want to give a reasonable length of time for consideration of the question.

- After recognition, "Madam President, I move to limit discussion to two minutes per speaker."

POSTPONE INDEFINITELY

You want to kill a motion that is being discussed.

- After recognition, "Madam Moderator, I move to postpone the question indefinitely."

POSTPONE INDEFINITELY

You are against a motion just proposed and want to learn who is for and who is against the motion.

- After recognition, "Madame President, I move to postpone the motion indefinitely."

RECESS

You want to take a break for a while.

- After recognition, "Madame Moderator, I move to recess for ten minutes."

ADJOURNMENT

You want the meeting to end.

- After recognition, "Madame Chairman, I move to adjourn."

PERMISSION TO WITHDRAW A MOTION

You have made a motion and after discussion, are sorry you made it.

- After recognition, "Madam President, I ask permission to withdraw my motion."

CALL FOR ORDERS OF THE DAY

At the beginning of the meeting, the agenda was adopted. The chairman is not following the order of the approved agenda.

- Without recognition, "Call for orders of the day."

SUSPENDING THE RULES

The agenda has been approved and as the meeting progressed, it became obvious that an item you are interested in will not come up before adjournment.

- After recognition, "Madam Chairman, I move to suspend the rules and move item 5 to position 2."

POINT OF PERSONAL PRIVILEGE

The noise outside the meeting has become so great that you are having trouble hearing.

- Without recognition, "Point of personal privilege."
- Chairman: "State your point."
- Member: "There is too much noise, I can't hear."

COMMITTEE OF THE WHOLE

You are going to propose a question that is likely to be controversial and you feel that some of the members will try to kill it by various maneuvers. Also you want to keep out visitors and the press.

- After recognition, "Madame Chairman, I move that we go into a committee of the whole."

POINT OF ORDER

It is obvious that the meeting is not following proper rules.

- Without recognition, "I rise to a point of order," or "Point of order."

POINT OF INFORMATION

You are wondering about some of the facts under discussion, such as the balance in the treasury when expenditures are being discussed.

- Without recognition, "Point of information."

POINT OF PARLIAMENTARY INQUIRY

You are confused about some of the parliamentary rules.

- Without recognition, "Point of parliamentary inquiry."

APPEAL FROM THE DECISION OF THE CHAIR

Without recognition, "I appeal from the decision of the chair."

Rule Classification and Requirements

Class of Rule	Requirements to Adopt	Requirements to Suspend
Charter	Adopted by majority vote or as proved by law or governing authority	Cannot be suspended
Bylaws	Adopted by membership	Cannot be suspended
Special Rules of Order	Previous notice & 2/3 vote, or a majority of entire membership	2/3 Vote
Standing Rules	Majority vote	Can be suspended for session by majority vote during a meeting
Modified Roberts Rules of Order	Adopted in bylaws	2/3 vote

Title 2 ADMINISTRATION AND PERSONNEL

Chapters:

Chapter 2.04 COMMON COUNCIL

Sections:

Article I. Officers ~~and Employees~~

2.04.010 Election of officers.

The council shall hold a meeting no later than the second Wednesday in January, subject to the exceptions noted in Section 2.04.050, to elect from its members a president, a vice president, and a parliamentarian. The length of term for these offices begins with the election in January and ends with the election the following January.

(Ord. 90-48 § 1, 1990).

(Ord. No. 13-05, § 1, 3-6-2013)

2.04.020 Duties of president.

The president shall have general direction of the council chambers and shall ~~preserve order and decorum ensure that council rules and procedures are followed.~~ The president shall rule on all points of order subject to an appeal to the council by any two members, shall state all questions properly proposed, shall put all questions which come to a vote, and shall declare the results of each vote. After any ordinance, resolution, address or order is adopted by the council, the president shall certify such action and certification shall be attested by the city clerk. ~~In the absence of the president, the vice president shall preside.~~ As presiding officer, the president shall make appointments to council committees as described in Article III.

(Ord. 90-48 § 2, 1990; Ord. 83-15 § 1 (part), 1983).

2.04.025 Duties of vice president.

The vice president shall assume the duties and responsibilities of the president whenever the president is absent or otherwise unable to act.

2.04.030 Duties of sergeant-at-arms

The chief of police or his designee shall act as sergeant-at-arms. It shall be the duty of the sergeant-at-arms to preserve order in the council chambers under the direction of the presiding officer, ~~to act as a messenger of the council under the direction of the city clerk by serving notices of special meetings upon council members, and to procure the attendance of absent members when a quorum is not present.~~ The sergeant-at-arms may request any person in attendance at a council meeting to surrender any dangerous weapon other than a firearm (as defined by the Indiana Code).

Formatted: Font color: Auto

Formatted: Font color: Auto

Formatted: Font color: Auto

Formatted: Font: 12 pt, Bold, Font color: Auto

Formatted: Font color: Auto

Formatted: Border: Top: (No border), Bottom: (No border), Left: (No border), Right: (No border), Between : (No border)

Formatted: Font: 12 pt, Bold, Font color: Auto

(Ord. 79-97 § 2 (part), 1979).

(Ord. No. 11-15, § 1, 9-14-2011)

2.04.040 Duties of city clerk.

~~In addition to any other duties imposed by state law or local ordinance, the clerk shall perform the following duties with respect to the proceedings of the council:~~

- ~~(1) Serve as secretary of the council and keep an accurate record of all proceedings;~~
- ~~(2) Cause all notices of regular and special meetings of the council and its committees to be served according to law and the directions of the presiding officer of the council;~~
- ~~(3) Publish all notices of public hearings and ordinances and post upcoming legislation as required by law;~~
- ~~(4) Serve as the legal custodian of all records of the council;~~
- ~~(5) Maintain complete and orderly files containing all papers and documents pertaining to the business of the council and make them available to the council and the public;~~
- ~~(6) Take roll call, record motions, and perform other statutory functions at council meetings; and~~
- ~~(7) Obtain necessary signatures and attest to legislation immediately after its passage, and provide copies of signed legislation to all interested persons;~~

~~(Ord. 79-97 § 2 (part), 1979).~~

2.04.035 Duties of the Parliamentarian

~~The parliamentarian shall serve as an advisor to the council on matters of parliamentary procedure and interpretation of council rules. The parliamentarian shall ensure that all actions of the council adhere to established parliamentary authority and provide guidance to the presiding officer and council members when procedural questions arise.~~

Article II. Meetings and Rules of Procedure

2.04.050 Regular meetings.

- (a) ~~The council will meet at least once per month and will adopt an annual schedule prior to the start of each calendar year. With the exceptions noted in subsections (b) through (g), of this section, the council shall meet in regular session on the first and third Wednesday of each month at 6:30 p.m. local time.~~ The council may agree by majority vote to dispense with any regular session or to change the day or hour of any meeting, but the council shall meet at least once a month.
- (b) The council shall not meet on legal holidays as enumerated in Indiana Code § 1-1-9-1. ~~The council may agree by majority vote to meet at an alternative time should such a holiday fall on a Wednesday.~~
- (c) In ~~accordance with Indiana Code § 36-4-6-7,~~ in the year following its election, the council shall hold its first regular meeting ~~at 6:30 p.m. one evening~~ no later than the second ~~week of Wednesday~~ in January to elect officers. ~~The~~ ~~should the~~ council president of the previous year ~~still be a member of the council, he or she~~ shall preside over the election of new officers. If the president of the previous year is no longer on the council, the ~~election shall be majority party shall designate a council member to preside~~ over ~~by~~

Commented [I1]: Meeting note: review state law and potentially remove this section entirely from the BMC.

Commented [IR2]: These duties are defined in IC: IC 36-4-6-9Clerk; duties; second class cities posting roll call votes on Internet web site

Sec. 9. The city clerk is the clerk of the legislative body. The city clerk shall do the following:
(1) Preserve the legislative body's records in the clerk's office.

(2) Keep an accurate record of the legislative body's proceedings.

(3) Record the ayes and nays on each vote on an ordinance or resolution.

(4) Record the ayes and nays on other votes when requested to do so by two (2) or more members.

(5) Present ordinances, orders, or resolutions to the city executive under section 15 of this chapter.

(6) Record ordinances under section 17 of this chapter.

(7) This subdivision applies only to a second class city that maintains an Internet web site. The city clerk shall post on the city's Internet web site the roll call votes of the legislative body not later than three (3) business days after the following:

(A) The date the roll call vote is taken if the city's software is able to generate a roll call vote.

(B) If the city's software is not able to generate a roll call vote, the date the legislative body is first able to approve the minutes of the meeting at which the roll call vote was taken.

The city clerk shall maintain the roll call vote information on the Internet web site for a period of four (4) years.

Commented [IR3]: If we decide to retain some of this content, or add any additional or more specific duties than what is in state code, it should not be in the chapter entitled Common Council.

Formatted: Font: 12 pt, Bold, Font color: Auto

Formatted: Font color: Auto

Formatted: Font: 12 pt, Bold, Font color: Auto

Formatted: Font color: Auto

Formatted: Font color: Auto

Formatted: Font color: Auto

Formatted: Font color: Auto

Formatted: Font color: Auto

Created: 2025-04-16 08:01:04 [EST]

(Supp. No. 48, Update 1)

~~councilmember with the greatest total years of service on the Council, regardless of whether those years were consecutive. the election of officers. The council may decide by majority vote to reschedule a regularly scheduled Wednesday meeting and conduct other official business at this first meeting of the year.~~

Formatted: Font color: Auto

- (d) ~~In accordance with Indiana Code § 36-4-6-8, in years subsequent year to the year immediately following its election, the council shall hold its first regular meeting meet at 6:30 p.m. one evening no later than the second week of Wednesday in January to elect officers. The council president of the previous year shall preside over the election. of officers. The council may decide by majority vote to reschedule a regularly scheduled Wednesday meeting and conduct other official business at this meeting.~~

Formatted: Font color: Auto

Formatted: Font color: Auto

Formatted: Font color: Auto

- (e) ~~The council may choose to schedule a summer recess, provided the council meets at least once a month. If such a recess is scheduled, no legislation shall be heard for first reading at the final regular session prior to the recess.~~

- (f) ~~The council shall not meet on the Wednesday before Thanksgiving Day. The council may by majority vote decide to combine the meeting scheduled for this date with the meeting scheduled for the previous or following Wednesday.~~

- (g) ~~The council shall go into recess upon adjournment of the second regular session held in December and reconvene in January. No legislation for first reading shall be heard at the last regular session of December.~~

(Ord. 90-48 § 3, 1990).

(Ord. No. 13-05, § 2, 3-6-2013; Ord. No. 16-42, § 1, 11-16-2016; Ord. No. 21-03, § 4, 2-17-2021)

2.04.060 Special meetings—Emergency meetings.

- (a) Special meetings of the council may be held on call of the mayor, the president or any three members of the council. ~~It shall be the duty of the president or the members calling the special session to notify the city clerk of the meeting, its date, hour, and agenda. The city clerk shall, at least forty-eight hours before the time set for the meeting, notify each member of the council, either in person, in writing (electronically or physically), or by telephone, or by notice left at the member's place of residence.~~ Notice shall also be given at least forty-eight hours in advance of the meeting to the news media and to the public as required by state law.

Commented [3]: Are "special meetings" and "emergency meetings" two different things? Clarify this and just mention how they may be called here, referring to IC for notice requirements. Any further details should go in Rules of Procedure.

Commented [3R2]: @larry.allen@bloomington.in.gov Could you please look into this?

Commented [4]: Different than current practice.

- (b) Emergency meetings may be held provided there is compliance with the notice requirements of state law.

Formatted: Font color: Auto

(Ord. 83-15 § 1 (part), 1983).

2.04.070 Budget meetings.

~~The council shall perform its duties in regard to fixing the budget, tax rate, and tax levy in accordance with Indiana Code § 6-1-1-17-1 et seq.~~

Commented [5]: Put in Rules of Procedure

(Ord. 79-97 § 2 (part), 1979).

(Ord. No. 13-05, § 3, 3-6-2013)

20.04.075 Council rules of procedure.

Formatted: Font: 12 pt, Font color: Auto

- (a) ~~The council shall adopt and maintain a Council Rules of Procedure document, which shall govern the procedures and operations of the council and its committees. This document shall be formally adopted by the council and may be amended as necessary by a majority vote of the council.~~

Formatted: Font: 10 pt, Not Bold, Font color: Auto

Formatted: Font: 10 pt, Not Bold, Font color: Auto

- (b) ~~The council shall conduct its meetings in accordance with its Council Rules of Procedure.~~

Formatted: Font: 10 pt, Not Bold, Font color: Auto

Created: 2025-04-16 08:01:04 [EST]

(Supp. No. 48, Update 1)

(c) ~~The Council Rules of Procedure may be suspended by a two-thirds vote of the members of the council. If a rule is suspended, a majority of the members present shall decide the procedure to follow in lieu of the suspended rule.~~

Formatted: Font: 10 pt, Not Bold, Font color: Auto

(d) ~~The power to suspend the Council Rules of Procedure shall not apply to any rules required by state or federal statutory or constitutional law.~~

Formatted: Font: 10 pt, Not Bold, Font color: Auto

~~2.04.080 Parliamentary authority.~~

~~All meetings of the council and its committees shall be conducted in accordance with the procedures set forth in "Robert's Rules of Order" except where a different procedure is required by state law, this chapter, or other ordinances of the city. A majority of the members of the council shall decide all matters of procedure not covered by the authorities stated in this section.~~

~~(Ord. 79-97 § 2 (part), 1979).~~

~~2.04.090 Amendment and suspension of rules.~~

~~These rules may be amended only by adopting an amending ordinance. These rules may be suspended by a two-thirds vote of the members of the council. If a rule is suspended, a majority of the members present shall decide the procedure to follow in lieu of the suspended rule. The power to suspend these rules shall not apply to rules which are required by state or federal statutory or constitutional law.~~

~~(Ord. 79-97 § 2 (part), 1979).~~

~~2.04.100 Convening meeting—Quorum.~~

(a) ~~The presiding officer shall take the chair at the hour designated for convening and shall call the members to order. The roll shall then be called by the city clerk who shall enter in the minutes of the meeting the names of the members present.~~

(b) ~~A majority of the members of the council shall constitute a quorum. If the roll call establishes that a quorum is present, the presiding officer shall proceed in the manner and order prescribed by the Council Rules of Procedure ~~this chapter~~. In the absence of a quorum, the members present may, by a majority vote of those present, adjourn, set a time at which to adjourn, or take a recess, ~~or direct the sergeant-at-arms to procure the attendance of the absent members.~~~~

~~(Ord. 79-97 § 2 (part), 1979).~~

~~2.04.110 Seating of members.~~

~~Members shall occupy the seats assigned them by the presiding officer, but any two or more members may exchange seats by joining in a written memorandum to that effect.~~

~~(Ord. 79-97 § 2 (part), 1979).~~

~~2.04.120 Limits on debate.~~

~~No member shall speak more than twice upon a question without leave of the council, and no more than once until every other member has had the opportunity to speak. No member shall speak longer than five minutes for the first speech on a question and no more than two minutes for a second speech on the same question, unless~~

Created: 2025-04-16 08:01:04 [EST]

(Supp. No. 48, Update 1)

~~further time is granted by the council. The council may, before debate begins, decide by a two-thirds vote of all members to set time limits on debate upon a particular pending question, but time spent in answering questions shall not be counted against the speaker.~~

~~(Ord. 79-97 § 2 (part), 1979).~~

~~(Ord. No. 2024-16, § 1, 6-18-2024)~~

2.04.130 Absence from meeting—Leaving meeting in session.

No member shall be absent from a properly convened meeting of the council without notifying the city clerk. Any member desiring to be excused while the council is in session shall notify the presiding officer and the city clerk.

(Ord. 79-97 § 2 (part), 1979).

~~2.04.140 Orderliness of members.~~

~~Members shall confine their remarks to the question under consideration and avoid personalities.~~

~~(Ord. 79-97 § 2 (part), 1979).~~

2.04.150 Conflict of interest.

In the event a council member would be required to take any action that would directly affect a financial interest of the member other than an interest of a minimal nature or an interest that is not distinct from that of the general public, the member shall either explain the potential conflict and ask that they be excused from voting, deliberating, or taking action on the matter, or shall explain the potential conflict and state why they are able to participate fairly, objectively, and in the public interest despite the potential conflict.

(Ord. 79-97 § 2 (part), 1979).

~~2.04.160 Expressing dissent.~~

~~Any member shall have the right to express dissent from or protest against any ordinance or resolution and have the reasons entered into the record. Such dissent or protest shall be in respectful language and may be filed in writing and presented to the council not later than the next regular meeting following the date of passage of the ordinance or resolution.~~

~~(Ord. 79-97 § 2 (part), 1979).~~

~~2.04.170 Violation of rules.~~

~~If any member, in speaking or otherwise, transgresses the rules of the council or the limits of debate, the presiding officer or any other member may call the member to order and that member shall immediately surrender the floor. The council shall, if there is an appeal by the member called to order, decide the question without debate. Only if the decision is in favor of the member called to order shall the member be at liberty to proceed.~~

~~(Ord. 79-97 § 2 (part), 1979).~~

~~2.04.180 Address on personal privilege.~~

Created: 2025-04-16 08:01:04 [EST]

(Supp. No. 48, Update 1)

~~The right of a member to address the council on a question of personal privilege shall be limited to cases in which integrity, character, or motives are assailed, questioned, or impugned.~~

~~(Ord. 79-97 § 2 (part), 1979).~~

2.04.190 Expulsion of member.

The council shall have the power to expel any of its members for violation of official duty, including gross neglect, and it may declare the seat of any member vacant by reason of disability to perform official duties. The council shall in such cases first, by resolution, direct the city attorney to draw up a bill of impeachment setting forth the charges and alleged conditions of disability, after which the council shall in special session try the charges, following in such trial the rules of courts of law as closely as possible. A vote of two-thirds of the members of the council shall be required to expel a member or vacate a member's seat.

(Ord. 79-97 § 2 (part), 1979).

2.04.200 Investigatory powers—Removal of officers.

The council shall have the power to supervise and investigate all departments, officers, and employees of the government of the city and to remove any officer or employee against whom charges are sustained. Investigations shall be conducted in accordance with the rules and procedures set forth in state law. A vote of two-thirds of the members of the council shall be required to impeach or remove an officer or employee.

(Ord. 79-97 § 2 (part), 1979).

Article III. Committees

2.04.210 Standing committees—Establishment.

To facilitate the transaction of business, the council may by resolution establish standing committees and define the duties and responsibilities of each committee. If such committees are established, the presiding officer shall appoint at least three council members to each committee, observing the preference of each member as closely as possible, and shall appoint a chairperson for each committee. Legislation and questions before the council may be referred for investigation and report to the standing committees and the committees may investigate other areas within their jurisdiction. The council may create or abolish standing committees by adoption of subsequent resolutions.

(Ord. 79-97 § 2 (part), 1979).

2.04.220 Standing committees—Meetings.

A committee shall meet on call of its chairperson or any two of its members. Notice shall be communicated by the city clerk, who shall keep a record of such notices. A majority of the membership of a committee shall constitute a quorum, which shall be necessary to conduct the business of the committee. ~~The City Clerk~~
~~The chairperson may act as secretary of the committee or the committee may appoint a secretary, who~~ shall keep a memorandum of the proceedings and ~~actions taken~~ the recommendations made at the committee meeting. In committee meetings the rules of debate shall be relaxed in order to encourage discussion but general procedural decorum shall prevail.

(Ord. 79-97 § 2 (part), 1979).

Commented [6]: IC 36-4-6-21

Commented [7]: Meeting note: Consider adding committee member term language, this can be added to the Rule of Procedure.

Formatted: Font color: Auto

Formatted: Font color: Auto

2.04.225 Intentional display of firearms prohibited.

The intentional display of firearms is prohibited at any public meeting of the council.

(Ord. No. 11-15, § 2, 9-14-2011)

2.04.230 Standing committees—Reports.

- (a) The reports of standing committees shall be in writing and signed by a majority of the committee. Documents referred to the committee shall be returned with the report.
- (b) Matters or questions referred to standing committees shall normally be reported back to the council not later than the second regular session after being referred to the committee, but the council may extend the time for reporting. When a committee to which a matter or question has been referred with instructions to report at a specific time is not ready to report at that time, the matter referred shall, unless further time is granted, be considered as though reported back without recommendation.
- (c) The council may agree by majority vote to discharge any committee from further consideration of any matter referred to it. The matter referred shall be brought back before the council and take its proper place in the order of business.
- (d) When an ordinance or resolution is reported back from a committee with recommendations, the recommendation of the committee shall have no force unless adopted by the council at a properly convened session.
- (e) Any member of a committee may file a minority report and may move that the minority report be substituted for the recommendations of the majority.

(Ord. 79-97 § 2 (part), 1979).

2.04.240 Special committees.

Any three council members or the ~~council president~~ presiding officer may form a special committee for any specific purpose proper for council consideration. ~~The special committee shall be considered to be established at a regular session of the council when it is either (a) created by the council president or (b) proposed by a member with verbal support from at least two additional members. Special committees shall continue to function until the following January organizational meeting, at which time the new council president may continue the special committee for another calendar year. If the president does not continue the special committee, it shall be disbanded. The committee shall cease to function when it has completed its duties and made a report or recommendation to the council.~~

(Ord. 79-97 § 2 (part), 1979).

2.04.250 Committee of the whole.

- (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. ~~The council may decide by majority vote to cancel any such committee meeting or to meet at an alternative date and time. The council may by majority vote resolve itself into a committee of the whole at any other time and for any other legitimate purpose.~~
- (b) Whenever the council resolves itself into a committee of the whole the presiding officer shall leave the chair. Chair of the committee meetings ~~scheduled for Wednesday evenings and city budget hearings~~ shall rotate by alphabetical order among all councilmembers except the council president and such rotation will be tracked by the city clerk. Should a councilmember be unable to attend a committee meeting the next member on the

Commented [8]: Meeting note: Review for possible relocation to the Rules of Procedure

Commented [9]: Also consider adding committee member term language for clarification. This can be added to the Rule of Procedure.

Formatted: Font color: Auto

Formatted: Font color: Auto

Commented [10]: Consider deleting this from BMC. It can be mentioned as an option in Rules of Procedure.

Created: 2025-04-16 08:01:04 [EST]

(Supp. No. 48, Update 1)

rotation shall preside and the rotation shall proceed from that point. ~~The council president will designate the chair for any unscheduled committee meetings.~~

(c) When the council resolves itself into the committee of the whole, the rules of the council shall govern except that:

- (1) ~~The committee of the whole may consider only matters and questions referred to it, and the only motions in order shall be to amend or adopt, or that the committee rise and report;~~
- (2) No limit shall be placed on frequency of speaking, but no member may speak for longer than five minutes at a time;
- (3) Interested ~~citizens-residents~~ may be heard on the question under consideration if they address the chair and ask permission to speak;
- (4) The previous question may not be moved;
- (5) ~~The clerk shall keep a memorandum of proceedings and recommendations in a manner consistent with Indiana Code § 5-14-1.5-4.~~

(d) When the committee of the whole rises, the ~~presiding~~ officer of the council shall resume the chair, and the chairperson of the committee shall report its recommendations to the council. The question shall then be on agreeing the recommendations of the committee and adopting the action or measures recommended.

(Ord. 79-97 § 2 (part), 1979).

(Ord. No. 12-10, §§ 1, 2, 5-2-2012; Ord. No. 13-05, § 4, 3-6-2013)

~~2.04.255 Committees—Scheduling~~

~~(a) When a committee is to consider legislation referred by the council, it shall convene its meeting on the second or fourth Wednesday of the month. The council may decide by majority vote to cancel any such committee meeting, or to meet at an alternative date and time.~~

- ~~(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 committee meetings shall not begin before 5:30 p.m. or after 9:45 p.m.~~

~~(b) The president shall have the authority to refer legislation to the appropriate committee when the legislation is introduced for first reading, but such a referral may be changed by a motion approved by a majority of the council. The president shall have the authority to call and schedule committee meetings on second and fourth Wednesdays in anticipation of the introduction of legislation.~~

~~(c) A council committee shall not meet on legal holidays as enumerated in Indiana Code § 1-1-9-1, and shall not meet to hear legislation during the council's official recess, on the Wednesday evening immediately before Thanksgiving Day, or on or between the fourth Wednesday in December and New Year's Eve.~~

~~(Ord. No. 12-10, § 3, 5-2-2012; Ord. No. 16-42, § 2, 11-16-2016; Ord. No. 21-03, § 5, 2-17-2021)~~

Commented [11]: Meeting note: Retain: "The committee of the whole may consider only matters and questions referred to it."

Commented [12]: Checked with Clerk Bolden, who wants this to remain in code.

Commented [13]: Meeting note: Could be relocated to Rules of Procedure.

Article IV. Ordinances and Resolutions

2.04.260 Ordinances—Title and enacting clause.

Each ordinance to be submitted to the council shall have a title indicating the nature of the subject matter and an enacting clause in substantially the following style: "Be It Ordained by the Common Council of the City of Bloomington, Monroe County, Indiana, That:."

(Ord. 79-97 § 2 (part), 1979).

2.04.270 - Ordinances and resolutions—Filing, copies and agendas.

Each ordinance or resolution submitted to the council shall be in an editable, electronic form, accompanied by any relevant documents, and filed with the council office at least ten days before the meeting at which the legislation is to be introduced. That time frame may be extended by a vote of the council or at the request of the president. The president shall approve the agendas for regular sessions and, special sessions called by the president or voted upon by the council, ~~and committees convened to consider legislation referred to them,~~ Agendas shall include notice of whether discussion and public comment will be allowed on each agenda item, and the council staff shall prepare and distribute copies of the agendas and legislation to the council members, the mayor, and corporation counsel. Council members may motion to amend the agenda and introduce new items by a majority vote, provided that the ordinance or resolution is available in writing and meets the requirements specific in municipal code. The president may, at the meeting when ordinances are introduced for first reading, announce that the council will consider any of those ordinances as well as any resolutions expected to be considered during that legislative cycle at the next two regularly scheduled committees of the whole before receiving formal action at the following regularly scheduled regular session.

(Ord. 83-15 § 1 (part), 1983).

(Ord. No. 13-05, § 5, 3-6-2013; Ord. No. 21-03, § 6, 2-17-2021)

2.04.280 Ordinances and resolutions—Synopsis required.

- (a) Each ordinance and resolution submitted to the council shall be accompanied by a short, nontechnical synopsis of the legislation which is comprehensible to the average citizen and suitable for publication. The council staff may edit the synopsis to clarify information or standardize format.
- (b) The edited synopsis shall be read whenever the legislation it accompanies is introduced at a council meeting for first or second reading and it shall become a part of the official record, but shall not have the legal effect of being part of the legislation.

(Ord. 79-97 § 2 (part), 1979).

2.04.290 Ordinances and resolutions—Fiscal impact statement required.

All proposed legislation must be accompanied by a statement describing the impact of that legislation on the city's finances, including but not limited to revenues, expenditures, and any new debt obligations.

(Ord. 79-97 § 2 (part), 1979).

(Ord. No. 13-05, § 6, 3-6-2013; Ord. No. 21-03, § 7, 2-17-2021)

2.04.300 Ordinances and resolutions—Readings required.

- (a) Every ordinance shall be given at least two readings before a vote may be taken on its passage unless there is unanimous consent of the members present to proceed to a vote after first reading, in which case a two-

Commented [14]: CM Asare's suggestions.

Commented [15]: We no longer regularly schedule Committee of the Whole meetings, so is this moot?

Created: 2025-04-16 08:01:04 [EST]

(Supp. No. 48, Update 1)

thirds vote of all the members is required to pass the ordinance. This procedure to pass an ordinance on the same day or in the same meeting at which it is introduced does not apply to zoning ordinances or amendments to zoning ordinances adopted under Indiana Code 36-7 and cases where otherwise prohibited by state or federal law.

- (b) An ordinance may be debated and amended at its first reading and at subsequent readings. Upon motion made, seconded and approved by a majority of members, the city clerk shall read the title and synopsis of the ordinance at each reading.
- (c) Upon motion made, seconded and approved by a majority of the members, every resolution shall be read by title and synopsis only and may be debated, amended and adopted at the meeting of introduction.

(Ord. 79-97 § 2 (part), 1979).

(Ord. No. 2026-05, § 1(Att. A), 2-18-2026)

2.04.310 Ordinances and resolutions—Vote required.

A majority vote of the members of the council shall be necessary to adopt any resolution, order or ordinance, unless state or federal requirements provide otherwise. If there is a vote on an ordinance on the same day or at the same meeting at which it is introduced, a two-thirds vote of all the elected members is required for adoption.

(Ord. 83-15 § 1 (part), 1983).

(Ord. No. 2026-05, § 2(Att. A), 2-18-2026)

2.04.320 Ordinances and resolutions—Public inspection and publication.

- ~~(a) For purpose of public inspection, the city clerk shall provide copies of ordinances and resolutions to the Monroe County Public Library no later than twenty four hours after the legislation has been introduced at the council.~~
- ~~(b) Copies of proposed legislation shall be made available to the public prior to and during meetings when the legislation is being considered.~~
- ~~(c) All ordinances and resolutions passed by the council shall be recorded by the clerk and due proof of publication of all ordinances requiring publication shall be obtained by the clerk and attached to the original ordinance. Ordinances and resolutions shall be made available for public inspection and copying at all times during regular business hours.~~

Every ordinance and resolution shall be made available for public inspection at the office of the city clerk. The city clerk shall ensure that all adopted ordinances and resolutions are published or posted as required by law and shall make them available online no later than three (3) days after passage.

(Ord. 92-4 § 2, 1992; Ord. 79-97 § 2 (part), 1979).

(Ord. No. 13-05, § 7, 3-6-2013)

2.04.330 Ordinances and resolutions—Amendment.

The following rules shall govern the council when considering proposals for amendment of ordinances and resolutions:

Formatted: Font: Not Bold, Font color: Auto

Commented [16]: CM Asare's suggestion. Check with the Clerk's Office

(Supp. No. 48, Update 1)

Created: 2025-04-16 08:01:04 [EST]

-
- (1) All amendments to resolutions and ordinances must be reduced to writing before they may be considered to be properly before the council;
 - (2) An amendment must be germane to the proposition to which it is to apply;
 - (3) A primary amendment may be amended, but a secondary amendment (an amendment to an amendment) may not be amended;
 - (4) When adopted, an amendment merely modifies the proposition or question to which it applies and the question before the council is then the consideration of the proposition or question as amended;
 - (5) An amendment once rejected may not be moved again in the same form in the same meeting of the council without first reconsidering the vote by which the amendment was defeated.

(Ord. 79-97 § 2 (part), 1979).

2.04.340 Ordinances—Repeal or modification.

Whenever an ordinance or a part of an ordinance is repealed or modified by a subsequent ordinance, the part of an ordinance thus repealed or modified shall continue in force until due publication of the ordinance when required, unless otherwise expressly provided. No suit, proceeding, right, fine, forfeiture or penalty instituted, created, given, secured, or accrued under any ordinance previous to its repeal shall in any way be affected, released or discharged, but may be prosecuted, enjoyed, and recovered as fully as if such ordinance had continued in force, unless it shall be otherwise expressly provided.

(Ord. 79-97 § 2 (part), 1979).

2.04.350 Veto procedure.

- (a) In the event the mayor disapproves any ordinance, order, or resolution requiring mayoral approval, such ordinance, order, or resolution shall not become law unless at the next properly convened meeting or special meeting held at least ten days following presentation of the ordinance, order, or resolution to the mayor, the council again passes the ordinance, order, or resolution by two-thirds vote of all members of the council.
- (b) Further, in conformance with Indiana Code 36-7-4-609 "Vote Required for Legislative Action," as amended, each zoning ordinance adopted by the city under Indiana Code 36-7-4-606, 36-7-4-607, or 36-7-4-608 may be vetoed by the executive of the city. The executive must exercise the veto:
 - (1) In a case in which the legislative body adopted (as certified) the proposal, within ten days after the legislative body acts;
 - (2) In a case in which the legislative body amends the proposal and the plan commission approves the amendment or fails to act, within fifty-five days after the proposal is returned to the plan commission for its consideration;
 - (3) In a case in which the legislative body amends the proposal and confirms its original amendment by another vote, within ten days after the legislative body confirms its original amendment; or
 - (4) In a case in which the proposal is to take effect because of the legislative body's failure to act within a period of days, within ten days after the expiration of that period.
- (c) If a city zoning ordinance is not vetoed under subsection (b), it takes effect without any action being taken by the executive of the city.
- (d) If a city zoning ordinance is vetoed under subsection (b), it is defeated unless the city legislative body, at its first regular or special meeting after receiving the veto message, passes the ordinance over the veto by a two-thirds vote.

Created: 2025-04-16 08:01:04 [EST]

(Supp. No. 48, Update 1)

(Ord. 89-14 § 1, 1989; Ord. 86-57 § 1, 1986; Ord. 83-15 § 1 (part), 1983).

Article V. *Proceedings and Motions*

~~2.04.360 Voting procedure.~~

- ~~(a) All votes upon the passage of ordinances and resolutions, upon motions to suspend the rules, and upon motions to reconsider shall be by roll call vote. Any two members may demand a roll call vote upon any question to be voted upon by the council and when such demand is made the clerk shall call the roll.~~
- ~~(b) The council may by a majority vote of the members present adopt any method for tabulating the vote, including a random or alphabetical order of calling the roll.~~
- ~~(c) During a roll call vote on any question, it shall be out of order for any member to offer remarks as the member is voting other than a short and concise explanation of his vote. After a roll call vote, it shall be out of order for any member to offer any remarks on the question that had been voted upon.~~
- ~~(d) Members shall vote on all questions before the council except in situations where there is a conflict of interest or for other good cause. If a member fails to vote upon any matter, any other member may raise the question and insist that the member either vote or state the reason for not voting and be excused.~~
- ~~(e) Any member may change a vote before the result is announced, and afterwards by leave of the council provided that the change will not affect the result. In no case shall a member absent when the question is put be allowed to vote after the result is announced.~~

~~(Ord. 79-97 § 2 (part), 1979).~~

2.04.370 Appointments to boards and commissions.

Vacancies on boards and commissions to be filled by the council shall be filled by a majority vote of the members in a properly convened session of the council.

(Ord. 79-97 § 2 (part), 1979).

~~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:~~

- ~~(1) Roll call;~~
- ~~(2) Agenda summation;~~
- ~~(3) Approval of minutes;~~
- ~~(4) Reports (a maximum of twenty minutes is set aside for each part of this section):~~
 - ~~(A) Council members,~~
 - ~~(B) The mayor and city offices;~~
 - ~~(C) Council committees, and~~
 - ~~(D) Public*;~~
- ~~(5) Appointments to boards and commissions;~~
- ~~(6) Legislation for first readings;~~

Commented [17]: Only 2.04.370 Appointments to boards and commissions left, consider remove, rename, or remove this article.

-
- (7) ~~Second readings and resolutions;~~
- (8) ~~Additional reports from the public* (a maximum of twenty five minutes is set aside for this section of the agenda);~~
- (9) ~~Council schedule;~~
- (10) ~~Adjournment.~~

*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.

(Ord. 92-4 § 1, 1992; Ord. 85-2 § 1, 1985).

(Ord. No. 10-14, § 1, 9-23-2010; Ord. No. 2024-13, §§ 1, 2, 6-5-2024)

2.04.390 Motions generally.

- (a) ~~When a motion is made and seconded it shall be stated by the presiding officer before it shall be debated. The name of the member making the motion or offering any business shall be entered into the minutes.~~
- (b) ~~A motion may be withdrawn by the maker, but if there is any objection to the withdrawal, it may not be withdrawn until a motion to that effect has been passed.~~
- (c) ~~A motion shall be reduced to writing upon request of any member or city clerk.~~

(Ord. 79-97 § 2 (part), 1979).

(Ord. No. 13-05, § 8, 3-6-2013)

2.04.400 Motions when question is under debate.

~~When a question is under debate, no motion other than pertinent incidental motions shall be entertained except to adjourn or recess, to lay on the table, for the previous question, to postpone for a definite time, to refer to committee, to amend, or to postpone indefinitely, which motions shall have precedence in the order above named and only the motions to postpone for a definite time, to refer to committee, to amend, and to postpone indefinitely shall be debatable.~~

(Ord. 79-97 § 2 (part), 1979).

2.04.410 Motion for the previous question.

~~The motion for the previous question shall only be admitted when demanded by a two thirds vote, and until it is decided, shall preclude all further amendments and debate of the main question. The effect of the previous question shall be to bring the council to a vote on the immediate question under discussion.~~

(Ord. 79-97 § 2 (part), 1979).

2.04.420 Motion to adjourn or recess.

- (a) ~~A motion to adjourn or recess shall be decided without debate and shall be in order at any time, except when it is repeated without intervening business or discussion, when a member is speaking, when the previous question has been ordered, or during roll call. A motion to recess shall take precedence over a motion to adjourn.~~

- (b) ~~No legislation may be introduced for council action after 10:30 p.m. local time without a two-thirds vote of the members of the council.~~
- (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 one-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.~~
- ~~(Ord. 79-97 § 2 (part), 1979)~~
- ~~(Ord. No. 21-34, § 1, 10-6-2021)~~

~~2.04.430 Division of question.~~

~~Any member may move that a question under consideration covering two or more distinct propositions be divided. If the motion is adopted by a majority of the members present, the question shall be divided.~~

~~(Ord. 79-97 § 2 (part), 1979)~~

~~2.04.440 Motion to table.~~

~~A motion to lay a question under consideration on the table shall take precedence over all amendments or debate of the question. Any matter laid on the table may be taken up by a vote of the council at any meeting after the meeting at which it is tabled. The motion to table may not be debated.~~

~~(Ord. 79-97 § 2 (part), 1979)~~

~~2.04.450 Motion to postpone indefinitely.~~

~~If a motion to postpone indefinitely is adopted or a motion to reconsider a negative vote has been laid on the table, the main question shall be declared defeated and removed from before the council for that session.~~

~~(Ord. 79-97 § 2 (part), 1979)~~

~~2.04.460 Motion to reconsider.~~

~~When any question has been decided in the affirmative or negative, any member voting with the majority may move a reconsideration of the vote before adjournment. Concurrence of a majority of the members present shall be sufficient to order reconsideration of a vote, but if a motion to reconsider is defeated, it shall not again be entertained.~~

~~(Ord. 79-97 § 2 (part), 1979)~~

Article VI. Council Districts

2.04.500 Definition of councilmanic districts.

The City of Bloomington is hereby divided into six councilmanic districts which shall be known as the First District, Second District, Third District, Fourth District, Fifth District, and Sixth District. A copy of the map of these

Commented [18]: Meeting note: Remains as is.

districts and the associated precinct populations are attached to this ordinance (Ordinance 22-24) as Exhibit "A." These districts shall consist of precincts as they were set forth in the "Order Establishing Precincts" of the Monroe County Commissioners dated December 15, 2021. This Order and the associated precinct map, and the IEC-8 forms are incorporated by reference into this ordinance and, in accordance with IC 36-1-5-4, two copies of this material shall be kept on file in the office of the City Clerk and Council for inspection by the public. These districts and their component precincts are as follows:

FIRST DISTRICT. The First Councilmanic District shall consist of the following designated precincts:

- (a) Perry Township Precincts 3, 5, 6, 8, 29 & 31;
- (b) Van Buren Township Precinct 2.

SECOND DISTRICT. The Second Councilmanic District shall consist of the following designated precincts:

- (a) Bloomington Township Precincts 2, 6, 13, 14, 17, & 20;
- (b) Perry Township Precinct 1;
- (c) Richland Township Precinct 9.

THIRD DISTRICT. The Third Councilmanic District shall consist of the following designated precincts:

- (a) Bloomington Township Precincts 7, 8, 9, 10, 16, 21, 22, & 23.

FOURTH DISTRICT. The Fourth Councilmanic District shall consist of the following designated precincts:

- (a) Perry Township Precincts 7, 9, 14, 15, 16, 17, 20, 30, & 32.

FIFTH DISTRICT. The Fifth Councilmanic District shall consist of the following designated precincts:

- (a) Perry Township Precincts 10, 11, 12, 13, 18, 19, 21, 26, & 28.

SIXTH DISTRICT. The Sixth councilmanic District shall consist of the following designated precincts:

- (a) Bloomington Township Precincts 1, 3, 4, 5, 18, & 19.

(Ord. 93-10 § 1, 1993; Ord. 92-63 § 1, 1992; Ord. 90-44 § 2, 1990).

(Ord. No. 12-29, § 1, 12-19-2012; Ord. No. 22-24, § 1, 10-6-2022)

2.04.510 Reserved.

Editor's note(s)—Ord. No. 12-29, adopted Dec. 29, 2012, § 1, repealed § 2.04.510 in its entirety. The former § 2.04.510 pertained to the repeal of former council districts and derived from Ord. No. 90-44, § 3, 1990.

Notes for Rules of Procedure

Provisions from the Current BMC Title 2 Under Consideration for Inclusion in the Rules:

Regular text = from BMC

Italicized text = recommended information to include

2.04.050 Regular meetings.

- (e) The council may choose to schedule a summer recess, provided the council meets at least once a month. If such a recess is scheduled, no legislation shall be heard for first reading at the final regular session prior to the recess.
- (f) The council shall not meet on the Wednesday before Thanksgiving Day. The council may by majority vote decide to combine the meeting scheduled for this date with the meeting scheduled for the previous or following Wednesday.
- (g) The council shall go into recess upon adjournment of the second regular session held in December and reconvene in January. No legislation for first reading shall be heard at the last regular session of December.

Process for establishing the annual calendar

2.04.070 Budget meetings.

The council shall perform its duties in regard to fixing the budget, tax rate, and tax levy in accordance with Indiana Code § 6-1.1-17-1 et seq.

Procedures for budget hearings (including who will serve as chair/presiding officer)

Role of Fiscal Committee

Budget planning sessions of Council (with and without Mayor)

2.04.080 Parliamentary authority.

All meetings of the council and its committees shall be conducted in accordance with the procedures set forth in "Robert's Rules of Order" except where a different procedure is required by state law, this chapter, or other ordinances of the city. A majority of the members of the council shall decide all matters of procedure not covered by the authorities stated in this section.

Robert's Rules (or other)

2.04.090 Amendment and suspension of rules

These rules may be amended only by adopting an amending ordinance. These rules may be suspended by a two-thirds vote of the members of the council. If a rule is suspended, a majority of the members present shall decide the procedure to follow in

lieu of the suspended rule. The power to suspend these rules shall not apply to rules which are required by state or federal statutory or constitutional law.

Amendment of Rules of Order

2.04.100 Convening meeting—Quorum.

- (a) The presiding officer shall take the chair at the hour designated for convening and shall call the members to order. The roll shall then be called by the city clerk who shall enter in the minutes of the meeting the names of the members present.

*Roll call is part of Order of Business, so we can do away with this paragraph.
Quorum is still covered in 2.04.100.*

2.04.110 Seating of members.

Members shall occupy the seats assigned them by the presiding officer, but any two or more members may exchange seats by joining in a written memorandum to that effect.

2.04.120 Limits on debate.

No member shall speak more than twice upon a question without leave of the council, and no more than once until every other member has had the opportunity to speak. No member shall speak longer than five minutes for the first speech on a question and no more than two minutes for a second speech on the same question, unless further time is granted by the council. The council may, before debate begins, decide by a two-thirds vote of all members to set time limits on debate upon a particular pending question, but time spent in answering questions shall not be counted against the speaker.

2.04.140 Orderliness of members.

Members shall confine their remarks to the question under consideration and avoid personalities.

2.04.160 Expressing dissent.

Any member shall have the right to express dissent from or protest against any ordinance or resolution and have the reasons entered into the record. Such dissent or protest shall be in respectful language and may be filed in writing and presented to the council not later than the next regular meeting following the date of passage of the ordinance or resolution.

2.04.170 Violation of rules.

If any member, in speaking or otherwise, transgresses the rules of the council or the limits of debate, the presiding officer or any other member may call the member to order and that member shall immediately surrender the floor. The council shall, if there is an appeal by the member called to order, decide the question without

debate. Only if the decision is in favor of the member called to order shall the member be at liberty to proceed.

2.04.180 Address on personal privilege.

The right of a member to address the council on a question of personal privilege shall be limited to cases in which integrity, character, or motives are assailed, questioned, or impugned.

2.04.210 Standing committees—Establishment.

Terms of appointment to these committees.

2.04.230 Standing committees—Reports.

- (a) The reports of standing committees shall be in writing and signed by a majority of the committee. Documents referred to the committee shall be returned with the report.
- (b) Matters or questions referred to standing committees shall normally be reported back to the council not later than the second regular session after being referred to the committee, but the council may extend the time for reporting. When a committee to which a matter or question has been referred with instructions to report at a specific time is not ready to report at that time, the matter referred shall, unless further time is granted, be considered as though reported back without recommendation.
- (c) The council may agree by majority vote to discharge any committee from further consideration of any matter referred to it. The matter referred shall be brought back before the council and take its proper place in the order of business.
- (d) When an ordinance or resolution is reported back from a committee with recommendations, the recommendation of the committee shall have no force unless adopted by the council at a properly convened session.
- (e) Any member of a committee may file a minority report and may move that the minority report be substituted for the recommendations of the majority.

2.04.250 Committee of the Whole.

- (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. The council may decide by majority vote to cancel any such committee meeting or to meet at an alternative date and time. The council may by majority vote resolve itself into a committee of the whole at any other time and for any other legitimate purpose.
- (b) Whenever the council resolves itself into a committee of the whole the presiding officer shall leave the chair. Chair of the committee meetings scheduled for Wednesday evenings and city budget hearings shall rotate by alphabetical order among all councilmembers except the council president and such rotation will be tracked by the city clerk. Should a councilmember be unable to attend a committee

meeting the next member on the rotation shall preside and the rotation shall proceed from that point. The council president will designate the chair for any unscheduled committee meetings.

(c) When the council resolves itself into the committee of the whole, the rules of the council shall govern except that:

- (1) The committee of the whole may consider only matters and questions referred to it, and the only motions in order shall be to amend or adopt, or that the committee rise and report;
- (2) No limit shall be placed on frequency of speaking, but no member may speak for longer than five minutes at a time;
- (3) Interested citizens may be heard on the question under consideration if they address the chair and ask permission to speak;
- (4) The previous question may not be moved;
- (5) The clerk shall keep a memorandum of proceedings and recommendations in a manner consistent with Indiana Code § 5-14-1.5-4.

(d) When the committee of the whole rises, the presiding officer of the council shall resume the chair, and the chairperson of the committee shall report its recommendations to the council. The question shall then be on agreeing the recommendations of the committee and adopting the action or measures recommended.

2.04.255 Committees—Scheduling.

- (a) When a committee is to consider legislation referred by the council, it shall convene its meeting on the second or fourth Wednesday of the month. The council may decide by majority vote to cancel any such committee meeting, or to meet at an alternative date and time.
 - (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 committee meetings shall not begin before 5:30 p.m. or after 9:45 p.m.
- (b) The president shall have the authority to refer legislation to the appropriate committee when the legislation is introduced for first reading, but such a referral may be changed by a motion approved by a majority of the council. The president shall have the authority to call and schedule committee meetings on second and fourth Wednesdays in anticipation of the introduction of legislation.
- (c) A council committee shall not meet on legal holidays as enumerated in Indiana Code § 1-1-9-1, and shall not meet to hear legislation during the council's official

recess, on the Wednesday evening immediately before Thanksgiving Day, or on or between the fourth Wednesday in December and New Year's Eve.

2.04.270 Ordinances and resolutions—Filing, copies and agendas

The president shall approve the agendas for regular sessions, special sessions called by the president or voted upon by the council, and committees convened to consider legislation referred to them. The president may, at the meeting when ordinances are introduced for first reading, announce that the council will consider any of those ordinances as well as any resolutions expected to be considered during that legislative cycle at the next two regularly scheduled committees of the whole before receiving formal action at the following regularly scheduled regular session.

The council staff shall prepare and distribute digital copies of the agendas and legislation to the council members, the mayor, and corporation counsel

2.04.360 Voting procedure.

- (a) All votes upon the passage of ordinances and resolutions, upon motions to suspend the rules, and upon motions to reconsider shall be by roll call vote. Any two members may demand a roll call vote upon any question to be voted upon by the council and when such demand is made the clerk shall call the roll.
- (b) The council may by a majority vote of the members present adopt any method for tabulating the vote, including a random or alphabetical order of calling the roll.
- (c) During a roll call vote on any question, it shall be out of order for any member to offer remarks as the member is voting other than a short and concise explanation of his vote. After a roll call vote, it shall be out of order for any member to offer any remarks on the question that had been voted upon.
- (d) Members shall vote on all questions before the council except in situations where there is a conflict of interest or for other good cause. If a member fails to vote upon any matter, any other member may raise the question and insist that the member either vote or state the reason for not voting and be excused.
- (e) Any member may change a vote before the result is announced, and afterwards by leave of the council provided that the change will not affect the result. In no case shall a member absent when the question is put be allowed to vote after the result is announced.

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:

- (1) Roll call;

- (2) Agenda summation;
- (3) Approval of minutes;
- (4) Reports (a maximum of twenty minutes is set aside for each part of this section):
 - (A) Council members,
 - (B) The mayor, city clerk, city offices, and city boards and commissions
 - (C) Council committees, and
 - (D) Public*;
- (5) Appointments to boards and commissions;
- (6) Legislation for first readings;
- (7) Second readings and resolutions;
- (8) Additional reports from the public* (a maximum of twenty-five minutes is set aside for this section of the agenda);
- (9) Council schedule;
- (10) Adjournment.

*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.

2.04.390 Motions generally.

- (a) When a motion is made and seconded it shall be stated by the presiding officer before it shall be debated. The name of the member making the motion or offering any business shall be entered into the minutes.
- (b) A motion may be withdrawn by the maker, but if there is any objection to the withdrawal, it may not be withdrawn until a motion to that effect has been passed.
- (c) A motion shall be reduced to writing upon request of any member or city clerk.

2.04.400 Motions when question is under debate.

When a question is under debate, no motion other than pertinent incidental motions shall be entertained except to adjourn or recess, to lay on the table, for the previous question, to postpone for a definite time, to refer to committee, to amend, or to postpone indefinitely, which motions shall have precedence in the order above named and only the motions to postpone for a definite time, to refer to committee, to amend, and to postpone indefinitely shall be debatable.

2.04.410 Motion for the previous question.

The motion for the previous question shall only be admitted when demanded by a two-thirds vote, and until it is decided, shall preclude all further amendments and debate of the main question. The effect of the previous question shall be to bring the council to a vote on the immediate question under discussion.

2.04.420 Motion to adjourn or recess.

- (a) A motion to adjourn or recess shall be decided without debate and shall be in order at any time, except when it is repeated without intervening business or discussion, when a member is speaking, when the previous question has been ordered, or during roll call. A motion to recess shall take precedence over a motion to adjourn.
- (b) No legislation may be introduced for council action after 10:30 p.m. local time without a two-thirds vote of the members of the council.
- (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 one-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.

2.04.430 Division of question.

Any member may move that a question under consideration covering two or more distinct propositions be divided. If the motion is adopted by a majority of the members present, the question shall be divided.

2.04.440 Motion to table.

A motion to lay a question under consideration on the table shall take precedence over all amendments or debate of the question. Any matter laid on the table may be taken up by a vote of the council at any meeting after the meeting at which it is tabled. The motion to table may not be debated.

2.04.450 Motion to postpone indefinitely.

If a motion to postpone indefinitely is adopted or a motion to reconsider a negative vote has been laid on the table, the main question shall be declared defeated and removed from before the council for that session.

2.04.460 Motion to reconsider.

When any question has been decided in the affirmative or negative, any member voting with the majority may move a reconsideration of the vote before adjournment.

Concurrence of a majority of the members present shall be sufficient to order reconsideration of a vote, but if a motion to reconsider is defeated, it shall not again be entertained.

Additional notes:

- Add language to clarify the term of standing committee member and the start day and end day of the special committee.